

ORDINANCE NO. 2058**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF BRUCE MYERS, DANVILLE SCHOOL STREET INVESTORS, LLC., FOR PUD DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-93**

WHEREAS, Bruce Myers, Danville School Street Investors, LLC., has applied for Planned Unit Development (PUD) development plan approval to construct a four-lot detached single-family home development on an approximately 2.23-acre site (362 Sycamore Road and APN 948-17-7-4) within the North Sycamore Specific Plan (NSSP) area; and

WHEREAS, an Environmental Impact Report (EIR) was prepared and certified for the NSSP adopted in June 1992, and the subject property at 362 Sycamore Road and the vacant lot known as APN 948-17-7-4 were part of this NSSP and its EIR; and

WHEREAS, at its meeting of January 15, 2013, the City Council received a report from the Director of Community Development, including the Planning Commission's positive recommendations for approval of the PUD major modification and PUD development plan; and

WHEREAS, the City Council held a public hearing on January 15, 2013, at which time the applicant and other members of the public were offered an opportunity to present information regarding this application; and

WHEREAS, after a review of the materials presented, the City Council determines that the PUD development plan is consistent with the General Plan, the North Sycamore Specific Plan, as amended, and the purposes of the PUD ordinance based on the findings set forth in the report presented to the City Council on January 15, 2013, and information presented at the public hearing.

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

SECTION 1. The City Council finds that the project is consistent with the Pleasanton General Plan, North Sycamore Specific Plan, as amended, and the PUD District Ordinance of the City of Pleasanton.

SECTION 2. The City Council approves Case PUD-93, the application of Bruce Myers, Danville School Street Investors, LLC., for Planned Unit Development (PUD) development plan to construct a four-lot detached single-family home development on an approximately 2.23-acre site (362 Sycamore Road and APN 948-17-7-4) within the North Sycamore Specific Plan area; and subject to the conditions shown on Exhibit A, attached here and incorporated herein by this reference.

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

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

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on January 15, 2013, by the following vote:

Ayes: Councilmembers Brown, Cook-Kallio, Pentin, Mayor Thorne
Noes: None
Absent: One Vacancy

Jerry Thorne, Mayor

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Jonathan Lowell, City Attorney

Exhibit A

PUD-93 Draft Conditions of Approval

Project-Specific Conditions:

1. The PUD development plan shall lapse two years from the effective date of this ordinance unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.
2. Prior to the recordation of the Final Parcel Map, the applicant shall join the North Sycamore Specific Plan Maintenance Association as determined by the City Engineer. The Maintenance Association fees for this project shall be based on pro rata share for the portion of Lot 6 merged with Lot 7, as well as all of Lot 7 in a manner consistent with the North Sycamore Specific Plan Finance Plan.
3. Prior to the recordation of the Final Parcel Map, the applicant shall pay for the required North Sycamore Specific Plan plan fee.
4. Prior to the approval of Tentative/Final Parcel Map, the lot line adjustment approved by Case No. P12-1681 shall be recorded.
5. Prior to the recordation of the Final Parcel Map, the existing accessory building that is located on the common property line of 362 Sycamore Road and the subject lot shall be demolished.
6. With recordation of the final parcel map, the project developer shall enter into an agreement with the City for the long-term inspection and maintenance of this development's storm water facilities including, but not limited to, bioswales, subdrains located underneath the bioswales, etc. The City Attorney shall approve the exact language of this agreement prior to its recordation.
7. The project developer shall obtain all necessary permits from the applicable environmental agencies, e.g., California Department of Fish and Game, Regional Water Quality Control Board, etc. Proof of such permit approvals shall be submitted to the Planning Director and to the City Engineer before issuance of a grading permit.
8. The lots covered by this PUD development plan shall be subject to the permitted and conditional uses of the One-Family Residential District as defined in the Pleasanton Municipal Code.

9. The project developer shall protect Sycamore Creek during all grading and construction activities. A \$10,000.00 bond shall be posted with the City Engineer to ensure compliance with this requirement. Protection measures shall be described in detail on the on-site/grading plan, site plan, and any other construction or building plans to the satisfaction of the Director of Community Development and/or the City Engineer or Chief Building Official before grading/construction begins.
10. No grading shall take place within 10 feet of the edge or 25 feet from the centerline of Sycamore Creek, whichever is greater. The project developer shall prepare a creek protection plan for review and approval by the Director of Community Development and the City Engineer before issuance of a grading permit.
11. No building permits shall be issued prior to City approval and recordation of a Final Parcel Map.
12. Prior to the recordation of the Tentative/Final Parcel Map, the project developer shall provide description and language of the storm drain easement that would serve the proposed development but is located at 362 Sycamore Road (APN 948-0017-007-02). Said storm drain easement is subject to the review and approval by the Director of Community Development, the City Engineer, and the City' Attorney's Office.
13. The project developer shall disclose the following information to the future owners of these parcels:
 - a. 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 as a nuisance.
 - b. That Sycamore Creek Way will be extended as a bypass road to the City Golf Course.

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.

14. Prior to the recordation of the Final Parcel Map, a Homeowners Association (or a maintenance association if there is no commonly owned property) shall be established. The project development shall provide a copy of the Convents,

Conditions & Restrictions (CC&Rs) to the City Attorney's Office for review and approval. The CC&Rs shall include the maintenance responsibility of the creek, the driveway, landscaping, bioswale, stormwater retention area, utilities, etc. The CC&Rs shall be recorded concurrently with the Final Parcel Map.

15. The permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design is significantly changed. In no case will a permit be issued prior to the effective date of the ordinance.
16. Prior to issuance of building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer 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 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.
17. The 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 the dwellings photovoltaic-ready and solar-water-heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing.
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for solar-heating tank.

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

18. The lots and structures covered by this PUD approval shall be subject to the following site development standards:

	Lot 1	Lot 2	Lot 3	Lot 4
Front	45 ft. (1 st floor) 71 ft. (2 nd floor)	51 ft. to bldg. 43 ft. to porch	45 ft.	45 ft.
Side	15 ft. east side 55 ft. driveway (west) side	15 on either side	15 ft. east side 29 ft. driveway (west) side	15 ft. west side 20 ft. driveway (east) side
Rear	25 ft.	25 ft.	25 ft. from top of the creek bank	25 ft. from top of the creek bank
Bldg. Area	5,500 sq.ft. max	5,000 sq.ft. max.	5,500 sq.ft. max.	5,500 sq.ft. max.
Max Height	27'6"	28'	27'3"	27'3"

- Note:
- 1) The yard determination for each lot shall be those shown in Exhibit B.
 - 2) Setback measurements are taken from property lines.
 - 3) Front yard setback for Lot 1: 45 feet to the one-story portion of the home and 71 feet to the second-story portion of the home.
 - 4) The posts of open porches are allowed to encroach no more than five feet into the required 25-foot rear yard setback area.
 - 5) Maximum building area includes primary and Class I accessory structures but excludes up to 600 square feet of garage area. Portions of garage floor area over 600 square feet would be included in the building area calculation.
 - 6) Height measurement is taken from the finished grade to the highest point of the structure.

19. Unless specified above, the site development standards of the R-1-20,000 District shall apply.
20. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted for the issuance of a building permit.
21. Water conservation devices such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project. The devices shall be indicated on the plans submitted for the issuance of a building permit.
22. The electrical plan for the homes shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g. cabling for DSL, broadband, or wireless service, wiring for total room access, etc) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.
23. The project developer shall specify the details of windows and doors (manufacturer, style/model, etc.) on the construction drawings submitted for plan check. The details shall include a one-inch window recess as measured from the siding not the window sill/trim. The details shall be subject to review and approval by the Director of Community Development prior to issuance of building permits for the project.
24. The front yard fence on Lot 1 shall be revised from the proposed 30-inch high solid fence to a 36-inch high split rail fence. This revision shall be reflected on the construction plans and is subject to the review and approval by the Director of Community Development.

25. The project shall comply with the current City and Pleasanton Garbage Service's recycling and composting programs.
26. The height of the fence between this PUD development and the adjoining property at 386 Sycamore Road shall be either a six-foot high fence or a seven-foot high fence. The detail of the fence shall be included in the plan sets submitted for building permit and is subject to the approval by the Director of Community Development.
27. No fence is allowed to be located across the creek area or in the creek setback area.
28. The State of California's Green Building Standard Code, "CALGreen", shall apply, if applicable.
29. The Building and Safety Division may require special plan check or inspections for the green building measures proposed. If required, the applicant shall provide verification to the Planning Division clearly stating that the Building and Safety Division approved all applicable requirements relating to green building measures. Said verification shall be provided prior to occupancy.
30. The applicant shall work with city staff to adjust the siting of the homes on Lots 1 and 2 to the south (Sycamore Road) to maximize the view corridor between Lots 1 and 2 as viewed from the Greene's property. The adjusted home locations shall be shown on the construction plans submitted for issuance of building permit and shall be subject to the approval by the Director of Community Development.
31. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the following:
 - a. if all homes are to be constructed at the same time, the construction hours shall be 8:00 a.m. to 5:00 p.m., Monday through Friday; or,
 - b. if homes are to be constructed individually, the construction hours shall be limited to 9:00 a.m. – 4:30 p.m.

No construction shall be allowed on State or Federal Holidays, or Saturdays and Sundays. 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.

32. The location of the home on Lot 3 shall be shifted westerly or northwesterly in order to increase the building setback from the common property line with the Greene's. The adjusted home location shall be shown on the construction plans submitted for issuance of building permit and is subject to the approval by the Director of

Community Development.

33. A flagman is required to direct traffic if a construction vehicle needs to park/stop on Sycamore Road.
34. Additional landscaping shall be planted on Lot 2 near the common property line with the Greene's to minimize privacy impacts. The specific plant species, sizes, and quantities shall be shown on the final landscape plan and is subject to the approval by the Director of Community Development.

Fire

35. The homes covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building.
36. 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.

Landscaping

37. 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.
38. The project developer shall comply with the recommendations of the tree report prepared for Pacific Union Holdings, Inc. by HortScience, dated "Received October 1, 2012". 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.
39. Prior to building final, all front yard landscaping shall be installed and inspected by the Planning Division.
40. No other trees shall be removed other than these specifically designated for removal. 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.

41. 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 grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
42. A final landscape plan and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building plan set prior to the issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, and size. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g., drip system).
43. Except as otherwise conditioned, all trees used in landscaping shall be a minimum of 15 gallons in size and all shrubs a minimum of 5 gallons.
44. The applicant shall install an automatic irrigation system for all landscaping, including the landscaping installed in the City right-of-way. The site irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to maximize water conservation to the greatest extent possible. The irrigation systems shall include a soil moisture, rain sensor, or other irrigation efficiency device. The proposed type of irrigation efficiency device shall be shown on the plans submitted for the issuance of building permits.
45. 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."
46. The project developer shall mitigate the tree removal by planting additional trees on the lots, increase the size of some or all of the 26 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.

Engineering

47. The project developer 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 project developer shall provide an itemized cost estimate of said improvements, to be submitted with the bond, for the review and approval the Planning Director prior to issuance of building permits. The bond shall be returned to the project developer upon acceptance of said improvements by the City Engineer.
48. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided within the development unless otherwise approved 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 proposed driveway approach shall be constructed per City's Standard Specifications. A detail of the driveway approach shall be shown on the plans submitted for issuance of building permits and shall be subject to the review and approval by the City Engineer and Director of Community Development prior to the issuance of building permits.
52. The design of the water supply and sanitary sewer systems shall be subject to the review and approval by the City Engineer.
53. The project developer shall install irrigated bioswales as shown on the PUD development plan. The swale shall drain to the bio-retention area located on Lot 4 and then be connected to the overflow swale to the creek when applicable permits from regulatory agencies are obtained. If the applicable permits cannot be secured, the size of the bio-retention areas shall be revised to accommodate the anticipated runoff. The swale shall have a subsurface cutoff wall and subdrain. The design details of the bioswale 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.
54. 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.

55. The applicant shall extend the existing bicycle lane striping along the frontage of the proposed development. The striping shall conform to the City's Standard Specification and shall be to the satisfaction of the City Traffic Engineer prior to occupancy.

Building

56. Prior to receiving a foundation inspection for the structure, the project developer shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development, certifying that the pad elevation and building location (setbacks) are pursuant to the approved plans.
57. Prior to issuance of a building permit, the project developer shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the project developer shall pay any applicable DSRSD sewer permit fee.

URBAN STORMWATER CONDITIONS OF APPROVAL

58. The project shall comply with the "Alameda Countywide NPDES Permit #CAS612008 dated October 14, 2009 and amendments to this permit" issued the by California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board

(http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml.;

and

http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf)

The project shall also comply with the "Construction General Permit" by the California Regional Water Quality Control Board, San Francisco Bay Region.

(http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)

A. Design Requirements

1. The Permit design requirements include, but are not limited to, the following:
 - a) Source control, sight design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
 - b) The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.

2. 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 on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.

 - b. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guide line by Alameda County Clean Water Program.)
 - Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 - Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.

- c. Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to landscaped area or to an unpaved area wherever practicable.

B. Construction Requirements

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

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) are regulated under the NPDES stormwater program. Operators of regulated construction sites are required to develop and implement stormwater pollution prevention plans and to obtain a construction general permit (NOI) from the State Water Resources Control Board to discharge stormwater.

http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstrpermit.pdf

1. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
2. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county or state staff.
3. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
 - a. The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are 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 an on-site permit, 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.

- b. 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 grasses 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.
- c. Gather all sorted construction debris on a regular basis and place it 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.
- d. 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.
- e. 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.
- f. 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 through being windblown or in the event of a material spill.
- g. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

C. Operation Requirements

The Permit's operation and maintenance requirements include but are not limited to the following: The operation and maintenance of treatment measures including but not limited to bio-swales, lawns, landscaped areas with deep-rooted plants, oil/water separator, filterra units, etc., requires completing, signing and recording

an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.

1. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

59. The project applicant shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
60. The project applicant shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
61. 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.
62. 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.

Planning

63. The four-lot development plan covered by this approval shall be in substantial conformance to the development plans, Exhibit B, dated "Received October 1, 2012", on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
64. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project 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.
65. 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 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.
66. Prior to building permit submittal, a list of the green building measures used in the design of the unit covered by this approval shall be provided to the Planning Division for the review and approval by the Director of Community Development. The homes covered by this approval shall be designed to achieve a "certified rating" of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen's current GreenPoints rating system.

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

A special inspection by the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures

indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third party rater, or the project applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.

67. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside the homes.
68. 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.
69. 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.
70. Prior to occupancy, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept.
71. 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.
72. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
73. The project applicant must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
74. 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.
75. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
76. 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

77. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.
78. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve the dwellings shall be installed underground in conduit in a joint utility trench unless otherwise specifically approved by the City Engineer.
79. 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 applicant. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
80. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
81. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
82. The project applicant and/or the project applicant's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.
83. The project applicant 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 subdivision grading permit.
84. The project applicant shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project applicant is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.
85. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
86. All existing septic tanks or holding tanks 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.

Building

87. 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.
88. At the time of building permit plan submittal, the project applicant shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.

Fire

89. The project applicant shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
90. Prior to any construction framing, the project applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
91. 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.
92. The Fire Chief and the Director of Building Inspection shall approve the number, type, and location of all private fire hydrants.
93. All curbs located within 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.
94. 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.
95. The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

96. 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.
97. 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

98. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

Building

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

100. The project applicant shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
101. The buildings covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
102. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

Fire

103. 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.
104. 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.
105. 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.
106. 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.
107. 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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