

DRAFT CONDITIONS OF APPROVAL

221 Almendra Avenue

Minor Residential Application MR-20-006

Requesting approval for construction of a detached garage exceeding 450 square feet on a non-contributing single-family residence in the Almond Grove Historic District on property zoned R-1D:LHP. APN 510-14-044.

PROPERTY OWNER: Gary Filizetti

APPLICANT: Brett Brenkwitz

TO THE SATISFACTION OF THE DIRECTOR OF COMMUNITY DEVELOPMENT:

Planning Division

1. APPROVAL: This application shall be completed in accordance with all of the conditions of approval and in substantial compliance with the approved plans. Any changes or modifications to the approved plans and/or business operation shall be approved by the Community Development Director, DRC or the Planning Commission depending on the scope of the changes.
2. EXPIRATION: The approval will expire two years from the approval date pursuant to Section 29.20.320 of the Town Code, unless the approval has been vested.
3. OUTDOOR LIGHTING: Exterior lighting shall be kept to a minimum, and shall be down directed fixtures that will not reflect or encroach onto adjacent properties. No flood lights shall be used unless it can be demonstrated that they are needed for safety or security.
4. ARBORIST REQUIREMENTS: The developer shall implement, at their cost, all recommendations identified in the Arborist's report dated as received November 24, 2020 for the project, on file in the Community Development Department. These recommendations must be incorporated in the building permit plans, and completed prior to issuance of a building permit where applicable.
5. TREE REMOVAL PERMIT: A Tree Removal Permit shall be obtained for any trees to be removed, prior to the issuance of a building or grading permit. Replacement trees must be planted on-site prior to issuance of Certificate of Occupancy.
6. EXISTING TREES: All existing trees shown on the plan and trees required to remain or to be planted are specific subjects of approval of this plan, and must remain on the site.
7. TREE STAKING: All newly planted trees shall be double-staked using rubber tree ties.
8. FRONT YARD LANDSCAPE: Prior to issuance of a Certificate of Occupancy the front yard must be landscaped.
9. TOWN INDEMNITY: Applicants are notified that Town Code Section 1.10.115 requires that any applicant who receives a permit or entitlement from the Town shall defend, indemnify, and hold harmless the Town and its officials in any action brought by a third party to overturn, set aside, or void the permit or entitlement. This requirement is a condition of approval of all such permits and entitlements whether or not expressly set forth in the approval, and may be secured to the satisfaction of the Town Attorney.

10. **COMPLIANCE MEMORANDUM:** A memorandum shall be prepared and submitted with the building plans detailing how the Conditions of Approval will be addressed.

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