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**RECOMMENDED  
CONDITIONS OF APPROVAL AND  
STANDARD DEVELOPMENT REQUIREMENTS  
NOVEMBER 4, 2020**

Planning Application **2020-7603**  
200 S Taaffe Street

Landmark Alteration Permit to remove redwood tree (number 6) and the installation of two large redwood trees within the Heritage Grove (aka Redwood Square) Landmark.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with “Mitigation Measure” and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

<p><b>GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.</b></p>
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**GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:**

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

**GC-2. ENTITLEMENTS—EXERCISE AND EXPIRATION:**

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The approved entitlements shall be null and void two years from the date of approval by the final review authority if the approval is not exercised, unless a written request for an extension is received prior to the expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

**GC-3. INDEMNITY:**

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

**GC-4. NOTICE OF FEES PROTEST:**

As required by California Government Code Section 66020, the project applicant is hereby notified that the 90-day period has begun as of the date of the approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the city as part of the approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or adopted city impact fee schedule. [SDR] [PLANNING / OCA]

**GC-5. REPLACEMENT PLANTINGS:**

The applicant shall install two Sequoia sempervirens (California Coast Redwoods) in a 48" box with a height of approximately 15-20 feet and trunk diameter of 4-6 inches as indicated in the approved project plans. [SDR] [PLANNING]

**GC-6. LANDMARK ALTERATION PERMIT:**

The applicant shall apply for a new Landmark Alteration Permit to dedicate one of the new redwood trees in honor of Manuel Vargas. The applicant shall apply for the Landmark Alteration Permit within 60 days of completion of the park. [SDR] [PLANNING]

**PR: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO REMOVAL OF THE REDWOOD TREE.**

**PR-1. TREE PROTECTION:**

Prior to commencement of removal of redwood tree number six, the applicant shall install tree protection fencing around the remaining five redwood trees. Fencing shall be chainlink and placed at a minimum to the outer extent of the dripline of the grove. The fencing shall be inspected by the City Arborist and Planning Staff prior to removal of tree number six. [COA] [PLANNING/CITY ARBORIST]

**PR-2. REMOVAL OUTSIDE OF NESTING SEASON:**

When possible, construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31.

If it is not possible to schedule construction and tree removal between September and January, then preconstruction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal. [MM/BIO-1] [PLANNING]

**PR-3. HEALTH AND SAFETY PLAN:**

A SMP and Health Safety Plan (HSP) shall be prepared and implemented for construction-related earthwork activities under the proposed project.

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The purpose of the SMP and HSP is to establish appropriate management practices for handling impacted soil, soil vapor, and groundwater or other materials that may potentially be encountered during construction activities. The SMPs shall provide the protocols for accepting imported fill materials and protocols for sampling of in place soil to facilitate profiling of the soil for appropriate off-site disposal or reuse. [MM/HAZ-1.2] [PLANNING]

PR-4. CONDITIONS OF APPROVAL:

The removal bid and contract shall include all Conditions of Approval. [COA] [PLANNING]

<b>DR: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED DURING THE REMOVBAL OF THE REDWOOD TREE.</b>
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DR-1. CITY ARBORIST SUPERVISION:

If a heritage tree is removed or relocated, the relocation of a heritage tree shall be done under the supervision of a certified arborist, in consultation with the City arborist. The new location for a relocated tree shall be approved by the City prior to the tree's removal. [MM/ MM CR-1.1] [PLANNING/CITY ARBORIST]

DR-1. CULTURAL SENSITIVITY TRAINING:

Prior to ground-disturbing activities, the project applicant shall have a qualified archaeologist or qualified Native American tribal representative provide appropriate cultural sensitivity training to all contractors and employees involved in the trenching and excavation. [MM/ MM CR-2.2 and 2.3] [PLANNING/CITY ARBORIST]