

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1637

AN ORDINANCE APPROVING THE APPLICATION OF PRUDENTIAL INSURANCE COMPANY FOR A MAJOR MODIFICATION TO AN APPROVED PUD DEVELOPMENT PLAN TO MODIFY CONDITIONS OF APPROVAL OF ORDINANCE NO. 1596, AS FILED UNDER CASE PUD-81-30-29M/PUD-85-8-11M

WHEREAS, Prudential Insurance Company has applied for a major modification to an approved Planned Unit Development to modify the conditions of approval of Ordinance No. 1596 to:

- a) Add Lot 1F to the lots subject to the "Gross Floor Area" cap and add the 8,059 sq.ft. of building area currently approved for Lot 1F to the "additional" building cap of 4,623,000 sq.ft. (the total Hacienda business Park building area cap of 9,889,000 sq.ft. would not change); and
- b) Add Lot 1F to the list of lots with currently approved development entitlements;
- c) Modify Table B-1 "Summary of Site Development Criteria" to increase the maximum F.A.R. allowed for properties zoned CPD from .25 to .30 and permit warehouse uses to be built with a maximum F.A.R. of .60; and
- d) Modify Table B-4 "Permitted Uses Within Each Planning District" to allow warehouse uses within the IPD district.

WHEREAS, zoning for the property is PUD-I/C-O (Planned Unit Development) - Industrial/Commercial and Office District; and

WHEREAS, based on the Initial Environmental Study, a negative declaration was adopted by Council on September 6, 1994; and

WHEREAS, the City Council finds that the proposed project would not result in traffic levels which exceed any City standard and should any warehouse use be constructed as a result of this project, this would improve both morning and evening peak hour volumes by reducing the amount of traffic that otherwise would be generated; and

WHEREAS, the Council received the Planning Commission's recommendations for approval of the proposed major modification to the approved planned unit development; and

WHEREAS, a duly noticed public hearing was held on September 6, 1994; and

WHEREAS, the City Council finds that the proposed PUD modification is consistent with the General Plan policies of the City of Pleasanton.

THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1: Approves Case PUD-81-30-29M/PUD-85-8-11M, the application of Prudential Insurance Company for a major modification to an approved Planned Unit Development to modify the conditions of approval of Ordinance No. 1596, subject to the conditions on "Exhibit B" attached hereto and incorporated herein by this reference.

Section 2: The City staff is directed to cause a Notice of Determination to be filed pursuant to Section 5.4(g) of resolution No. 77-66.

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 the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on September 6, 1994.

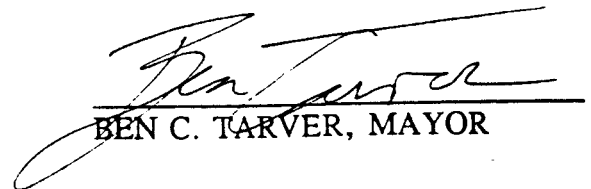
ADOPTED at a regular meeting of the City Council of the City of Pleasanton on September 20, 1994 by the following vote:

AYES: Councilmembers - Dennis, Mohr, Pico, Scribner, and Mayor Tarver


NOES: None

ABSENT: None

ABSTAIN: None


BEN C. TARVER, MAYOR

ATTEST:


Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:

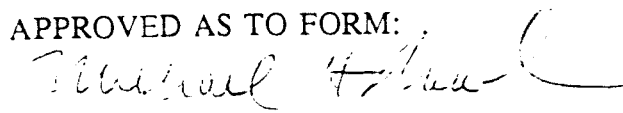

Michael H. Roush, City Attorney

EXHIBIT "B"
CONDITIONS OF APPROVAL
PUD-81-30-29M/PUD-85-8-11M
City Council - September 6, 1994

- 1) Except as specified herein, all existing conditions and requirements of PUD-81-30 through PUD-81-30-28M and PUD-85-8 through PUD-85-8-10M shall remain in effect and in full force.
- 2.) Condition No. 2.D.i. shall be modified to read as follows:
 - (i) Notwithstanding the above total square footage, ~~the total Gross Floor Area within lots designated "Mixed O/IPD" and "Mixed C/O/IPD" (as shown on Exhibit A), combined, shall be allowed up to, but no more than, four million, six hundred twenty three thousand (4,623,000) square feet~~ the aggregate Gross Floor Area within lots designated "Mixed O/IPD, "Mixed C/O/IPD" and Lot 1F (as shown on Exhibit "A") shall not exceed four million, six hundred thirty-one thousand fifty nine (4,631,059) square feet, excluding BART stations and related facilities. Should any lot designate "Mixed C/O/IPD" develop with a commercial use, the Total Gross Floor Area allowed in this subsection shall be reduced by an additional 1.7 square feet for each one square foot of commercial use.
- 3.) Condition No. 30 shall be modified to read as follows:
 30. Prior Approved Site-Specific Plans. The prior approved site plans for Lots 7E (PUD-81-30-48-D), 30B (PUD-81-30-31-D), 34C (PUD-81-30-29-D) and Lot 1F (PUD-81-30-46D) shall remain in effect following approval of ~~PUD-85-8-9M PUD-85-30-11M~~; however, should a new application be made for a different plan for one or more of these lots, the site development criteria contained in the revised Table B-1 shall be applicable, and these sites may develop under the revised standards.
- 4.) Condition No. 32 shall be modified to read as follows:
 32. Table B-1, "Summary of Site Development Criteria," shall be modified as shown in the attached Revised Table B-1, dated "REVISED - SEPTEMBER 6, 1994".
- 5.) Condition No. 33 shall be modified to read as follows:
 33. Table B-4, "Permitted Uses Within Each Planning District," shall be modified as shown in the attached Revised Table B-4, dated "REVISED - SEPTEMBER 6, 1994".

REVISED SITE DEVELOPMENT CRITERIA

TABLE B-1

SUMMARY OF SITE DEVELOPMENT CRITERIA

<u>LOT PARCELS</u>	<u>USE (A)</u>	<u>MAXIMUM FLOOR AREA RATIO (1)</u>	<u>MAXIMUM HEIGHT (2)</u>	<u>MINIMUM LANDSCAPE RATIO (3)</u>	<u>MINIMUM PARKING RATIO (4)</u>
1 1A 1B, 1E, 1F 1C 1D	CPD (3 STORY) CPD (3 STORY) CPD (3 STORY) CPD (2 STORY)	SEE NOTE 5 SEE NOTE 5 SEE NOTE 5 25%	55' 55' 55' 45'	25% 25% 25% 25%	SEE NOTE 5 SEE NOTE 5 SEE NOTE 5 SEE NOTE 5
2	OGPD (2 STORY) OGPD (3 STORY)	40% 45%	55' 55'	25% 25%	1 PER 250 SQ. 1 PER 250 SQ.
3	OGPD (2 STORY) OGPD (3 STORY)	40% 45%	55' 55'	25% 25%	1 PER 250 SQ. 1 PER 250 SQ.
4	IPD (1 STORY) (2 STORY)	35% 40%	45'	20%	1 PER 250 SQ.
5 5A, 5B 5C	CPD (3 STORY) MOIPD SEE NOTE 7 CPD (3 STORY)	SEE NOTE 5 SEE NOTE 7 SEE NOTE 5	55' 55' 55'	25% SEE NOTE 7 25%	SEE NOTE 5 SEE NOTE 7 SEE NOTE 5
6	MOIPD SEE NOTE 7	SEE NOTE 7	85.5'	SEE NOTE 7	SEE NOTE 7
7 7A, 7B 7C, 7D, & 7E	MOIPD SEE NOTE 7 MOIPD SEE NOTE 7	SEE NOTE 7 SEE NOTE 7	85.5' 85.5'	SEE NOTE 7 SEE NOTE 7	SEE NOTE 7 SEE NOTE 7
8 8A, 8B	HIGH DENSITY RESIDENTIAL	SEE NOTE 6	N/A	N/A	N/A
9	OMPD (5 STORY)	50%	72'	25%	1 PER 250 SQ.
10 10A & 10B	MOIPD SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7
11 11A, 11C, 11D, 11E, & 11F 11B	IPD (1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. 1 per 250 SQ.
12 12A 12B	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. 1 PER 250 SQ.

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

13	13A	CPD (2 STORY)	SEE NOTE 5	45'	25%	SEE NOTE 5
	13B,13C & 13E	OGPD (2 STORY)	40%	45'	25%	1 PER 250 SQ. F
	13D & 13F	MOIPD SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7
14	14A	MCOIPD SEE NOTE 8	SEE NOTE 8	45'	SEE NOTE 8	SEE NOTE 8
	14B	OPD (2 STORY)	40%	55'	25%	1 PER 250 SQ. F
		OPD (3 STORY)	40%	55'	25%	1 PER 250 SQ. F
15	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ. F	
	IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ. F	
16	16A	MOIPD SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7
	16B	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ. F
		IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ. F
17	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ. F	
	IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ. F	
18	18A	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ. F
	18B	IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ. F
19	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ.	
	IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ.	
20	OGPD (2 STORY)	40%	45'	25%	1 PER 250 SQ.	
21	21B	OGPD (2 STORY)	40%	55'	25%	1 PER 250 SQ.
		OGPD (3 STORY)	45%	55'	25%	1 PER 250 SQ.
	21C	MOIPD SEE NOTE 7	SEE NOTE 7	45'	SEE NOTE 7	SEE NOTE 7
	21D	OGPD (2 STORY)	40%	45'	25%	1 PER 250 SQ.
22	OPD (2 STORY)	40%	55'	25%	1 PER 250 SQ.	
	OPD (3 STORY)	45%	55'	25%	1 PER 250 SQ.	
23	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ.	
	IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ.	
24	HIGH DENSITY RESIDENTIAL	SEE NOTE 6	N/A	N/A	N/A	
25	25A	MOIPD SEE NOTE 7	SEE NOTE 7	45'	SEE NOTE 7	SEE NOTE 7
	25B	IPD (1 STORY)	35%	45'	20%	1 PER 250 SQ.
		IPD (2 STORY)	40%	45'	20%	1 PER 250 SQ.
	PARCEL F	MOIPD SEE NOTE 7	SEE NOTE 7	45'	SEE NOTE 7	SEE NOTE 7

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

26 26A	HIGH DENSITY RESIDENTIAL	SEE NOTE 6	N/A	N/A	N/A
27 27B	HIGH DENSITY RESIDENTIAL	SEE NOTE 6	N/A	N/A	N/A
28	OGPD (1 STORY) (CHILD CARE)	N/A	N/A	N/A	1 PER 250 SQ. F
29	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. F 1 PER 250 SQ. F
30 30A & 30B	IPD (1 STORY) MOIPD SEE NOTE 7	35% SEE NOTE 7	45' 55'	20% SEE NOTE 7	1 PER 250 SQ. F SEE NOTE 7
31 31A 31B, 31C & 31D	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. F 1 PER 250 SQ. F
32 32A	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. F 1 PER 250 SQ. F
33 33A 33B	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. F 1 PER 250 SQ. F
34 34A 34B 34C 34D, 34E, 34F, 34G & 34H	IPD (1 STORY) IPD (2 STORY) MOIPD SEE NOTE 7 IPD (2 STORY)	35% 40% SEE NOTE 7 40%	45' 45' 55' 45'	20% 20% SEE NOTE 7 20%	1 PER 250 SQ. F 1 PER 250 SQ. F SEE NOTE 7 1 PER 250 SQ. F
35	MOIPD SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7
36	IPD (1 STORY) IPD (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ. F 1 PER 250 SQ. F
37	CPD (3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5
51 51A, 51B, 51C & 51D	CPD (3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

52	MCOIPD SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8
53 53A 53B	MCOIPD SEE NOTE 8 IPD (4 STORY)	SEE NOTE 8 50%	85.5' 72'	SEE NOTE 8 30%	SEE NOTE 8 1 PER 250 SQ. F.
54	MCOIPD SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8
55 55A & 55B 55C, 55D, 55E & 55F	MCOIPD SEE NOTE 8 MOIPD SEE NOTE 7	SEE NOTE 8 SEE NOTE 7	85.5' 85.5'	SEE NOTE 8 SEE NOTE 7	SEE NOTE 8 SEE NOTE 7
56 56B & 56C	MCOIPD SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8
57 57A, 57B & 57C	MCOIPD SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8
58	MCOIPD SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8
59	OMPD (6 STORY)	40%	85.5'	30%	1 PER 250 SQ. F.
60	HIGH DENSITY RESIDENTIAL	SEE NOTE 6	N/A	N/A	N/A

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

NOTES:

A. CPD = Retail/Commercial/Financial; OGPD = Garden Office; IPD = Research & Development/Light Manufacturing; OMPD = Mid R&D Office; OPD = General Office; MOIPD = Mixed Office, Research & Development/Light Manufacturing; MCOIPD = Mixed Retail/Commercial/Financial, Office, and Research & Development/Light Manufacturing. The number of stories listed is the maximum number of usable floors, above ground, which any building, or portion of a building, may include.

1a. "Maximum Floor Area Ratio" is the maximum permitted ratio of the Gross Square Footage of a building or buildings on a Parcel to the total Parcel area. The Gross Square Footage of a building or buildings shall be the sum of the area of each floor, excluding mechanical penthouses and subgrade basements, measured horizontally to the outside faces of the exterior walls.

b. Any Parcel containing a single structure that combines differing story height elements shall have a Maximum Floor Area Ratio equal to that ratio indicated for the highest number of stories.

c. Any Parcel upon which separate structures of differing story height elements are constructed shall have a Maximum Floor Area Ratio equal to a weighted average of Minimum Floor Area Ratio for each type of structure; such average shall be computed using as weights the actual number of square feet contained in each structure as specified in the formula below:

Let X = square footage of one-story structure
 Let Y = square footage of two-story structure
 Let Z = square footage of three-story structure
 Let W = square footage of four-story structure
 Let 35%, 40%, 45% and 50% be the Maximum Area Ratio for one-story, two-story, three-story and four-story structures, respectively --

Then $\frac{X}{.35} + \frac{Y}{.40} + \frac{Z}{.45} + \frac{W}{.50}$ Must be less than or equal to the total square footage of the Parcel

2. "Maximum Height" is the vertical distance by which any part of an Improvement rises above the top of the highest street curb on or immediately adjacent to the Parcel, or the vertical distance from the top of the building pad to the top of the highest point of improvement, whichever is greater.

3. "Minimum Landscape Ratio" is the minimum permitted ratio of the square footage of the total landscape area to the total Parcel area. See also the Landscape Requirements, Table E. Landscape Area shall include all planting, walks, and plaza areas located on the ground but not those on structures.

4. "Minimum Parking Ratio" is the minimum permitted ratio of the number of parking spaces on a Parcel to the Gross Square Footage of a building or buildings on a Parcel. Notwithstanding the Minimum Parking Ratio set forth in this table, the use of any Parcel or portion of a Parcel for any type of medical/dental clinics or related facilities shall require a Minimum Parking Ratio of 1 per 150 square feet of that specific use.

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

5. The Maximum Floor Area Ratio and Minimum Parking Ratio for all buildings within the District shall be limited as follows:

<u>Use</u>	<u>Maximum Area Area Ratio</u>	<u>Minimum Parking Parking Ratio</u>
Free-Standing Restaurant	12.5%	1 per 150 sq. ft.
Hotel/Motel	40.0% except 60.0% on Site 56A	1 per room plus 1 per employee at maximum shift
Garden Office	40.0%	1 per 250 sq. ft.
Commercial/Retail	25.0% <u>30.0%</u>	1 per 200 sq. ft.

Hotel/Motel uses combined with restaurant uses on a single Parcel shall provide parking equal to the requirements for hotel/motel use plus the restaurant use, treating each individually.

Specialized commercial land uses such as auto sales shall be reviewed on a case by case basis with regard to variances to the above criteria.

6. Residential land uses shall be subject to individual site plan approval; site plan shall respect the spirit of the Design Guidelines and shall be subject to approval by the City.
7. Development standards for MOIPD uses shall be determined by the use proposed for the site. These standards shall be based on the number of floors proposed in the tallest proposed building on the site and shall be as follows:

<u>No. of Stories</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Landscape Ratio</u>	<u>Minimum Parking Ratio</u>
One	35%	20%	1 per 300 sq. ft.
Two	40%	25%	1 per 300 sq. ft.
Three	45%	25%	1 per 300 sq. ft.
Four	50%	25%	1 per 300 sq. ft.
Five	60%	30%	1 per 300 sq. ft.
Six	60%	30%	1 per 300 sq. ft.

Parking ratios shall be designed to provide adequate off-street parking for a building intended uses. Ratios less than 1 per 300 sq. ft. shall only be approved if both applicant and the City agree to such a standard. Ratios between 1 per 300 sq. ft. and 1 per 250 sq. ft. shall be approved by the City if requested by the applicant. Ratios higher than 1 per 250 sq. ft. require mutual approval by the applicant and the City.

Notwithstanding the number of stories of a proposed building on a site and the corresponding Maximum Floor Area Ratios set forth in this Note 7, if a warehouse use is a proposed for a significant portion, or the whole, of a building on a site, the Maximum Floor Area Ratio for the building wherein the warehouse use is proposed to be located shall be increased to 60%. Whether the portion of the building proposed for warehouse use is significant shall be determined on a case-by-case basis during the design review process for individual projects within the Hacienda Business Park. In addition, minimum landscape and parking requirements shall be modified as appropriate, generally consistent with other warehouse projects in Pleasanton.

TABLE B-1, continued

SUMMARY OF SITE DEVELOPMENT CRITERIA

8. Development standards for MCOIPD uses shall be determined by the use proposed for the site. These standards shall be based on the use and the number of floors proposed. If warehouse, office or industrial use is proposed, the development standards shall be based on ~~the number of floors proposed and shall follow~~ those standards described in Note 7 above. If a commercial use is proposed, the development standards shall be as follows:

<u>Uses</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Landscape Ratio</u>	<u>Minimum Parking Ratio</u>
Free-Standing Restaurant	12.5%	25%	1 per 150 sq. ft.
Hotel/Motel	60.0%	30%	1 per room plus 1 per employee at maximum shift
Commercial/Retail	30.0%	25%	1 per 200 sq. ft.

Other specialized commercial land uses shall be reviewed on a case by case basis, modifications to the above standards may be approved. Combined retail/office uses on a Parcel shall follow the development standards for office use, except that parking shall be provided for each use, treating each individually.

TABLE B-4

PERMITTED USES WITHIN EACH PLANNING DISTRICT

RESTRICTIONS ON OPERATION AND USE

1.0 Permitted Uses. The use of every Parcel shall be in compliance with the provisions of this Section and with the lawful use of said Parcel. Where either the lawful use or the use otherwise permitted by this Section is more restrictive than the other, the more restrictive shall apply. One or more of the uses set forth below is subject to the City's conditional use permit or permitted use procedures under C-F, C-C, or C-N zoning. The permitted uses are set forth by planning district for the referenced Lots, and such permitted uses shall govern every portion of such Lot, even if the Lot is subdivided into smaller Parcels. The permitted uses for each planning district are as follows:

1.1 Retail/Commercial and Financial Planning District. The permitted uses for the Retail/Commercial and Financial Planning District ("CPD") are:

- (a) Appliance stores;
- (b) Art galleries and artist and engineering supply stores;
- (c) Arts and Crafts schools;
- (d) Automobile supply stores;
- (e) Bakeries, including baking for sale on premises only;
- (f) Barbershops and beauty shops;
- (g) Bars, including entertainment and dancing;
- (h) Bicycle shops;
- (i) Blueprint and photostat shops;
- (j) Bookstores and rental libraries;
- (k) Candy stores;
- (l) Carpet, drapery and floor covering stores;
- (m) Catering establishments;
- (n) Charitable institutions;
- (o) Clothing and costume rental establishments;
- (p) Clothing, shoe, and accessory store;
- (q) Delicatessen stores;
- (r) Department stores;
- (s) Drug stores and prescription pharmacies;
- (t) Dry good stores;
- (u) Electrical appliance repair and sales;
- (v) Employment agencies;
- (w) Financial institutions, including banks, savings and loan offices, finance companies, credit unions, and related services;
- (x) Florists;
- (y) Food stores and supermarkets;
- (z) Fun shops;
- (aa) Furniture stores;
- (bb) Gift shops;
- (cc) Glass replacement and repair shops;
- (dd) Gymnasium and health clubs;
- (ee) Hardware stores;
- (ff) Hobby shops;
- (gg) Hospital equipment sales and rental establishments;
- (hh) Hotels and motels, but only on Parcel 1C, Parcel 5A and Lot 56A;
- (ii) Household appliances;
- (jj) Ice cream sales stores;
- (kk) Interior decorating shops;
- (ll) Janitorial services and supplies establishments;
- (mm) Jewelry stores;
- (nn) Laboratories;
- (oo) Laundries and dry cleaners where service is provided;
- (pp) Leather goods and luggage stores;

RESTRICTIONS ON OPERATION AND USE, continued

- (qq) Liquor stores;
- (rr) Locksmiths;
- (sa) Medical and dental clinics;
- (tt) Medical and orthopedic appliance stores;
- (uu) Men's furnishing stores;
- (vv) Millinery shops;
- (ww) Music stores, including record sales;
- (xx) Newsstands;
- (yy) Nursery and garden supply stores;
- (zz) Office supply, furniture, and business machine stores;
- (aaa) Offices, including but not limited to business, professional, and administrative offices;
- (bbb) Optical and optometrical shops;
- (ccc) Paint, glass, and wallpaper shops;
- (ddd) Pet and bird stores;
- (eee) Photographic supply stores;
- (fff) Picture framing shops;
- (ggg) Plant shops;
- (hhh) Plumbing, heating, and ventilating equipment showrooms with storage of floor samples only;
- (iii) Political, Philanthropic campaign headquarters
- (jjj) Post offices;
- (kkk) Printing establishments, including lithographing and engraving and other reproduction services;
- (lll) Radio and television broadcasting studios;
- (mmm) Realtors and real estate offices;
- (nnn) Restaurants and soda fountains, including drive-in food establishments;
- (ooo) Scientific instrument shops;
- (ppp) Shoe repair shops;
- (qqq) Shoe stores;
- (rrr) Sign painting shops;
- (sss) Sporting good stores;
- (ttt) Stamp and coin shops;
- (uuu) Stationery stores;
- (vvv) Swimming pool sales and service;
- (www) Tailor or dressmaking shops;
- (xxx) Television and radio sales and repair shops
- (yyy) Theaters and auditoriums;
- (zzz) Ticket agencies;
- (aaaa) Tobacco stores;
- (bbbb) Toy shops;
- (cccc) Travel agencies and bureaus;
- (dddd) Variety stores;
- (eeee) Watch and clock repair shops;
- (ffff) Women's apparel and accessory stores;
- (gggg) Automobile dealerships but only on Lot 51; and
- (hhhh) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.

RESTRICTIONS ON OPERATION AND USE, continued

1.2 General Office Planning District. The permitted use for the General Office Planning District ("OPD") are:

- (a) Administration, executive, and business offices;
- (b) Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services;
- (c) Business consultant offices;
- (d) Design professions offices (engineering, architectural, drafting, etc.);
- (e) Research development, analytical, and scientific offices;
- (f) Manufacturers' representatives and sales offices;
- (g) Headquarters or region-wide finance, insurance, and real estate offices;
- (h) Travel agencies; and
- (i) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.

1.3 Garden Office Planning District. The permitted uses for the Garden Office Planning District ("OGPD") are:

- (a) Administrative, executive, and business offices;
- (b) Business service offices, including employment agencies, accountants, notaries, stenographic, computing, and related services;
- (c) Business consultant offices;
- (d) Design professions offices (engineering, architectural, drafting, etc.);
- (e) Research, development, analytical, and scientific offices;
- (f) Manufacturers' representatives and sales office;
- (g) Headquarters or region-wide finance, insurance, and real estate offices;
- (h) Medical/dental clinics and related health maintenance organizations, not including manufacture, fabrication, or sale of any article or commodity other than those incidental to the services provided;
- (i) Licensed child care facilities, with the consent of the Design Review Committee;
- (j) Travel agencies;
- (k) Heliport and parking facility, conditionally permitted on Lot 52 only;
- (l) Prescription pharmacies, provided that at least eighty percent (80%) of the interior display area shall be used for the preparation and sale of prescription or trade drugs; and
- (m) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.

1.4 Mid-Rise Planning District. The permitted uses for the Mid-Rise Planning District ("OMPD") are:

- (a) Administrative, executive, and business offices;
- (b) Barbershops;
- (c) Business service offices, including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services;
- (d) Business consultant offices;
- (e) Design professions offices (engineering, architectural, drafting, etc.);
- (f) Research development, analytical, and scientific offices;
- (g) Manufacturers' representatives and sales offices;
- (h) Headquarters or region-wide finance, insurance, and real estate offices;
- (i) Medical/dental clinics and related health maintenance organizations, not including manufacture, fabrication, or sale of any article or commodity other than those incidental to the services provided;
- (j) Travel agencies;
- (k) Prescription pharmacies, provided that at least eighty percent (80%) of the interior display area shall be used for the preparation and sale of prescription or trade drugs; Restaurants, including on-sale liquor; and
- (m) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.

RESTRICTIONS ON OPERATION AND USE, continued

1.5 Research and Development/Light Manufacturing Planning District. The permitted uses for the Research and Development/Light Manufacturing Planning District ("IPD") are:

- (a) Manufacture and assembly of business machines, including electronic data processing equipment, accounting machines, calculators, typewriters and related equipment, and communications and testing equipment;
- (b) Manufacture and assembly of electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches, and wire cable assembly, provided no noxious or offensive fumes or odors are produced;
- (c) Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, optical goods, watches and clocks, electronics equipment, precision instruments, musical instruments, and camera and photographic equipment except film;
- (d) Assembly of small electrical appliances such as lighting fixtures, irons, fans, toasters, and electric toys, but not including refrigerators, washing machines, dryers, dishwashers, and similar home appliances;
- (e) Assembly of electrical equipment such as radio and television receivers, phonographs and home motion picture equipment, but not including electrical machinery;
- (f) Laboratories, including commercial, testing, research, experimental, or other laboratories, including pilot plants;
- (g) General office uses (including computer centers) where no office user shall have less than two thousand (2,000) square feet of usable space;
- (h) Photographic processing;
- (i) Printing, lithographing and engraving;
- (j) Publishing;
- (k) Industrial support and service facilities to include activities limited to the servicing of businesses on the Parcel or servicing of products produced on the Parcel, such as: repair and maintenance of appliances or component parts, tooling, printers, testing shops, small machine shops, copying, photo engraving, etc.;
- (l) Accessory uses and structures when related to and incidental to a permitted use;
- (m) Manufacturing or combining processes of pharmaceutical products, provided no noxious or offensive fumes or odors are produced;
- (n) Manufacturing or combining processes of biological products, provided no noxious or offensive fumes or odors are produced;
- (o) Sales at wholesale, manufacturers' representatives and sales office, or sales to the ultimate consumer of products made to the customers' orders;
- (p) Engineering drafting and design facilities;
- (q) Research and development facilities;
- (r) Manufacture of prototype;
- (s) Any research and development use listed above may be operated in conjunction with any allowed light industrial use or office use;
- (t) All typical uses associated with research and development and light manufacturing for the electronics and semiconductor industries;
- (u) Painting, enameling, and lacquering shops;
- (v) Public utility equipment buildings and public service pumping stations;
- (w) Sheet metal shops;
- (x) Storage of raw materials, work in process, and finished goods inventories;
- (z) Warehouse use; and
- (aa) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.

1.6 Public and Institutional Planning Districts. The permitted uses for the Public and Institutions Planning District ("P&ID") shall be as follows:

- (a) Licensed child care facilities.

RESTRICTIONS ON OPERATION AND USE, continued

1.7 Mixed Office, Research and Development/Light Manufacturing Planning District. The permitted uses for the Mixed Office, Research and Development/Light Manufacturing Planning District ("MO/IPD") are:

- (a) Those permitted uses listed in subsections 1.2, 1.3, 1.4, and 1.5.

1.8 Mixed Retail/Commercial/Financial, Office, and Research and Development/Light Manufacturing Planning District. The permitted uses for the Mixed Retail/Commercial/Financial, Office, and Research and Development/Light Manufacturing Planning District ("MC/O/IPD") are:

- (a) Those permitted uses listed in subsections 1.1, 1.2, 1.3, 1.4, and 1.5.

2.0 Conduct of Permitted Uses. All uses shall be performed or carried out entirely within a building designated and constructed for that use. Activities which cannot be carried on within a building may be permitted, but only if the Design Review Committee consents in writing to said use to the location for such activity, and if said use is permitted by the then existing zoning or other applicable land use regulations and said use is not specifically prohibited by Section 3.0; provided, however, that such use shall be permitted only if (i) such activity is screened so as not to be Visible from Neighboring Property or Streets, and (ii) all lighting required for such use is shielded from adjacent streets.

3.0 Prohibited Uses. The following operations and uses shall not be permitted on any Parcel:

- (a) Hotel/Motel/Motor Inn, except on 1C, Parcel 5A, and Parcel 56A
- (b) Residential use of any type, except on Lots 8A, 8B, 24A, 26A, 27B, and 60;
- (c) Trailer courts, mobile home parks, or recreation vehicle camp grounds;
- (d) Junk yards or recycling facilities;
- (e) Drilling for and/or the removal of oil, gas, or other hydrocarbon substances [except that this provision shall not be deemed to prohibit entry to the Property below a depth of five hundred (500) feet for such purposes];
- (f) Commercial excavation except in the course of approved construction;
- (g) Distillation of bones;
- (h) Dumping, disposal, incineration, or reduction of garbage, sewer, offal, dead animals or refuse;
- (i) Fat rendering;
- (j) Stockyard or slaughter of animals;
- (k) Cemeteries;
- (l) Refining of petroleum or its products;
- (m) Smelting of iron, tin, zinc, or other ores;
- (n) Jail or honor farms;
- (o) Labor or migrant worker camps;
- (p) Truck or bus terminals;
- (q) Petroleum storage yards;
- (r) Automobile or truck dealerships (except on Lot 51), wrecking, auto or truck repair, or painting;
- (s) Storage of radioactive materials;
- (t) Construction yards.