

**EXHIBIT A
DRAFT CONDITIONS OF APPROVAL**

**PUD-84, Frank Berlogar
88 Silver Oaks Court
February 12, 2014**

Project-Specific Conditions

Planning:

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. No building permits shall be issued prior to City approval and recordation of a Final Parcel Map.
3. Prior to recordation of the Final Parcel Map, the applicants shall create road and utilities easements approved by the City Engineer to allow Lot 1 owner to utilize the private road and utilities. The easement language shall be subject to review and approval by the City Attorney's Office prior to recordation of the final parcel map. The easement shall be maintained to the satisfaction of the City Engineer.
4. Prior to the recordation of the Final Parcel Map, the applicants shall create a maintenance agreement including the maintenance responsibility of the driveway, bio-retention area, utilities, storm water treatment system, etc. in perpetuity. The maintenance agreement is subject to review and approval by the City Attorney's Office and shall be recorded concurrently with the Final Parcel Map. The Maintenance Agreement shall include exhibits showing the location of all the common private improvements to be maintained. The City shall be granted the rights and remedies of the agreement, but not the obligation, to enforce the maintenance responsibilities of the agreement.
5. The recorded deed of sale for both lots covered by this PUD Development Plan approval shall include the following:
 - a. A clause which states that the property is in an area subject to noise, dust, and vibration levels from gravel harvesting and processing and that the City of Pleasanton is not liable for possible damages due to such impacts.
 - b. The recorded deed of sale shall include a noise/dust vibration easement.

- c. A disclosure statement shall be provided to prospective purchasers and tenants by lot owners, developers, and future successors in interest providing full disclosure of the potential future mining operations within the Specific Plan Area.
- d. The recorded deed of sale for all lots shall include a disclosure statement indicate in the close proximity of the Vineyard Avenue Corridor Specific Plan area to the Livermore Municipal Airport and of possible impacts to homes due to aircraft overflights.
- e. A disclosure statement describing the planned use and construction of the Old Vineyard Avenue right-of- way for public trail uses.
- f. A disclosure of the future staging area and parking area to be owned and operated by the East Bay Regional Park on a portion of Old Vineyard Avenue right-of-way, and the proposed City Park to be located on the old land fill site on the south side of Vineyard Avenue.
- g. A disclosure stating that the East bay Regional Park District operates Shadow Cliffs Regional Recreation Area, a regional recreation facility, and that the buyer recognizes that the activities that take place in the "Regional Recreation Area" may result in noise, odors, dust, traffic or other conditions that may affect the lots covered by this PUD Development Plan.
- h. A disclosure of the noise, odor, and illumination associated with the operation of the asphalt batch plant on the RMC/Lonestar property.
- i. A disclosure on all lots regarding the underground, 230-kilovolt electrical transmission line.
- j. A statement disclosing the animal husbandry activities, including pig farming, of nearby property owners in the Vineyard Avenue Corridor Specific Plan area.

Wording for these clauses and/or disclosures shall be submitted to the City Attorney for review and approval before City Council approval of the first final subdivision map for this development and shall be recorded over the project site by separate instrument.

- 6. The recorded deed of sale shall include the following statement to be signed by the future homeowner(s) stating that:

"You are hereby advised that this property is located near land zoned and/or used for agricultural purposes. Agricultural use is defined as including but not limited to day and night-time activity relating to livestock grazing, the keeping of livestock, the growing and processing of agricultural crops, and any commercial agricultural practices performed as incidental to or in conjunction with such operations. Some of the impacts associated with agricultural use include but are not limited to noise, odor, dust, chemicals, refuse, waste, unsightliness, use of agricultural equipment, and traffic. Permitted agricultural pursuits conducted in accordance with good practice and maintenance are not deemed by the City of Pleasanton to be a nuisance."

The exact language of said disclosures shall be reviewed and approved by the City Attorney before recordation of the final parcel map for the subdivision covered by this approval.

7. The three-lot development plan covered by this approval shall be in substantial conformance to the development plans, Exhibit B, listed below, on file with the Planning Division, except as modified by these 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.
 - Alternative1 Site Layout, Preliminary Grading and Utility Plan, and Slope Plan by RJA
 - Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines by Josephy Gorny and Associates
 - Arborist Tree Assessment Report by Ralph Osterling Consultants
 - Geotechnical Investigation Report by Berlogar-Stevens Geotechnical Consultants
 - Landfill Gas Assessment Report by EBA Engineering
8. The uses of the lots covered in the PUD shall be as follows:
 - A. Uses within the building envelope areas for Lot 1 and Lot 2 shall be subject to the following:
 - 1) Permitted Uses:
 - a) single-family detached housing
 - b) household pets (up to 4 as defined by the Pleasanton Municipal Code)
 - c) accessory structures and uses
 - d) small family day care home in accordance with State Law
 - e) second unit in conformance with the Pleasanton Municipal Code
 - f) adult daycare or nursing home for not more than six patients in accordance with State Law
 - g) exempt home occupation
 - 2) Conditionally Permitted Uses:
 - a) large family day care home in accordance with State Law
 - b) adult daycare or nursing home for more than six patients in accordance with State Law
 - c) home occupation
 - 2) The above-listed uses shall have the meanings as defined and/or interpreted for uses in the R-1 districts of the Pleasanton Municipal Code. Other uses listed in the R-1 districts of the Pleasanton Municipal Code may be either permitted or conditionally permitted if the Director of Community Development finds that such uses do not conflict with the requirements of the Vineyard Avenue Corridor Specific Plan.

- B. Uses outside the building envelopes for Lot 1 and Lot 2:
 - 1) Permitted Uses:
 - a) vineyards, orchards, and other row crops for non-commercial purposes
 - b) horticulture for non-commercial purposes
 - C. Uses for the remainder lot (Berlogar site) shall be those indicated in PUD-05 (Ordinance No. 1832).
- 9. Unless otherwise specified in the conditions of approval and/or the Design Guidelines for the subject PUD, all site development standards shall be those of the R-1-40,000 District.
- 10. All main and accessory structures for Lot 1 and Lot 2 shall be located within the building envelopes as shown on Alternative 1 site layout of Exhibit B.
- 11. Sport courts shall not be allowed on any lot in the development.
- 12. Future homes on the subject property shall conform to the “Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines” by Josephy Gorny and Associates” on file with the Planning Division and are subject to design review approval per Chapter 18.20 of the Pleasanton Municipal Code.
- 13. The design of the future homes on Lot 1 and Lot 2 shall be subject to the design criteria specified in the Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines in Exhibit B. The design guidelines shall be revised to include the following and are subject to review and approval by Community Development Director prior to recordation of the final parcel map:
 - a. Photosimulations are required as part of the design review application for the future homes on Lot 1 and Lot 2.
 - b. Building height is measured vertically from the lowest elevation of the building to the highest elevation of the building, excluding chimneys. The “lowest elevation of the building” is the lowest finished grade adjacent to an exterior wall of the main house.
 - c. The maximum building height for Lot 1 is 40 feet as measured from the “down slope” side.
 - d. The maximum building height for Lot 2 is 30 feet.
 - e. Modification to the building pad elevation(s) may require a modification to the PUD development plan as determined by the Director of Community Development.
 - f. Alternative 1 site layout needs to be included in the guidelines.
- 14. The future homes within this PUD approval shall comply with the City’s Green Building Ordinance.

15. The future homes within this PUD approval shall include the following:

- a. A minimum of one appliance or system that meets Energy Star standards shall be installed as part of the project.
- b. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project.
- c. The future homes shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project applicant shall comply with the following requirements for making the dwelling photovoltaic-ready and solar-water-heating-ready:
 - i) Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - ii) 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;
 - iii) 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;
 - iv) Plumbing shall be installed for solar-water heating; and
 - v) 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.

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

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

18. If grading is to occur during the raptor- nesting season (February 1 to August 31), a focused survey for raptor nests shall be conducted by a qualified biologist during the nesting season. The survey shall be conducted no less than 14 days and no more than 30 days prior to the beginning of grading. If nesting raptors are found during the focused survey, no grading shall occur within 500 feet of an active nest until the young have fledged (as determined by a qualified biologist), or until the project applicants receive written authorization from California Department of Fish and Wildlife to proceed.

19. Future custom homes shall comply with the recommendations of the Geotechnical Investigation Report by Berlogar-Stevens Geotechnical Consultants. A supplemental, lot specific geotechnical investigation report is required as part of the

design review process. At the discretion of the City Engineer, the supplemental report may be peer reviewed.

20. Future homeowners shall be provided with a copy of the Landfill Gas Assessment Report by EBA Engineering.
21. If additional grading is requested as part of the design review application for the future custom home, the applicants shall show the scope of the additional grading on the preliminary grading plan. At the discretion of the Director of Community Development, a PUD modification to modify the building pad elevation(s) may be required if it is found that the requested amount of additional grading significantly differs from the approved plan. There is no guarantee that the PUD modification would be approved.
22. Separate PUD development plan approval shall be required for the future residential development on the Hillside Residential area located on the southern portion of the Berlogar property.
23. 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.
24. All trucks hauling soil shall be covered with tarpaulins or other effective covers.

Fire

25. The future custom 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.
26. The location(s) of the fire hydrant(s) and the detail of the hammerhead turn-around area for fire trucks shall be reviewed and approved by the Livermore-Pleasanton Fire Department prior to issuance of a building permit.
27. The Fire Chief and the Director of Building Inspection shall approve the number, type, and location of all private fire hydrants.

28. 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.
29. 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.

Landscaping

30. 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: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.
31. The applicants shall comply with the recommendations of the tree report prepared by Ralph Osterling Consultant. The applicants shall arrange for the consultant to conduct a field inspection prior to commencing grading to ensure that recommendations concerning the two impacted blue oaks have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
32. The applicants shall install plants to help screen the retaining walls from off-site views. A landscape plan shall be included with the subdivision improvement plans and shall be subject to the review and approval by the Director of Community Development. The applicants shall utilize plants that are appropriate for the soil and water conditions and that look appropriate in a grassland and/or oak woodland setting. In addition, plant species shall be a drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system).
33. No trees shall be removed. The applicants 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.
34. No tree trimming or pruning other than that specified in the tree report shall occur. The applicants 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.

35. Except as otherwise conditioned, all trees used in landscaping for future homes shall be a minimum of 15 gallons in size and all shrubs used in the landscaping for the retaining wall and for future home shall be a minimum of 5 gallons.
36. Prior to issuance of a grading or building permit, the applicants 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 grading and retaining wall inspections by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
37. Front yard landscaping for the future homes on Lot 1 and Lot 2 shall be installed prior to occupancy. The Planning Director shall determine the location of the front yard landscaping at the time of building permit issuance. The remainder of site landscaping shall be installed within nine (9) months of occupancy.

Engineering

38. Lot 1 and Lot 2 sanitary sewer laterals shall connect to the public sanitary sewer system unless otherwise approved by the City Engineer.
39. A Double Check Detector Check shall be installed at the end of the public fire service line at the location shown on the PUD plans.
40. The Water Meters for Lot 1 and 2 shall be installed at the end of Silver Oaks Court as per city standard at the location shown on the PUD plans.
41. The Fire hydrant at the end of Silver Oaks Court and the fire hydrant at the end of the fire truck turn around shall be installed as per city standard.
42. If any of the subdivision improvements are proposed to be phased, a phasing plan shall be included with the Vesting Tentative Parcel Map and subject to the review and approval by the Director of Community Development.
43. A parcel map shall be required to subdivide the property into three lots.
44. The applicants shall comply with the recommendations of the Landfill Gas Assessment report by EBA on file with the Planning Division.
45. The applicants shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall 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.

46. The applicants shall comply with the recommendations of the project's geotechnical consultant. The applicants' geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations 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.
47. The applicants' consultant shall provide AS BUILTS of the project improvement plans in AutoCAD and PDF format to the City.
48. The applicants shall provide a bond to the City guaranteeing the installation of all common improvements and infrastructure improvements shown on the approved development plan or otherwise required as part of this development plan approval. The applicants shall provide an itemized cost estimate of said improvements, to be submitted with the bond, for the review and approval the Director of Community Development prior to issuance of building permits. The bond shall be returned to the applicants upon acceptance of said improvements by the City Engineer.
49. Approval of the storm drainage system, including the detail of the storm water retention basin, shall be subject to the review and approved by the City Engineer prior to the issuance of a building permit for the project.
50. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.
51. The design of the water supply and sanitary sewer systems shall be subject to the review and approval by the City Engineer.
52. The applicants shall install the bio-retention area as shown on the PUD development plan. The design details of the bio-retention area shall be shown on the subdivision improvement plans, shall be reviewed and approved by the project's Soils Engineer, and then shall be reviewed and approved by the Director of Community Development and City Engineer.
53. Storm drainage swales, bioswale, 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 a Homeowners Association or a Maintenance Association if there is no commonly

owned land as determined by the City Engineer, Director of Community Development, and City Attorney. Easements shall be recorded for the private storm drain facilities concurrently with the final subdivision map. The maintenance responsibilities shall be set forth in the easements or other appropriate document to be recorded concurrently with the final subdivision map, as approved by the City Attorney.

Building

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

URBAN STORMWATER CONDITIONS OF APPROVAL

55. 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/storm_water/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 residential subdivision project) creates and/or replaces 10,000 square feet or more of impervious surface, 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 applicants shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and onsite drainage control measures including bioretention swales. Irrigated bioretention 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 applicants 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 applicants 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. 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.
- g. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- h. 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).
 - i. 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.

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/finalconstrpermit.pdf

1. The Construction General Permit's requirements include, but are not limited to, the following:
 - a. The applicants 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 applicants 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 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 applicants are 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 City.
 - i. The applicants 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 applicants are 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 at the project site is not permitted; use an off-site repair shop.
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 a residential subdivision 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.
- 2. 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.

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 no one is disposing of vehicle fluids and hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- d. 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.
- e. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

56. The project applicants 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.
57. The project applicants 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.
58. 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.

59. The applicants shall submit a written dust control plan or procedure as part of the improvement plans.

Planning

60. To the extent permitted by law, the project applicants 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 applicants 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.

61. The applicants 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 Applicant to the City, on a form generated by the PUSD, prior to building permit issuance.

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

63. 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.

64. 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.

65. 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.

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

67. 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.

68. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
69. 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.

Engineering

70. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
71. Storm water shall not flow from one lot to the other unless a storm drain easement created. The property line between lots shall be located a minimum of two feet from the uphill side of the top of the bank.
72. The in-lieu park dedication fees shall be paid to the City prior to approval of the parcel map, at the rate then in effect, for the total number of new residential units to be constructed, unless this requirement has been otherwise satisfied.
73. The applicants shall submit a final grading and drainage plan prepared by a licensed civil engineer including all supporting information and design criteria (including but not limited to any peer review comments), all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow, etc., shall be submitted as part of the improvement plans. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit by Engineering Division.
74. All existing drainage swales that are filled shall have sub drains installed unless otherwise approved by the City Engineer and the developer's soils engineer. All sub drains shall have tracer wire along entire length of the sub drains and cleanouts installed with metal cap at the beginning of the pipe and at locations needed for maintenance. The end of the pipe shall terminate in a storm drain or other storm drain outfall, subject to the approval of the City Engineer. The applicants' engineer shall submit a final sub drain location map to the City Engineer prior to acceptance of the public improvements and/or project. It shall be the responsibility of the property owner to relocate a sub drain, if during the excavation of a pool or other subsurface structure, a sub drain is encountered. All property owners within the subdivision shall receive notice of the presence of these sub drains. The City Attorney shall approve said notice.
75. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
76. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.

77. 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.
78. A stub for each dry utility (electric power, gas, communication service, Cable television, street lights and any required alarm systems) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
79. 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.
80. The applicants 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.
81. 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.
82. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve new developments on the project.
83. 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.
84. 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 applicants/subdivider. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
85. The project applicants and/or the project applicants' contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
86. The project applicants shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project applicants are 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 a permanent landscaping is in place.

Building

87. Prior to issuance of building or demolition permits, the applicants 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 applicants intends to recycle at least seventy-five percent (75%) 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 applicants shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The applicants shall contact Pleasanton Garbage Service for the disposal of all waste from the site.
88. 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.
89. At the time of building permit plan submittal, the project applicants 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.

Fire

90. The applicants shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
91. Prior to any construction framing, the project applicants 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.
92. 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.
93. Prior to any construction framing, the applicants 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.

94. 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

(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.)

Planning

95. All exterior lighting including landscape lighting for future homes shall be directed downward and designed or shielded so as to not shine onto neighboring properties.
96. The home/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

97. The project applicants 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.
98. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

Fire

99. 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.
100. 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.
101. 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.
102. 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.
103. 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).

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