

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF BRADLEY BLAKE, BHV CENTERSTREET PROPERTIES, LLC, FOR PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-108**

**WHEREAS**, Brad Blake has applied for Planned Unit Development plan approval to construct an approximately 112,000-square-foot shopping center and related site improvements on approximately 11.5 acres of the Retail/Commercial Site at Staples Ranch (the "Project"); and

**WHEREAS**, zoning for the property is Planned Unit Development – Commercial (PUD-C) District; and

**WHEREAS**, after a October 22, 2014 workshop, at its meeting of February 11, 2014, the Planning Commission adopted Resolution PC-2015-02, determining that the proposed development plan is appropriate for the site, making findings, and recommending to the Pleasanton City Council that PUD-108 be approved; and

**WHEREAS**, on March 3, 2015, 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 the City staff and the Planning Commission; and

**WHEREAS**, the City Council determined that the conditions described in California Environmental Quality Act (CEQA) Guidelines Section 15162 have not occurred as described in the Addendum to the EIR and SEIR and find that the previously prepared EIR and SEIR, including the adopted CEQA Findings and Statement of Overriding Considerations, and the Addendum to the EIR and SEIR are adequate to serve as the environmental documentation for this project and satisfy all the requirements of CEQA; and

**WHEREAS**, the Pleasanton City Council finds that the proposed PUD development plan is consistent with the City's General Plan, the Stoneridge Drive Specific Plan Amendment/Staples Ranch and purposes of the PUD ordinance, and by this reference adopts and reaffirms all of the considerations and findings set forth in Planning Commission Resolution PC-2015-02.

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

**Section 1.** It approves Case PUD-108, the application of Bradley Blake, BHV Centerstreet Properties, LLC, for Planned Unit Development plan to construct an approximately 112,000-square-foot shopping center and related site improvements on approximately 11.5 acres of the Retail/Commercial Site at Staples Ranch, subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance by this reference.

**Section 2.** 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 8.** 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 March 3, 2015 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

And adopted at a regular meeting of the City Council of the City of Pleasanton on March 17, 2015 by the following vote:

Ayes:  
Noes:  
Absent:  
Abstain:

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Jerry Thorne, Mayor

ATTEST:

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Karen Diaz, City Clerk

APPROVED AS TO FORM:

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Jonathan P. Lowell, City Attorney

# Exhibit A

## PUD-108 City Council Draft Conditions of Approval

Pacific Pearl  
Staples Ranch Retail Site  
March 3, 2015

### SPECIAL CONDITIONS OF APPROVAL Planning

1. The PUD Development plan shall expire two years from the effective date of this ordinance unless a building permit is issued and construction has commenced and is diligently pursued or as otherwise vested by an approved Development Agreement.

#### Uses

2. The permitted and conditionally permitted uses shall be as follows:

#### **Permitted Uses**

- 1) Administrative and executive offices, including the following, not to exceed 5,000 square feet for the entire shopping center:
  - a. Administrative offices.
  - b. Business consulting service offices.
  - c. Business service offices including employment agencies, accountants, notaries, stenographic, addressing, computing, and related services.
  - d. Design, engineering, and similar professional offices.
  - e. Insurance offices.
  - f. Investment service offices.
  - g. Legal service offices.
  - h. Real estate offices including sales, leasing services, and property management services.
  - i. Travel agencies.
- 2) Antique stores.
- 3) Appliance sales and showrooms with kitchen mock-ups, incidental parts sales, and incidental cooking classes, but no repair services.
- 4) Art galleries such as ceramic, drawing, fabric, glass, metal, oil and watercolor painting, sculpture, photography, and stained glass.
- 5) Artist studios such as drawing, fabric, glass, metal working, oil and watercolor painting, pottery, sculpture, and stained glass with sales in the studio.

- 6) Bakeries including the catering and preparation and consumption of products produced on premises.
- 7) Barbershops and beauty shops with or without massage services of 3 or fewer massage technicians according to Section 18.44.090 of the Pleasanton Municipal Code, not to exceed 5,000 square feet for the entire shopping center inclusive of uses listed in Conditional Uses Category #1.
- 8) Bicycle shops, with service and shop work on premises but excluding painting.
- 9) Bookstores
- 10) Building material showrooms, shops, and stores with ancillary design services and indoor display and storage only.
- 11) Candy stores including the ancillary on-premises manufacturing of products for catering and retail sale.
- 12) Carpet, drapery and floor covering stores, with design services.
- 13) Catalog stores, no firearm sales.
- 14) Clothing, shoe, and accessory stores including new, pre-owned, and rental, with on-site tailoring and alterations.
- 15) Costume sales and rental with on-site tailoring and alterations.
- 16) Copying and related duplicating, printing, and publishing using only computers, copy machines, etc., not including engraving, lithographing, or similar reproduction services.
- 17) Decorator and design services and shops including showrooms.
- 18) Delicatessen stores, deli shops, delis, and specialty food stores, excluding convenience markets.
- 19) Department stores and specialty stores selling items normally sold individually in department stores.
- 20) Drugstores and prescription pharmacies, no drive-throughs.
- 21) Electronic retail sales such as telephones, personal computers and software, televisions, radios, and stereos. No electronic repair services.
- 22) Financial institutions, including banks, saving and loan offices, financial companies, credit unions, and related services with or without walk-up ATM's.
- 23) Florists and floral supply stores, not including garden centers and nurseries.
- 24) Furniture and home décor stores, selling new products for indoor/outdoor use including linens, wall hangings, and similar items, and ancillary design services.
- 25) Gift shops.
- 26) Grocery store or supermarket which complies with specifications and requirements listed within Condition of Approval #24.
- 27) Hardware stores with indoor display and storage only.
- 28) Hobby shops.

- 29) Hospital equipment, sales and rentals provided that all materials and products are stored indoors.
- 30) Ice cream and frozen yogurt sales, with/without seating, including the manufacturing of products for retail sale and consumption on premises only.
- 31) Interior decorating shops with design services, displays and showrooms.
- 32) Jewelry stores including cleaning and servicing.
- 33) Kitchen supply stores and accessories with ancillary demonstration, classes, and cutlery sharpening.
- 34) Laundries and dry cleaners where service is provided on premises.
- 35) Locksmiths.
- 36) Medical and dental offices and clinics including outpatient services, with massage services according to Section 18.44.090 of the Pleasanton Municipal Code, not to exceed 5,000 square feet for the entire shopping center.
- 37) Music stores.
- 38) Newsstands.
- 39) Office supply stores including furniture shops and ancillary design services.
- 40) Paint, glass and wallpaper shops and ancillary design services.
- 41) Pet and bird stores including food, accessories, equipment, outpatient veterinary services, bathing and grooming services, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-mitigated construction prescribed by the Chief Building Official.
- 42) Photographic studios.
- 43) Photographic supply stores.
- 44) Picture framing shops.
- 45) Post offices and mail and packaging stores.
- 46) Restaurants, brew pubs, cafes, soda fountains, with seating, and incidental catering services and incidental take-out as part of these uses. Uses with alcoholic beverage service with a complete food service menu are permitted until 11:00 p.m.
- 47) Sports bars serving meals, and restaurant uses with alcoholic beverage service, which include live entertainers, and do not serve alcohol after 11:00 p.m. Individual uses shall not exceed 5,000 square feet. Outdoor seating is limited to 50 seats for each business. Live entertainers at such uses are limited to those whose main duty is to perform music or comedy routines.
- 48) Saddleries, tack shops, and leather shops including on-site manufacture and tailoring of products.
- 49) Scientific equipment shops.
- 50) Shoe repair shops.
- 51) Sporting goods stores, no firearm sales.

- 52) Stamp and coin stores.
- 53) Stationary stores.
- 54) Tailor or dressmaking shops.
- 55) Toy stores.
- 56) Variety stores.
- 57) Watch and clock repair shops.
- 58) Wine shops, tasting rooms for wineries, excluding liquor stores and bars.
- 59) The following uses, not to exceed a total of 5,000 square feet\* for the entire shopping center:
  - a. Art schools.
  - b. Martial arts schools.
  - c. Music and dance studios.
  - d. Tutoring centers, excluding daycare/childcare centers.

Each tenant space shall be occupied by no more than 20 students at any one time and are subject to the conditions as listed Section 18.44.090 of the Pleasanton Municipal Code.

\*5,000 square-feet for the entire shopping center is inclusive of uses listed in Conditional Uses Category #6.

### **Conditional Uses**

- 1) Barbershops and beauty shops including massage services which cannot meet the criteria of a permitted use stated in Section 18.44.090 of the Pleasanton Municipal Code, not to exceed 5,000 square feet for the entire shopping center inclusive of uses listed in Permitted Uses Category #7.
- 2) Brew pubs, as defined in Chapter 18.08 of the Pleasanton Municipal Code, with alcoholic beverage service after 11:00 p.m., excluding bars.
- 3) Restaurants and cafes with alcoholic beverage service after 11:00 p.m.
- 4) Sports bars serving meals, and restaurant uses, with alcoholic beverage service after 11:00 p.m. Individual uses shall not exceed 5,000 square feet. Outdoor seating is limited to 50 seats for each business. Live entertainers at such uses are limited to those whose main duty is to perform music or comedy routines.
- 5) Veterinarians' offices, outpatient clinics, and small animal hospitals, including short term overnight boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-mitigated construction prescribed by the Chief Building Official.
- 6) The following uses with 21 students or more at any one time, not to exceed a total of 5,000 square feet\* for the entire shopping center:
  - a. Art schools.

- b. Gymnasiums and Health Clubs.
- c. Martial arts schools.
- d. Music and dance studios.
- e. Tutoring centers, excluding daycare/childcare centers.

All uses are subject to the conditions listed in Section 18.44.090 of the Pleasanton Municipal Code.

\*5,000 square-feet for the entire shopping center is inclusive of uses listed in Permitted Uses Category #59.

3. The project applicant or developer shall effectively screen from view all ducts, meters, emergency power generators, and any other mechanical equipment, whether on the structure or on the ground, with materials architecturally compatible with the main structure. Screening details shall be shown on the plans submitted for issuance of building permits, the adequacy of which shall be determined by the Planning Division. All required screening shall be provided prior to occupancy.
4. Water conservation devices shall be installed in all buildings and landscape areas to the satisfaction of the Community Development Director. The water conservation devices shall be stated on the building plans and the landscape plans submitted with each building permit.
5. Prior approval from the Planning Division is required before any changes are made in site design, building design, grading, etc. In lieu of a PUD Development Plan modification, the Community Development Director may authorize the design review process for minor building additions, site and landscape plan modifications, and/or grading/engineering modifications.
6. All trash and recycling refuse shall be contained completely within the approved trash and recycling enclosures. The materials and colors of the enclosures shall be consistent with plans shown in Exhibit B. The design of the enclosure on all four sides shall be shown on the plans submitted for issuance of building permits. The design and location of the trash and recycling enclosures shall be subject to the approval of the Director of Community Development, the Chief Building Official, and the Fire Chief. Trash and recycling containers shall be stored within the enclosures at all times, except when being unloaded. A recycling container(s) shall be provided within the enclosure. The recycling containers and enclosures shall be designed in a manner consistent with Pleasanton Garbage Service's recycling program in effect at the time of building permit issuance. The recycling containers shall be shown on the plans submitted for the issuance of a building permit.
7. Plans submitted for plan check shall include the design of the proposed shopping cart storage corrals on-site. The storage corrals/screening shall be designed to include brick materials and colors consistent with the design of the center.
8. The project applicant or developer shall attempt to locate the transformers away from the Stoneridge Drive and El Charro Road project frontages and away from the main driveway aisles. Such transformers shall be screened by landscaping. All transformers

shall be shown on the plans submitted for issuance of building permits and shall be subject to approval by the Planning Division prior to issuance of building permits.

9. All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened to minimize their visual impacts. These devices with their proposed screening shall be shown on the landscaping and utility plans submitted with the building permit plans, clearly marked "above ground" or "below ground" on the plans, and shall be subject to the review and approval of the Planning Division prior to their installation. If above-ground, they shall be painted forest green or an equivalent dark-green color. Screens shall consist of berms, walls, or landscaping satisfactorily integrated into the landscape plan. Landscape screens shall include shrubbery designed by species and planting density to establish a complete screen within one year from the date of planting. Weather protection devices such as measures to protect pipes from freezing shall require approval by the Planning Division prior to use; at no time shall fabric or other material not designed and/or intended for this purpose be wrapped around or otherwise placed on these devices.
10. The location of the emergency vehicle access off El Charro Road is subject to review and approval by Vulcan Materials and is subject to the terms and conditions of a mutually agreeable written license agreement between Vulcan Materials and the property owner. Prior to issuance of building permits, the applicant shall provide evidence of such agreement in conformance with the Pre-Development and Cooperation Agreement. The proposed EVA shall be gated and locked at all times with an approved key box from the Knox Company as specified by the Fire Department for emergency personnel use only. The design of the future EVA shall blend in with the frontage landscaping on El Charro Road and include a reinforced substrate, such as turf-block that is able to support the weight of emergency vehicles. Planting within the reinforced area shall be limited to sod or low groundcover, subject to review and approval by the City.
11. The project developer shall be responsible for its proportionate share of the maintenance of the Staples Ranch Neighborhood Park Detention Basin as specified in the Funding and Improvement Agreement (Staples Ranch Neighborhood Park/ Detention Basin).
12. Conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures listed below. Each property owner on the Staples Ranch Site shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures listed below. The property owner will disclose to all potential tenants and property owners conditions that may not be readily apparent which may occur on or near the Staples Ranch Site:
  - a. The presence of and typical activities and physical characteristics associated with the auto mall planned on the Staples Ranch Site including vehicle servicing, washing, and vacuuming, bright lighting, illuminated freestanding freeway sign, noise, early and late hours of operation, and large truck deliveries.
  - b. The presence of and typical activities and characteristics associated with park uses on the Staples Ranch Site including bright lights, noise, large buildings, large delivery trucks, early and late use hours of park use.
  - c. The presence of typical activities and characteristics associated with retail and/or office uses on the Staples Ranch site including bright lighting, noise, early and later hours of operation, and large delivery trucks.



- d. The future extension El Charro Road to Stanley Boulevard, as shown in the General Plan.
- e. The anticipated I-580 freeway widening by Caltrans.

13. Pre-Development & Cooperation Agreement:

- a. Applicant acknowledges that the City has provided to applicant a copy, and the applicant is aware of the existence of that certain Pre- Development and Cooperation Agreement by and among the City of Livermore, the County of Alameda, the Surplus Property Authority of the County of Alameda, the City of Pleasanton, and CalMat Co., d/b/a Vulcan Materials Company, Western Division ("Vulcan"), dated September 18, 2007 (the "Cooperation Agreement"), and further acknowledges that applicant has reviewed and understands the provisions of the Cooperation Agreement, including but not limited to the provisions thereof that prohibit the City's issuance of certain permits for applicant's project unless and until the City complies with its obligations under the Cooperation Agreement, and allow Vulcan to join applicant as a real party in interest in any action to enforce the City's obligations under the Cooperation Agreement. Applicant consents to the recordation of the Memorandum of Agreement on title to Applicant's property and shall execute and deliver to City all documents required to evidence the consent to recordation.

- b. Applicant shall provide each potential tenant or purchaser of the project site with the following written disclosure:

This property is located in the vicinity of operating quarries on land designated by the County of Alameda for sand and gravel quarry and related operations, including asphalt and concrete plants, landfill, recycling of construction materials, reclamation and other similar uses (the "Quarry Lands"). The Quarry Lands have been designated by the State of California as containing aggregate and mineral resources of regional significance. Operations and reclamation activities at the Quarry Lands are projected to continue until at least 2030. Quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic. El Charro Road serves as the main access route to the Quarry Lands and is subject to a high volume of heavy truck traffic related to the Quarry Lands.

- c. All property owners shall attach the following rider to each deed for any property within the Staples Ranch Site:

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of active and operating quarries and processing facilities. Grantee also acknowledges that quarry operations may result in airborne particulate matter, bright lights, noise and vibration, unattractive visual appearance, and heavy truck traffic on El Charro Road and adjacent streets and roadways within or outside the quarries. Grantee accepts possible inconvenience or discomfort from any of the foregoing and Grantee hereby acknowledges and agrees that no claim of nuisance shall lie based on any of the foregoing. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject

property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

### Signage

14. Site and building signage shall be reviewed under a comprehensive signing program submitted to the Planning Division under a separate application. Plans for the comprehensive sign program for the site/building signs shall include the following:
- a) The site shall be limited to only one low level project identification sign, to be located adjacent to the Stoneridge Drive driveway entrance with a maximum of four tenant identification panels. If El Charro Road is improved in the future and additional access is granted, one additional monument sign may be permitted along El Charro Road. A project identification sign at the corner of Stoneridge Drive and El Charro Road may be permitted if integrated with the planned gateway entry sign to be approved by the City;
  - b) All traffic-directional, way finding and tenant directory signs;
  - c) Design details including location, height, length, illumination, colors and materials, and mounting for all signage;
  - d) Except for the Major/Market Tenant that may be internally illuminated, all tenant wall signs including tenant logos shall be composed of "halo-lit" letters or "flood-lit" letters illuminated by gooseneck lamps. A logo may be composed of "edge-lit" letters with an opaque face and pushed-through an opaque background;
  - e) There shall be no limitation on sign colors or lettering styles;
  - f) Except for logos, primary tenant signage shall be Latin/Roman letters and Arabic numerals (to enable public safety response). Other secondary tenant signage should be no more than one-quarter the size of the primary tenant signage (for secondary tenant signage on buildings) or smaller (for additional secondary tenant signage on doors and windows, etc.), and all signage collectively calculated to determine maximum sign square footage allowed for each building / tenant space;
  - g) There shall be no exposed electrical raceways or transformers for signs. The project applicant or developer shall design and construct the buildings so that all building signs are flushed-mounted to the building wall surface with hidden electrical raceways and transformers;
  - i) A 30-day Grand Opening banner is allowed per tenant;
  - j) Temporary signs for a shopping center event or a sidewalk sales event per tenant are allowed on a limited basis per approval through the Temporary Use Permit application process; and,
  - k) There shall be no paper window signs, balloons, or other inflatable devices of any type allowed. A window sign program featuring tastefully painted-on lettering in a decorative pattern will be considered with the comprehensive sign program.

The comprehensive signing program shall be subject to the review and approval by the Director of Community Development.

## Building Design

15. All heating, ventilation, and air conditioning (HVAC) equipment, satellite receiving stations, etc., shall be located within the buildings' roof-equipment wells, and shall project no higher than a horizontal plane defined by the top-edge of the equipment screens/parapet walls unless otherwise approved by the Director of Community Development. All HVAC equipment shall be constructed and operated in such a manner that noise emanating from it will not be perceptible beyond the property plane of the overall project site.
  16. Any restaurant or café with a fryer or grill that locates in the shopping center shall be required to keep the exterior doors to kitchens closed at all times, and shall be equipped at all times with filtering devices to minimize odors and fumes. Details of said devices shall be shown on the tenant improvement plans submitted for issuance of building permits and shall be subject to review and approval by the Director of Community Development and Chief Building Official prior to issuance of building permits for the tenant improvements.
  17. The buildings with flat roofs shall have white cool roofs which are designed to reflect the heat of the sun away from the building, thus reducing its cooling load.
  18. The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.
  19. Appliances meeting Energy Star standards shall be installed as part of the project. The proposed appliances shall be indicated on the plans submitted to the Building and Safety Division for the issuance of a building permit.
  20. Energy efficient lighting shall be installed for the buildings. The energy efficient lighting shall be shown on the plans submitted for the issuance of a building permit.
  21. The buildings shall be constructed to allow for future installation of a Photovoltaic (PV) system. The project/building developer shall comply with the following requirements for making the buildings photovoltaic-ready:
    - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' main electrical panels;
    - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current; and
    - c. Engineer the roof 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.
- These measures shall be shown on plans submitted for issuance of a building permit.
22. Water conservation devices shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.

23. The outdoor fireplace shall be a gas fireplace. The fireplace location and type shall be indicated on the site plan submitted for issuance of building permits.

#### Operations

24. All uses shall be subject to the following operating requirements:
- a) **Operating Hours:**  
The Building E Market is the only use permitted to be open for customers 24 hours per day.
  - b) **Outdoor Storage:**  
There shall be no outdoor storage except for the loading area behind Building E. All storage for the remaining buildings and tenants shall occur entirely within the building.
  - c) **Shopping Carts:**  
Building E Major/ Market employees shall continuously monitor the development's parking areas to ensure that its shopping carts are stored in the enclosures shown on the plan set.
  - d) **Outdoor Sales and Shopping Center Events:**  
No more than four shopping center outdoor events and an additional four outdoor events per tenant are permitted per year. All outdoor sales and events shall conform to Code requirements and are required to obtain a Temporary Use Permit from the City prior to commencing. Tenants may not transfer events between each other. No sales or events are permitted in the parking areas or in the area between the buildings and Stoneridge Drive and El Charro Road except for the approved plaza at the corner intersection.
  - e) **Outdoor Dining:**  
Outdoor dining, with or without alcoholic beverage service with food, may take place for the Major Market and for restaurant, café, bakery, and ice cream and yogurt establishments in the center. At no time shall the sidewalks be obstructed for pedestrians, and a minimum unobstructed clearance of four-feet shall be maintained at all times within the sidewalk area. Outdoor dining shall be reviewed by the Planning Division for conformance with the standards set forth in the Municipal Code through approval of an Outdoor Dining Permit. No outdoor dining is permitted between the buildings and the street areas facing Stoneridge Drive and El Charro Road except for the approved plaza at the corner intersection.
  - f) **Truck Deliveries:**  
Truck deliveries including loading/off-loading activities shall be as follows:
    - Building E Major/Market: No limitation on delivery/loading/unloading hours.
    - Retail/Restaurant Buildings: From 6:00 a.m. to 10:00 p.m.

All tenants shall notify their vendors and delivery personnel of the approved times.

- g) Parking lot sweeping and garbage pick-up: From 6:00 a.m. to 10:00 p.m.
  - h) Pallets and Cardboard:  
Pallets shall be collected and stored in an enclosure designated for the temporary storage of empty pallets located in the service area subject to approval by the Planning Division. Cardboard boxes shall be baled and hauled offsite to a recycling facility.
25. All businesses shall maintain the area surrounding their tenant space in a clean and orderly manner at all times.

#### Construction Phasing and Management

26. Construction of the overall project may be phased. Parking, driveways, public street access, and other infrastructure requirements to match the building intensity proposed in any phase shall be reviewed and approved by the Planning Division prior to building permit(s) for each project phase or building(s) within each phase.
27. The project applicant or developer shall prepare a Construction Best Management Plan for each construction phase for review and approval by the Planning Division. The Construction Best Management Plan shall be approved before issuance of the building permit and shall include, but is not limited to, the following:
- a) A construction staging plan shall be designated for all materials, equipment, and vehicles including parking for construction works and personnel.
  - b) A construction truck route shall be designated to keep all construction traffic away from nearby residential streets. Prior to construction, the construction traffic route, construction hours, and contact names and telephone numbers shall be posted on the driveway entrances, throughout the construction site, and in any construction trailer(s).
  - c) Comprehensive traffic control measures shall be implemented, 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.
  - d) The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall 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.
  - e) All internal combustion engines on grading or construction equipment used shall be equipped with a muffler equal to or better than that supplied by the vehicle manufacturer. All equipment shall be maintained in good mechanical condition so as to minimize noise and air pollution from faulty engine, drive train, and other components. No muffler or exhaust system shall be equipped with cutout, bypass, or similar device intended to thwart quieting.

- f) Dust control best management practices, as approved by the City Engineer, shall be followed at all times during grading and construction operations. Such measures may include watering of exposed surfaces twice a day, and more frequent watering when wind speeds exceed 15 mph; covering of stockpiled earth; and covering of trucks hauling dirt if windy conditions prevail. Failure to keep dust under control may result in the stoppage of all work until a modified plan acceptable to the City Engineer is approved and implemented.
- g) Except for security trailers staffed by licensed security personnel, at no time shall campers, trailers, motor homes, or any other vehicle be used as living or sleeping quarters on the construction site. All such vehicles shall be removed from the site at the end of each workday. Construction trailers shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
- h) All Urban Storm Water Construction Requirements listed further in these conditions of approval shall be implemented.

#### Landscape Design

- 28. The project developer is required to contribute to the cost of designing and constructing of a roadway entry feature near the northeastern corner of the subject site, and thus the corner treatment may change from what is currently shown on the PUD plans once plans are developed and finalized. The feature is intended to be similar (but not necessarily identical) in scope and mass to the feature seen on the City of Livermore side of the Stoneridge Drive/Jack London Boulevard and El Charro Road intersection and is intended to demarcate the northeast entry into Pleasanton. Final design shall be subject to review and approval by the Director of Community Development.
- 29. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance prior to the issuance of a building permit, and prior to final inspection. The verification shall be provided to the Planning Division.
- 30. Before the buildings and project final, all landscaping shall be installed, reviewed, and approved by the Planning Division.
- 31. Landscape plans submitted for plan check shall include the following changes:
  - a) Remove all Mexican Feather Grass and substitute with a non-invasive species.
  - b) Replace all Live Oak trees along the southern property line with California Pepper tree (*Schinus molle*).
  - c) Replace all roses with plants which are not salt sensitive.
  - d) Along Stoneridge Drive street frontage, replace the Crape Myrtle trees with a second row of London Plane trees, offset from the existing street trees per the Specific Plan Guidelines.

Revised landscape plans shall be subject to review and approval by the Director of Community Development.

- 32. The project applicant or developer shall protect the existing London Plane trees along the Stoneridge Drive project frontage from construction damage. 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.”

#### Climate Action Plan

33. In accordance with Climate Action Plan Measures NM1-4, NM1-5, and NM1-8, the applicant or responsible party shall provide safe and convenient bicycle parking and bicycle-related improvements. Said improvements may include bicycle storage (wall mounted racks in covered areas for employees, bike lockers/boxes, etc.), work-place provision for showers, or other alternative approved by the Director of Community Development.
34. In accordance with Climate Action Plan Measure TDM1-6, the applicant shall provide at least one electric charging station for plug-in vehicles. Said charging station shall be identified on plans submitted to the Building and Safety Division for permits.
35. In accordance with Climate Action Plan Measure TDM2-10, the project shall provide dedicated parking spaces for carpool, vanpool, alternative-fuel and car-share vehicles.
36. In accordance with Climate Action Plan Measure EC1-1, the project shall meet the LEED “Certified” rating level and incorporate shade trees, light-colored roofing, or energy efficient landscaping lighting. Alternative measures may be proposed and are subject to the review and approval of the Director of Community Development.
37. In accordance with Climate Action Plan Measure EC1-3, the project shall provide parking lot shade trees.
38. In accordance with Climate Action Plan Measure EC4-4, the project shall incorporate solar tubes, skylights, and other daylighting systems within the building design. Said systems shall be identified on plans submitted to the Building and Safety Division for permits.
39. In accordance with Climate Action Plan Measure ER2-3, the project shall incorporate distributed generation (e.g. one of the following: photovoltaic, solar thermal, solar hot water, or solar cooling), and/or provide bloom box or other fuel cell technologies. Said measure(s) shall be identified on plans submitted to the Building and Safety Division for permits.
40. In accordance with Climate Action Plan Measure ER2-5, the project shall include a solar grid to power one or more EV charging stations.
41. In accordance with Climate Action Plan Measure SW2-12, the project shall incorporate adequate space and logistics for handling of recyclable and compostable materials.
42. In accordance with Climate Action Plan Measure WA1-7, the project shall incorporate a water-saving landscape plan that includes xeriscaping and drought-tolerant planting

instead of lawns. Plans submitted to the Building and Safety Division for permits shall include a final planting plan that incorporates this measure.

43. In accordance with Climate Action Plan Measure WA3-2, the project shall utilize reclaimed wastewater.
44. In accordance with Climate Action Plan Measure WA-3-4, the project shall incorporate rain harvesting. Acceptable methods to achieve this measure include directing roof leaders into landscaping areas, and using recycled water for irrigation purposes in lieu of potable water.

Stoneridge Drive Specific Plan Amendment/Staples Ranch Project  
Mitigation Monitoring and Reporting Plan

45. The subject project shall be implemented as required by the EIR and Mitigation Monitoring and Reporting Plan (MMRP). All mitigation measures of the Stoneridge Drive Specific Plan Amendment/Staples Ranch EIR are hereby incorporated by reference and shall be implemented as required by the EIR and MMRP. All traffic fees to which the property may be subject to, as set forth in the MMRP, shall be paid prior to issuance of a building permit. If any of the conditions of approval conflict with any applicable EIR mitigation measures, the requirements of EIR mitigation measures apply.
46. Provide adequate light levels for security and retail needs, while minimizing light spillover onto adjacent properties. Parking area light standards shall be limited to 25 feet in height. In accordance with measure VQ-3.1 and VQ-3.3 of the MMRP, all exterior lighting shall be directed downward and all perimeter lighting shall be shielded or utilize equivalent technology to avoid shining on neighboring properties. In addition, all interior lighting shall be turned off during non-operational evening hours, with the exception of lighting needed for security reasons. Energy efficient lamp technologies shall be incorporated wherever feasible (mercury vapor shall be avoided, and incandescent lights shall be avoided unless they are integrated with a control mechanism that limits their operation time). The use of such lighting shall help minimize impacts on reduced visibility of the night sky. Plans submitted to the Building and Safety Division for permits shall demonstrate compliance with this measure to the satisfaction of the Director of Community Development.
47. In accordance with measure AQ-2.1, the applicant shall implement the following mitigation measures during all construction phases to reduce impacts associated with construction dust to the extent feasible, as determined by the City Engineer. These measures shall be incorporated into the construction documents describing procedures and specifications for contractors to follow.
  - a) Water all active construction areas at least twice daily.
  - b) Cover all trucks hauling soil, sand, and other loose materials to or from the Project Area or require all trucks to maintain at least two feet of freeboard.
  - c) Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
  - d) Sweep daily (with water sweepers) all paved access roads, parking areas and staging areas at construction sites.
  - e) Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.



- f) Hydroseed or apply (non-toxic) soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).
- g) Enclose, cover, water twice daily or apply (non-toxic) soil binders to exposed stockpiles (dirt, sand, etc.).
- h) Limit traffic speeds on unpaved roads to 15 mph.
- i) Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- j) Replant vegetation in distributed areas as quickly as possible.
- k) Suspend excavation and grading activities to the extent feasible when instantaneous wind gusts exceed 25 mph.
- l) Limit, to the extent feasible, the number of areas adjacent to residences subject to excavation, grading and other construction activity at any one time.

48. In accordance with measure AQ-3.1, the applicant shall employ measures as described within Operational Air Emissions Plan included as Exhibit B.

49. In accordance with measure BIO-5.1, prior to the beginning of mass grading, between February 15 and August 15, including grading for major infrastructure improvements, an avian nesting survey shall be conducted of all habitat within 350 feet of any grading or earthmoving activity. The survey shall be conducted by a qualified biologist, as determined by the City, and occur no more than 21 days prior to disturbance. If no active nests are found, no further action is required.

If active nests for special status avian species or raptor nests are found within the construction footprint, construction activities shall be delayed within a minimum 500-foot buffer zone surrounding active raptor nests and a minimum 250-foot buffer zone surrounding nests of other special status avian species until the young have fledged. This buffer zone shall not extend beyond the Staples Ranch site. The appropriate buffer can be modified by the City in consultation with qualified biologists and the California Department of Fish and Game (CDFG). No action other than avoidance shall be taken without CDFG consultation. Completion of the nesting cycle shall be determined by a qualified ornithologist or biologist, as determined by the City.

The buffer zone shall be delineated by highly visible temporary construction fencing, and no intensive disturbance (e.g., heavy equipment operation associated with construction, use of cranes or draglines, new rock crushing activities) or other project related activities that could cause nest abandonment or forced fledging, shall be initiated within the established buffer zone of an active nest.

If the project is built in phases, this condition of approval shall be implemented for each phase of development.

50. In accordance with measure HZ-2.1, prior to initiation of any on-site construction activities, the project developer shall contact the Underground Service Alert (USA) whose purpose is to receive planned excavation reports from public and private excavators and to transmit those planned excavation reports to all participating excavation. The USA will contact local utilities and inform them that construction is about to begin in their service area. This notice allows local utilities to mark the areas where their underground facilities are located near the construction site so that they may be avoided during project construction.

51. In accordance with measure HZ-2.1, the project developer shall develop an emergency response plan prior to construction that will include response measures in the event that there is disturbance of any underground utilities. The plan will be subject to review and approval by the Building and Safety Division and/or City Engineer.
52. In accordance with measure HY-1.1, and in accordance with the applicable provisions of the Municipal Regional Permit (MRP)-NPDES Permit, implementation of and compliance with the stormwater quality BMP's are required. However, to ensure that implemented BMPs are effective for reducing potential pollutant loads to a sufficient level of protection, each project developer shall prepare and implement a site-specific Water Quality Management Plan (WQMP) with BMPs targeted to reduce post-construction pollutants listed in Table 3.5-5 of the EIR.

This WQMP shall identify specific stormwater BMPs for reducing potential pollutants in stormwater runoff. BMPs shall be selected to target pollutants listed in Table 3.5-5 of the EIR; selection criteria and documentation shall be incorporated into the WQMP. A qualified engineer shall prepare and submit, concurrently with the submittal of off-site or on-site improvement plans, (whichever comes first), the WQMP for review and approval by the City Engineer. The WQMP must be approved by a qualified engineer of the City's Engineering Division prior to the beginning of construction activities.

The WQMP shall include the following BMPs along with selected BMPs to target pollutant removal:

- a) Waste and materials storage and management BMPs (design and construction of outdoor materials storage areas and trash and waste storage areas, if any, to reduce pollutant introduction).
- b) Spill prevention and control BMPs.
- c) Slope protection BMPs.
- d) Water efficient irrigation practices.
- e) Permanent erosion and sediment controls (e.g., hydroseeding, mulching, surface covers).

Projects within the Project Area will be required to comply with the applicable provisions C3.c of MRP, including Low Impact Development (LID) source control, site design, and stormwater treatment if applicable.

The WQMP shall not include infiltration BMPs unless they comply with design guidelines and requirements specified in TC-1: Infiltration Basins in the CASQA Stormwater Quality BMPs Handbook for New Development and Significant Redevelopment (2003) and/or are specifically approved by the City Engineer and shall meet MRP - NPDES Permit minimum requirements including adequate maintenance and that the vertical distance from the base of any infiltration device to the seasonal high groundwater mark shall be at least 10 feet.

53. In accordance with the requirements of measure HY-1.2, an Integrated Pest Management Plan shall be prepared and implemented to minimize the risk of pollutants associated with landscape establishment and maintenance practices in surface water runoff and infiltration to groundwater. All Integrated Pest Management Plan guidelines shall comply with California Department of Pesticide Regulation and Alameda County Agricultural Commissioner rules and regulations in regards to pesticide storage, use, transportation, reporting, and safety. The plan shall encourage minimization and

efficiency of chemical and fertilizer use. Because the receiving water has been listed as impaired by diazinon, diazinon use shall be prohibited. Each property owner shall be responsible for implementation of the Integrated Pest Management Plan. The plan must be approved by the City Engineer prior to the beginning of occupancy.

54. In accordance with measure LU-5.2, conveyance documents for all parcels on the Staples Ranch Site shall include the required disclosures, deed riders, and easements listed below. Each property owner shall provide all of its future tenants and any purchaser of any property on the Staples Ranch Site with copies of the required disclosures, deed riders, and easements listed below.

All Staples Ranch Site property owners, other than the property owner of the senior continuing care community site(s), shall either record the deed rider below or Livermore's standard Avigation Easement, a copy of which is attached as Exhibit G of the Cost-Sharing Agreement:

Grantee hereunder acknowledges and agrees that the subject property is located in the vicinity of an active and operating general aviation airport, outside the City of Livermore's designated Airport Protection Area and 65 CNEL impact area. Grantee accepts possible and normal consequences including noise, light and vibration arising out of the proper operation of aircraft for current and future operations consistent with the 1975 Livermore Airport Master Plan and Grantee hereby acknowledges and agrees that no claim of nuisance shall lie based on the foregoing. Grantee shall not be deprived of any right it might have against any individual or private operator for negligent or unlawful operation of aircraft. Grantee hereby covenants to include this same paragraph, in its entirety, in any subsequent deed by Grantee of all or any portion of the subject property. Grantee further covenants to include this same paragraph within any lease for all or any portion of the subject property.

55. In accordance with measure LU-5.2, the applicant shall include deed riders/disclosures about the Livermore Municipal Airport consistent with Business and Professions Code Section 11010 and Civil Code Sections 1102.6, 1103.4, and 1353.
56. In accordance with measure NO-1.1, prior to the City's issuing of building permits for the project, the project developer shall submit to the City noise analyses prepared by a qualified acoustical consultant that demonstrate that all structures will meet City interior noise level standards. Commercial and office uses will need to meet the City standard of 45 dBA peak hour Leq that would allow the conduct of normal business activities inside these facilities. Noise reduction features may include, but are not limited to, building siting, upgraded insulation, sound rated windows and doors, sound rated exterior wall assemblies, and acoustical caulking.
57. In accordance with measure NO-3.1, the project developer shall implement construction best management practices, including the following, to reduce construction noise:
  - a) Locate stationary construction equipment as far from adjacent occupied buildings as possible.
  - b) Select routes for movement of construction related vehicles and equipment so that noise sensitive areas, including residences, and outdoor recreation areas, are avoided as much as possible. Include these routes in materials submitted to the City of Pleasanton for approval prior to the issuance of building permits.

- c) All site improvements and construction activities shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. In addition, no construction shall be allowed on State and Federal holidays and Sundays. If complaints are received regarding the Saturday construction hours, the Director of Community Development may modify or revoke the Saturday construction hours. The Director of Community Development may allow earlier "start times" for specific construction activities (e.g., concrete foundation/floor pouring), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction and construction traffic noise will not affect nearby residents.
  - d) All construction equipment must meet Department of Motor Vehicle (DMV) noise standards and shall be equipped with muffling devices.
  - e) Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
  - f) The property owner shall designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the Director of Community Development.
  - g) Additional best management practices may be required by the Building and Safety Division and/or City Engineer. All additional best management practices shall be reviewed and approved by the Building and Safety Division and/or City Engineer, prior to implementation.
58. In accordance with measure TR-7.1, the project site shall include a minimum of two points of emergency vehicle access consistent with the City of Pleasanton's Circulation Element (Policy 5, Program 5.2). The location and the design of the emergency vehicle access and gate and lock shall be subject to the review and approval of the Fire Marshal, Director of Community Development, and City Engineer.
59. In accordance with measure TR-9.1, the project shall include acceptable on-site bicycle and pedestrian facilities, including access to Stoneridge Drive. The bicycle and pedestrian connections 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.
60. In accordance with measure TR-12.1, prior to the issuance of final improvement plans or grading permits, the project developer shall develop and provide a construction access plan to be reviewed and approved by the City Engineer. This plan will include, at a minimum, the following construction traffic management strategies for each phase of development:
- a) Using El Charro Road for construction related access for all phases of development, to the maximum extent feasible, rather than Stoneridge Drive.
  - b) A set of comprehensive traffic control measures, including the scheduling of major truck trips and deliveries to avoid peak traffic hours, detour signs and flag persons if required, lane closure procedures, signs, cones for drivers, and designated construction access routes. In addition, the information will include a construction staging plan for any public right of way used of each phase of the proposed project.
  - c) Provisions of parking management and spaces for all construction workers for each phase of construction.
  - d) Notification procedures for adjacent property owners regarding when major deliveries, detours, and lane closures will occur.

- e) The location of construction staging areas for materials, equipment and vehicles.
  - f) The identification of haul routes for the movement of construction vehicles that would minimize impacts on vehicular traffic, circulation, and safety; and a provision for monitoring surface streets used for haul routes so that any damage and debris attributable to the haul tracks can be identified and corrected by the project developers.
  - g) A process for responding to, and tracking complaints pertaining to construction activity, including identification of an on-site complaint manager.
61. In accordance with measure CR-1, prior to the issuance of a grading permit or building permit for the project, the project developer shall retain the services of a qualified archaeological consultant having expertise in California prehistoric archaeology. The archaeological consultant shall determine if planned development could potentially impact important archaeological resources and shall then design an appropriate archaeological monitoring program. Upon completing the archaeological monitoring program, the archaeological consultant shall submit a written report of findings first and directly to the Director of Community Development. At a minimum, the archaeological monitoring program shall include the following:
- a) An archaeological monitor shall be on site during native soil disturbing activities.
  - b) The archaeological consultant shall advise all project contractors to be on the alert for evidence of expected resources, and know how to identify the evidence of the expected resources, and the appropriate protocol in the event of discovering an archaeological resource.
  - c) The archaeological monitor shall be present on the Staples Ranch site until the Director of Community Development, in consultation with the archaeological consultant, determines that project construction activities could have no effects on significant archaeological resources.
  - d) The archaeological monitor shall record and be authorized to collect soil samples and artifactual/ecofactual material as warranted for analysis.
  - e) If an intact archaeological deposit were to be encountered, all soil disturbing activities in the vicinity of the deposit shall cease. The City shall empower the archaeological monitor to temporarily redirect demolition/excavation/construction crews and heavy equipment until the resource is evaluated. The archaeological consultant shall immediately notify the Director of the Community Development of the encountered resources.
  - f) Should archaeological resources be encountered during construction, the project developer shall consult with City and tribal representatives to determine the appropriate disposition of findings. Mitigation measures shall include one of the three alternatives below:
    - i. In-Situ Preservation: The project developer shall preserve artifacts and resources as found and shall apply suitable open space, capping, or monumentation to the site. The project developer shall alter development plans to accommodate this alternative, as necessary.
    - ii. Excavation/Recovery: The archaeological consultant shall excavate the site, evaluate the site for historical references, recover artifacts as appropriate, and cover the site to preserve remaining artifacts. The project developer shall maintain sufficient buffering between development subsurface construction and the location of resources.
    - iii. Excavation/Removal: The archaeological consultant shall excavate and recover the cultural resources as described above and remove artifacts as

necessary. However, due to the depth of development excavation, the site would be permanently disturbed.

If the City requires data recovery, the archaeological consultant shall first prepare an Archaeological Data Recovery Plan that s/he shall submit to the Director of Community Development for review and approval.

If development plans call for trenching within 200 feet of the Arroyo Mocho, a program of subsurface mechanical trenching along the impacted route shall precede project trenching in an attempt to locate additional archaeological sites and/or the original meander of the Mocho, where such sites would most likely be. If additional sites were to be found, the project developer shall adhere to the above mitigation measures.

If human remains are discovered, the project developer shall contact the County Coroner immediately. If the coroner determines that the human remains are Native American remains, the project developer shall notify the California State Native American Heritage Commission.

The archaeological consultant shall prepare a Final Archaeological Resources Report, meeting City and state standards, evaluating the historical importance of the archaeological resource and describing the archaeological and historical research methods employed in the testing, monitoring, and data recovery programs. The Director of Community Development shall review and approve this document. The project developer shall file the report with appropriate state offices.

62. In accordance with measure UT-1, plans submitted to the Building and Safety Division for plan check shall incorporate low-flow irrigation head and/or drip irrigation with electric controllers set to water after 7:00 p.m. and before 10:00 a.m., and property soil preparation for landscaped areas that includes a minimum of two inches of mulch and two inches of organic soil amendment, as recommended by a qualified landscape architect.
63. If it is determined through field inspections and/or monitoring that a site is not in compliance with an EIR mitigation/improvement measure, the responsible party for implementation of the mitigation/improvement measure is the responsible party to bring the mitigation/improvement measure into compliance. The responsible party is listed in the EIR Mitigation Monitoring and Reporting Plan. The City of Pleasanton may require the responsible party to prepare a peer review report by a consultant chosen by the City of Pleasanton to determine compliance and to recommend measures to correct noncompliance. All peer review costs shall be borne by the party responsible for the implementation of the mitigation/improvement measure.

As parcels are sold, new property owner(s) will be responsible for all of their parcel's "Project Developer" mitigation responsibilities as listed in the EIR Mitigation Monitoring and Reporting Plan, including but not limited to: implementing mitigations, monitoring, reporting, bringing mitigation/improvement measures in nonconformance into conformance, and reimbursing the City of Pleasanton for costs borne by the City of Pleasanton to review monitoring reports and conduct other monitoring activities related to their parcel(s).

Prior to the issuance of a building permit, a Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) shall be established by the City of Pleasanton. The applicable Project Developer shall deposit funding into the Mitigation Monitoring fund (or other funding mechanism acceptable to the City of Pleasanton) to cover estimated City of Pleasanton costs to review future monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's mitigation related responsibilities. The initial deposit amount shall be determined by the City Engineer. In the event that the Mitigation Monitoring fund (or other acceptable funding mechanism) does not adequately cover future costs borne by the City of Pleasanton, the property owner of the project development site will be responsible for the City of Pleasanton's costs to review monitoring reports, contract with peer review consultants, conduct field inspections, attend meetings, and conduct other monitoring activities related to the Project Developer's PUD site.

**SPECIAL CONDITIONS OF APPROVAL  
Fire**

64. On-site access ways and internal drives shall be designated as fire lanes and identified as approved by the Fire Department. Signs shall be according to state standards and read "No Parking - Fire Lane" and must be shown on the plans. Where Fire Department vehicle access through or around a site involves changes in direction or curves, minimum-turning radius shall be as shown on Exhibit B. Any modifications to this plan shall incorporate an inside radius of 45 feet and outside radius of 55 feet to facilitate fire truck turning radius for entry and exit from the site.

**SPECIAL CONDITIONS OF APPROVAL  
Traffic**

65. The applicant and/or developer shall be required to make all modifications necessary to the traffic signal at Stoneridge Drive/Project Entrance to provide full signal operation at the beginning of construction. These improvements and related plan notes 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 City Traffic Engineer prior to building permit issuance.

**SPECIAL CONDITIONS OF APPROVAL  
Operation Services Department**

66. A CDS or equivalent storm water pollution control unit shall be installed at the transition point between the private and public storm line. The storm water pollution control unit is subject to review and approval of the Director of Operation Services prior to the issuance of any building permits.
67. Each individual building shall have a minimum of one grease interceptor on the building sewer lateral sized for all current and future potential sewer demand. This detail shall be

shown on all building permits and/or tenant improvement permits to the satisfaction of the City Engineer.

68. The project applicant/developer shall submit a plan in conformance to the following water metering requirements:
  - a) Any single use projected to exceed 5,000 gallons per day requires a dedicated water meter.
  - b) Each physically separate building requires a dedicated water meter.
  - c) Any combination of attached or conjoined buildings or suites in excess of 10,000 square feet requires a dedicated water meter.
69. The project applicant/developer shall submit a plan in conformance to the following backflow protection requirements:
  - a) All connections to existing 12" water main shall have appropriately sized and type of Backflow Prevention Device installed to separate the public and privately owned main.
  - b) All backflow devices to be located at meters above grade shall be designed per city standard drawing # 706. No backflow devices are allowed in boxes below grade.
  - c) All fireline Double Check Detector Assemblies shall be located above grade behind the City sidewalk.

**SPECIAL CONDITIONS OF APPROVAL**  
**Engineering**

70. On-site fire hydrants shall be painted Kelly Moore Kel Guard Rust Inhibitive Series per City of Pleasanton Standard Specification Section 14-02E Fire Hydrants.
71. The domestic water main shall have water meters and reduced pressure backflow device at the back of curb on Stoneridge Drive as shown on the PUD plans. The water services between the water meter and buildings shall be private and maintained by the property owner.
72. Multiple water meters may be installed from the water main on Stoneridge Drive per City of Pleasanton Standard Detail No. 304, Manifold Water Service.
73. The water main may be extended along El Charro Road if the project developer installs a manifold water service along El Charro Road.
74. The sanitary sewer main within the project shall be private and maintained by the property owner.
75. The project developer's design engineer shall submit a Storm Water Management Plan, including but not limited to, a completed storm water checklist, storm water hydro modification calculations, Storm Water Pollution Prevention Plan and signed Storm Water operations and maintenance agreement with the first submittal to the Building Division.
76. The emergency vehicle gate along El Charro road shall have locking mechanism acceptable to the Livermore-Pleasanton Fire Department.



77. The project developer's design engineer shall submit as-built plans of the improvement plans in AutoCAD and PDF format to the City prior to the issuance of the Certificate of Occupancy.
78. All building structures, including retaining walls, shall be constructed outside the Public Service Easement (PSE).
79. The project developer, in accordance with the City of Pleasanton Municipal Code Section 19.36.050, Streets and thoroughfares - Developer's obligation for improvement, shall install street lighting and construct curb, gutter, and 6-foot wide sidewalk along the easterly frontage and construct 6-foot wide sidewalk along the northerly frontage.
80. All unused utility laterals, including but not limited to water, sewer and storm, shall be abandoned or removed as per city standard specifications and details to the satisfaction of the City Engineer and Chief Building and Safety Official.
81. The property developer shall deposit performance and labor and materials bonds with the City to ensure completion of any required public improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer.

**SPECIAL CONDITIONS OF APPROVAL  
Urban Stormwater**

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

**STANDARD CONDITIONS OF APPROVAL  
Community Development Department**

83. 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.
84. 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 and all of the project work is accepted by the City, unless otherwise approved by the City Engineer or Director of Community Development.
85. The project developer shall submit a written dust control plan or procedure as part of the building permit plans.

**STANDARD CONDITIONS OF APPROVAL**  
**Planning**

86. The proposed development shall conform substantially to the project plans, LEED checklist, Project Narrative, Climate Action Plan, Transportation Management Plan, Colors/materials board, Exhibit B, dated "Received, March 4, 2014," on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
87. The project applicant//developer shall implement the measures identified in the U.S. Green Building Council's (USGBC), "Leadership in Energy and Environmental Design (LEED)" rating system to achieve a "certified rating" in the design, construction, and operation of the project. The green building measures shall be shown on plans submitted to the Building and Safety Division for issuance of a building permit. Each point identified shall have a notation indicating the sheet where 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 determined by the Planning Division.
88. 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.
89. Prior to issuance of a building permit, the developer shall pay the required commercial development school impact fee as prescribed by state law and as adopted by the Pleasanton Unified School District.
90. 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.
91. 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.
92. Planning Division approval is required before any changes are implemented in site design, grading, building design, exterior colors or materials, landscape material, etc.
93. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.

94. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
95. 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.

**STANDARD CONDITIONS OF APPROVAL**  
**Landscaping**

96. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping and open space 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.
97. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas, except on the outside edges of landscape islands along the car carrier and trash truck routes, where rollover curbs are acceptable if they are not adjacent to a pedestrian walkway.
98. 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.
99. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture on recently-disturbed areas designated for landscaping, 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 until permanent landscaping is in place.
100. 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 Community Development Director.
  - 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.

**STANDARD CONDITIONS OF APPROVAL**  
**Building**

101. 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 (with accurate elevations above sea level indicated) and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
102. After the issuance of a building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division through ([www.GreenHaloSystems.com](http://www.GreenHaloSystems.com)). The plan shall include the estimated composition and quantities of waste to be generated and identify how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. 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.
103. Building and site plans are to be submitted to the Building and Safety Division on a computer disk in a format approved by the Chief Building Official. Digitized information shall be submitted before requesting a final inspection and should reflect as built site and architectural information as approved by the Chief Building Official.
104. The applicants shall submit a pad elevation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building location (setbacks) are pursuant to the approved plans, prior to receiving a foundation inspection for the structure.

**STANDARD CONDITIONS OF APPROVAL**  
**Engineering**

105. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
106. The project developer shall construct transit shelters with trash receptacles at locations determined by the Community Development Director and the City Engineer. The shelter and trash receptacle design shall be approved by the Planning Director prior to issuance of project building permits. An encroachment permit shall be obtained prior to installation. Transit shelter lighting shall be provided if determined necessary by the City Engineer.
107. 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.
108. The project developer shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the

project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to issuance of the Certificate of Occupancy.

109. 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.
110. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times, to avoid peak travel congestion. It shall also include 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.
111. 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, and in a joint utility trench unless otherwise specifically approved by the City Engineer.
112. Any damage to existing public infrastructure, including street improvements, caused by construction activities related to the project shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. These repairs may include slurry seal, overlay, or street reconstruction, if deemed warranted by the City Engineer.
113. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve new developments on the project.
114. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
115. 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.
116. 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 subdivision grading permit.
117. The project developer shall submit detailed landscape and irrigation plans as part of the improvement plans. The irrigation plan shall provide for automatic controls.
118. 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.
119. The improvement plans for this development shall contain signage and striping plans that are subject to the approval of the City Traffic Engineer.

120. A detailed Utility Plan prepared by a licensed civil engineer depicting all existing and proposed water infrastructure to include, but not limited to the following: potable water, sanitary sewer and stormwater piping, valves, manholes, fire hydrant locations, backflow prevention devices, etc. shall be submitted as part of the plan check plans submitted to the Building and Safety Division. The plan shall identify and label all publicly and privately owned infrastructure. This plan is subject to review and approval of the Director of Operation Services prior to the issuance of any building permits.

## **STANDARD CONDITIONS OF APPROVAL**

### **Fire**

121. The project developer shall keep the site free of fire hazards from the start of construction until the final inspection.
122. Fire flow shall not be less than 2,500 gallons per minute on-site with private hydrants spacing 400 feet in accordance with 2010 California Fire Code, Appendix B.
123. Prior to any construction framing, the project developer shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards that is able to suppress a major fire.
124. All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
125. Commercial occupancies shall have valve tamper and water flow connected to an Underwriters Laboratory (UL) listed Central Station Service. Fire Department plan check includes specifications, monitoring certificate(s), installation certificate and alarm company U.L. certificate. Fire alarm control panel and remote annunciation shall be at location(s) approved by the Fire Prevention Bureau.
126. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the Hazardous Materials Coordinator at 925/454-2361.
127. The proposed building(s) may have additional Fire Department requirements that can only be addressed by knowing the details of occupancy. These occupancy details shall be submitted to the Fire Department prior to submittal of construction plans to the Building Department. Details shall include but not be limited to the following:
- a) Type of storage
  - b) Height of storage
  - c) Aisle spacing
  - d) Rack of bulk storage
  - e) Palletized storage
  - f) Type of occupancies within areas of the building(s)
  - g) Service Operations
  - h) Fire Hazard Commodity Classification of materials use and storage

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

128. 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:
  - 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.
  - Backflow prevention or connections to the public water mains.
129. 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.
130. Dead-end access ways and internal drives shall not exceed 300 feet in length and shall terminate in turnaround no less than 100 feet in diameter or hammer-head (tee). Standards and options are available through the Fire Prevention Bureau.
131. Address numbers shall be installed on the front or primary entrance for all buildings that have an address. Minimum building address character sizes shall be 10" high by 3/4" stroke. Where multiple access is provided, address or tenant space number shall be provided on each access and/or warehouse door and character size shall be no less than 4" high by 1/2" stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.

## **CODE REQUIREMENTS**

### **Building**

*(Project applicant or 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.)*

132. 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.
133. The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Pleasanton at the time of Building Permit submittal.
134. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

- 135. Prior to issuance of a tenant's business license, the tenant shall contact the Building and Safety Division and the Fire Marshal to ensure that the proposed use of the tenant space meets Building and Fire Code requirements. If required, the tenant shall obtain all appropriate City permits.

**CODE REQUIREMENTS**  
**Planning**

- 136. At no time shall balloons, banners, pennants, or other attention-getting devices be utilized on the site except as allowed by Section 18.96.060 K of the Zoning Ordinance for grand openings or by Section 18.116.040 of the Zoning Ordinance if approved as part of a temporary conditional use permit. At no time shall spot lighting be used in conjunction with such grand openings and/or promotional events.

**CODE REQUIREMENTS**  
**Bicycle Parking**

- 137. The project shall provide a minimum amount of bicycle parking equivalent to 5% of the total number of automobile parking spaces. The maximum required bicycle parking spaces is 20.

Bicycle racks shall:

- a. Be visible and accessible
- b. Support the frame of the bicycle and not just one wheel
- c. Allow the frame and one wheel to be locked to the rack
- d. Allow the use of either a cable or U-shaped lock
- e. Be securely anchored
- f. Be usable by bikes with no kickstand
- g. Be usable by a wide variety of sizes and types of bicycles.

Prior to the installation, the applicant/developer shall submit the design and location of the bicycle racks to the Director of Community Development for review and approval.

**CODE REQUIREMENTS**  
**Fire**

*(Project applicant or 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.)*

- 138. 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.



139. 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.
140. Fire alarm systems 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.
141. City of Pleasanton Ordinance 2015 requires that all new occupancies be provided with an approved key box from the Knox Company as specified by the Fire Department. The applicant is responsible for obtaining approval for location and the number of boxes from the Fire Prevention Bureau. Information and application for Knox is available through their website or the Fire Prevention Bureau. Occupant shall be responsible for providing tenant space building access keys for insertion into the Knox Box prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.
142. Underground fire mains, fire hydrants and control valves shall be installed in conformance with the most recently adopted edition of NFPA Pamphlet 24, "Outside Protection".
  - The underground pipeline contractor shall submit a minimum of three (3) sets of installation drawings to the Fire Department, Fire Prevention Bureau. The plans shall have the contractor's wet stamp indicating the California contractor license type, license number and must be signed. No underground pipeline inspections will be conducted prior to issuance of approved plans.
  - All underground fire protection work shall require a California contractor's license type as follows: C-16, C-34, C-36 or A.
  - All field-testing and inspection of piping joints shall be conducted prior to covering of any pipeline.
143. Dead-end fire service water mains shall not exceed 500 feet in length and/or have more than five Fire Department appliances and shall be looped around the site or building and have a minimum of two points of water supply or street connection. Zone valves shall be installed as recommended under NFPA, Pamphlet 24 and the Fire Marshal.  
\*Note: Fire Department appliances are classified as fire sprinkler system risers, fire hydrants and/or standpipes.
144. 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.
145. 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.
146. 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**

The project shall comply with the NPDES Permit No. CAS612008, dated October 14, 2009, and amendments, 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](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](http://www.waterboards.ca.gov/sanfranciscobay/board_info/agendas/2007/march/alameda%20final%20order%20r2-2007-0025.pdf))

The project shall comply with the “Construction General Permit” as required by the San Francisco Bay Regional Water Quality Control Board:

([http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml))

### **A. Design Requirements**

1. The NPDES Permit design requirements include, but are not limited to, the following:
  - a) Source control, site design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and/or replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.
  - b) Hydro-modification standards are required when a new development or redevelopment project creates and replaces total impervious area of one acre or more.
  - c) Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
  - d) Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.
2. The following requirements shall be incorporated into the project:

- a) The 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 from 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) In addition to natural controls, the project developer may be required to install a structural control, such as an oil/water separator, sand filter, or approved equal on-site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the control device shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
- c) 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.
- d) 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.
- e) Trash dumpsters and recycling containers shall be in an enclosed and roofed area to minimize water flowing in and from the area and to contain litter and trash to minimize disbursement by the wind or runoff. These areas shall not drain to the storm drain system, but to the sanitary sewer system. An area drain shall be installed in the enclosure area with a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin San Ramon Services District of the sanitary sewer connection and provide written verification of such notification to the City Engineer/Chief Building Official prior to the installation of the connection.

- f) All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official.
- g) All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
- h) All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
  - 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:
    - i. Minimize washing of architectural copper as it damages the patina and any protective coating.
    - ii. Block all storm drain inlets downstream of the wash.
    - iii. collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
  - III. 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.
- j) There shall be no direct roof leaders connected to the street gutter/parking lot or storm drain system, unless otherwise approved by the City engineer.

**B. Construction Requirements**

The project shall comply with the “Construction General Permit” requirements of the NPDES Permit for construction activities (including other land disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development).

Information related to the Construction General Permit is on line at:

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

1. The Construction General Permit’s requirements include, but are not limited to, the following:

- a. The project developer shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.
- b. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders.
- c. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by the City.
  - i. The project developer shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
  - ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
  - iii. Gather all sorted construction debris on a regular basis and place in the appropriate container for recycling; to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
  - iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.

- v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
  - vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by being windblown or by being spilled.
  - vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
  - viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
  - ix. Equipment fueling area (if used at the construction site): use a designated area away from the storm drainage facility; use secondary containment and spill rags when fueling; discourage "topping off" of fuel tanks; place a stockpile of absorbent material where it will be readily accessible; check vehicles and equipment regularly for leaking oils and fuels; and dispose of rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.
  - x. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.
  - xi. Equipment and vehicle maintenance area is not permitted; use of an off-site repair shop is strongly encouraged.
2. Within 30 days of the installation and testing of the stormwater treatment and TCD facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project. The letter shall request an inspection by City staff.

### **C. Operation and Maintenance Requirements**

The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as commercial and industrial projects) that create and/or replace 10,000 square feet or more of impervious areas shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder's Office in a format approved by the City.

- 1. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:
  - a. Maintaining all private stormwater treatment measures on the project site.

- b. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.

The final signed and notarized Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to project receiving final discretionary approval by the City Council. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

2. The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:
  - a. Repainting text near the drain inlets to state “No Dumping – Drains to Bay.”
  - b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.
  - d. Ensuring no one is disposing of vehicle fluids, hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
  - e. Cleaning all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
  - f. Sweeping regularly but not less than once a month, driveways, sidewalks and paved areas to minimize the accumulation of litter and debris. Corners and hard to reach areas shall be swept manually. Debris from pressure washing shall be trapped and collected to prevent entry into the storm drain system. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
  - g. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

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