EXHIBIT C

ORDINANCE NO. 2069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF LYNN JANSEN OF LYNDEN HOMES FOR PUD DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-94

WHEREAS, Lynn Jansen of Lynden Homes, has applied for Planned Unit Development (PUD) development plan approval to construct a seven lot detached single-family home development on an approximately 3.7 acre site generally located north of the present terminus of Calico Lane and east of the present terminus of Lynn Drive; and

WHEREAS, a Negative Declaration was prepared in conjunction with the rezoning of the property in 2011. The Negative Declaration analyzed the proposed seven lot development as a future development of the site. The Negative Declaration states that a separate Negative Declaration would be prepared if significant changes have occurred. The proposed PUD plan is consistent with the Negative Declaration previously prepared for the rezoning of the subject site and none of the conditions in CEQA Guidelines Section 15162 calling for the preparation of a subsequent negative declaration have occurred; and

WHEREAS, at its meeting of May 21, 2013, the City Council received a report from the Director of Community Development, including the Planning Commission's positive recommendations for approval of the PUD development plan; and

WHEREAS, the City Council held a public hearing on May 21, 2013, at which time the applicant and other members of the public were offered an opportunity to present information regarding this application; and

WHEREAS, after a review of the materials presented, the City Council determines that the PUD plan is consistent with the General Plan and the purposes of the PUD ordinance based on the findings set forth in the report presented to the City Council on May 21, 2013, and information presented at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that the project is consistent with the Pleasanton General Plan and the PUD District ordinance of the City of Pleasanton, and that the project is consistent with the negative declaration prepared for the earlier rezoning of this site.

SECTION 2. The City Council approves Case PUD-94 the application of Lynn Jansen of Lynden Homes for a Planned Unit Development (PUD) development plan (Case PUD-94) to construct a seven lot detached single-family home development on an approximately 3.7 acre site generally located north of the present terminus of Calico Lane and east of the present terminus of Lynn Drive; and subject to the conditions shown on Exhibit A, attached here and incorporated herein by this reference.

SECTION 3. A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's Office within fifteen (15) days after its adoption.

SECTION 4. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on May 21, 2013 by the following vote:

Ayes: Councilmembers Brown, Cook-Kallio, Narum, Pentin, Mayor Thorne
Noes: None
Absent: None
Abstain: None

And adopted at a regular meeting of the City Council of the City of Pleasanton on ---------- by the following vote:

Ayes:
Noes:
Absent:
Abstain:

_____
Jerry Thorne, Mayor

ATTEST:

_____
Karen Diaz, City Clerk

APPOVED AS TO FORM:

_____
Jonathan Lowell, City Attorney

EXHIBIT A

CONDITIONS OF APPROVAL

PUD-94, Lynn Jansen, Roselyn Estates II

Project-Specific Conditions:

1. The PUD development plan shall lapse two years from the effective date of this ordinance unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.

2. The applicant shall annex to the existing Roselyn Estates homeowners' association the seven-lot Roselyn Estates II development concurrent with the recording of the final map for Roselyn Estates II.

   In the event that Roselyn Estates II does not annex to the existing Roselyn Estates HOA, a separate HOA shall be created for Roselyn Estates II. Roselyn Estates II HOA shall be the responsible party for the ownership and maintenance of the Arroyo Del Valle, the trail, landscaping, bio-swales, and the bio-retention areas. The CC&Rs of Roselyn Estates II shall be submitted to the City and is subject to the review and approval by the City Attorney's Office prior to the submittal of the tentative map. The CC&Rs for Roselyn Estates II shall be recorded concurrently with the Final Tract Map.

3. If Roselyn Estates II is unable to join the existing Roselyn Estates HOA, the applicant shall design a stormwater outfall system specifically for the proposed development. Said stormwater outfall system is subject to the review and approval of all applicable regulatory agencies as well as the City Engineer prior to the submittal of the tentative tract map.

4. Prior to the approval of Final Map, the lot line adjustments approved by Case Nos. P12-1745 and P12-1809 shall be recorded.

5. The lots covered by this PUD development plan shall be subject to the permitted and conditional uses of the One-Family Residential District as defined in the Pleasanton Municipal Code.

6. No building permits shall be issued prior to City approval of the tentative map and recordation of a Final Map.

7. The residences shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project developer/applicant shall comply with the following requirements for making the dwellings photovoltaic-ready and solar-water-heating-ready:

a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.
d. Plumbing shall be installed for solar-water heating; and
e. Space shall be provided for solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

8. Except as shown in the PUD development plan, the lots and structures covered by this PUD approval shall be subject to the following site development standards:

	Roselyn Estates II (PUD-94) *(in feet)*
Front Setback	
Living Area/House	*20*
Covered Porch	*15*
Garage (Front Facing	*20*
Garage (Side Entry)	*15*
Rear Yard Setback	
Living Area	*20*
Covered Porches	*15*
Side Yard Setback	*10 min. on each side* *15 street-side*
Height[1]	*32*
FAR[2]	*40%*

1)Height is taken from the lowest finished grade adjacent to the house to the highest point of the home.
2) Maximum building area includes primary and Class I accessory structures but excludes up to 600 square feet of garage area. Portions of garage floor area over 600 square feet shall be included in the building area calculation.
3) The southeast corner of the garage on Lot 1 is measured 15 feet to the cul-de-sac of Street "A".

Unless otherwise specified above, the site development standards of the R-1-10,000 District shall apply.

9. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted for the issuance of a building permit.

10. Water conservation devices such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project. The devices shall be indicated on the plans submitted for the issuance of a building permit.

11. The electrical plan for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g. cabling for DSL, broadband, or wireless service, wiring for total room access, etc) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.

12. The project developer/applicant shall specify the details of windows and doors (manufacturer, style/model, etc.) on the construction drawings submitted for plan check. The details shall include a one-inch window recess as measured from the siding not the window sill/trim. The details shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project.

13. The project shall comply with the current City and Pleasanton Garbage Service's recycling and composting programs.

14. No fence shall be located beyond the top of the southern slope bank of Arroyo Del Valle.

15. The State of California's Green Building Standard Code, "CALGreen", shall apply, if applicable.

16. The Building and Safety Division may require special plan check or inspections for the green building measures proposed. If required, the applicant shall provide verification to the Planning Division clearly stating that the Building and Safety Division approved all applicable requirements relating to green building measures. Said verification shall be provided prior to occupancy.

17. A flagman is required to direct traffic if a construction vehicle needs to park/stop Calico Lane, Cindy Way, or Rose Avenue.

18. A demolition permit shall be obtained and the site cleared of all structures prior to Final Map recordation.

19. The project developer/applicant shall increase the GreenBuilding points for the proposed homes subject to the satisfaction of the Director of the Community Development. The final GreenBuilding checklist shall be submitted with the construction plans and is subject to the review and approval by the Director of Community Development prior to issuance of a building permit.

20. The proposed street lights shall match the street lights on Cindy Way/Lynn Drive.

Fire

21. The homes covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review

and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building.

22. The location(s) of the fire hydrant(s) shall be reviewed and approved by the Livermore-Pleasanton Fire Department prior to issuance of a building permit.

Landscaping

23. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Landscaping Basic requirements. A licensed landscape architect shall verify the project's compliance with the ordinance and Bay Friendly requirements: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.

24. The project developer/applicant shall comply with the recommendations of the tree report prepared for Roselyn Estates II, Inc. by HortScience, dated 'Received September 21, 2012". No tree trimming or pruning other than that specified in the tree report shall occur. The project developer/applicant/applicant shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.

25. Prior to building final, all front yard landscaping shall be installed and inspected by the Planning Division.

26. The final landscape and irrigation plan shall include the planting details in the bioswale and bio-retention areas and are subject to review and approval by the Director of Community Development prior to the approval of the final map.

27. The project developer/applicant shall mitigate the heritage tree removal by making a payment of $33,750.00 to the Urban Forestry Fund, based on the appraised value of the heritage-sized trees with credit given for five additional trees planted in the northeastern corner of the project site, or paying a proportionately reduced amount by increasing the size of some or all of the 34 trees that are presently shown on the landscape plan. The planting size increase and reduced payment to the Urban Forestry Fund is subject to review and approval by the City Landscape Architect and Director of Community Development. The required payment shall be paid in full prior to issuance of a building permit.

28. A final landscape plan and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building plan set prior to the issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, and size. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g., drip system).

Engineering

29. The project developer/applicant shall pay pro-rata share of the future sewer and water main extensions along the Alameda County Fairgrounds property to Valley Avenue as determined by the City Engineer. A cost estimate and pro-rata share payment shall be approved by the City Engineer prior to approval of the Final Map.

30. A public trail easement on Parcel A shall be dedicated on the face of the final map and shall be maintained by the homeowners association including landscaping, irrigation, and fencing.

31. Parcel B (Arroyo del Valle) shall be conveyed by separate instrument to the homeowners association and shall be maintained by the homeowners association.

32. Prior to the approval of the final map, the project developer/applicant shall submit a detailed geo-grid design to the City Engineer for review and approval. The location of the geo-grid shall not interfere with public utilities.

33. Prior to the approval of the final map, the project developer/applicant shall provide a photometric of the proposed street lights to the City Engineer for review and approval.

34. The project developer/applicant shall comply with the recommendations of the project's geotechnical consultant (Engeo) and geotechnical peer review consultant (Kropp & Associates). The project developer/applicant/applicant's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations including those from Kropp & Associates have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.

35. The project developer/applicant shall protect Arroyo Del Valle during all grading and construction activities. A $10,000.00 bond shall be posted with the City Engineer to ensure compliance with this requirement. Protection measures shall be described in detail on the on-site/grading plan, site plan, and any other construction or building plans to the satisfaction of the Director of Community Development and/or the City Engineer or Chief Building Official before grading/construction begins.

Building

36. Prior to receiving a foundation inspection for the structure, the project developer/applicant shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevation and building location (setbacks) are pursuant to the approved plans.

37. Prior to issuance of a building permit, the project developer/applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the project developer/applicant shall pay any applicable DSRSD sewer permit fee.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

38. The project developer/applicant shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.

39. The project developer/applicant shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.

40. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.

41. All existing wells on the site shall be removed or sealed, filled and abandoned pursuant to Alameda County Ordinance 73-68, prior to the start of grading operations. Wells shall be destroyed in accordance with the procedures outlined on the permit obtained from Zone 7. Zone 7 may request the developer/subdivider to retain specific wells for monitoring the ground water. The developer/subdivider shall notify the City of Zone 7 desire to retain any well and make provisions to save the well. Additionally, the developer/subdivider may request special approval for temporary use of an existing well for construction water or a more permanent use such as non potable outdoor landscaping. The developer/subdivider shall make such request in writing to the City Engineer.

42. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design is significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.

43. The project developer/applicant shall submit a written dust control plan or procedure as part of the building permit plans.

Planning

44. The seven-lot development plan covered by this approval shall be in substantial conformance to the development plan, Exhibit B, on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.

45. To the extent permitted by law, the project developer/applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project developer/applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.

46. The project developer/applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton in addition to the school impact fees required by State law. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by Project developer/applicant to the City, on a form generated by the PUSD, prior to building permit issuance.

47. Prior to building permit submittal, a list of the green building measures used in the design of the units covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development.

    The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located.** All proposed green building measures

shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the project project developer/applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

48. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside the homes.

49. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.

50. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.

51. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.

52. The developer and future homeowners are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.

53. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.

54. The project developer/applicant must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.

55. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.

56. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

57. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.

58. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.

Engineering

59. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.

60. The project developer/subdivider shall post with the City, prior to approval of the final map/parcel map, a separate labor and material bond, performance bond and maintenance bond for the full value of all subdivision improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer. The City Engineer may waive this requirement if the required improvements have been satisfactorily installed prior to approval of the map.

61. The project developer/subdivider shall grant an easement to the City over those parcels needed for public service easements (P.S.E.) and which are approved by the City Engineer, or other easements, which may be designated by the City Engineer.

62. There shall be no direct roof leaders connected to the street gutter/parking lot or storm drain system, unless otherwise approved by the City Engineer.

63. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.

64. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.

65. The project developer/subdivider shall construct vertical P.C.C. curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.

66. For new streets, the minimum grade for the gutter flow line shall be set at one percent where practical, but not less than .75% unless otherwise approved by the City Engineer. The existing streets shall have grade to match existing site conditions subject to review by the City Engineer.

67. All existing septic tanks or holding tanks, if any shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.

68. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.

69. The project developer/subdivider shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.

70. The project developer/subdivider shall be responsible for the installation of the street lighting system serving the development. The street lights shall be (LED units) of type and poles subject to review and approval by Community Development Director with poured in place bases, on the LS-2A schedule per City requirements and PG&E standard details, unless otherwise specifically approved. The lighting system design shall conform to the Illuminating Engineering Society (IES). Approval for the number, location, and type of electroliers shall be subject to the review and approval of the City Traffic Engineer.

71. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.

72. The project developer/subdivider shall be responsible for the undergrounding of the overhead utility lines across the project frontage. All utility lines shall be installed in conduit. Only PG&E switch enclosures or capacity banks can be installed above ground provided the units are screened with landscaping to the satisfaction of the Director of Community Development.

73. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.

74. The project developer/subdivider shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wa l and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.

75. The encroachment permit for haul route for all materials and equipment to and from this development shall be approved by the City Engineer prior to the issuance of any permit by City Building Division or Engineering Division.

76. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer/subdivider. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

77. The in-lieu park dedication fees shall be paid to the City prior to approval of the map, at the rate then in effect, for the total number of buildable lots on the map, unless this requirement has been otherwise satisfied.

URBAN STORMWATER CONDITIONS OF APPROVAL

78. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated October 14, 2009 and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:

    - http://www.ci.pleasanton.ca.us/business/planning/StormWater.html
    - http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml

A. Design Requirements

1. NPDES Permit design requirements include, but are not limited to, the following:

    a. Source control, site design, implementation, and maintenance standards when a regulated project (such as a commercial, industrial, residential subdivision, mixed use, or public project) creates and/or replaces 10,000 square feet or more of impervious surface (5,000 square feet for auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots), including roof area, street, and sidewalk.

    b. Hydromodification standards when a regulated project creates and/or replaces a total impervious area of one acre or more.

    c. Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.

    d. Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.

2. The following requirements shall be incorporated into the project:

a. The project developer/applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and onsite drainage control measures including bio-retention swales. Irrigated bio-retention swales shall be designed to maximize stormwater entry at their most upstream point. The grading and drainage plans shall be subject to the review and approval of the City Engineer prior to the issuance of a grading or building permit, whichever is sooner.

b. In addition to natural controls, the project developer/applicant may be required to install a structural control(s), such as an oil/water separator(s), sand filter(s), or approved equal(s) in the parking lot and/or on the site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, location(s), and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. The structural control shall be cleaned at least twice a year (once immediately prior to October 15 and once in January).

c. The project developer/applicant shall submit to the City Engineer the sizing design criteria and calculations for a hydromodification facility, if required, and for the treatment of stormwater runoff. The design criteria and calculations shall be subject to the review and approval of the City Engineer and shall be submitted prior to the issuance of a grading or building permit, whichever is sooner.

d. Building/Structures shall be designed to minimize the occurrence and entry of pests into buildings, thus minimizing the need for pesticides, as determined by the Chief Building Official prior to the issuance of a building permit.

e. The project's landscape and irrigation plans shall be designed to: 1) minimize the use of fertilizers and pesticides that can contribute to stormwater pollution; and 2) promote surface infiltration. Prior to the installation of project landscaping and irrigation, the project landscape architect shall submit a landscaping and irrigation plan to the City Engineer for review and approval and submit written verification stating the project incorporates the following:

    i. Plants tolerant of saturated soil conditions and prolonged exposure to water in areas that provide detention of water.

    ii. Plants and soil amendments appropriate to site specific characteristics such as topography and climate.

    iii. Landscaping and irrigation consistent with Bay-Friendly Landscaping.

    iv. Water conservation techniques to promote surface infiltration.

f. Trash dumpsters and recycling containers shall be in an enclosed and roofed area to minimize water flowing in and from the area and to contain litter and trash to minimize disbursement by the wind or runoff. These areas shall not

drain to the storm drain system, but to the sanitary sewer system. An area drain shall be installed in the enclosure area with a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer/applicant shall notify the Dublin San Ramon Services District of the sanitary sewer connection and provide written verification of such notification to the City Engineer/Chief Building Official prior to the installation of the connection.

g. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official.

h. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.

i. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:

    a. During installation, copper material shall be pre-patinated at the factory. If patination is done on-site; collect the rinse water in a tank and haul off-site for disposal. With prior authorization from Dublin San Ramon Services District (DSRSD), you may collect the rinse water in a tank and discharge to the sanitary sewer. Optionally, consider coating the copper materials with a clear coating that prevents further corrosion and stormwater pollution. The clear coating, if utilized, shall be reapplied (as recommended by the coating manufacturer) to maintain its efficacy.
    b. During maintenance, the following applies during washing and patination:
        i. Minimize washing of architectural copper as it damages the patina and any protective coating.
        ii. Block all storm drain inlets downstream of the wash.
        iii. collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
    c. During re-patination, collect the rinse water in a tank and dispose off-site or discharge to sewer (with prior authorization from DSRSD) .

j. Roof drains shall drain away from the building foundation. Ten percent of the stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.

3. The project developer/applicant shall install trash capture devices within the project's storm drain inlets or storm drain piping to capture trash within the

development. These devices shall trap particles of 5mm or greater and have treatment capacity not less than the peak storm from a "one year, one hour" event within the drainage area. The project developer/applicant's engineer shall submit calculations and product submittals to the City Engineer for review and approval prior to the issuance of a grading or building permit, whichever is sooner.

B. Construction Requirements

The project shall comply with the "Construction General Permit" requirements of the NPDES Permit for construction activities (including other land disturbing activities) that disturb **one acre or more** (including smaller sites that are part of a larger common plan of development).

Information related to the Construction General Permit is on line at:

- http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml
- http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf

1. The Construction General Permit's requirements include, but are not limited to, the following:

   a. The project developer/applicant shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.

   b. The project developer/applicant shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finaled. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders.

   c. The project developer/applicant is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by the City.

i. The project developer/applicant shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building and Safety Division. The project developer/applicant is responsible for ensuring that the contractor is aware of and implements such measures.

ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.

iii. Gather all sorted construction debris on a regular basis and place in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.

iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.

v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.

vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by being windblown or by being spilled.

vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.

viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.

ix. Equipment fueling area: use a designated area away from the storm drainage facility; use secondary containment and spill rags when fueling; discourage "topping off" of fuel tanks; place a stockpile of absorbent material where it will be readily accessible; check vehicles and equipment regularly for leaking oils and fuels; and dispose of rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.

x. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.

xi. Equipment and vehicle maintenance area: use a designated area away from the storm drainage facility; always use secondary containment and keep stockpile of cleanup materials nearby; regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site; and train employees on spill cleanup procedures. Use of an off-site repair shop is strongly encouraged.

2. Within 30 days of the installation and testing of the stormwater treatment and hydromodification facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project The letter shall request an inspection by City staff.

C. Operation and Maintenance Requirements

The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as commercial, industrial, residential subdivision, mixed use, or public projects) that create and/or replace 10,000 square feet or more of impervious areas (5,000 square feet for auto service facilities, retail gasoline outlets, restaurants, and uncovered parking lots) shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder's Office in a format approved by the City.

1. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:

    a. Maintaining all private stormwater treatment measures on the project site.

    b. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

The final Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the issuance of a grading or building permit, whichever comes first. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

3. The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:

   a. Repainting text near the drain inlets to state "No Dumping – Drains to Bay."

   b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.

   c. Ensuring wastewater from industrial, commercial, and covered vehicle wash areas and equipment washing operations is not discharged to the storm drain system.

   d. Ensuring no one is disposing of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.

   e. Cleaning all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.

   f. Sweeping regularly but not less than once a month, driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.

   g. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

Building

79. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.

80. At the time of building permit plan submittal, the project developer/applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.

81. Prior to issuance of building or demolition permits, the project developer/applicant shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer/project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer/project developer/applicant shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer/project developer/applicant shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

Landscaping

82. No trees shall be removed other than these specifically designated for removal on the approved plans or tree report. The project developer/project developer/applicant shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of $5,000 for each tree required to be preserved, up to a maximum of $25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.

83. No tree trimming or pruning other than that specified in the tree report shall occur. The project developer/project developer/applicant shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.

84. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.

85. The project developer/project developer shall provide root control barriers and 4-inch perforated pipes for trees near driveways and in other paved areas less than 10-feet in width, or as determined by the Director of Community Development.

86. Except as otherwise conditioned, all trees used in landscaping shall be a minimum of 15 gallons in size and all shrubs a minimum of 5 gallons.

87. The project developer/applicant shall install an automatic irrigation system for all landscaping, including the landscaping installed in the City right-of-way. The site irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to maximize water conservation to the greatest extent possible. The irrigation systems shall include a soil moisture, rain sensor, or other irrigation efficiency device. The proposed type of irrigation efficiency device shall be shown on the plans submitted for the issuance of building permits.

88. Prior to issuance of a grading or building permit, the project developer/applicant shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."

89. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the subdivision improvement plans and building permit plans for review and approval by the Director of Community Development and shall be maintained by the project developer/applicant until the project has been stabilized with landscaping and stormwater NPDES permit has been accepted by State Water Board.

90. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:

    a. No existing tree may be trimmed or pruned without prior approval by the Community Development Director.

    b. No equipment may be stored within or beneath the driplines of the existing trees.

    c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.

    d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

Fire

91. The project developer/applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

92. Prior to any construction framing, the project developer/applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.

93. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

94. The Fire Chief shall approve the number, type, and location of all private fire hydrants.

95. All curbs located with a seven-foot, six-inch radius of a public/private fire hydrant shall be painted red, unless, modified by the Fire Chief. Blue street "hydrant markers" shall be installed for all fire hydrants per City of Pleasanton Standard Specifications.

96. All private streets and driveway aisles designated as fire lanes by the Fire Chief shall be maintained in accordance with Articles 9 and 10 of the Uniform Fire Code which permits towing vehicles illegally parked on the fire lanes. Fire lane curbs shall be painted red with "No Parking, Fire Lane, Tow Away Zone" or "No Parking, Fire Lane, Tow Away Zone" signs shall be installed as required by the Vehicle Code.

97. The project developer/applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

98. Prior to any construction framing, the project developer/project developer/applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.

99. The following items will be provided prior to any construction above the foundation or slab. NOTE: Periodic inspections will be made for compliance.

    a. Emergency vehicle access will be required to be provided to the site (tract), including the area where construction is occurring.
    b.. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
    c. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
    d. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
    e. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.

CODE REQUIREMENTS

(Project developer/applicants are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

Planning

100. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings

and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

Building

101. The project developer/applicant shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.

102. The project developer/applicant shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.

103. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.

104. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

Fire

105. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.

106. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies NFPA 13D for residential occupancies and NFPA 13R for multifamily residential occupancies.

107. Fire alarm system shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.

108. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame- producing devices, asphalt/tar kettles, etc.

109. The buildings covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the

Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

{end}