

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. 127-96

RESOLUTION OF THE NOVATO CITY COUNCIL DENYING
THE COMPLAINT FILED AGAINST THE NOVATO PLANNING
COMMISSION APPROVAL OF THE VESTING TENTATIVE
MAP APPLICATION RELATING TO THE BUCK CENTER FOR
RESEARCH IN AGING PROJECT AND APPROVING SAID MAP
APPLICATION WITH FINDINGS AND DETERMINATIONS
REGARDING SAME

BASED ON THE BELOW-DESCRIBED EVIDENCE, THE CITY COUNCIL DOES HEREBY
FIND, DETERMINE, ADOPT, RESOLVE AND ORDER AS FOLLOWS:

Section 1. Background

- (a) In November 1995, the voters of the City of Novato adopted "Measure B," an initiative which amended the City General Plan to designate the 180 acres of the Buck Center for Research in Aging ("BCRA") "Research/Education-Institutional." Measure B also enacted a new zoning district entitled "Research/Education-Institutional District Zone." Among other things, Measure B designated the BCRA Property for 355,000 square feet of research facilities and related uses, 130 units of residential housing (for researchers involved with such biomedical research endeavors) and open space/preservation uses. Measure B also provided that mitigation measures substantially similar to those set forth in the Environmental Impact Report for the Project would apply to development in accordance with the new regulations.
- (b) Thereafter, the City commenced annexation proceedings before the Marin County Local Agency Formation Commission ("LAFCO") regarding the Center property. The annexation was approved by LAFCO and was completed by the City in February 1996.
- (c) On March 5, 1996, at the completion of a lengthy General Plan revision process, the City of Novato adopted its revised General Plan. Prior to the adoption of the revised General Plan, the draft of the proposed revised General Plan included the same designations for the BCRA property as were established by Measure B. These designations are set forth in the final revised General Plan adopted on March 5, 1996.
- (d) After the annexation to the City was completed, the Vesting Tentative Map application ("VTM Application") seeking the establishment of 7 lots on the 180-acre BCRA property was prepared and submitted by the BCRA, was determined to be complete by the City, and

was referred out to interested agencies pursuant to the Subdivision Map Act and Novato Municipal Code. The VTM Application is the subject of this proceeding.

- (e) A public notice describing the VTM Application, its environmental documentation and the time and place of the public hearing, at which the public would be given an opportunity to be heard regarding the VTM Application, was sent to neighboring property owners and interested parties and was posted in the City of Novato and published in the *Marin Independent Journal* pursuant to the Subdivision Map Act and the Novato Municipal Code. The public hearing before the Planning Commission was originally noticed for September 9, 1996. However, in order to provide additional time to the public to review the proposal, the Planning Commission at its September 9, 1996, meeting continued the matter to a meeting on September 16, 1996.
- (f) At its September 16, 1996, meeting and public hearing and prior to taking action on the VTM Application, the Planning Commission received and considered oral testimony, correspondence, information provided by City staff, members of the public, individuals representing different interest groups, individuals representing the BCRA, members of the Planning Commission and others, and the documents and reports in the City's files and records relating to the Buck Center for Research in Aging Project including, but not limited to Measure B, the applicable City General Plan, the Environmental Impact Report certified for the BCRA, and the City staff report regarding the VTM Application.
- (g) Based on the evidence referred to in paragraph (f), the Planning Commission made the findings and determinations and took the actions contained in the Planning Commission Resolution. Through said resolution, the Planning Commission approved the VTM Application.
- (h) By letters received by the City on September 25, 1996, the Committee to Save Mt. Burdell and the Novato Citizens Action Committee (collectively "Complainant") filed an "appeal" and a "complaint" (collectively "Complaint") relating to the Planning Commission's approval of the VTM Application.
- (i) A public notice describing the Complaint, the VTM Application, its environmental documentation, and the time and place of the public hearing on the Complaint at which the public would be given an opportunity to be heard regarding the Complaint and the VTM Application was published and posted pursuant to the Subdivision Map Act and the Novato Municipal Code. The public hearing before the City Council was held on October 29, 1996.
- (j) At said October 29, 1996, meeting and public hearing on the Complaint and VTM Application and prior to taking action on the Complaint and VTM Application, the City Council received and considered oral testimony, correspondence, information provided by City staff, the Complainant, members of the public, individuals representing different interest groups, individuals representing the BCRA, members of the City Council and others. Additionally, at said meeting and public hearing and prior to taking action on the Complaint

and VTM Application, the City Council received and considered the applicable documents, reports and other writings presented to the Planning Commission, City Council and/or in the City's files and records relating to the VTM Application, the Buck Center for Research in Aging Project including, but not limited to, Measure B, the applicable City General Plan, the Environmental Impact Report certified for the BCRA, the City staff report regarding the VTM Application, and the materials regarding the Complaint.

- (k) Based on the evidence referred to in paragraph (j) (the "Evidence") and the applicable law, including without limitation the Subdivision Map Act (Government Code Section 66410 et seq), those provisions of the Novato Municipal Code regarding subdivisions (which are consistent with the Subdivision Map Act), and the California Environmental Quality Act and state and local guidelines, the City Council made the findings and determinations and took the actions contained in this resolution.

Section 2. General Plan Consistency and Zoning Ordinance Compliance

This City Council determines that the VTM Application is consistent with Measure B, the applicable City General Plan and is in compliance with the Zoning Ordinance. The VTM Application carries out the vision of both Measure B and the provision of the City of Novato General Plan regarding the BCRA Project, and reflects the REI zone and other applicable zoning regulations.

Section 3. CEQA Compliance and Adoption of CEQA Findings

- (a) On December 7, 1994, the Board of Supervisors of Marin County certified the Environmental Impact Report for the BCRA Project (the "EIR"). The EIR addressed all of the environmental impacts of development, construction, and operation of the BCRA Project.
- (b) In connection with its adoption of a Resolution of Application to the Local Agency Formation Commission of Marin County requesting annexation of the BCRA property to the City of Novato, pursuant to the provisions of the California Environmental Quality Act, the City adopted CEQA findings, mitigation measures, a statement of overriding considerations, and a mitigation monitoring program.
- (c) The Planning Commission found and this City Council independently again finds that, based on the Evidence, the record as a whole, the applicable law, and the reasons set forth in this resolution, the EIR for the Project is adequate for approval of the VTM Application, and that there is no need to prepare a subsequent or supplemental Environmental Impact Report to evaluate changes to the Project, changes in circumstances, or new information related to the Project in connection with the City Council's approval of the VTM Application. Approval of the VTM Application will not cause any changes to the Project resulting in new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects. As explained in these findings, approval of the VTM Application will not change the Project but will only authorize development to proceed consistent with the provisions of Measure B, the provisions of the City's General Plan and

the applicable zoning. In addition, no substantial changes have occurred with respect to the circumstances under which the Project is undertaken which would result in new significant environmental effects or an increase in the severity of previously identified significant effects. Finally, no new information of substantial importance showing new significant environmental impacts, an increase in the severity of previously identified significant effects, or the availability of new mitigation measures or alternatives that would substantially reduce one or more significant environmental impacts, has become available.

- (d) The Planning Commission found and this City Council independently again finds that by reason of the matters set forth in this Section 3, no further findings or statement of overriding considerations are required.

Section 4. Adoption of Map Findings

The following findings were made by the Planning Commission and are again, independently, made by this City Council pursuant to the Subdivision Map Act and Novato Municipal Code. These findings are based on the Evidence, the record as a whole, the applicable law, and the reasons set forth in this Resolution, and are hereby made and adopted regarding the VTM Application:

- (a) The VTM Application, the map, and the design and improvement of the proposed subdivision are in full compliance with and consistent with Measure B and the applicable City General Plan. No specific plan applies.
- (b) The VTM Application concerns land within the REI zoning district and is consistent with the REI zoning district and all other applicable zoning criteria.
- (c) The effect of the VTM Application on the housing needs of the region has been balanced against the public service needs of the residents of Novato and available fiscal and environmental resources, as set forth in the EIR, the CEQA findings, and the mitigation measures.
- (d) The design of the subdivision has or will provide, to the extent feasible, for future passive or natural heating and cooling opportunities in the subdivision: the research and related uses have been so designed, and the residential uses will be subject to subsequent design review employing such measures, as set forth in the EIR, the CEQA findings, and the mitigation measures.
- (e) The construction of on- and off-site improvements is a necessary prerequisite to the orderly development of the surrounding area, as set forth in the EIR, the CEQA findings, and the mitigation measures.
- (f) All governmental and utility agencies affected by the VTM Application have been notified and given the opportunity to respond to the VTM Application.

- (g) The Project site's "suitability" for the type and proposed density and intensity of development has been analyzed in the EIR. The EIR concluded that the location of the Project's buildings, facilities and infrastructure is suitable based on the implementation of the Project's mitigation measures.
- (h) As described in greater detail in Section 3 above, the design of the subdivision and the proposed improvements are generally not likely to cause substantial environmental damage or substantially or unavoidably injure fish or wildlife or their habitat, because the subdivision design incorporates mitigation measures described in the EIR which will reduce identified impacts to a non-significant level. Certain impacts will not be totally mitigated and are, therefore, identified as unavoidable impacts in the EIR but have been found acceptable through the Statement of Overriding Considerations referenced in the CEQA Findings.
- (i) The design of the subdivision and type of improvements are not likely to cause serious public health problems not already resolved by the EIR, the CEQA findings, the mitigation measures, the General Plan and Measure B.
- (j) The design of the subdivision and the type of improvement proposed with this Project will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision because the easements are incorporated into the design of the subdivision and the BCRA.
- (k) As reflected in the EIR, no violation of existing requirements prescribed by the Regional Water Quality Control Board will result from a discharge of waste from the proposed subdivision into an existing community sewer system.
- (l) None of the conditions otherwise described in the Subdivision Map Act or Novato Municipal Code requiring denial of the VTM Application exists with respect to the VTM Application.

Section 5. Denial of Appeal/Complaint

The Complaint is hereby denied. Based on the Evidence, the record as a whole, the applicable law and the reasons set forth in this Resolution, including without limitation Sections 3, 4 and this Section 5, this City Council finds and determines as follows:

- (a) None of the grounds supporting the denial of the VTM Application pursuant to the Subdivision Map Act are presented by the VTM Application.
- (b) The BCRA Project has not changed since the certification of the EIR and the proposed VTM Application will not change it either.
- (c) The VTM will establish the separate lots corresponding to the separate financings that will be employed during the life of the Project.

- (d) Approval of the VTM Application assists in the implementation of Project mitigation measures requiring dedications of land and open space easements to Novato Water District and the Marin County Open Space District.
- (e) The uses and development of the property are governed by the General Plan update, Measure B, and applicable zoning regulations. No new or different uses than those currently allowed will result from the approval of the VTM Application. The Vesting Tentative Map will simply divide the Project site.
- (f) The Map creates seven (7) lots in order to facilitate the mitigation measures (dedications and open space easements) and financings relating to the Project.
- (g) The phasing of the BCRA Project is not affected by the VTM Application. Numbers were assigned for convenience only, not for their sequence of development. The Project will phase its development as contemplated in the EIR.
- (h) CEQA Guidelines § 15153 does not apply. The EIR was certified for the single BCRA Project, and the VTM Application is designed to implement that Project. The relevant question under CEQA at this point is whether there has been “change” or whether new information has become available that would necessitate further environmental review as provided by Public Resources Code § 21166 and CEQA Guideline § 15162. As found and determined above, none of the conditions triggering a need to supplement the EIR exist.
- (i) Any and all additional arguments raised by Complainant and/or any other party are without merit.

Section 6. Approval of VTM Application

Based on the Evidence, the record as a whole, the applicable law and the reasons set forth in this Resolution, the VTM Application is hereby approved, subject to the Conditions of Approval attached hereto as *Exhibit A*.

Section 7. Effective Date: Miscellaneous

This resolution shall take effect immediately upon its adoption. The City Clerk shall immediately file a Notice of Determination of this action.

* * * * *

I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Novato, Marin County, California, at a meeting hereof, held on the 29th day of October, 1996, by the following vote, to wit:

AYES: Councilmembers Di Giorgio, Dillon-Knutson, Eklund, Murray, Gray

NOES: Councilmembers None

ABSTAIN: Councilmembers None

ABSENT: Councilmembers None

Shirley Gremmed
City Clerk of the City of Novato

Approved as to form.
Veronica J. [Signature]
Asst. City Attorney of the City of Novato

EXHIBIT A

BCRA VESTING TENTATIVE MAP CONDITIONS OF APPROVAL

1. These conditions of approval reflect completion of annexation of the BCRA property to the City of Novato, that the provisions of City of Novato Measure B regulating development and operation of the BCRA became applicable to the project upon completion of the annexation, and that the City of Novato has approved the vesting tentative map applicable to the BCRA property subject to these conditions of approval. Accordingly, these conditions revise and replace former conditions 69-94 in order to reflect City requirements and procedures, rather than County of Marin requirements and procedures, to conform to various provisions of Measure B, and to reflect the adoption of a vesting tentative map rather than a parcel map. These conditions do not modify the mitigation measures set forth in Conditions 1-68.
2. Plans submitted for improvement plans, grading permits, building permits, and/or vesting tentative map approval must be in substantial conformance with the following approved BCRA exhibits on file with the City of Novato Community Development Department (CDD):
 - a. "Exhibit 1," precise site, grading, landscaping, and architectural plans for all project development except the housing area designed by Pei Cobb Freed & Partners, consisting of 15 sheets numbered 1A, 1B, 2A, 3A, 4A, 4B, 5A, 6A through 6F, 7A and 8A;
 - b. "Exhibit 2," architectural renderings and precise site, grading, landscaping, and architectural plans for the housing area designed by Backen Arrigoni & Ross, Inc., consisting of 29 sheets numbered 1A through 1J, 2A through 2C, 3A, 4A through 4E, 5A through 5E, and 6A through 6F;
 - c. "Exhibit 3C," a vesting tentative map prepared by CSW/Stuber-Stroeh Engineering Group, Inc. (File No. 8170030 VTM1 dated February 1996, revised July 30, 1996), consisting of three sheets;
 - d. "Exhibit 4," the Draft Land Management Plan prepared by the BCRA; and
 - e. "Exhibit 5," the location of the approximately 65 to 75 acres of land to be transferred in fee title to either the Marin County Open Space District or California Department of Parks and Recreation (Olompali State Historic Park).
3. The vested rights conferred by this approval to any portion of the Project Site shall last for the collective total of (1) the life of the vesting tentative map given by the Subdivision Map Act; (2) the life given the vested rights by the Subdivision Map Act to the particular final map related to such portion; (3) the life of building permits and their extension related to construction to such portion; and (4) any other extension provided by local or state law. Pursuant to Government Code Section 66498.1, if during the life of the vesting tentative map, BCRA requests an extension of time allowed by the Subdivision Map Act, the City

shall grant the extension without condition except those conditions allowed by Government Code Section 664981(c)(1) and (2).

4. This vesting tentative map will employ multiple (phased) final maps. Provided BCRA has entered into a subdivision improvement agreement with the City of Novato regarding Lot 1, a final map creating Lot 1 may be filed and recorded immediately upon approval of this vesting tentative map. The City recognizes that all applicable conditions of approval, except those dictating the form of the final map, have been satisfied regarding the final map creating Lot 1. The City shall determine which, if any, conditions must be satisfied before subsequent final maps are approved. However, all mitigations shall be satisfied, regardless of whether they are satisfied before or after the filing and recording of final map(s).
5. Pursuant to California Government Code Section 66474.9(b), the City of Novato shall require that the subdivider defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers and employees instituted by a party other than the City or the BCRA to attack, set aside, void, or annul, the approvals by the City concerning the BCRA Vesting Tentative Map, which action is brought within the time period provided for in California Government Code Section 66499.37. The City shall promptly notify the BCRA of any claim, action, or proceeding and the City shall cooperate fully in the defense.
6. Prior to commencement of site grading, the BCRA shall construct temporary construction mesh fencing around the outer driplines of all trees required to be preserved within and/or adjacent to areas subject to grading. The fencing shall remain until grading is completed within the vicinity of the preserved trees. Grading activities, including access, materials storage, and soil stockpiling, shall neither occur outside of approved grading areas nor under the dripline of protected trees within grading areas. Any protected tree accidentally damaged during grading shall be inspected and treated by an arborist. In the event that protected trees are permanently damaged, they shall be replaced with trees of the same species on a four-to-one basis.
7. The BCRA shall be responsible for ensuring that the number of construction vehicles on site shall be limited to the minimum number necessary to complete the project.
8. Prior to issuance of the first building permit for the housing, the final housing designs shall be subject to the Design Review required by Measure B.
9. All plans submitted for building permits or improvement plan approval must include information on the location and type of all exterior lighting, including road, parking lot, and building lighting, for review and approval by the CDD. Exterior lighting shall be permitted for safety purposes only and should consist primarily of low wattage fixtures that are directed downward and hooded.
10. Prior to occupancy, the BCRA shall comply with the following CDD requirements:
 - a. Approved landscaping and irrigation systems must be installed. The Applicant shall request an inspection of the required landscaping and irrigation by the CDD at least

five working days before the anticipated completion of the project. Failure to pass inspection will result in withholding of Certificates of Occupancy and imposition of hourly fees for subsequent reinspections. The Applicant and the City shall enter into a standard landscape maintenance agreement to ensure the maintenance and survival of any introduced landscaping for a minimum period of three years. Such agreement would be secured by the Applicant depositing a security in an amount sufficient to replace any landscaping that does not survive the term of the agreement.

- b. All exterior flashing, sheet metal, or metal work shall be subdued and non-reflective.
11. Prior to approval of the final maps for this project, the following shall be constructed or guaranteed: (unless otherwise noted, improvements, grading, drainage facilities and utilities will be required for each lot when the final map creating the lot is filed for record)
- a. Redwood Boulevard improvements shall include two travel lanes, one storage lane for a left turn, two bicycle lanes, a sidewalk and streetlights per plans to be reviewed and approved by the City Engineer and by Caltrans. Design and construction of these improvements shall be guaranteed when the first final map is filed for record. Construction of these improvements shall be guaranteed when the first final map is filed for record. Construction of these improvements shall be completed prior to occupancy of the first phase of the project.
 - b. Private streets as shown or referenced on the tentative map and as required by the Municipal Code.
 - c. Underground utilities (including sewers, water, electric power, gas, telephone and cable TV lines) shall be provided as needed to the building site for each lot. All utility vaults, transformer encasements, splice boxes, and utility appurtenances of any kind shall be placed within buildings or underground. Underground utilities within Redwood Boulevard shall be required per plans to be reviewed and approved by the City Engineer and Caltrans.
 - d. Drainage facilities, erosion and sediment control and storm water pollution prevention facilities as shown or referenced on the tentative map and as required by the Municipal Code.
 - e. Plans for these improvements and for all subdivision improvements shall be prepared by BCRA and reviewed and approved by the City in accordance with the Municipal Code.
12. Prior to approval of each final map, the following shall be done: (unless otherwise noted, these conditions, easements and dedications will be required for each lot when the final map creating the lot is filed)
- a. If the lots are to be owned by separate entities, road maintenance agreements shall be created for each private street that will set forth the responsibility for perpetual

street maintenance. The agreements shall be submitted to the City Engineer together with a proposal for their enactment.

b. Dedications and easements shall be provided and shown on the final maps as follows:

1. Emergency Access Easements over the 50-foot-wide Access Easements shown on the tentative map shall be offered to the City with each final map that creates these easements.
2. Access and utility easements shall be granted to each utility company or agency to provide utilities and access to utilities to and through the site.
3. Drainage easements shall be offered for dedication to the City encompassing the major drainage facilities within this project including the quarry site, the wetlands mitigation area, detention and sedimentation ponds, creeks, channels and storm drain pipes 15 inches in diameter and larger that drain more than one lot. The minimum width for these easements shall be as necessary for future maintenance and repair of the storm drainage facilities and in no case shall this width be less than 10 feet.
4. Drainage easements shall be offered for dedication to the City as necessary to provide access to all drainage facilities for maintenance vehicles and personnel.
5. Reciprocal easements shall be created as necessary for the benefit of adjoining lots where grading, improvements, drainage, utilities, common building walls, and similar items will be needed with future project phases.
6. The format and widths of all dedications and easements shall be as approved by the City Engineer.

c. Prior to filing the final map for the first phase of housing, the street improvements for the Research Access Road between Redwood Boulevard and the road serving Lot 7 shall be modified as follows:

1. A four-foot-wide asphalt concrete sidewalk and related grading on the southerly side of the road shall be designed and constructed. This work shall be generally as shown on the approved "Improvement Plans for Buck BCRA for Research in Aging" (Bid Package No. 1).
2. Low level streetlights shall be designed and constructed.

d. Grading and remedial grading for each phase of this project shall be in accordance with soils reports and addenda to the reports. Soils reports may be combined for more than one phase of the project. All soils reports, addenda to the reports and final soils reports prepared by BCRA consultants shall be subject to an independent

review by a Soils Engineer or an Engineering Geologist engaged by the City. Consultant fees for these independent reviews shall be paid by BCRA.

- e. The access road serving the housing area (Lot 7) shall include a paved sidewalk or walkway connecting to the walkway on Research Access Road. The minimum width of this walkway shall be 4.5 feet.
- f. The former quarry waste disposal site on Lot 7 shall be reviewed by the City's Geological Consultant with each application for a final map, except the final map for Lot 1. After such review, if the City Engineer determines that remedial grading is needed for this site in order to control erosion, then remedial grading, bank stabilization, and revegetation will be required prior to filing the final map.
- g. The final map that creates Lot 3 shall contain a note that no building permit will be issued until sewage disposal is provided in accordance with the Municipal Code.
- h. Any signs prohibiting public access to this site shall be installed so that traffic safety is maintained at the intersection of Redwood Boulevard and Research Access Road. Backing and turning movements at this intersection shall be minimized.
- i. Sidewalks or walkways shall be provided between the research center and its parking areas and between the housing area and its parking areas.
- j. Traffic striping, signs and curb painting shall be provided on site and within Redwood Boulevard fronting the project. Plans for such striping and signs shall be submitted for review and approval by the City Engineer.
- k. Low-level, low-intensity streetlights or bollards shall be provided between the research center and its parking areas, between the housing and its parking areas and throughout both components (especially where pedestrian facilities will be provided) to provide adequate night lighting for safety purposes.
- l. Retaining walls to be constructed along any of the roadways on the BCRA Project shall be constructed of reinforced concrete or other type of material approved by the City Engineer. The exposed surfaces of the walls shall be textured and shall be tinted or painted an appropriate, subdued, earthtone color, subject to the review and approval of the Community Development Director.
- m. Where retaining walls are located above sidewalks, surface and subsurface drainage near the walls shall be directed to storm drainage facilities. Drainage across sidewalks from weep holes is prohibited.
- n. Where retaining walls are located below sidewalks, guardrails, fences or similar devices shall be provided for pedestrian safety.

- o. Cuts and fills must balance on site. Grading shall be held to the minimum necessary for site preparation and remediation. All grading shall be in accordance with the Municipal Code.
 - p. The overflow parking areas shall be designed and graded to drain adequately. If the ongoing monitoring by the grounds maintenance supervisor of the BCRA required by previous conditions of approval demonstrates that these areas do not function as planned during wet weather months, these areas shall be improved with an all-weather surface such as base rock or turf blocks. Pavement shall not be constructed in these areas. Plans for such surfacing must be submitted for review and approval by the City Engineer.
 - q. BCRA shall provide the City written notice 30 days in advance of trenching for utilities in Redwood Boulevard. If the City intends to install fiberoptic or other types of communication cable in the utility trench, it must do so in conformance with the BCRA construction schedule.
13. BCRA shall make an irrevocable offer of dedication (in fee title) of the Water Tank Lot (Lot 2) to the North Marin Water District.
14. Pursuant to Measure B, the entry road, from Redwood Boulevard to the intersection of the road, is subject to the following:
- The proposed easement width is 50 feet.
 - The proposed street width is 26 feet.
 - The proposed street grade is 10.65 percent.
15. The requirements of Measure B are incorporated by these conditions, including, but not limited to the following:
- a. One-hundred and twenty-eight of the 130 project housing units housing shall be rental units to be occupied by, and affordable to, BCRA employees with moderate or low incomes as provided by Measure B.
 - b. Use of research animals is limited to rodents and orders of animals traditionally classified as lower than rodents.
 - c. Research building occupancies shall not be classified higher than "Group B, Division 2 Occupancy" and "Bio-safety Level 2," or equivalents.
 - d. The maximum number of employees on site shall not exceed 550 persons.