

ORDINANCE NO. 2077

AN ORDINANCE OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF PONDEROSA HOMES FOR : (1) THE REZONING OF AN APPROXIMATELY 2.1-ACRE SITE AT 4202 STANLEY BLVD FROM C-F (FREEWAY INTERCHANGE COMMERCIAL) DISTRICT TO PUD-MDR/OS-PH&S/WO (PLANNED UNIT DEVELOPMENT – MEDIUM DENSITY RESIDENTIAL/OPEN SPACE – PUBLIC HEALTH AND SAFETY/WILDLAND OVERLAY) DISTRICT; AND (2) A PUD DEVELOPMENT PLAN TO RETAIN THE EXISTING RESIDENCE, TO REMOVE THE 32 MOBILE HOME SPACES AND RELATED ACCESSORY STRUCTURES, AND TO CONSTRUCT 12 DETACHED SINGLE-FAMILY HOMES, AS FILED UNDER CASE PUD-97

WHEREAS, Ponderosa Homes has applied for rezoning of an approximately 2.1-acre site at 4202 Stanley Boulevard from C-F (Freeway Interchange Commercial) District to PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/ Wildland Overlay) District and for a PUD development plan approval to remove the 32 mobile homes spaces and related accessory structures, construct 12 new detached single-family homes, and retain the existing home located on the north side of the site; and

WHEREAS, an Environmental Impact Report (EIR) was prepared and certified for the Downtown Specific Plan (of which this site is part) on March 5, 2002; and

WHEREAS, in 2012, the City Council certified a Supplemental Environmental Impact Report (SEIR) and adopted the CEQA (California Environmental Quality Act) Findings and a Statement of Overriding Considerations for the Housing Element update and Climate Action Plan General Plan Amendment and Rezonings. This SEIR was a supplement to the EIR prepared for the Pleasanton 2005-2025 General Plan which was certified in July 2009. The subject property was one of the 21 potential housing sites analyzed in the SEIR. A total of 54 multi-family housing units were analyzed in the SEIR for this site; and CEQA specifies that individual residential development projects that are proposed pursuant to the requirements of an adopted specific plan for which an EIR has been prepared and certified are exempt from additional environmental review and because the project's density that is proposed is significantly lower than analyzed in the SEIR, there are not any changes in the project, circumstances, or new information causing new significant environmental effects and is exempt from additional environmental review; and

WHEREAS, the Planning Commission held a public workshop on November 28, 2012 regarding this proposal, and held a noticed public hearing on July 10, 2013 where the Planning Commission voted 4-0 to recommend denial of the application; and

WHEREAS, on August 20, 2013, the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports,

and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, the Pleasanton City Council finds that the proposed rezoning and development plan are consistent with the City's General Plan, the Downtown Specific Plan, and the purposes of the PUD District Ordinance of the City of Pleasanton.

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

SECTION 1. The project is found to be exempt from further environmental review pursuant to California Public Resources Code section 21083.3 for the reasons set forth in the recitals, above.

SECTION 2. The City Council approves the rezoning of the approximately 2.1-acre site at 4202 Stanley Boulevard from C-F (Freeway Interchange Commercial) District to PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/Wildland Overlay) District;

SECTION 3. The Zoning Map of the City of Pleasanton dated April 18, 1960, on file with the City Clerk, designating and dividing the City into zoning districts, is hereby amended to include Zoning Unit Map No. 488, dated August 20, 2013, attached hereto as Exhibit "A," and incorporated herein by this reference.

SECTION 4. The City Council approves Case PUD-97, the application of Ponderosa Homes for Planned Unit Development (PUD) development plan approval to remove the 32 mobile homes spaces and related accessory structures, construct 12 new detached single-family homes, and retain the existing home located on the north side of the site as shown on the map on file in the Community Development Department and as shown on Exhibit "B" all subject to the conditions as shown in Exhibit "C" attached hereto and made part of this ordinance by this reference.

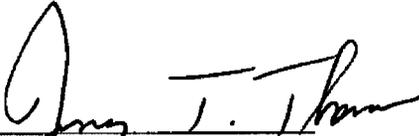
SECTION 5. It is hereby required that if the existing home is to be converted to limited commercial personal services and/or office uses, the then applicant / responsible party shall first apply for discretionary PUD major modification and General and Specific Plan amendments.

SECTION 6. A summary of this ordinance shall be published once within 15 days after its adoption in the "Valley Times", a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for 15 days in the City Clerk's Office within 15 days after its adoption.

SECTION 7. This ordinance shall be effective 30 days after its passage and adoption

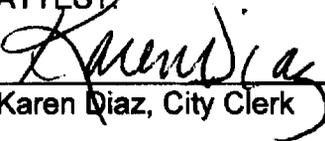
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 20, 2013, and adopted at a regular meeting of the City Council of the City of Pleasanton on September 3, 2013 by the following vote.

AYES: Councilmembers Brown, Cook-Kallio, Narum, Pentin, Mayor Thorne
NOES: None
ABSENT: None
ABSTAIN: None



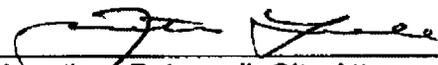
Jerry Thorne, Mayor

ATTEST:

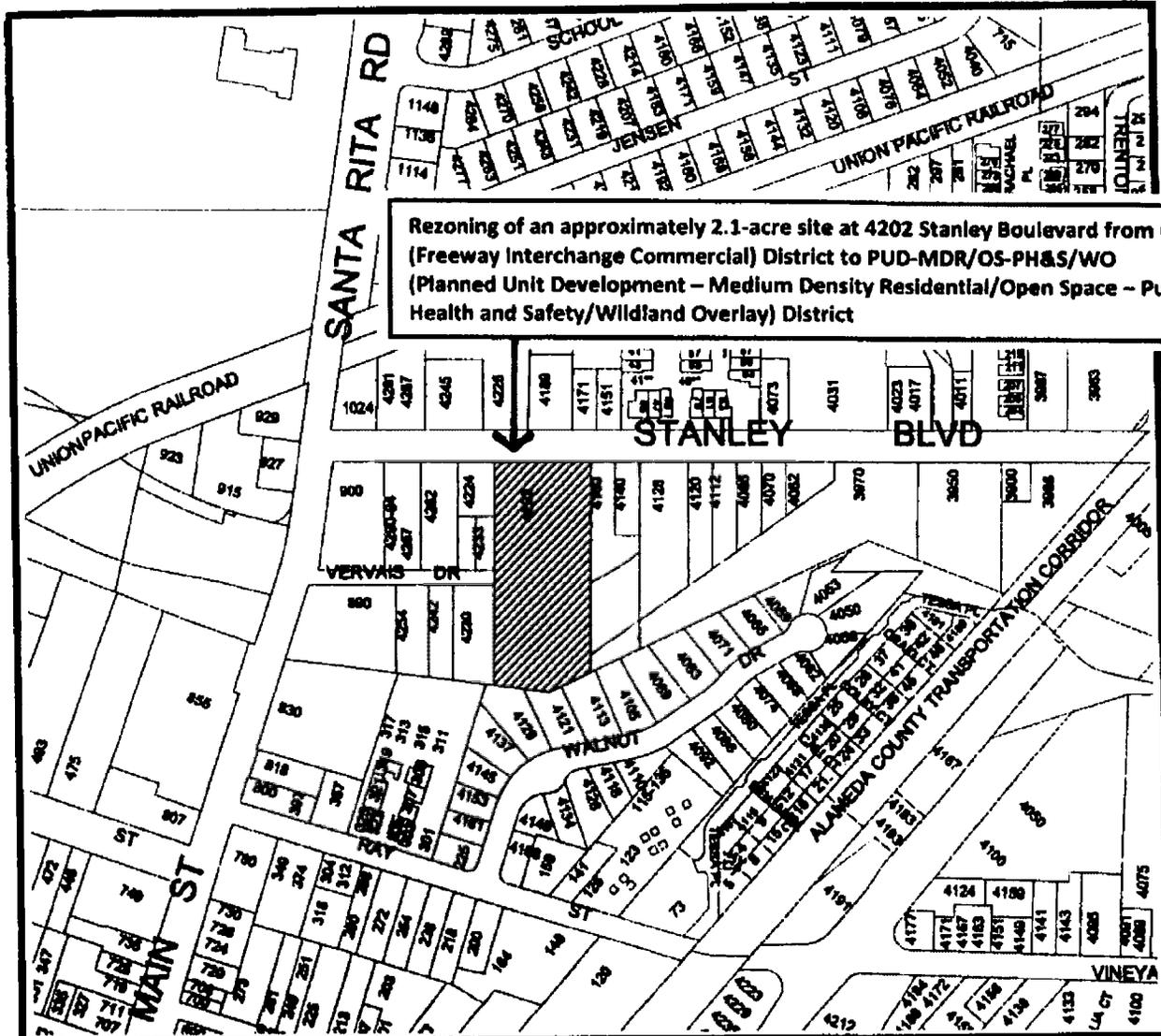


Karen Diaz, City Clerk

APPROVED AS TO FORM:



Jonathan P. Lowell, City Attorney



Rezoning of an approximately 2.1-acre site at 4202 Stanley Boulevard from C-F (Freeway Interchange Commercial) District to PUD-MDR/OS-PH&S/WO (Planned Unit Development – Medium Density Residential/Open Space – Public Health and Safety/Wildland Overlay) District

**CITY OF PLEASANTON
PLANNING DIVISION**

**Ordinance No. 2077
Zoning Unit Map No. 488**

<p>DRAWN BY: M. Hoey</p>	<p>APPROVED BY: <i>[Signature]</i> DIRECTOR of COMMUNITY DEVELOPMENT</p>	<p>DATE: 8/20/2013</p>
<p>SCALE: 1" = 300'</p>		<p>SEC. NO.: PUD-97</p>

Exhibit C

CONDITIONS OF APPROVAL

PUD-97

**4202 Stanley Boulevard
13 Lot Single-Family Home Development**

August 20, 2013

PROJECT SPECIFIC CONDITIONS

Planning Division

1. Should the applicant and/or responsible party wish to retain and use the unit on the second floor of the existing home on Lot 13, the applicant and/or responsible party shall ensure that the space is deemed habitable by the City's Building and Safety Division and Livermore-Pleasanton Fire Department. This may require the applicant and/or responsible party to submit plans for review and approval by the Chief Building Official and Director of Community Development and pay any related fees that the unit may be subject to (e.g., plan check fees, water connection fees, etc.) prior to using the space as a residential unit.
2. Should Ponderosa Homes and/or the responsible party receive approval to subdivide Lot 13 from the development, Ponderosa homes and/or the responsible party shall enter into a Landscape Maintenance Agreement with the City for Lot 13. Said Agreement and related materials shall be submitted to the City Attorney for review and approval. Said Agreement shall be required prior to approval of any minor subdivision map.
3. Ponderosa Homes shall be required to invest a minimum of \$30,000 for a new roof, exterior paint and landscaping improvements for Lot 13 prior to occupancy of the project units. Ponderosa shall submit a final landscape and irrigation plan, elevation drawings or a photomontage and a color and material board of the proposed roof color and material and building paint colors for Lot 13 for review and approval by the Community Development Director prior to commencement of the work taking place. The landscape plan shall note the size, location, number/amount and species of the plants. Plant species shall be drought tolerant in nature with an irrigation system that maximizes water conservation (e.g., drip system). All trees used in landscaping shall be a minimum of twenty-four box-size and all shrubs shall be a minimum of five gallons. An itemized list for the cost of improvements (i.e., new roof, paint and landscaping) shall be submitted to the Planning Division upon completion of improvements.

If Lot 13 is sold to a new owner prior to issuance of project building permits, Ponderosa shall not be responsible for the cost of improving the house and its designated lot but shall be required to pay \$2,500 per new unit (i.e., \$30,000) into the Bernal Park Reserve Fund prior to issuance of building permits.

4. Unless otherwise specified in the conditions of approval, indicated in the accessory structure site development standards, or shown on the PUD development plan, all uses and site development standards shall be those of the R-1-6,500 District.
5. No additions or expansions are permitted to any house or garage on Lots 1-12. Future building and/or site improvements not covered by this development plan approval for Lot 13 will be subject to City review and approval prior to any changes to the building and/or site.
6. Accessory structures shall conform to the approved accessory structure site development standards noted below:

Lot 13 Accessory Structure Standards

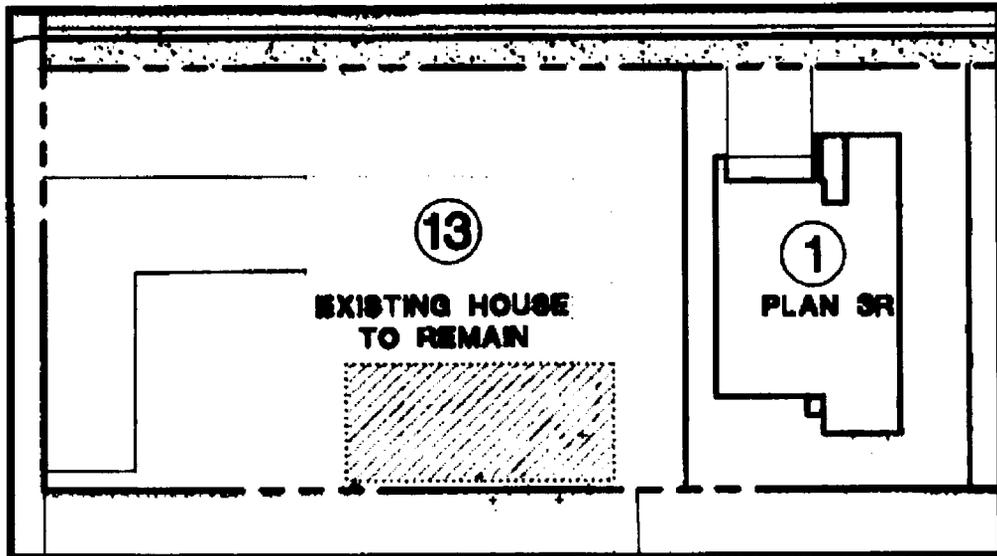
Any pool, hot tub and/or accessory structure that is taller than six feet in height or greater than 80 square-feet in size, shall be located between the house and west side property line only, as indicated in the hatched area in Image 1 shown on page 3. Pools and hot tubs may come no closer than five feet from the side property line and 14-feet to the rear property line. Accessory structures may come no closer than three feet to the side property line and 14-feet to the rear property line and shall not exceed a height of 10-feet.

Accessory structures that are six feet or less in height and less than 80 square-feet in area shall be screened by the good-neighbor fence and may adjoin the west side property line and/or rear yard property line, but may not be attached to any portion of the fence. Said accessory structures can be located in the east side yard area between the house and the good-neighbor fence, but may not be attached to any portion of the fence and shall be set back a minimum of 10-feet from the street side property line. Should the owner/tenant/occupant receive City approval to relocate the east and/or north street side yard fences, accessory structures shall maintain a minimum 10-foot setback from the east street side property line and a minimum 23-foot setback from the front property line.

Covered patios attached to a main structure and open on three sides may come to within five feet of the rear property line, three feet from the west side property line and 10-feet from the street side property line. Covered patios attached to a main structure and enclosed on two or more sides shall not be allowed.

Accessory structures shall not exceed 50% of the rear or side yard area.

Image 1



Accessory Structure Standards for Lots 1-12

Detached Accessory Structure Standards

1-3, 8-12	5' MIN. TO SIDE AND REAR PROPERTY LINES WITH THE EXCEPTION THAT CORNER LOTS SHALL HAVE A MIN. 10' SETBACK FROM THE STREET SIDE YARD PROPERTY LINE.
4-7	5' MIN. TO SIDE PROPERTY LINE MAX. 10' PROJECTION FROM REAR BLDG WALL. NO ENROACHMENT INTO THE 15' SLOPE SETBACK LINE IS ALLOWED.
1-3, 8-12	5' MIN. TO SIDE AND REAR PROPERTY LINES FOR POOLS AND HOT TUBS. POOL AND/OR HOT TUB EQUIPMENT SHALL MAINTIAN A MIN. 3' SETBACK IF LOCATED BETWEEN THE HOUSE AND SIDE PROPERTY LINE.
4-7	5' MIN. TO THE SIDE PROPERTY LINES AND NO ENROACHMENT INTO THE RIPRIAN SETBACK LINE SHOWN ON THE DEVELOPMENT PLAN FOR POOLS AND HOT TUBS. POOL AND/OR HOT TUB EQUIPMENT SHALL MAINTIAN A MIN. 3' SETBACK IF LOCATED BETWEEN THE HOUSE AND SIDE PROPERTY LINE.

Accessory structures shall not exceed 50% of the rear or side yard area or be allowed to exceed 10-feet in height.

Covered patios attached to the dwelling shall adhere to the following development standards:

Attached Patio Covers: Covered patios attached to a main structure and open on three sides may come to within five feet of the rear property line for Lots 1-3 and 8-12 and shall not encroach into the 15-foot slope setback for Lots 4-7. Lots

1-12 shall maintain a minimum of three feet from the interior side property lines of the property. Corner lots shall be required to maintain a 10-foot minimum setback from the street side yard property line.

7. If encroachment into the 15-foot slope setback area is desired, a lot-specific geotechnical report shall be required and shall be reviewed and approved by the Planning Division and City Engineer prior to commencement of said improvements. Covered patios attached to a main structure and enclosed on two or more sides shall not be allowed on any new Lots.
8. Grading, site improvements/changes, development, including, but not limited to, accessory structures, pools, retaining walls, etc. will not be allowed to encroach into the 15-foot slope setback.
9. Fencing within the development shall conform to the fencing site plan on sheet 2 of 7 and fencing details of sheet L3 of Exhibit B, on file with the Planning Division. Minor modifications to the fencing plan may be approved by the Director of Community Development without a PUD modification. Should the applicant and property owner along the eastern portion of the site choose to install a masonry or other fence/wall along the east (rear) property line of Lots 7-12, said details (height, color, style, material, location) shall be included in the plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the Director of Community Development prior to issuance of grading or building permits.
10. If written permission is not provided from the adjacent property owners to allow the project's new fencing to be located on the shared property lines between the project site and the adjacent properties, then the fencing/walls and footings shall be located entirely on the project site.
11. The applicant shall dedicate an easement to the City for a future trail along the rear portion of Lots 4-7. The homeowners association or Lot owners shall not be responsible for the maintenance of the future City trail along the Lots adjacent to the Arroyo del Valle. The easement, and trail, would generally be aligned below the top of slope and along the flatter portions of the embankment, near the creek. Said easement shall be shown on the Tentative Subdivision Map and shall be subject to the review and approval of the City prior to final map approval. The easement shall be included in the project CC&Rs. Said CC&R easement language shall be submitted to for review and approval by the City Attorney, City Engineer, and Director of Community Development prior to recordation of the final map.
12. The project developer/subdivider shall create easements for the private street, guest parking spaces, utilities, common space, etc. and the future trail along Lots 4-7, subject to the review and approval of the City Attorney and Director of Community Development.

13. The recorded deed of sale for lots 4-7 shall include a disclosure regarding the limitations of improvements/changes to the rear of the lot and that a future trail may be constructed along the Arroyo del Valle. Wording for these disclosures shall be written in simple/plain language, shall be submitted to the City Attorney for review and approval before City Council approval of the final subdivision map for this development, and shall be recorded over these lots by separate instrument.
14. The garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garage and each resident shall utilize the garages for the parking of vehicles. In addition, boats, trailers, campers, motor homes, and other recreational vehicles shall not be parked or stored on-site and residents, tenants, guests, etc., shall not park in the "No Parking" areas of the private street, bounded by Lots 3-8. The above parking restrictions for the development shall be included in the project CC&Rs. Said restrictions shall be submitted for review and approval by the City Attorney and Director of Community Development prior to recordation of the final map.
15. The applicant shall provide garage door design and material details to the satisfaction of the Director of Community Development. The garage door details shall be included in the plans submitted to the Building and Safety Division for plan check. The garage doors shall be subject to the review and approval of the Director of Community Development prior to the issuance of a building permit.
16. The applicant shall provide automatic opening sectional roll-up garage doors on the garages of the houses covered by this approval. Unless otherwise approved by the Director of Community Development, the door design and material shall conform to the PUD development plan.
17. The placement of the elevation style (i.e., Craftsman or Cottage) for each lot shall be submitted for the review and approval by the Director of Community Development prior to issuance of a building permit. The same elevation style shall not be used on the same model when they are located adjacent to each other.
18. Wood-, fiberglass-, or vinyl-framed/sashed windows shall be utilized on all front façade windows and any side windows facing Stanley Boulevard. If fiberglass- or vinyl-framed/sashed windows are used, they shall have a similar frame and sash thickness as found on a traditional wood-framed/sashed window unless the required noise mitigation for this project prevents compliance with this requirement. In addition, window mullions shall be raised and located on the exterior of the window unless the required noise mitigation for this project prevents compliance with this requirement. Manufacturer's specification sheets, details, and sections of the windows, and window treatments (sills, trim, etc.) shall be shown on the building permit plans and shall be subject to review and

approval by the Director of Community Development prior to issuance of a building permit.

19. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside of the homes.
20. The plans submitted to the Building and Safety Division for plan check and permit issuance shall be modified to include the City's planned Stanley Boulevard street improvements along the project's frontage. Project frontage is defined as the easternmost point of lot 12 extended to the farthest western point of lot 13. Said modifications shall be subject to the review and approval of the City Engineer and Director of Community Development prior to issuance of a building permit.
21. The developer shall comply with the recommendations of the noise study and addendum entitled "Noise Assessment Study for the Planned Single-Family Development, Wagner Property, Stanley Boulevard, Pleasanton" by Edward L. Pack Associates, Inc., dated "Received February 6, 2013" and "Received June 13, 2013," on file with the Planning Division. Prior to issuance of a building permit, the applicant's noise consultant shall specify the minimum STC rating required for each window of each lot. Bathroom windows shall comply with the "living spaces" STC ratings indicated on Table I of the noise study. Details of the noise mitigations shall be submitted in conjunction with the plans submitted for issuance of building permits and shall be subject to the review and approval by the Director of Community Development prior to issuance of building permits for the project. The applicant's noise consultant shall review the applicable noise mitigations shown on the building permit plans to ensure that the recommendations have been properly incorporated into the design. The consultant shall certify in writing that such recommendations have been followed.
22. The applicant shall retain Tree Nos. 325-328, 354, and 358 through 368, shown on sheet 7 of 7 in Exhibit B and in the Tree Report (Exhibit E) on file with the Planning Division. 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) generally along the existing tree drip lines, as shown on the plans. The fencing shall remain in place until the final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order." Said revisions shall be subject to the review and approval by the Director of Community Development prior to issuance of a building permit.
23. All trees used in landscaping shall be a minimum of twenty-four (24) box-size as shown on the development plan and all shrubs shall be a minimum of five (5) gallons.
24. The project developer shall mitigate the tree removal by planting additional trees on the lots, increase the size of the proposed trees that are presently shown on

the landscape plan, and/or making a payment to the Urban Forestry Fund, subject to the satisfaction of the City Landscape Architect and Director of Community Development. The required payment shall be paid in full prior to issuance of a building permit.

25. The State of California's Green Building Standards Code, "CALGreen," as amended, shall apply, as applicable.
26. The homes covered by this approval shall comply with the current City of Pleasanton's Garbage Service's recycling and composting programs.
27. A minimum of one appliance or system that meets Energy Star standards shall be installed as part of the project. The appliance(s) shall be installed as part of the project. The appliance(s) or system(s) shall be stated on the plans submitted for issuance of a building permit.
28. All new residences 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 all new dwelling units photovoltaic-ready and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit. The project developer shall provide the future homeowners the necessary information delineating the means by which photovoltaic panels can be applied to the roofs of the structures covered by this approval. This information shall be submitted to the Director of Community Development for review and approval prior to the occupancy of the first unit.

29. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Basics 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.

30. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project. The water conservation device(s) shall be stated on the plans submitted for issuance of a building permit.
31. This approval does not guarantee the availability of sufficient water capacity to serve the project. Prior to the recordation of a Final Map, issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, whichever is sooner, the applicant shall submit written verification from Zone 7 Water Agency or the City of Pleasanton's Utility Planning Division that water is available for the project. To receive the verification, the applicant may need to offset the project's water demand.
32. Prior to issuance of a building permit, the applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the developer shall pay any applicable Dublin-San Ramon Services District (DSRSD) sewer permit fee.
33. The final landscape and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building permit plan set prior to issuance of a building permit. Plant species shall be drought tolerant in nature with an irrigation system that maximizes water conservation (e.g., drip system). The landscaping and irrigation indicated on the approved plans shall be installed before each house final, and reviewed and approved by the Planning Division.
34. All exterior lighting, including landscape lighting, shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan and include drawings and/or manufacturer's specification sheets showing the size and types of the light fixtures for the exterior of the buildings.
35. The electrical plans for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g., cabling for DSL, broadband, or wireless service, wiring for total room access, etc.) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
36. A final subdivision map shall be required to subdivide the property into 13 Lots. With the final map, the project developer shall record Conditions, Covenants and Restrictions (CC&R's) at the time of recordation of the final map which shall create a homeowners association for the development. The association shall be responsible for the maintenance of all common utilities and stormwater treatment measures/areas, common access driveway and parking, and other facilities

specified in the approval. The buildings, driveway aprons, landscape, and lot-specific drainage shall be the responsibility of the individual owner for the lot. The CC&R's shall be subject to the review and approval of the City Attorney prior to recordation of the final map. The City shall be granted the rights and remedies of the association, but not the obligation, to enforce the maintenance responsibilities of the association.

37. The developer shall pay any and all fees to which the property may be subject to prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
38. 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) if it can be demonstrated to the satisfaction of the Director of Community Development that that the expanded construction hours are necessary (e.g., the concrete foundations need to be poured early due to weather conditions). 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.
39. The recorded deed of sale for all lots covered by this PUD Development Plan approval shall include separately recorded disclosure statements or restrictive covenants indicating the following:
 - a. That the property is in an area subject to noise, activity, and traffic impacts associated with a Downtown location.
 - b. The adjacency of the Union Pacific Railroad and possible noise, including noise from train whistles and horns, and vibration impacts from said railroad.
 - c. That additions to the homes and garages for Lots 1-12 are prohibited.
 - d. That the residents, tenants, guests, etc., are prohibited from parking in the red-curb areas along Lots 3-8.
 - e. Grading, site improvements/changes, development, including, but not limited to, accessory structures, pools, retaining walls, etc. will not be allowed to encroach into the 15-foot slop setback for Lots 4-7.
 - f. That boats, trailers, campers, motor homes, and other recreational vehicles are prohibited from being parked or stored on-site.

- g. That the garages shall not be modified or used for storage in a manner that would interfere with the ability to park two cars within the garage and that each resident shall utilize the garages for the parking of vehicles.

Wording for these disclosures and covenants shall be written in simple/plain language, 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.

40. The project developer shall provide all initial home buyers with copies of the project conditions of approval and the site development standards for accessory structures.

Climate Action Plan

41. The applicant shall provide a private pedestrian walkway within the development that connects with Vervais Avenue. The applicant shall submit a revised site plan that shows the location and improvement details of the pedestrian walkway prior to submitting a Tentative Map to the Planning Division and shall be subject to the review and approval of the Director of Community Development.
42. The project applicant/developer shall develop and implement measures that will achieve 25 percent better energy efficiency for the project over that required by 2010 Title 24 state energy requirements in effect upon the City Council's adoption of the ordinance approving PUD-97. The method used and plan details shall be incorporated into the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
43. The applicant shall work with staff on locations for providing light-colored paving material for driveways and street paving. The color and location of the paving shall be shown on the plans submitted to the Building and Safety Division and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
44. The applicant shall incorporate water-saving landscape plants that include xeriscaping and drought-resistant planting in lieu of lawns. Said plants, with location, species, size, etc., shall be shown on the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the Director of Community Development prior to issuance of building and/or grading permits.
45. Rain gutters shall discharge into landscaping areas where feasible. These details shall be shown on the plans submitted to the Building and Safety Division for plan check and are subject to the review and approval of the Director of Community Development prior to building permit issuance.

46. Prior to issuance of building permits for the project, a tentative map shall be approved by the City and recorded.

Housing Element Mitigation Measures

47. The applicant shall hire an air quality consultant approved by the City of Pleasanton who will prepare a Construction Air Pollutant Control Plan that adheres to all specifications in the mitigation monitoring and reporting program of the Final Supplemental Environmental Impact Report and will verify in writing that the plan adheres to all of Bay Area Air Quality Management District's (BAAQMD's) air quality guidance applicable to the project.

Prior to issuance of a grading or building permit, whichever is sooner, the applicant shall submit an air quality construction plan detailing the proposed air quality construction measures related to the project such as construction phasing, construction equipment, and dust control measures. Said plan shall be reviewed and approved by the Director of Community Development. Air quality construction measures shall include Basic Construction Mitigation Measures (BAAQMD, May 2011) and, where construction-related emissions would exceed the applicable thresholds, additional construction mitigation measures shall be instituted. The air quality construction plan shall be included on all grading, utility, building, landscaping, and improvement plans during all phases of construction, access roads, parking areas and staging areas at the construction site.

48. The applicant shall hire a qualified air quality consultant to prepare a Health Risk Assessment (HRA) for the project in accordance with the BAAQMD requirements to determine the exposure of project residents/occupants/users to air pollutants. The HRA shall be submitted to the Director of Community Development for review and approval. The applicant shall incorporate any measures discussed in the HRA report into the project's design/plans and shall adhere to all specifications of the HRA report.
49. Mitigation Measure (Nesting and/or Migratory Birds): If grading or tree removal within the project area is expected to occur during the typical nesting season (February-August), the project applicant shall retain a qualified biologist to perform a pre-construction nest survey in order to confirm the presence of active raptor or migratory bird nests. The survey shall be conducted no more than 30 days prior to ground disturbance or tree removal and the results of the survey shall be submitted to the City immediately upon completion. If there is any lapse in construction activities, and construction resumes during the nesting season, the project applicant shall retain a qualified biologist to conduct new surveys within 30 days of the re-initiation of construction activities. The results on the new surveys shall be submitted to the City immediately upon completion. If nesting birds are found during the survey, the qualified biologist in coordination with the City shall determine and establish an appropriate buffer around the active nest. Exclusionary fencing shall be established outside the proposed

project footprint to prohibit project activity from entering into the buffer area for a time period appropriate for the species, as set forth by the qualified biologist. The exclusionary fencing shall remain in place until the qualified biologist confirms that the young have fledged. All required buffers shall be shown on construction plans and submitted to the City. If construction activities or tree removal are proposed to occur during the non-breeding season (September-January), a survey would not be required, nor any further studies or mitigation.

50. The applicant shall hire a qualified biologist to conduct a bat survey and identify measures, if any, in the construction plan(s) to reduce impacts to bats and their roosts consistent for large trees and vacant buildings that are to be removed. If active day or night roosts are found, the bat biologist shall take actions to make such roosts unsuitable habitat prior to tree removal or building demolition. A no-disturbance buffer of 100-feet shall be created around active bat roosts being used for maternity or hibernation purposes. Bat roosts initiated during construction are presumed to be unaffected, and no buffer shall be required.

Engineering Division

51. the applicant shall pay its pro-rata share of the City's Capital Improvement Project (CIP) to reconstruct Stanley Boulevard along the project frontage, project frontage being the farthest eastern point of Lot 12 extending to the farthest western point of Lot 13, at the rate of \$838.07 per linear foot prior to the approval of a final map or at a later time approved by the Community Development Director.
52. Should the applicant's project precede the City's CIP to reconstruct Stanley Boulevard, the applicant shall be required to construct interim street improvements. The interim improvements shall consist of curb, gutter and sidewalk and shall begin from the farthest eastern point of Lot 12 and extend to the west and connect to the existing curb, gutter and sidewalk located on the west side of the property at 4224 Stanley Boulevard. The exact layout of the tie-in shall be shown on the improvement plans submitted to the Building and Safety Division for plan check and permit issuance and subject to the review and approval of the City Engineer prior to issuance of a building permit.
53. If it can be demonstrated to the satisfaction of the City Engineer that the street improvements constructed as a part of the project can be retained and tie into the City's CIP for Stanley Boulevard, the pro-rata share amount noted in condition of approval No. 52 shall be adjusted accordingly and condition of approval No. 53, shall not apply. The improvements (i.e., curb, gutter, sidewalk) shall be installed from the farthest easterly point of Lot 12 and extend to the west curb return at the intersection of Stanley and Santa Rita Road unless otherwise approved by the City Engineer.
54. The applicant will be required to install a valley gutter between Stanley Boulevard and the in-tract street. The valley gutter shall be shown on the improvement

plans submitted to the Building and Safety Division for plan check and permit issuance and subject to the review and approval of the City Engineer prior to issuance of a building permit.

55. The applicant shall dedicate an eight-foot wide public service easement (PSE) along the project's frontage, extended across Lots 12 and 13 on Stanley Boulevard.
56. The applicant shall dedicate an easement to the City for water and sewer facilities within the project site. Said easement shall be shown on the improvement plans submitted to the Building and Safety Division for plan check and permit issuance and subject to the review and approval of the City Engineer prior to issuance of a building permit.
57. Should the applicant's project precede the City's decision to underground overhead utilities along Stanley Boulevard, the applicant shall be required to install new services to the units within the proposed development underground, in conduit, to the nearest "utility approved" riser pole.
58. The applicant shall be required to pay its pro-rata share, at the rate of \$1,065.34 per linear foot, for undergrounding of the overhead utility lines across the project frontage, including the service lines to the proposed development. Said payment will be required to the City prior to approval of a final map.
59. Should the applicant's project precede the development located at 4171 and 4189 Stanley Boulevard and the City's CIP on Stanley Boulevard, the applicant shall be required to install a storm drain pipe in Stanley Boulevard to Main Street. Should the CIP for Stanley Boulevard precede the approval of the applicant's final map, the applicant shall be required to pay its pro-rata share of the storm drain line to serve the proposed development.
60. All enhanced landscaping, as determined by the City Operation Service Center, within public right-of-way shall be maintained by the project's homeowners association with onsite irrigation water.
61. All landscaping within public right-of-way along the project's frontage shall be maintained by the homeowners association unless otherwise approved by the City Engineer and necessary irrigation system, irrigation water meter, irrigation valves, irrigation controller, etc. have been included on the plan for maintenance of all landscaping within public right-of-way.
62. The bio-swales and hydro-modification areas next to the proposed sidewalk shall have a retaining wall and sub drains as required by the City Engineer. Said walls and sub drains shall be shown on the plans submitted to the Building and Safety Division for plan check and subject to the review and approval of the City Engineer prior to issuance of a building permit.

63. A geologic report shall be prepared as per City Municipal Code 17.12 Geologic Hazard, 18.68 PUD District, and as required by the City Engineer for site specific conditions.
64. For new streets, the minimum grade for the gutter flow line shall be set at one percent where practical, but not less than .75% unless otherwise approved by the City Engineer.

Operation Services Center

65. A backflow prevention device shall be required to isolate the public water main from the private main. The backflow device shall be shown on the plans submitted to the Building and Safety Division for plan check and shall be subject to the review and approval of the City Engineer prior to issuance of a building permit.
66. The developer shall install dead-end blow off(s) to the fire hydrants per City Standards. Said details shall be shown on the plans submitted to the Building and Safety Division for plan check and permit issuance and shall be subject to the review and approval of the City Engineer and Livermore-Pleasanton Fire Marshal.

Traffic Division

67. The applicant or responsible party shall pay any traffic impact fees for the development as determined by the City Traffic Engineer. This fee shall be paid prior to issuance of a building permit.
68. Comprehensive traffic control measures shall be implemented during construction, including scheduling of major truck trips and deliveries, to avoid peak travel hours. If necessary, as determined by the Traffic Engineer, proper lane closure procedures such as flagger stations, signage, cones, and other warning devices shall be implemented during construction.
69. The haul route for all materials to and from the project site shall be approved by the Deputy Director of Community Development, Transportation prior to issuance of a building permit, and shall include the 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 applicant or developer.
70. An encroachment permit for work in the public right-of-way shall be approved by the City Engineer prior to the issuance of any permit by the City's Building and Safety Division or Engineering Division. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at the full expense of the project developer. This

shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.

71. The plans submitted to the Building and Safety Division for plan check shall include improvement plans for this development that contain signage and striping details. Said improvement plans shall be subject to the review and approval of the City Traffic Engineer prior to building permit issuance.
72. The project developer shall be responsible for the installation of the street lighting system serving the development. The street lights shall be of type and poles subject to review and approval by Community Development Director with poured in place bases, on the LS-2A schedule per City requirements and PG&E standard details, unless otherwise specifically approved. The lighting system design shall conform to the Illuminating Engineering Society (IES). The number, location, and type of lights and electroliers shall be incorporated into the plans submitted to the Building and Safety Division for plan check and subject to the review and approval of the City Traffic Engineer prior to issuance of a building permit.
73. The applicant shall provide minimum 5 foot wide sidewalk on the west side of the private street. Said details shall be shown on the plans submitted to the Building and Safety Division for plan check and subject to the review and approval of the Deputy Director of Community Development, Transportation prior to issuance of a building permit.

STANDARD CONDITIONS

Planning Division

74. Development shall be substantially as shown on the development plans and related materials, dated "Received June 13, 2013," Exhibit B, and comply with the recommendations of the Preliminary Geotechnical Report (Exhibit I) and the Riparian Survey (Exhibit J), 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 with the approved exhibits.
75. The PUD development plan approval 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.
76. All conditions of approval shall be attached to all building permit plan check sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet. These conditions of approval shall be attached at all times

to any grading and construction plans kept on the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the applicant to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans, and all conditions of approval. Prior approval from the Planning Division is required before any changes are constituted in site design, grading, building design, building colors or materials, green building measures, landscape material, etc.

77. The applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long term effect on school facility needs in Pleasanton. 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.
78. The approved building colors and materials shall be indicated on the final building permit plans. Any proposed revisions to these approved colors or materials must be submitted for review and approval by the Director of Community Development prior to building permit issuance and/or painting/installation.
79. The height of the structures shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit B or as otherwise conditioned. Said verification is the project developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Division before the first framing or structural inspection by the Building and Safety Division.
80. All HVAC condensing units shall be shown on the plans and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
81. Prior to building permit submittal, a list of the green building measures used in the design of the buildings, covered by this approval, shall be provided to the Planning Division for the review and approval by the Director of Community Development. The buildings covered by this approval shall be designed to achieve a "certified rating" that achieves a minimum of 80-90 total points, achieving at least the minimum points in each category, using BuildItGreen's **current** GreenPoints rating system for new Multifamily development.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. **Each point identified shall**

have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located. All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

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

Landscaping

82. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping areas 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.
83. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
84. 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.
85. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer.
86. Prior to building 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.
87. The developer and future property owners 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.
88. The developer and/or future property owners are encouraged to use best management practices for the use of pesticides and herbicides.

Tree Requirements

89. The project developer shall comply with the recommendations of the tree report prepared for Ponderosa Homes by HortScience, dated "January 13, 2013." No tree trimming or pruning other than that specified in the tree report shall occur. The project developer shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of City permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
90. 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 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.
91. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
- a. No existing tree may be trimmed or pruned without prior approval by the Director of Community Development.
 - b. No equipment may be stored within or beneath the driplines of the existing trees.
 - c. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
 - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.
92. 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, as shown on the plans. The fencing shall remain in place until final landscape inspection by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
93. 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.

Construction

94. 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.
95. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
96. 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.

Building and Safety Division

97. 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.
98. 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.
99. Prior to issuance of building 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 how the project developer intends to recycle at least 75 percent of the total job site construction 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 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.

Engineering Division

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

101. The project developer shall comply with the recommendations of the project's geotechnical consultant. The project developer's geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations 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.
102. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining 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.
103. The project developer 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.
104. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
105. 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.
106. All existing service drops (PG&E Pac Bell and Cable TV) to existing homes and new services to proposed units within this development shall be installed underground in conduit to the nearest "utility approved" riser pole. The project developer shall also be responsible for paying a pro-rata share as determined by the City Engineer for undergrounding of the overhead utility lines across the project frontage. Said payment shall be due prior to the approval of the final map.
107. 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.
108. 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, or street reconstruction if deemed warranted by the City Engineer.

109. 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.
110. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.
111. 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 project developer's 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. Said notice shall be reviewed and approved by the City Attorney prior to distributing the notice.
112. The curb and gutter along the street shall have a sub drain installed at either the back of the curb or lip of gutter at the discretion of the City Engineer. This detail shall be shown on the improvement plans. Said drains shall be connected to the storm drain system or drained by other means acceptable to the City Engineer.
113. 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.
114. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
115. The applicant shall post with the City, prior to approval of the subdivision map, a separate performance bond for the full value of all improvements that are not to be accepted by the City of Pleasanton.
116. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.

Livermore-Pleasanton Fire Department

117. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
118. 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 able to suppress a major fire.
119. The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approvals DO NOT INCLUDE:
 - a. Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval.
 - b. Backflow prevention or connections to the public water mains.
120. 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.
121. 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. If building is located greater than 50 feet from street frontage, character size shall be 16" high by 1 ½" stroke minimum. 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.
122. 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. Buildings or portions of buildings or facilities exceeding 30 feet (9144 mm) in height above the lowest level of fire department vehicle access shall be

provided with approved fire apparatus access roads capable of accommodating fire department aerial apparatus. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet in the immediate vicinity of any building or portion of building more than 30 feet (9144 mm) in height. At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4572 mm) and a maximum of 30 feet (9144 mm) from the building, and shall be positioned parallel to one entire side of the building.

- d. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
 - e. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - f. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.
123. A conditions of approval checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.

Community Development Department

124. The project applicant/developer 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.
125. The project developer shall submit a written dust control plan or procedure as part of the improvement plans.
126. 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 has significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
127. 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.
128. 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.

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

CODE CONDITIONS

(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.)

Building and Safety Division

130. The project developer 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.
131. The project developer shall post address numerals on the buildings so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
132. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.

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

Livermore-Pleasanton Fire Department

134. 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.
135. 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.
136. 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.
137. 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."
- a. 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.
 - b. All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
 - c. All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
138. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances* 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.

139. 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.
140. 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.
141. The building (s) 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).

URBAN STORMWATER CONDITIONS

142. The project developer shall include erosion control measures, prepared and signed by the Qualified Storm Water Pollution Prevention Plan Developer (QSD), on the final grading plan, subject to the review of the City Engineer. These erosion control measures shall be as required by the state's Construction General Permit. 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 project QSD and the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place, site is stabilized and Notice of Completion (NOC) has been filed with the State Regional Water Board and/or accepted by City.
143. Homeowner Association shall be responsible for annual inspection, maintenance, and reporting of all stormwater NPDES facilities in accordance with the Operation and Maintenance Agreement executed between the City of Pleasanton and the Ponderosa Homes representative and recorded at the Alameda County Recorder's office.
144. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated October 14, 2009 and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit

is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:

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

Design Requirements

145. 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.

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

- a. The project developer 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 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. 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 metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- g. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
 - i. 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.
 - ii. During maintenance, the following applies during washing and patination:

1. Minimize washing of architectural copper as it damages the patina and any protective coating.
 2. Block all storm drain inlets downstream of the wash.
 3. Collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
- h. 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.

Construction Requirements

147. 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.html
- http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstpermit.pdf

- a. The Construction General Permit's requirements include, but are not limited to, the following:
 - i. 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.
 - ii. 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 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.

- iii. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by City.
 1. 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.
 2. 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.
 3. 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.
 4. 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.

5. 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.
 6. 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.
 7. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
 8. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
 9. 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.
 10. 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.
 11. Equipment and vehicle maintenance area at the project site is not permitted; use an off-site repair shop.
- b. 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.

Operation and Maintenance Requirements

148. 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.

- a. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:
 - i. Maintaining all private stormwater treatment measures on the project site.
 - ii. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

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

149. 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.

{end}