

## EXHIBIT A-1

### DRAFT CONDITIONS OF APPROVAL PUD-100 CHICK-FIL-A

#### PROJECT SPECIAL CONDITIONS

##### Planning

1. The Chick-fil-A restaurant site is zoned Planning Unit Development – Industrial/Commercial-Office (PUD-I/C-O) District. The uses allowed on this site shall be a restaurant with drive-through services. Any other uses require a modification to the PUD.
2. The office site at 6111 Johnson Court is rezoned from Office (O) District to Planned Unit Development – Office (PUD-O) District. The uses and site development standards shall be those of the O District except that the maximum allowable Floor Area Ratio (FAR) shall be 34.5%. No medical use shall be allowed as the existing site does not have the required parking for medical uses.
3. When the west side of Hopyard Road roadway improvements occur, the owner(s) of the office site located at 6111 Johnson Court shall reconfigure the parking lot to add one more parking space, subject to the satisfaction of the Director of Community Development or, as an option, one of the Chick-fil-A parking spaces may be transferred to the office site so as to meet the Pleasanton Municipal Code parking requirement for non-medical office uses.
4. The Chick-fil-A site and the Chick-fil-A restaurant shall be made a part of the Pleasanton Square II Shopping Center PUD.
5. Prior to issuance of a building permit, an access easement shall be granted from the office site located at 6111 Johnson Court to the Chick-fil-A site. The language of the access easement shall be provided to the City Attorney and City Engineer for review and approval. A copy of the recorded access easement shall be provided to the City Engineer prior to issuance of a building permit.
6. The construction plans submitted for issuance of a building permit shall include details (material, texture, and color) of the retaining wall proposed adjacent to the I-580 Hopyard Road (EB) off-ramp. Said details shall be subject to review and approval by the Director of Community Development.
7. The proposed restaurant shall be constructed to allow for future installation of a Photovoltaic (PV) system. The project applicant/developer shall comply with the following requirements for making the office building photovoltaic-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; and
- c. Engineer the roof 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.

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 building permit.

8. Prior to issuance of a building permit, the project developer 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 shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.
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 shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a Building Permit.
11. Energy efficient lighting shall be installed within the restaurant. The energy efficient lighting shall be shown on the plans submitted for the issuance of a building permit.
12. No temporary or permanent signage is approved as part of this application.
13. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not cause glare or shine onto neighboring properties or streets. The project/building developer shall submit a final lighting plan with the plans submitted to the Building and Safety Division for permits, including photometrics and drawings and/or manufacturer's specification sheets showing the intensity, size, design, and types of light fixtures proposed for the exterior of the buildings and, if applicable, for the site. The lighting plan shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project.
14. All trash and refuse shall be contained completely within the trash enclosure. Trash containers shall be stored within the trash enclosure at all times except when being unloaded. The trash enclosure shall be sized to accommodate trash, recycling, and green waste containers. The construction plan set submitted for issuance of a building permit shall include a floor plan for the proposed trash

enclosure which shows that the enclosure has been adequately sized to accommodate the trash and recycling containers.

15. The project developer shall effectively screen from view all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally compatible with the building. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Director of Community Development. All required screening shall be provided prior to occupancy.
16. The location of any pad-mounted transformers shall be subject to approval by the Director of Community Development prior to issuance of permits by the Building and Safety Division. Such transformers shall be screened by landscaping or contained within an enclosure matching the building and with corrugated metal or wood gates. All transformers shall be shown on the plans submitted for issuance of building permits.
17. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060K of the Pleasanton Municipal Code for grand openings or by Section 18.116.040 of the Pleasanton Municipal Code if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.
18. Dust and mud shall be contained within the boundaries of the property during the construction period. The project developer shall submit a dust control plan or procedure as part of the building permit plans.
19. The applicant shall install a temporary fence around the construction supplies and equipment. The detail of the fence (height, style, color) shall be submitted to the Director of Community Development for review and approval prior to installation.
20. All parking spaces shall be striped. Wheel stops shall be provided unless the spaces are fronted by raised concrete curbs, in which case sufficient areas shall be provided beyond the ends of all parking spaces to accommodate the overhang of automobiles.
21. The proposed restaurant shall be equipped at all times with filtering devices to minimize odors and fumes.
22. The Pleasanton entry sign shall be illuminated with by halo-illumination or by spot lights. The applicant shall provide the final sign design to the Director of Community Development for review and approval prior to issuance of a building permit.

23. Final inspection by Planning Division is required prior to occupancy.

## **Building**

24. The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Pleasanton at the time of Building Permit submittal.

25. All Building and Fire permit plans, including demolition, on-site, building shell and tenant improvements shall be submitted to the Building and Safety Division for review and approval.

26. The State of California's Green Building Standards Code, "CALGreen," as amended, shall apply to the project, as applicable.

27. In accordance with the Fats, Oils and Grease (FOG) Program, all sinks and wash basins in the restaurant (excluding those located inside the restrooms) shall be plumbed to a grease trap. The grease trap(s) shall be installed in an above ground orientation with sufficient clearance above the grease trap(s) for routine maintenance and constructed out of a plastic material for corrosion resistance and ease of replacement.

28. The project developer 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 in accordance with the approved plans, prior to receiving a foundation inspection for the structure.

29. A sanitary sewer sampling manhole shall be provided on any new sanitary sewer lateral from the building, unless otherwise waived by the Chief Building Official.

30. 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.

## **Traffic Engineering**

31. The applicant shall extend the left-turn vehicle storage lane on northbound Hopyard Road to westbound Owens Drive by an additional 125 feet as recommended per the traffic impact analysis by Hexagon Transportation

Consultants, Inc., on file with the Planning Division. Said left-turn vehicle storage lane extension will reconfigure the existing Hopyard Road median and relocate the existing street light. The details of the median reconfiguration, left-turn vehicle storage lane extension, and relocation of the street light shall be submitted to the City Traffic Engineer and Director of Community Development for review and approval prior to the issuance of a building permit. All construction shall be completed and finalized prior to occupancy.

32. The applicant shall dedicate adequate right-of-way along the southbound portion of Hopyard Road between the I-580 eastbound off-ramp and Owens Drive subject to the satisfaction of the City Traffic Engineer and City Engineer. This right-of-way will allow for future construction of a separate southbound right turn lane at the Hopyard Road/Owens Drive intersection, as well as a five-foot wide bike lane and five-foot wide sidewalk between the I-580 eastbound off-ramp and Owens Drive. The applicant shall submit a final right-of-way dedication plan to the City Traffic Engineer for review and approval prior to issuance of a building permit.
33. The applicant or responsible party shall pay traffic impact fees for the subject use as determined by the City Traffic Engineer. This includes both the Pleasanton Traffic Impact Fee and the Tri-Valley Transportation Fee. These fees shall be paid prior to issuance of a building permit.
34. All new parking spaces shall conform to the City standard parking dimensions. Plans submitted to the Building Division for permits shall have the dimensions clearly noted on the plans.
35. The location of the Chick-fil-A order boards shall be adjusted if queuing in the drive-through lanes is determined by the Traffic Engineer to be interfering with traffic circulation in the adjacent drive aisle.

## **Engineering**

36. Prior to requesting a building permit, the developer shall comply with all applicable conditions of outside agencies having jurisdiction.
37. The project developer shall provide written approval from the adjacent property owners for proposed improvement work on the adjoining property prior to issuance of a building permit.
38. The project developer shall create two private storm drain easements: one between the Chick-fil-A site and the site located at 6111 Johnson Court and the second between the Chick-fil-A site and the Pleasanton Square II Shopping Center. The easements shall allow cross-drainage between these parcels. The language of the easements shall be provided to the City Attorney and City

Engineer for review and approval. A copy of the recorded easements shall be provided to the City Engineer prior to issuance of a building permit.

39. The project developer shall create public service easements (PSE), private utility easements, and other easements as necessary across the project for the benefit of the Chick-fil-A site, the office site located at 6111 Johnson Court, and the Pleasanton Square II Shopping Center (5225-6015 Johnson Drive) subject to the review and approval of the City Engineer.
40. Prior to requesting a building permit, the Lot Line Adjustments among the Chick-fil-A site, the office site located at 6111 Johnson Court and the Pleasanton Square II Shopping Center located at 5225-6015 Johnson Drive per Exhibit B, dated "Received October 2, 2014," on file with the Planning Division, shall be approved by the City of Pleasanton and shall be recorded by the applicant in the office of the Alameda County recorder's office.
41. The project developer shall provide recorded copies of the Lot Line Adjustment and Grant Deeds, and an updated Title Report before requesting a building permit.

## **Landscaping**

42. The proposed coast redwood trees and proposed high and medium water use trees shall be replaced with species that require low to very low water use. Additionally, the proposed project shall incorporate a water-saving landscape plan that includes xeriscaping and drought-resistant planting. The final landscape and irrigation plan shall include the replacement species and is subject to review and approval by the Director of Community Development and the City Landscape Architect prior to issuance of a building permit.
43. The final landscape and irrigation plan shall include the planting details in the bioswale and bio-retention areas and is subject to review and approval by the Director of Community Development prior to issuance of a building permit.
44. The project developer/applicant shall mitigate the heritage-sized trees removed by making a payment to the Urban Forestry Fund. The payment amount may be based on the appraised value of the heritage-sized trees in fair or good condition less the cost difference between a 15-gallon size tree and 24- or 60-inch box size trees. The payment may further be proportionately reduced by increasing quantity of the proposed trees. The planting size/quantity 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.

45. 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).
46. The applicant and/or project developer shall use reclaimed water for landscape irrigation when available. Details and/or plans shall be provided for review and approval by the Director of Community Development before use of the reclaimed water.
47. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.
48. Except as otherwise conditioned or shown on the development plan, all trees used in landscaping shall be a minimum of 15 gallons in size and all shrubs a minimum of 5 gallons.

### **Urban Stormwater**

49. The developer or applicant shall install trash capture devices at the project's storm drain discharge points into the public stormwater system to capture trash from 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 developer's or 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.
50. Restaurants shall include a contained area for cleaning mats, containers, and equipment. The wash area shall be covered or shall be designed to prevent runoff onto or from the area. The area shall be connected to the sanitary sewer, subject to approval by Dublin-San Ramon Services District (DSRSD), or shall be collected in a containment area and removed regularly by a disposal and recycling service. If connected to the sanitary sewer, a structural control, such as a sand filter or oil/ water separator, shall be used and a sign shall be posted prohibiting the dumping of hazardous materials. Other methods may be used subject to the approval of the Chief Building Official. The applicant and/or food service owner shall instruct employees to conduct all washing activities in this area.

## **STANDARD CONDITIONS OF APPROVAL**

### **Community Development Department**

51. 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.
52. The project developer 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.
53. The project 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, unless otherwise approved by the department.
54. 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 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.

### **Planning**

55. The PUD development plan approval shall lapse two years from the effective date of this ordinance unless a building permit is issued and construction has commenced and is diligently pursued, or the City has approved a time extension.
56. The proposed development shall conform substantially to the project submittal, Exhibit B, dated "Received, October 2, 2014," including the following on file with the Planning Division, except as modified by the conditions:

- Project written narrative
- Project Plans (site plan; civil plans – preliminary grading, drainage, and utility; floor plans; elevations; trash enclosure; roof plan; preliminary landscape and irrigation; and, photometric plan)
- CalTrans Deed/easement
- Traffic Impact Analysis by Hexagon Transportation Consultants, Inc.
- Arborist Report by Arbor Resources, dated March 11, 2013
- Health Risk Screening by FirstCarbon Solutions dated October 14, 2013
- Climate Action Plan (CAP) Checklist
- Color/Material Board

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.

57. Prior to issuance of a building permit, the developer shall pay the required commercial development school impact fee as prescribed by State law and as adopted by the Pleasanton Unified School District.
58. The applicant or responsible party shall obtain all required City permits for the project scope prior to construction.
59. 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.
60. 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 Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier “start times” or later “stop times” for specific construction activities, e.g., concrete pouring, interior construction activities, etc. 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.
61. To the extent permitted by law, the project applicant shall defend (with counsel reasonable 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 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.

62. The project developer 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 completion of construction 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.
63. 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.
64. Before project final, all landscaping shall be installed, review, and approved by the Planning Division.
65. The project developer 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.
66. 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.
67. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
68. 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.

## **Landscaping**

69. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.
70. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.

71. The following statements shall be included within 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 to be saved 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 to be saved.
- c) No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees to be saved 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 to be saved.

72. Prior to issuance of a grading or building permit, the project developer 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, unless otherwise approved by the Director of Community Development. The fencing shall remain in place until final landscape inspection of the Community Development Department. Removal of such fencing prior to that time may result in a “stop work order.”

## **Building**

73. 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.

74. Prior to issuance of building or demolition permits, the 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 show how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. The proposed plan must be approved by the Building Division prior to any building permit inspections. 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 shall mark all trash disposal bins “trash materials only” and all recycling bins “recycling materials only.” The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

75. At the time of building permit plan submittal, the project developer 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.

## **Engineering**

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

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

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

79. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times to avoid peak travel congestion. It shall also include a provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the project developer.

80. 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 underground in conduit and in a joint utility trench unless otherwise specifically approved by the City Engineer.

81. 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. This shall include slurry seal, overlay, landscaping, irrigation, signing, striping and pavement markings or street reconstruction if deemed warranted by the City Engineer.

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

83. The project developer and/or the project developer’s contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

84. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as permanent landscaping is in place.
85. Storm drainage swales, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through an association approved by the City.
86. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.

## **Fire**

87. Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12" high by 1" stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.
88. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
89. Prior to any construction framing, the project developer 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 that are able to suppress a major fire.
90. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company Underwriters Laboratory (UL) certificate. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau. All systems shall be point identified by individual device and annunciated by device type and point.
91. A Hazardous Materials Declaration shall be provided for this tenant and/or use. The form shall be signed by the owner/manager of the company occupying the suite/space/building. No building permit will be issued until the Hazardous Materials Declaration is provided. The form is available through the permit center or from the Livermore Pleasanton Fire Department (LFPD) Fire Prevention Bureau.

92. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the Hazardous Materials Coordinator at 925/454-2361.
93. The proposed building(s) may have additional Fire Department requirements that can only be addressed by knowing the details of occupancy. These occupancy details shall be submitted to the Fire Department prior to submittal of construction plans to the Building Department. Details shall include but not be limited to the following:
- a. Type of storage
  - b. Height of storage
  - c. Aisle spacing
  - d. Rack of bulk storage
  - e. Palletized storage
  - f. Type of occupancies within areas of the building(s)

Based on the information received, there may be additional requirements such as: smoke and heat venting, in-rack sprinklers, increases in sprinkler design criteria, draft curtains, etc.

94. 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.
95. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
96. All commercial, industrial, and multi-family residential occupancies shall have valve tamper and water flow connected to an Underwriters Laboratory (UL) listed Central Station Service. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company UL certificate. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau. All systems shall be point identified by individual device and annunciated by device type and point.
97. 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.

98. 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 shall be provided to the site. If Public Works Improvements are part of the project to access the site, an emergency vehicle access plan shall be submitted for review and approval.
  - b. Site access shall be provided prior to any construction above the foundation or slab. Based on the Site Plan Approval the access shall be installed.
  - c. Emergency vehicle access shall be a minimum of 20 feet in width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) shall be provided. 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.
  - d. Where on-site fire hydrant(s) are required, they shall be installed, flushed and all valves open prior to any construction above the foundation or slab. This includes concrete tilt-up and masonry buildings.
  - e. On-site fire hydrant(s) shall not be obstructed and shall be sufficiently above grade to have all hydrant valves and outlets accessible for emergency use.
  - j. Prior to request for final inspection, all access roads, on-site access and fire hydrants shall be provided. All fire hydrants shall be acceptance inspected and tested to applicable City Public Works Standards.

## **URBAN STORMWATER CONDITIONS OF APPROVAL**

99. The project shall comply with the City of Pleasanton's Stormwater National Pollutant Discharge Elimination System (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/storm\\_water/Municipal/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/storm_water/Municipal/index.shtml)

## A. Design Requirements

- A. 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 and industrial project) creates and/or replaces 10,000 square feet or more of impervious surface, including roof area, street, and sidewalk.
  - b. Hydro-modification 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.
- B. The following requirements shall be incorporated into the project:
- a. The project developer shall submit a final grading and drainage plan, including stormwater treatment calculations, prepared by a licensed civil engineer depicting all final grades, onsite drainage control measures, and 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 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 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. Buildings/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.
- 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. Stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.
- k. 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.

## **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/construction.shtml)
- [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/financialconstpermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/financialconstpermit.pdf)

1. The Construction General Permit's requirements include, but are not limited to, the following:
  - a. The project developer 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 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 finalized. A site specific SWPPP must be combined with proper and timely installation of the Best Management Practices (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 is responsible for implementing the following 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 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 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 (if used at the construction site): 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 is not permitted; use an off-site repair shop is strongly encouraged.
2. Within 30 days of the installation and testing of the stormwater treatment and hydro-modification facilities, the designer of the site shall submit a letter to the 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 and industrial projects) that create and/or replace 10,000 square feet or more of impervious areas 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 signed and notarized Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the project receiving final discretionary approval by the Zoning Administrator, Planning Commission, or City Council. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

- C. 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.
- 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.

## **CODE REQUIREMENTS**

### **Building**

*(Applicants/Developers 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.)*

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

### **Fire**

*(Applicants/Developers 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.)*

101. 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.

102. A fire alarm system shall be provided and installed in accordance with the California Fire Code currently in effect, the City of Pleasanton Ordinance 2015 and 2002 National Fire Protection Associate (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 California Fire Code (CFC currently in effect).
103. City of Pleasanton Ordinance 2015 requires that all new and existing occupancies be provided with an approved key box from the Knox Company as specified by the Fire Department. The applicant is responsible for obtaining approval for location and the number of boxes from the Fire Prevention Bureau. Information and application for Knox is available through their website or the Fire Prevention Bureau. Occupant shall be responsible for providing tenant space building access keys for insertion into the Knox Box prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.
104. Portable fire extinguisher(s) shall be provided and installed in accordance with the California Fire Code currently in effect and Fire Code Standard #10-1. Minimum approved size for all portable fire extinguishers shall be 2A 10B:C.
105. 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.
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. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection".
  - The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
  - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
  - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.

108. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances\* and shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.

\*Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants and/or standpipes.

109. The building 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]*