

PUD CONDITIONS

Redline Version

1. **Development Plan.** Development of Hacienda ~~Business Park~~ ("Project") shall be substantially as shown in the Development Plan on file with the City of Pleasanton ("City") Planning Division, and as it may be amended.

{COMMENT: *This change is proposed to reflect the current use of the Project name.*}

2. **Design Guidelines.** On-site development shall be guided by the Design Guidelines and Declaration of Covenants, Conditions and Restrictions ("CC&R's") on file with the City Planning Division. Except as site regulations are specifically adopted herein, in reviewing site specific development plans, the City may impose the City's policies and codes in effect for the most similar zoning district if the policies and codes are more restrictive than the regulations included in the Design Guidelines. The following site regulations are specifically adopted for the project:

- A. Summary of Site Development Criteria ~~(Table B-1) contained in the Design Guidelines/Development Plan, dated June, 1987, on file in the City Planning Division, attached~~ and as it may be amended.

{COMMENT: *This change is proposed to standardize the naming of applicable references as the previous nomenclature is no longer in use.*}

- B. Summary of Property Line Setbacks ~~(Table B-2) attached and as it may be amended.~~

{COMMENT: *This change is proposed to standardize the naming of applicable references as the previous nomenclature is no longer in use.*}

- C. Landscaping Required Adjacent to Buildings ~~(Table B-3) attached and as it may be amended.~~

{COMMENT: *This change is proposed to standardize the naming of applicable references as the previous nomenclature is no longer in use.*}

- D. ~~Permitted Uses Within Each Planning District - Restrictions on Operation and Use attached and as it may be amended.~~

{COMMENT: *This change is proposed to standardize the naming of applicable references as the previous nomenclature is no longer in use.*}

- ~~ED.~~ Total ~~Gross Floor Area~~ development within the Project shall not exceed nine million, eight hundred eighty-nine thousand (9,889,000) square feet of commercial space (non-residential) and all residential units built or zoned to the limits established as of September 17, 2013 through an approved Planned Unit Development or as established within site development standards adopted as of that date, excluding residential development existing as of August, 2013, residential development on the seven sites shown on the attached Exhibit B, child day-care facilities, and Hart Middle School and transit/public service center facilities.

- ~~i.~~ ~~Notwithstanding the above total square footage, the aggregate Gross Floor Area within lots designated "Mixed O/IPD," "Mixed C/O/IPD" and Lot 1F (as shown on Exhibit "A") shall not exceed four million, six hundred thirty-one thousand fifty-nine (4,631,059) square feet, excluding BART stations and related facilities. Should any lot designated "Mixed C/O/IPD" develop with a commercial use, the Total~~

~~Gross Floor Area allowed in this subsection shall be reduced by an additional 1.7 square feet for each one square foot of commercial use.~~

- ~~ii. If BART does not develop a station and related facilities on Lot 54, the Total Gross Floor Area listed in Subsections D and E shall be increased by one hundred eighty thousand (180,000) square feet, or, if a portion of Lot 54 is not used, then by the ratio of one additional square foot of total gross floor area for each 1.67 square feet of lot area not so used.~~

~~Notwithstanding any regulations in the Design Guidelines and CC&R's to the contrary, for those lots designated "Mixed C/O/I PD" which develop with commercial uses, the site development criteria, property line setbacks, P.S.E.'s, and landscaping requirements shall be determined on an ad hoc basis, with development standards (including landscaping) reasonably equivalent to other retail commercial projects in Pleasanton, such that retail/commercial use visibility, signage, and other reasonable retail/commercial development needs can be met while retaining the spirit of the Design Guidelines Development Plan.~~

{COMMENT: This change is proposed to reconcile the two different allowable development standards in use within the project into one standard. Refer to the project narrative for a description and analysis.}

- 3. **Site Plan and Design Approval.** All buildings and site development shall require site plan and design approval by the City Planning Commission (appealable to the City Council), ~~following recommendation by the City Planning Commission.~~ All projects with a residential component shall also require approval by the City Council. ~~Approval shall be by resolution.~~

{COMMENT: This change is proposed to reflect current City of Pleasanton practice for project review.}

- 4. **Design Standards.** Exterior building design shall reflect a comprehensive design approach, relating the structure to its surrounding landscaping and adjacent buildings. ~~Buildings in the OMPD District shall be designed to minimize the perception of height and mass. All buildings shall adhere to proper orientation for sun and climate control, as well as protections for solar access for adjacent buildings. The integration of active solar systems is encouraged for supplemental heating and cooling as well as for hot water use, and solar energy shall be employed to the maximum extent economically feasible.~~

{COMMENT: This change is proposed to acknowledge current design requirements for buildings and as more rigorous standards are established through the Green Building Ordinance and Title 24.}

- 5. **I-580 Landscaping.** The ~~Prudential Insurance Company of America ("Developer") Hacienda Owners Association~~ shall landscape, in a manner consistent with Caltrans policies, that portion of the ~~southerly I-580-landscape strip between Chabot Court and just east of Old Santa Rita Road on Rosewood Drive immediately to the south and abutting I-580 between Lot 58 and Old Santa Rita Road.~~ The landscape plan shall be approved by the ~~City Planning~~ Director of Community Development prior to installation. ~~Developer also shall seek permission from Zone 7 to landscape those portions of the Hewlett and Chabot canals adjacent to I-580; if granted, the landscape plan shall be approved by the City Planning Director.~~

{COMMENT: This change is proposed to clarify the area in question and reassign the obligation to the Hacienda Owners Association.}

- 6. **Fire Safety.** No building shall be constructed which does not allow direct ladder access to the roof with fire apparatus existing or to be in possession of the City Fire Department by the time

of building occupancy; provided, however, that buildings providing indirect roof access via fixed ladder configurations not in excess of one story may be constructed if the buildings incorporate internal life safety systems in their construction.

7. **Safety Measures.** Perimeter lighting shall be provided for all buildings, and, if required by the City Police Department, all buildings shall be provided with alarm systems. Perimeter lighting and alarm systems shall be approved by the City Police Department prior to installation. ~~Developer~~ **The Hacienda Owners Association on behalf of the Project and individual Planned Unit Developments approved within the Project** shall provide on-site private security guards if determined necessary by the City Police Department. If required by the City Police Department, buildings shall be equipped with alarm systems approved by the City Police Department and installed prior to final building inspection.

{COMMENT: *This change is proposed to reassign the obligation to the Hacienda Owners Association.*}

8. **Building and Grounds Maintenance.** ~~Walls, parking, landscaping and building exteriors shall be maintained at all times in good condition. All structures and site improvements within Hacienda shall be maintained at all times in good condition and in conformance with approved plans.~~

{COMMENT: *This change is proposed to clarify the obligation.*}

- ~~9. **Street Maintenance.** Developer or the Property Owners' Association shall pay the City an annual fee for the maintenance of public streets within the Project for the first ten (10) years after acceptance of the streets by the City. The amount of this fee shall be determined by the City Engineer and shall be sufficient to cover anticipated City costs during the ten (10) year period. Project streets shall be swept by the Property Owners' Association at least as often as City thoroughfares are swept.~~

{COMMENT: *This change is proposed to reflect the completion of this obligation which was satisfied through the referenced payments to the City of Pleasanton.*}

- ~~109. **Landscaping and Lighting Maintenance.** All landscaping and lighting within the Common Area, as defined by the CC&R's, shall be maintained by the ~~Property Owners' Association~~ **Hacienda Owners Association** or a maintenance district acceptable to the City.~~

{COMMENT: *This change is proposed to clarify the obligation.*}

110. **Uses.** Permitted and conditionally permitted uses on each site in the project shall be governed by the ~~'Permitted Uses Within Each Planning District,' Section B.4 of the Development Plan - Restrictions on Operation and Use~~ attached and as it may be amended. When a District refers to more than one section of the Pleasanton Municipal Code and a use thereunder is more restricted in one than the other, the more restrictive designation shall apply. When a District refers to more than one section of the Pleasanton Municipal Code and a use thereunder is not listed or not permitted in one but is permitted or restricted in the other, the use shall be considered either permitted or restricted as it is found in the section where the use is listed. Parcels with adopted site specific permitted and conditional uses shall be restricted to the adopted list of permitted and conditional uses for that site or as subsequently amended for that site. In addition, allowed uses shall be as follows:

- A. OGPD, OPD, and OMPD Districts. All permitted and conditionally permitted uses as specified in the O (Office) District, as set forth in Sections ~~18.40.030 and 18.40.040~~ **18.44.080** of the Pleasanton Municipal Code, and ~~as they it~~ may be hereinafter amended.

- B. CPD Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) and C-F (Freeway Commercial) Districts, as set forth in Section 18.44.0980 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- C. IPD Districts. All permitted and conditionally permitted uses as specified in the I-P (Industrial Park) District, as set forth in Section 18.484.14080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.

~~D. Mixed O/I PD Districts – All permitted and conditionally permitted uses as specified in Subsections A and C herein in the O (Office) District, as set forth in Sections 18.40.030 and 18.40.040 of the Pleasanton Municipal Code, and as they may be hereinafter amended, and all permitted uses as set forth in Section 18.48.140 of the Pleasanton Municipal Code, and as it may be hereinafter amended.~~

Mixed O/I PD (MOIPD) Districts. All permitted and conditionally permitted uses as specified in the O (Office) District and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.

~~E. Mixed C/O/I PD Districts – All permitted and conditionally permitted uses as specified in subsection B if developed for commercial uses or mixed office-commercial uses; all permitted and conditionally permitted uses in subsections A and C herein if developed for office, mixed office-commercial, or industrial uses.~~

~~(1) Lots 54 and 56A shall also allow Bay Area Rapid Transit (BART) station or other mass transit station, parking, and transit and related facilities, services, and uses.~~

~~(2) The use of Lot 14A for a supermarket-anchored neighborhood shopping center and/or supermarket use shall be a conditionally allowed use, and the City shall retain full discretionary authority to disallow said use if the City is not reasonably satisfied with the viability and/or future uses of the Val Vista Shopping Center.~~

Mixed C/O/I PD (MCOIPD) Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) District, C-F (Freeway Commercial) District, O (Office) District, and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.

- F. Mixed C/O/I/R PD (MCOIRPD) Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) District, C-F (Freeway Commercial) District, O (Office) District, and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended. High Density Residential uses as established through a PUD. Alternatively, all permitted and conditionally permitted uses established through the adoption of site-specific permitted and conditionally permitted uses as part of any PUD approval.
- G. HDR (High Density Residential) Districts. High Density Residential uses as established through a PUD.
- H. Public or private parks, or other recreational facilities, as they may be required as a condition of approval for a site specific PUD.

~~F. All lots shown in Exhibit A may be used for public or private park or other recreational facilities as permitted uses.~~

{COMMENT: *This change is proposed to directly align districts within the Hacienda Planned Unit Development with specific city zoning districts and to clarify the process of determining and evaluating permitted and conditionally permitted uses in mixed use districts. Refer to the project narrative for a description and analysis.*}

121. **Signs.** All ~~signing signage~~ for the Project shall be submitted to the City and Hacienda Owners Association for approval. All permanent building and/or tenant identification signs shall be submitted as a comprehensive sign program for the individual project and are encouraged to be included in the development application at the time the project is submitted for approval. Provided that permanent ~~signing signage~~ meets the criteria imposed by the Design Guidelines, the ~~signing signage~~ shall be approved by the Director of ~~Planning Community Development~~. ~~Variances may be approved by the Director of Planning or the Design Review Board. Deviations from the Design Guidelines are processed via the City Sign Design Review application process.~~ Temporary signs conforming to the Design Guidelines and signs conforming to an approved comprehensive sign program for a specific site may be approved administratively by ~~the City Zoning Administrator staff~~.

{COMMENT: *This change is proposed to clarify the process for, and authority over, sign approval.*}

132. **Traffic Conditions.**

~~A. Restrictions on Full Development. Total development within the Project shall not exceed an aggregate amount of seven million three hundred twenty-five thousand (7,325,000) square feet until both the Stoneridge Drive/I-680 and Hacienda Drive/I-580 interchanges have received complete final design approvals from all permitting agencies and are under construction.~~

~~B. Traffic Mitigation Measures. When the Level of Service reaches LOS D (equal to or greater than eighty one percent) (81% of capacity), as defined in the City's Standard Assumptions for Traffic Studies, at any intersection or intersections affected by the Project, Developer shall begin to implement feasible mitigation measures. Affected intersections shall be those located between Valley Avenue on the south and I-580 on the north, I-680 on the west and Santa Rita Road on the east, inclusive, including all interchange intersections (both sides of freeways) but excepting intersections internal to Meyer Center and Pleasanton Park, as shown on the Map on Affected Intersections, dated as of February 24, 1986 and on file with the City Planning Division. Mitigation measures may include roadway improvements and/or transportation systems management programs designed to alleviate the LOS D traffic condition, and shall be implemented on a priority basis, as determined by the City Engineer (appealable to the City Council), beginning with the least stringent and least costly measure. Increasingly more stringent mitigation measures shall be required and implemented by Developer in order to maintain traffic levels at better than LOS E (ninety-one percent) (91% capacity). City agrees that, to the best of its ability, it shall impose the cost of traffic mitigation measures made necessary by the cumulative impact of north Pleasanton development on a pro-rata basis over north Pleasanton properties benefitting therefrom.~~

~~C. Site Specific Traffic Studies. Each site specific project submitted to the City for final design approval shall be accompanied by a traffic study, prepared in accordance with the City's adopted Standard Assumptions for Traffic Studies and satisfactory to the City Engineer, projecting future levels of service at the above-described affected~~

~~intersections. Future traffic conditions shall include: (i) existing traffic; (ii) projected traffic from the other projects under construction and/or in receipt of final City approvals; and (iii) projected traffic from the project submitted for approval. The street network assumed shall be that existing at the time the site specific project is submitted for approval and as it will exist as a result of roadway improvements either under construction or in receipt of necessary final governmental approvals.~~

~~(i) If the traffic study analysis shows that any affected intersection or intersections would exceed LOS D (equal to or greater than ninety-one percent) (91% of capacity), but can be mitigated so as to be no greater than mid-LOS D (eighty-six percent) (86% of capacity) after mitigation measures, the City shall condition approval upon implementation of those mitigation measures. No building permit may be issued until the mitigation measures either are under construction or, for site-specific or occupant-specific mitigation measures which are not construction-related (such as transportation systems management) the implementation programs are established. If the City Engineer finds that completion of a particular improvement not yet under construction reasonably will be completed prior to occupancy of a project building, that the improvement has received all approvals necessary from all appropriate agencies and that funding is bonded for or otherwise assured, a building permit may be issued in advance of the start of construction of the mitigation measure.~~

~~(ii) If the traffic study analysis shows that any affected intersection or intersections would exceed LOS D (equal to or greater than ninety-one percent) (91% of capacity), and indicated also that there are no mitigation measures Developer can implement to improve that intersection(s) to mid-LOS D (eighty-six percent) (86% of capacity) then the City shall not approve the site specific project application.~~

~~D. Notwithstanding Subsection 13.A. - 13.C. for the duration of the Development Agreements dated December 6, 1983 and April 22, 1986, as amended, development of lots shown in Exhibit A may proceed without site-specific traffic studies or off-site traffic mitigation measures except as may be specified in that Development Agreement.~~

Should the City determine that a particular use in the Project has the possibility of negatively impacting the traffic circulation system, the City may require additional traffic studies prepared in accordance with the City's traffic impact analysis guidelines. The details and scope of the additional traffic studies shall be determined by the Director of Community Development prior to the use being approved. Should the resulting negative impacts exceed General Plan standards, the use shall not be allowed unless adequate mitigation measures are implemented to reduce said impacts to comply with the applicable General Plan standards.

{COMMENT: This change is proposed to reflect the current City of Pleasanton General Plan and practice for traffic impact review and mitigation.}

~~143. **Groundwater Test Wells.** Should the City determine that a particular use in Hacienda has the possibility of negatively impacting the groundwater basin, the City may require additional site specific groundwater monitoring. The details of the additional groundwater monitoring shall be determined by the City Engineer prior to the use being approved. All wells which are to be abandoned shall be done so pursuant to the requirements of Zone 7. Prior to the abandonment of any well, the applicant will assist Zone 7 in identifying wells which are to be taken over by Zone 7. The Hacienda Owners Association shall help coordinate all abandonment activities with Zone 7.~~

~~15. **Air Quality Analysis.** Should the City determine that a particular use in Hacienda has the possibility of negatively impacting air quality, the City may require additional air quality analysis and monitoring for the particular use. The details and scope of the additional analysis shall be determined by the Planning Director prior to the use being approved.~~

~~16. **Noise Analysis.** Should the City determine that a particular use in Hacienda has the possibility of negatively impacting the existing and projected noise levels, the City may require additional noise monitoring to ascertain the potential specific noise impacts. Should the resulting negative impacts exceed General Plan standards, the use shall not be allowed unless adequate mitigation measures are implemented to reduce said impacts to comply with the applicable General Plan standards.~~

Impact Analysis. Should the City determine that a particular use in Hacienda has the possibility of negatively impacting the surrounding area, the City may require additional analysis and/or monitoring for the particular use. Additional analysis may include, but is not limited to, the following: groundwater monitoring, air quality analysis, existing and projected noise level analysis, geotechnical analysis, visual simulation, and soil/hazardous materials investigations.

{COMMENT: *This change is proposed to reflect the current City of Pleasanton General Plan and practice for impact analysis and monitoring of a variety of different parameters.*}

~~174. **Truck Traffic.** Until the Hacienda Drive interchange is constructed, all truck traffic generated by the Project, including trucks used in construction activities, shall be directed northward on internal tract streets to Gibraltar Drive, and, hence, northward on Hopyard Road to I-680 so that no trucks shall use existing City streets other than Hopyard Road north of Gibraltar Drive. After the Hacienda Drive interchange is constructed, a~~All truck traffic shall be directed to use solely internal tract streets and the Hacienda Drive interchange. The CC&R's shall include this restriction.

{COMMENT: *This change is proposed to reflect completion of the Hacienda Drive interchange.*}

185. **Environmental Police Power Regulations.** The Project shall comply with all applicable provisions of the Transportation Systems Management Ordinance, the Hazardous Materials Ordinance, City Fire and Building Codes and all other similar local, state and federal regulations, **and as they may be amended.**

{COMMENT: *This change is proposed to clarify the obligation.*}

~~196. **Paleontological and Archaeological Resources.** If human remains, artifacts or other archaeological or historical materials are encountered during construction activities on any site within the Project, the activities shall be halted until an evaluation by a qualified archaeologist can be made and a method for protecting and/or removing the materials is accomplished. Except under exceptional circumstances, construction shall be halted for no longer than four (4) weeks. If any prehistoric or historic artifacts, or other indication of cultural resources are found during the course of development of any site within the Project, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County Coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause~~

of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to an authorized representative.

{COMMENT: *This change is proposed to reflect the current City of Pleasanton General Plan and practice for the response to the discovery of paleontological and archaeological resources.*}

~~2017.~~ **Sewer and Water Capacity.** Except as may be provided by reservation agreement, presale purchase agreement, or Development Agreement, ~~Developer acknowledges that~~ the City, by its approval of the Project, does not guarantee the availability of sufficient sewer and water capacity to serve the Project, and ~~Developer agrees and acknowledges that~~ **may withhold** building permits ~~may be withheld~~ if sewer and water capacity is found by the City not to be available.

{COMMENT: *This change is proposed to clarify the obligation as there is no longer a primary developer.*}

~~21~~18. **Bicycle Storage.** Each development within the Project shall provide bicycle **parking and** storage facilities adequate to meet anticipated demand.

{COMMENT: *This change is proposed to clarify the obligation.*}

~~22~~19. **Building Interior Noise Levels.** All commercial and office structures located within Hacienda **Business Park** shall be designed so that interior noise levels **are consistent with the City's Noise Element within the General Plan as well as Building Code/Green Building Code standards.** ~~shall not be higher than 55 dBA Leq during business hours. If a hotel is built within the Project, the hotel shall be designed so that the interior noise levels shall not be higher than 45 dBA Leq.~~

~~23.~~ **Equipment Noise Levels.** All mechanical equipment shall be constructed so that noise emanating from the equipment will not be perceptible at or beyond the property plane of any site, and so that the noise shall not exceed the level permissible for a normal environment for that zoning district.

{COMMENT: *This change is proposed to reflect the current City of Pleasanton General Plan and authority over, and standards governing, interior noise levels.*}

20. **Exterior Noise Levels.** All structures and associated equipment shall be designed, built and operated in order to achieve compliance with the General Plan and Section 9.04 of the Pleasanton Municipal Code relating to noise.

{COMMENT: *This change is proposed to reflect the current City of Pleasanton General Plan and authority over, and standards governing, exterior noise levels.*}

~~24.~~ **Newspaper Dispensers.** ~~Only modular newspaper dispensers accommodating more than one (1) newspaper shall be permitted to be located outside of buildings within the Project. The design of these dispensers shall be approved by the City Planning Division.~~

{COMMENT: *This change is proposed to reflect the fact that such regulation is infeasible.*}

251. **Seismic Safety.** Building design shall comply with then-current seismic requirements of the City. Pile foundations shall be used for mid-rise buildings unless a compensating design satisfactory to the City is found to be feasible. The minimum setback from the top of the stream channel edge shall be one hundred (100) feet.

~~26. Parks and Recreation. Developer shall participate in the provision of parks and recreation facilities in a manner to be determined by the City following a study of the reasonable parks and recreation needs of employees of north Pleasanton business parks. Participation by the Developer shall be equal to the pro-rata share of the capital cost of acquiring and developing the parks and recreation facilities determined to be necessary as a result of the impact of that portion of the Project shown on Exhibit C attached hereto and made a part hereof. The manner of the participation, whether through development fees, assessment districts or some other manner, shall be determined upon City review of the aforementioned study, and shall take into consideration parks and recreation needs at present and in the future by phasing necessary improvements as appropriate. Developer shall cooperate with the City in providing the parks and recreation facilities by making this obligation run with the land shown on Exhibit C and by cooperating in its personal capacity as an owner of property elsewhere in the Project. The City agrees to use its best efforts to assess all north Pleasanton business park developers and employers on a pro-rata basis for the parks and recreation facilities made necessary by north Pleasanton development, and the City shall explore methods to accomplish this as part of the aforementioned study.~~

{COMMENT: *This change is proposed to reflect the completion of this obligation which was satisfied with the development of Creekside Park, Owens Plaza Park and the Hacienda Linear Greenbelt.*}

~~27. Short-Term Agricultural Uses. Developer shall utilize dry-farmed grains or other short-term agricultural uses on vacant sites so long as practicable and consistent with fire safety requirements.~~

{COMMENT: *This change is proposed to reflect the large reduction in vacant land and current practice for managing vegetation on undeveloped sites.*}

282. Overhead Transmission Lines. ~~Developer~~ The Hacienda Owners Association and the City shall cooperate to work with PG&E to have placed underground the high voltage power transmission lines within the I-580 scenic corridor and, if feasible, along the old S.P.R.R. right-of-way.

{COMMENT: *This change is proposed to reassign the obligation to the Hacienda Owners Association.*}

293. Visual Barriers. No materials, supplies or equipment, ~~including company-owned or operated trucks and motor vehicles~~, shall be stored in any area on a site except inside or behind a solid visual barrier, at least six (6) feet in height, separating that area from surrounding properties and public streets.

{COMMENT: *This change is proposed to reflect the presence of vehicle fleets and short-term parking accommodations that do not require storage within an enclosed area.*}

~~30. Prior Approved Site-Specific Plans. The prior approved site plans for Lots 7E (PUD-81-30-48-D), 30B (PUD-81-30-31-D), 34C (PUD-81-30-29-D) and Lot 1F (PUD-81-30-46D) shall remain in effect following approval of PUD-85-30-11M; however, should a new application be made for a different plan for one or more of these lots, the site development criteria contained in the revised Table B-1 shall be applicable, and these sites may develop under the revised standards.~~

24. Prior Approved Site-Specific Plans. Prior approved plans and corresponding approval conditions for sites under PUD-81-30 and PUD-85-08 shall remain in effect following approval of PUD-81-30-57M and PUD-85-8-30M; however, should a new PUD Modification application be made for any site within the Project, the then-current Design Guidelines and site regulations stipulated herein may be made applicable at the discretion of the Director of Community Development.

{COMMENT: *This change is proposed to reflect the implementation of this new Planned Unit Development modification.*}

TABLE B-1

SUMMARY OF SITE DEVELOPMENT CRITERIA

LOT	PARCELS	USE	HEIGHT	MAXIMUM FLOOR AREA RATIO (1)	MAXIMUM HEIGHT (2)	MINIMUM LANDSCAPE RATIO (3)	MINIMUM PARKING RATIO(4)	REFERENCE
1	1A	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	
	1C	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	
	1D	CPD	(2 STORY)	25%	45'	25%	SEE NOTE 5	
	1E	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	13
	1F	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	13
2	2A	OGPD	(2 STORY)	40%	55'	25%	1 PER 250 SQ FT	42
			(3 STORY)	45%	55'	25%	1 PER 250 SQ FT	
	2B	OGPD	(2 STORY)	40%	55'	25%	1 PER 250 SQ FT	42
			(3 STORY)	45%	55'	25%	1 PER 250 SQ FT	
3		OGPD	(2 STORY)	40%	55'	25%	1 PER 250 SQ FT	
			(3 STORY)	45%	55'	25%	1 PER 250 SQ FT	
4	4A	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	26
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
	4B	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	26
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
5	5A	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	5,6
	5B	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	5, 6, 7
	5D	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	34
	5E	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	34
	5F	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	39
	5G	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	39
6		MOIPD	SEE NOTE 7	SEE NOTE 7	85.5'	SEE NOTE 7	SEE NOTE 7	46
		MCOIRPD	SEE NOTE 7/9	SEE NOTE 7/9	85.5'	SEE NOTE 7/9	SEE NOTE 7/9	
7	7E	MCOIRPD	SEE NOTE 7/9	SEE NOTE 7/9	85.5'/SEE NOTE 9	SEE NOTE 7/9	SEE NOTE 7/9	30, 44, 46
	7F	MOIPD	SEE NOTE 7	SEE NOTE 7	85.5'	SEE NOTE 7	SEE NOTE 7	30, 44
	7G	MCOIRPD	SEE NOTE 7/9	SEE NOTE 7/9	85.5'/SEE NOTE 9	SEE NOTE 7/9	SEE NOTE 7/9	30, 44, 46
8	PCA,PCB,PCC	HDR		SEE NOTE 6	N/A	N/A	N/A	2, 23, 24
9		OMPD	(5 STORY)	50%	72'	25%	1 PER 250 SQ FT	
10	10B	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	
	10C	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	27
	10D	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	27
11	11B	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
	11E	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	12, 17
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
	11G	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	12, 17, 22
(2 STORY)			40%	45'	20%	1 PER 250 SQ FT		
11H	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	12, 21	
		(2 STORY)	40%	45'	20%	1 PER 250 SQ FT		
12	12A	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
	12B	IPD	(1 STORY)	35%	45'	20%	1 PER 250 SQ FT	
			(2 STORY)	40%	45'	20%	1 PER 250 SQ FT	
13	131-137	CPD	(2 STORY)	SEE NOTE 5	45'	25%	SEE NOTE 5	11
	13E	OGPD	(2 STORY)	40%	45'	25%	1 PER 250 SQ FT	9, 18
	13G	MCOIPD	SEE NOTE 8	SEE NOTE 8	55'	SEE NOTE 8	SEE NOTE 8	19, 29, 32
	13H	MCOIPD	SEE NOTE 8	SEE NOTE 8	55'	SEE NOTE 8	SEE NOTE 8	19, 29, 32
14	14A	MCOIPD	SEE NOTE 8	SEE NOTE 8	45'	SEE NOTE 8	SEE NOTE 8	
	14B	OPD	(2 STORY)	40%	55'	25%	1 PER 250 SQ FT	
			(3 STORY)	40%	55'	25%	1 PER 250 SQ FT	

LOT	PARCELS	USE	HEIGHT	MAXIMUM FLOOR AREA RATIO (1)	MAXIMUM HEIGHT (2)	MINIMUM LANDSCAPE RATIO (3)	MINIMUM PARKING RATIO(4)	REFERENCE
15		IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	
16	16A 16B	MOIPD IPD	SEE NOTE 7 (1 STORY) (2 STORY)	SEE NOTE 7 35% 40%	55' 45' 45'	SEE NOTE 7 20% 20%	SEE NOTE 7 1 PER 250 SQ FT 1 PER 250 SQ FT	
17	171-174	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	20
18	18A 18B	MCOIRPD IPD	(1 STORY) (2 STORY) SEE NOTE 10 (1 STORY) (2 STORY)	35% 40% SEE NOTE 10 35% 40%	45' 45' SEE NOTE 10 45' 45'	20% 20% SEE NOTE 10 20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT SEE NOTE 10 1 PER 250 SQ FT 1 PER 250 SQ FT	50
19		MCOIRPD	(1 STORY) (2 STORY) SEE NOTE 10	35% 40% SEE NOTE 10	45' 45' SEE NOTE 10	20% 20% SEE NOTE 10	1 PER 250 SQ FT 1 PER 250 SQ FT SEE NOTE 10	50
20		OGPD	(2 STORY)	40%	45'	25%	1 PER 250 SQ FT	
21	21B 21C 21D	OGPD MOIPD OGPD	(2 STORY) (3 STORY) SEE NOTE 7 (2 STORY)	40% 45% SEE NOTE 7 40%	55' 55' 45' 45'	25% 25% SEE NOTE 7 25%	1 PER 250 SQ FT 1 PER 250 SQ FT SEE NOTE 7 1 PER 250 SQ FT	
22		OPD	(2 STORY) (3 STORY)	40% 45%	55' 55'	25% 25%	1 PER 250 SQ FT 1 PER 250 SQ FT	
23	23A 23B	IPD HDR	(1 STORY) (2 STORY) SEE NOTE 10	35% 40% SEE NOTE 10	45' 45' SEE NOTE 10	20% 20% SEE NOTE 10	1 PER 250 SQ FT 1 PER 250 SQ FT SEE NOTE 10	40 40, 49
24	24A	HDR		SEE NOTE 6	N/A	N/A	N/A	10
25	25A 25B PARCEL F	MOIPD IPD MOIPD	SEE NOTE 7 (1 STORY) (2 STORY) SEE NOTE 7	SEE NOTE 7 35% 40% SEE NOTE 7	45' 45' 45' 45'	SEE NOTE 7 20% 20% SEE NOTE 7	SEE NOTE 7 1 PER 250 SQ FT 1 PER 250 SQ FT SEE NOTE 7	
26	PCA,PCB,PCC	HDR		SEE NOTE 6	N/A	N/A	N/A	23, 24
27	27B	HDR		SEE NOTE 6	N/A	N/A	N/A	
28		OGPD	(1 STORY)	N/A	N/A	N/A	1 PER 250 SQ FT	
29		IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	
30	30A 30B	IPD MOIPD	(1 STORY) (2 STORY) SEE NOTE 7	35% 40% SEE NOTE 7	45' 45' 55'	20% 20% SEE NOTE 7	1 PER 300 SQ FT 1 PER 300 SQ FT SEE NOTE 7	1, 47
31	31A 31C 31D	IPD IPD IPD	(1 STORY) (2 STORY) (1 STORY) (2 STORY) (1 STORY) (2 STORY)	35% 40% 35% 40% 35% 40%	45' 45' 45' 45' 45' 45'	20% 20% 20% 20% 20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT 1 PER 250 SQ FT 1 PER 250 SQ FT 1 PER 250 SQ FT 1 PER 250 SQ FT	41 41
32		IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	3

LOT	PARCELS	USE	HEIGHT	MAXIMUM FLOOR AREA RATIO (1)	MAXIMUM HEIGHT (2)	MINIMUM LANDSCAPE RATIO (3)	MINIMUM PARKING RATIO(4)	REFERENCE
33		IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 300 SQ FT 1 PER 300 SQ FT	4, 43
34	34B	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 300 SQ FT 1 PER 300 SQ FT	47
	34C	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	
	34D	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	
	34E	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 300 SQ FT 1 PER 300 SQ FT	47
	34F	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	14
	34G	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 300 SQ FT 1 PER 300 SQ FT	14, 47
	34H	IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 300 SQ FT 1 PER 300 SQ FT	14, 47
35	35A	MOIPD	SEE NOTE 7	SEE NOTE 7	55'	SEE NOTE 7	SEE NOTE 7	35
	35B	MCOIPD	SEE NOTE 8	SEE NOTE 8	55'	SEE NOTE 8	SEE NOTE 8	35, 38
36		IPD	(1 STORY) (2 STORY)	35% 40%	45' 45'	20% 20%	1 PER 250 SQ FT 1 PER 250 SQ FT	
37		CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	47
51	51C	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	8
	51G	CPD	(3 STORY)	SEE NOTE 5	55'	25%	SEE NOTE 5	28, 48
52		MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	
53	53A	MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	
	53B	IPD	(4 STORY)	50%	72'	30%	1 PER 250 SQ FT	
54		MCOIRPD	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	51
55	55F	MOIPD	SEE NOTE 7	SEE NOTE 7	85.5'	SEE NOTE 7	SEE NOTE 7	31
56	56B	MCOIRPD	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	49
	56C	MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	15
57		MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	37
58	58A	MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	16, 25
	58B	MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	25
	58C	MCOIPD	SEE NOTE 8	SEE NOTE 8	85.5'	SEE NOTE 8	SEE NOTE 8	25
59	590,592-599	OMPD	(6 STORY)	40%	85.5'	30%	1 PER 250 SQ FT	53
	591	HDR	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	SEE NOTE 10	52, 53
60	60A	HDR		SEE NOTE 6	N/A	N/A	N/A	36
	60B	HDR		SEE NOTE 6	N/A	N/A	N/A	36

NOTES:

A. **CPD** = Retail/Commercial/Financial; **OGPD** = Garden Office; **OMPD** = Midrise R&D Office; **OPD** = General Office; **IPD** = Research & Development/Light Manufacturing; **MOIPD** = Mixed Office, Research & Development/Light Manufacturing; **MCOIPD** = Mixed Retail/Commercial/Financial, Office, and Research & Development/Light Manufacturing; **MCOIRPD** = Mixed Retail/Commercial/Financial, Office, Research & Development/Light Manufacturing and Residential; and **HDR** = High Density Residential.

1. The number of stories listed is the maximum number of usable floors, above ground, which any building, or portion of a building, may include.

- a. "Maximum Floor Area Ratio" is the maximum permitted ratio of the Gross Square Footage of a building or buildings on a Parcel to the total Parcel area. The Gross Square Footage of a building or buildings shall be the sum of the area of each floor, excluding mechanical penthouses and subgrade basements, measured horizontally to the outside faces of the exterior walls.
- b. Any Parcel containing a single structure that combines differing story height elements shall have a Maximum Floor Area Ratio equal to that ratio indicated for the highest number of stories.
- c. Any Parcel upon which separate structures of differing story height elements are constructed shall have a Maximum Floor Area Ratio equal to a weighted average of Minimum Floor Area Ratio for each type of structure; such average shall be computed using as weights the actual number of square feet contained in each structure as specified in the formula below.

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

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

- 2. "Maximum Height" is the vertical distance by which any part of an Improvement rises above the top of the highest street curb on or immediately adjacent to the Parcel, or the vertical distance from the top of the building pad to the top of the highest point of any improvement, whichever is greater.
- 3. "Minimum Landscape Ratio" is the minimum permitted ratio of the square footage of the total landscape area to the total Parcel area. See also the Landscape Requirements in the Appendix table, Landscape Required Adjacent to Buildings. Landscape Area shall include all planting, walks, and plaza areas located on the grounds but not those on structures.
- 4. "Minimum Parking Ratio" is the minimum permitted ratio of the number of parking spaces on a Parcel to the Gross Square Footage of a building or buildings on a Parcel. Notwithstanding the Minimum Parking Ratio set forth in this table, the use of any Parcel or portion of a Parcel for any type of medical/dental clinics or related facilities shall require a Minimum Parking Ratio of 1 per 250 square feet of that specific use. Prior to the issuance of a business license, zoning certification and/or a building permit, the applicant for any medical occupancy must submit written documentation of current use, square footage and available parking for the subject site demonstrating the availability of 4.00 parking spaces/1,000 square feet of gross floor area for that portion of the site devoted to medical use.
- 5. The Maximum Floor Area Ratio and Minimum Parking Ratio for all buildings within the CPD District shall be limited as follows:

<u>Uses</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Parking Ratio</u>
Free Standing Restaurant	12.5%	1 per 150 sf
Hotel/Motel	40.0% except 60.0% on Parcel 56A	1 per room plus 1 per employee at maximum shift
Garden Office	40.0%	1 per 250 sf
Commercial/Retail	30.0%	1 per 200 sf

Hotel/Motel uses combined with restaurant uses on a single parcel shall provide parking equal to the requirements for hotel/motel use plus the restaurant use, treating each individually. Specialized commercial land uses such as auto sales shall be reviewed on a case by case basis with regard to variances to the above criteria.

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

<u>Number Of Stories</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Landscape Ratio</u>	<u>Minimum Parking Ratio</u>
One	35%	20%	1 per 300 sq. ft.
Two	40%	25%	1 per 300 sq. ft.
Three	45%*	25%	1 per 300 sq. ft.
Four	50%	25%	1 per 300 sq. ft.
Five	60%	30%	1 per 300 sq. ft.
Six	60%	30%	1 per 300 sq. ft.

* A FAR up to 50% may be permitted at the city's discretion if it is found that the building's design and massing are done in a manner that minimizes the additional building area (over 45%) and sufficient landscaping would be provided to mitigate the increased building coverage.

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

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

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

<u>Uses</u>	<u>Maximum Floor Area Ratio</u>	<u>Minimum Landscape Ratio</u>	<u>Minimum Parking Ratio</u>
Free-Standing Restaurant	12.5%	25%	1 per 150 sf
Hotel/Motel	60%	30%	1 per room plus 1 per employee at maximum shift
Commercial/Retail	30%	25%	1 per 200 sf

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

9. Development standards for applicable portions of this site as per Hacienda TOD Standards and Design Guidelines (March 1, 2011).
10. Development standards for applicable portions of this site as per Housing Site Development Standards and Design Guidelines (August 21, 2012).

Amendments to Summary of Site Development Criteria Subsequent to Adoption of Ordinance 1637

Reference	Date	Item
1		Restore missing portion of historical site development information
2		Parcel 8B was never formed
3		Parcel 32A was never formed
4		Parcels 33A and 33B were never formed
5	10/13/83	Parcel 5 split into Parcels 5A and 5B as per PM 4064A
6	02/13/86	Parcel 5A split into Parcels 5A and 5B as per PM 4552A
7	04/16/86	Parcel 5B became Parcel 5C as per PM4756
8	05/03/88	Parcel 51B split into Parcels 51C and 51D as per PM 5258
9	05/26/88	Parcel 13B split into Parcels 13C and 13D as per PM 5283
10	02/21/89	Parcel 24 became Parcel 24A as per PM 3937A
11	06/26/89	Parcel 13A split into Parcels 131-137 as per PM 5519
12	10/24/89	Parcel 11A split into Parcels 11C and 11D as per PM 5566
13	11/17/89	Parcel 1B split into Parcels 1E and 1F as per PM 5782
14	12/15/89	Parcel 34A split into Parcels 34F, 34G and 34H as per PM 5629
15	02/13/90	Parcel 56A became Parcel 56C as per LL 89-10
16	06/29/90	Parcel 58 became 58A as per LL 89-10
17	08/24/90	Parcel 11C split into Parcels 11E and 11F as per PM 6020
18	12/31/90	Parcel 13C became Parcel 13E as per LL 90-12
19	12/31/90	Parcel 13D became Parcel 13F as per LL 90-12
20	02/28/92	Parcel 17 split into Parcels 171-174 as per PM 6109
21	08/18/92	Parcel 11D became Parcel 11H as per LL 92-3
22	08/18/92	Parcel 11F became Parcel 11G as per LL 92-3
23	05/05/94	Parcel 8A was combined with Parcel 26A and renamed as PCA, PCB and PCC as per PM 6687
24	05/05/94	Parcel 26A was combined with Parcel 8A and renamed as PCA, PCB and PCC as per PM 6687
25	09/15/94	Parcel 58A split into Parcels 58A, 58B and 58C as per PM 6720
26	06/30/95	Parcel 4 split into Parcels 4A and 4B as per PM 6791
27	09/20/95	Parcel 10A split into Parcels 10C and 10D as per PM 6874
28	07/29/96	Parcel 51D split into Parcels 51E and 51F as per PM 6960
29	11/19/96	Site development standards modified as per PUD 81-30-34M
30	12/31/96	Parcels 7A, 7B, 7C consolidated into Parcel 7D as per PM 7105
31	12/31/96	Parcels 55A, 55B, 55C, 55D, 55E consolidated into Parcel 55F as per PM 7105
32	09/03/97	Parcel 13F split into Parcels 13G and 13H as per PM 7110

Reference	Date	Item
33	11/14/97	FAR modification for three-story buildings as per PUD 81-30-39M
34	11/20/97	Parcel 5C split into Parcels 5D and 5E as per PM 6946A
35	12/10/97	Parcel 35 split into Parcels 35A and 35B as per PM 7215
36	12/26/97	Parcel 60 split into Parcels 60A and 60B as per PM 7202
37	08/1998	Parcels 57A, 57B and 57C consolidated into Parcel 57 as per LM 8/1998
38	10/16/98	Site development standards modified as per PUD 81-30-41M
39	11/08/00	Parcel 5B split into Parcels 5F and 5G as per PM 7606
40	08/04/04	Parcel 23 split into Parcels 23A and 23B as per PM 8356
41	11/23/04	Parcel 31B split into Parcel 31C and 31D as per PM 6678
42	07/11/05	Parcel 2 split into Parcels 2A and 2B as per PM 8357
43	01/06/06	Site development standards modified as per PUD 81-30-43M
44	02/05/07	Parcel 7D split into Parcels 7E, 7F and 7G as per PM 8062
45		Medical parking ratio modification as per PUD 81-30-44M / PUD 85-8-18M
46	03/01/11	Site development standards modified as per PUD 81-30-48M / PUD 85-8-21M
47	12/30/11	Site development standards modified as per PUD 81-30-52M
48		Parcels 51A, 51E and 51F consolidated into Parcel 51G as per LLA
49	09/04/12	Site development standards modified as per PUD 81-30-53M
50	09/04/12	Site development standards modified as per PUD 81-30-54M
51	09/04/12	Site development standards modified as per PUD 85-8-22M
52	09/04/12	Site development standards modified as per PUD 85-8-26M
53	09/04/12	Parcel 59 split into Parcels 590, 591, 592, 593, 594, 595, 596, 597, 598 and 599 as per PM 10287

{COMMENT: *These changes are proposed to reflect the cumulative modifications made to development standards and applicable sites as noted. Additional reference is made to reflect the application of the Hacienda TOD Standards and Design Guidelines, and Housing Site Development Standards and Design Guidelines.*}

TABLE B-2

SUMMARY OF PROPERTY LINE SETBACKS

	<u>FRONT YARD SETBACKS¹¹</u>		<u>SIDE YARD SETBACKS</u>		<u>REAR YARD SETBACKS</u>	
Hopyard Road,	(B)	75'	(B)	25'	(B)	25'
Stoneridge Drive ⁹ ,	(P)	50'	(P)	5'	(P)	5'
Hacienda Drive ⁷ ,	(D)	50'	(D)	25'	(D)	15'
Owens Drive ¹ , and Rosewood Drive						
Stoneridge Drive ¹⁰ ,	(B)	50'	(B)	25'	(B)	25'
Hacienda Drive ⁸ ,	(P)	33'	(P)	5'	(P)	5'
W. Las Positas Boulevard, and Owens Drive ²	(D)	33'	(D)	25'	(D)	15'
Willow Road ³ ,	(B)	75'	(B)	25'	(B)	25'
Gibraltar Drive North, and	(P)	50'	(P)	5'	(P)	5'
Gibraltar Drive South ⁴ ("Inner Loop Road")	(D)	50'	(D)	25'	(D)	15'
Willow Road ⁵ ,	(B)	50'	(B)	25'	(B)	25'
Gibraltar Drive North, and	(P)	33'	(P)	5'	(P)	5'
Gibraltar Drive South ⁶ , and ("Inner Loop Road") all other streets	(D)	33'	(D)	25'	(D)	15'
Interstate 580	(B)	40'	(B)	25'	(B)	N/A
	(P)	15'	(P)	5'	(P)	N/A
	(D)	15'	(D)	25'	(D)	N/A

NOTES:

Setbacks are minimum permitted distances between a Property Line and an Improvement such as a building or a parking area; provided that if (i) there are no parking areas constructed between a building facade and a Front Property Line, and (ii) the building facade is not parallel to the Front Property Line, a building corner may intrude not more than 12 feet into a 75 foot setback and 6 feet into a 50 foot setback, measured perpendicular to the building facade, so long as the additional minimum landscaping adjacent to the building facade meets the requirements of Note 1 in ~~Table B-3~~ **the Appendix table, Landscaping Required Adjacent to Buildings**. Setbacks and applicable driveway medians shall be landscaped as provided in the Design Guidelines ~~and this Declaration~~.

- (B) A building setback (includes multi-level parking structures.)
- (P) A parking setback
- (D) A single level parking deck setback.

1. The north side of Owens Drive between Rosewood Drive and Tassajara Creek and the south side of Owens Drive between ~~Hopyard Road and Chabot Drive~~ **and Hacienda Drive**.
2. The north side of Owens Drive between Chabot Drive and Rosewood Drive and the south side of Owens Drive between ~~Chabot~~ **Hacienda Drive** and Tassajara Creek. ~~For retail option only, the south side of Owens Drive between Chabot Drive and Hacienda Drive.~~
3. That portion of the east side of Willow Road within the Inner Loop road.
4. Those portions of Gibraltar Drive North and Gibraltar Drive South within the Inner Loop Road.
5. All of Willow Road within the Property excluding that portion described in Note 3.
6. All other portions of Gibraltar Drive North and Gibraltar Drive South within the Property excluding those portions described in Note 4.
7. All of Hacienda Drive within the Property excluding that portion described in Note 8.
8. The southeast side of Hacienda Drive between Gibraltar Drive and Owens Drive.
9. All of Stoneridge Drive within the Property excluding that portion described in Note 10.
10. The north side of Stoneridge Drive between Gibraltar Drive and Tassajara Creek and all of Stoneridge Drive Extension south of West Las Positas Boulevard.
11. **Refer to Section 2 of the Design Guidelines for allowable setback encroachment on Parcels utilizing development standards for Transit Oriented Development and Housing Element type projects.**

{COMMENT: *These changes are proposed to reflect the cumulative modifications made to the application of setbacks and to reflect appendix name changes. Additional reference is made to reflect the application of the Hacienda TOD Standards and Design Guidelines, and Housing Site Development Standards and Design Guidelines.*}

TABLE B-3

LANDSCAPING REQUIRED ADJACENT TO BUILDINGS

In addition to the landscaping required in the Public Service Easement ("P.S.E.") on each Parcel fronting a Street within or adjacent to the Property, in landscape easements, and in the side and rear yards, each Parcel shall contain additional minimum landscaping adjacent to each building in accordance with the Design Guidelines, as summarized below. No additional landscaping is required at the rear of a building.

ADDITIONAL MINIMUM LANDSCAPING^{1,2}

<u>STREET</u>	<u>AT FRONT OF BUILDING</u>		<u>AT SIDE OF BUILDING⁹</u>	
Hopyard Road, Stoneridge Drive, Hacienda Drive, Owens Drive ³ , and Rosewood Drive	(P)	15'	(P)	9'
	(NP)	25'	(NP)	20'
W. Las Positas Boulevard and Owens Drive ⁴	(P)	15'	(P)	9'
	(NP)	17'	(NP)	20'
Willow Road ⁵ , Gibraltar Drive North and Gibraltar Drive South ⁶ ("Inner Loop Road")	(P)	15'	(P)	9'
	(NP)	25'	(NP)	20'
Willow Road ⁷ , Gibraltar Drive North, Gibraltar Drive South ⁸ , and all other streets	(P)	15'	(P)	9'
	(NP)	17'	(NP)	20'
Interstate 580	(P)	15'	(P)	9'
	(NP)	25'	(NP)	20'

NOTES:

- (P) If surface parking area is located to the front or side (whichever is applicable) of the building.
 (NP) If surface parking area is not located to the front or side (whichever is applicable) of the building.

- The depth of the additional minimum landscaping adjacent to a building facade may vary, provided that (i) the shortest distance between the building facade and the front of the additional minimum landscaping shall be no less than six feet, (ii) the area of the additional minimum landscaping equals or exceeds the area that would result from a uniform depth of the amount shown in this ~~table Table B3-~~ (above), and (iii) the landscaping extends the length of the facade.
- For buildings constructed for retail and commercial uses in the CPD planning district, no additional landscaping shall be required immediately adjacent to the front and side of such buildings if a 12 foot covered sidewalk is constructed immediately adjacent to the front and side of such buildings, and parking is permitted immediately adjacent to such sidewalk. On Parcels sharing a common driveway, landscaping is not required adjacent to the Side Property Line where the common driveway is located.
- ~~Both sides of Owens Drive between Hacienda Drive and Tassajara Creek and the south side between Chabot Drive and Hacienda Drive. The north side of Owens Drive between Rosewood Drive and Tassajara Creek and the south side of Owens Drive between Hopyard Road and Chabot Drive.~~
- ~~The north side of Owens Drive between Chabot Drive and Hacienda Drive. The north side of Owens Drive between Chabot Drive and Rosewood Drive and the south side of Owens Drive between Chabot Drive and Tassajara Creek.~~
- That portion of the east side of Willow Road within the Inner Loop Road.
- Those portions of Gibraltar Drive North and Gibraltar Drive South within the Inner Loop Road.
- All of Willow Road within the Property excluding the portion described in Note 5.
- All portions of Gibraltar Drive North and Gibraltar Drive South within the Property excluding the portion described in Note 6.
- Refer to Section 2 of the Design Guidelines for allowable landscape variations on Parcels utilizing development standards for Transit Oriented Development and Housing Element type projects.

{COMMENT: These changes are proposed to reflect the cumulative modifications made to the application of landscape area requirements. Additional reference is made to reflect the application of the Hacienda TOD Standards and Design Guidelines, and Housing Site Development Standards and Design Guidelines.}

TABLE B-4

**PERMITTED USES WITHIN EACH PLANNING DISTRICT
RESTRICTIONS ON OPERATION AND USE**

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

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

- ~~(a) Appliance stores;~~
- ~~(b) Art galleries and artist and engineering supply stores;~~
- ~~(c) Arts and Crafts schools;~~
- ~~(d) Automobile supply stores;~~
- ~~(e) Bakeries, including baking for sale on premises only;~~
- ~~(f) Barbershops and beauty shops;~~
- ~~(g) Bars, including entertainment and dancing;~~
- ~~(h) Bicycle shops;~~
- ~~(i) Blueprint and photostat shops;~~
- ~~(j) Bookstores and rental libraries;~~
- ~~(k) Candy stores;~~
- ~~(l) Carpet, drapery and floor covering stores;~~
- ~~(m) Catering establishments;~~
- ~~(n) Charitable institutions;~~
- ~~(o) Clothing and costume rental establishments;~~
- ~~(p) Clothing, shoe and accessory store;~~
- ~~(q) Delicatessen stores;~~
- ~~(r) Department stores;~~
- ~~(s) Drug stores and prescription pharmacies;~~
- ~~(t) Dry good stores;~~
- ~~(u) Electrical appliance repair and sales;~~
- ~~(v) Employment agencies;~~
- ~~(w) Financial institutions, including banks, savings and loan offices, finance companies, credit unions and related services;~~
- ~~(x) Florists;~~
- ~~(y) Food stores and supermarkets;~~
- ~~(z) Fun shops;~~
- ~~(aa) Furniture stores;~~
- ~~(bb) Gift shops;~~
- ~~(cc) Glass replacement and repair shops;~~
- ~~(dd) Gymnasiums and health clubs;~~
- ~~(ee) Hardware stores;~~
- ~~(ff) Hobby shops;~~
- ~~(gg) Hospital equipment sales and rental establishments;~~
- ~~(hh) Hotels and motels, but only on Parcel 1C, Parcel 5A, Parcel 13F, Parcel 35B and Parcel 56A. Hotels/motels are conditional uses on Parcel 52 and Parcel 53A;~~
- ~~(ii) Household appliances;~~
- ~~(jj) Ice cream sales stores;~~
- ~~(kk) Interior decorating shops;~~
- ~~(ll) Janitorial services and supplies establishments;~~
- ~~(mm) Jewelry stores;~~
- ~~(nn) Laboratories;~~
- ~~(oo) Laundries and dry cleaners where service is provided;~~
- ~~(pp) Leather goods and luggage stores;~~
- ~~(qq) Liquor stores;~~
- ~~(rr) Locksmiths;~~
- ~~(ss) Medical and dental clinics;~~
- ~~(tt) Medical and orthopedic appliance stores;~~
- ~~(uu) Men's furnishing stores;~~
- ~~(vv) Millinery shops;~~
- ~~(ww) Music stores, including record sales;~~
- ~~(xx) Newsstands;~~
- ~~(yy) Nursery and garden supply stores;~~
- ~~(zz) Office supply, furniture and business machine stores;~~
- ~~(aaa) Offices, including but not limited to business, professional, and administrative offices;~~
- ~~(bbb) Optical and optometrical shops;~~

- ~~(ccc) Paint, glass, and wallpaper shops;~~
- ~~(ddd) Pet and bird stores;~~
- ~~(eee) Photographic supply stores;~~
- ~~(fff) Picture framing shops;~~
- ~~(ggg) Plant shops;~~
- ~~(hhh) Plumbing, heating, and ventilating equipment showrooms with storage of floor samples only;~~
- ~~(iii) Political, Philanthropic campaign headquarters;~~
- ~~(jjj) Post offices;~~
- ~~(kkk) Printing establishments, including lithographing and engraving and other reproduction services;~~
- ~~(lll) Radio and television broadcasting studios;~~
- ~~(mmm) Realtors and real estate offices;~~
- ~~(nnn) Restaurants and soda fountains, including drive-in food establishments;~~
- ~~(ooo) Scientific instrument shops;~~
- ~~(ppp) Shoe repair shops;~~
- ~~(qqq) Shoe stores;~~
- ~~(rrr) Sign painting shops;~~
- ~~(sss) Sporting good stores;~~
- ~~(ttt) Stamp and coin shops;~~
- ~~(uuu) Stationery stores;~~
- ~~(vvv) Swimming pool sales and service;~~
- ~~(www) Tailor or dressmaking shops;~~
- ~~(xxx) Television and radio sales and repair shops;~~
- ~~(yyy) Theaters and auditoriums;~~
- ~~(zzz) Ticket agencies;~~
- ~~(aaaa) Tobacco stores;~~
- ~~(bbbb) Toy shops;~~
- ~~(ccce) Travel agencies and bureaus;~~
- ~~(dddd) Variety stores;~~
- ~~(eece) Watch and clock repair shops;~~
- ~~(ffff) Women's apparel and accessory stores;~~
- ~~(gggg) Automobile dealerships but only on Lot 51; and~~
- ~~(hhhh) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.~~

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

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

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

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

- ~~(m) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.~~

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

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

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

- ~~(a) Manufacture and assembly of business machines, including electronic data processing equipment, accounting machines, calculators, typewriters and related equipment, and communications and testing equipment;~~
- ~~(b) Manufacture and assembly of electrical supplies, such as coils, condensers, crystal holders, insulation, lamps, switches, and wire cable assembly, provided no noxious or offensive fumes or odors are produced;~~
- ~~(c) Manufacture of scientific, medical, dental and drafting instruments, orthopedic and medical appliances, optical goods, watches and clocks, electronics equipment, precision instruments, musical instruments, and camera and photographic equipment except film;~~
- ~~(d) Assembly of small electric appliances such as lighting fixtures, irons, fans, toasters, and electric toys, but not including refrigerators, washing machines, dryers, dishwashers, and similar home appliances;~~
- ~~(e) Assembly of electrical equipment such as radio and television receivers, phonographs and home motion picture equipment, but not including electrical machinery;~~
- ~~(f) Laboratories, including commercial, testing, research, experimental, or other laboratories, including pilot plants;~~
- ~~(g) General office uses (including computer centers) where no office user shall have less than two thousand (2,000) square feet of usable space;~~
- ~~(h) Photographic processing;~~
- ~~(i) Printing, lithographing and engraving;~~
- ~~(j) Publishing;~~
- ~~(k) Industrial support and service facilities to include activities limited to the servicing of businesses on the Parcel or servicing of products produced on the Parcel, such as: repair and maintenance of appliances or component parts, tooling, printers, testing shops, small machine shops, copying, photo engraving, etc.;~~
- ~~(l) Accessory uses and structures when related to and incidental to a permitted use;~~
- ~~(m) Manufacturing or combining processes of pharmaceutical products, provided no noxious or offensive fumes or odors are produced;~~
- ~~(n) Manufacturing or combining processes of biological products, provided no noxious or offensive fumes or odors are produced;~~
- ~~(o) Sales at wholesale, manufacturers' representatives and sales office, or sales to the ultimate consumer of products made to the customers' orders;~~
- ~~(p) Engineering drafting and design facilities;~~
- ~~(q) Research and development facilities;~~
- ~~(r) Manufacture of prototype;~~
- ~~(s) Any research and development use listed above may be operated in conjunction with any allowed light industrial use or office use;~~
- ~~(t) All typical uses associated with research and development and light manufacturing for the electronics and semiconductor industries;~~
- ~~(u) Painting, enameling, and lacquering shops;~~
- ~~(v) Public utility equipment buildings and public service pumping stations;~~ ~~(w) Sheet metal shops;~~
- ~~(x) Storage of raw materials, work in process, and finished goods inventories;~~
- ~~(y) Warehouse use;~~
- ~~(z) Public Parks, Playgrounds, and other Recreational Facilities;~~
- ~~(aa) Banks, savings and loans, and credit unions with all of said uses only applicable to Site 25B;~~

- ~~(bb) Private schools and colleges c(conditional use);~~
 - ~~(cc) Animal shelter, animal adoption center, animal rehabilitation center, and similar uses including outdoor operations with all of said uses only applicable to Parcel 11H; and~~
 - ~~(dd) Any other use determined by the Association and the City of Pleasanton to be substantially similar to any of the above permitted uses.~~
- ~~1.6 Public and Institutional Planning Districts. The permitted uses for the Public and Institutional Planning District ("P&ID") shall be as follows:~~
- ~~(a) Licensed child care facilities.~~
- ~~1.7 Mixed Office, Research and Development/Light Manufacturing Planning District. The permitted uses for the Mixed Office, Research and Development/Light Manufacturing Planning District ("MO/IPD") are:~~
- ~~(a) Those permitted uses listed in subsections 1.2, 1.3, 1.4, and 1.5.~~
- ~~1.8 Mixed Retail/Commercial/Financial, Office, and Research and Development/Light Manufacturing Planning District. The permitted uses for the Mixed Retail/Commercial/Financial, Office, and Research and Development/Light Manufacturing Planning District ("MC/O/IPD") are:~~
- ~~(a) Those permitted uses listed in subsections 1.1, 1.2, 1.3, 1.4, and 1.5.~~
- 1.1 OGP, OPD, and OMPD Districts. All permitted and conditionally permitted uses as specified in the O (Office) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- 1.2 CPD Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) and C-F (Freeway Commercial) Districts, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- 1.3 IPD Districts. All permitted and conditionally permitted uses as specified in the I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- 1.4 Mixed O/I PD (MOIPD) Districts. All permitted and conditionally permitted uses as specified in the O (Office) District and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- 1.5 Mixed C/O/I PD (MCOIPD) Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) District, C-F (Freeway Commercial) District, O (Office) District, and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended.
- 1.6 Mixed C/O/I/R PD (MCOIRPD) Districts. All permitted and conditionally permitted uses as specified in the C-C (Central Commercial) District, C-F (Freeway Commercial) District, O (Office) District, and I-P (Industrial Park) District, as set forth in Section 18.44.080 of the Pleasanton Municipal Code, and as it may be hereinafter amended. High Density Residential uses as established through a PUD. Alternatively, all permitted and conditionally permitted uses established through the adoption of site-specific permitted and conditionally permitted uses as part of any PUD approval.
- 1.6.1 The permitted uses for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) - Service and Retail Uses are:
- (a) Art galleries, art supply, hobby and toy stores;
 - (b) Bicycle shops/repair;
 - (c) Bookstores, newsstands and music stores;
 - (d) Clothing, shoe and accessory stores;
 - (e) Convenience market (limited operation to hours from 6:00am to 10:00pm for Non-TOD Mixed Use sites);
 - (f) Office supply, copying and similar business services;
 - (g) Delicatessen stores;
 - (h) Drug stores and prescription pharmacies;
 - (i) Farmers Market;
 - (j) Financial institutions - banks, savings and loans, credit unions;
 - (k) Florists;
 - (l) Gift shops;

- (m) Grocery Stores;
- (n) Gyms and health clubs;
- (o) Hardware stores;
- (p) Instruction and tutoring, 20 or fewer students at any one time;
- (q) Jewelry stores;
- (r) Laundries and dry cleaners;
- (s) Medical and dental offices;
- (t) Personal services (spas, nail and hair care);
- (u) Pet and bird stores;
- (v) Photographic studios;
- (w) Post offices and private mailing services;
- (x) Professional Offices and Services (Accountant, Lawyer, Architect, Educational/training, etc);
- (y) Recreation and sports facilities, indoor;
- (z) Restaurants, cafes, take-out, and other ready to eat food not including drive-through facilities;
- (aa) Shoe or watch repair shops;
- (bb) Specialty retail stores;
- (cc) Sporting goods stores, no firearms sales; and
- (dd) Tailor or dressmaking shops.

1.6.2 The permitted uses for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) - Public and Community Uses are:

- (a) Child care (small-family [Housing Element only], licensed);
- (b) Community or recreation center;
- (c) Cultural arts facility (museum, performing arts);
- (d) Educational facility;
- (e) Government office that serves the public on-site;
- (f) Police substation;
- (g) Public library; and
- (h) Social services office (including meeting space).

1.6.3 The permitted uses for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) - Other Uses are: uses similar in nature to those found in Sections 1.6.1 and 1.6.2 above, subject to the approval of the Director of Community Development.

1.6.4 The conditional uses for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) are:

- (a) Childcare centers;
- (b) Liquor stores;
- (c) Bars (as described in the Pleasanton Municipal Code);
- (d) Wine bars and wine sales;
- (e) Any uses proposed to have normal business hours between 10 p.m. and 6 a.m.; and
- (f) Uses similar in nature to any of the above, subject to a permit from the Planning Commission.

1.6.5 The permitted uses for the Live/Work space within TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) are:

- (a) Residential uses (Live/Live);
- (b) Art and craft work such as ceramics, painting, photography, sculpture, woodwork, and similar cottage industries;
- (c) Offices of architects, attorneys, consultants, writers, planners, CPAs, tax preparers, therapist and other small-scale professional office uses;
- (d) Hair stylists and other personal services, excluding massage;
- (e) All permitted uses in retail space; and
- (f) Other small-scale, low impact use may be allowed as determined by the Director of Community Development.

- 1.6.6 The conditional uses for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) are: any uses proposed to have normal business hours between 10 p.m. and 6 a.m.
- 1.7 HDR (High Density Residential) Districts. High Density Residential uses as established through a PUD.
- 1.8 Public or private parks, or other recreational facilities, as they may be required as a condition of approval for a site specific PUD.

{COMMENT: See Comment regarding modifications to Condition of Approval 10 above.}

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

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

{COMMENT: This change is proposed to clarify the process for, and authority over, use approval.}

- 3.0 ~~Prohibited Uses. The following operations and uses shall not be permitted on any Parcel:~~ The following uses are prohibited on all or portions of the Property.

3.1 The following operations and uses shall not be permitted on any Parcel:

- ~~(a) Hotel/Motel/Motor Inn, except on Parcel 1C, Parcel 5A, Parcel 13F, Parcel 35B, Parcel 52, Parcel 53A and Parcel 56A;~~
- ~~(b) Residential use of any type, except on Lots 8A, 8B, 24A, 26A, 27B, and 60;~~
- (ea) Trailer courts, mobile home parks, or recreation vehicle camp grounds;
- (eb) Junk yards or recycling facilities;
- (ec) Drilling for and/or the removal of oil, gas or other hydrocarbon substances (except that this provision shall not be deemed to prohibit entry to the Property below a depth of five hundred (500) feet for such purposes);
- (fd) Commercial excavation except in the course of approved construction;
- (ge) Distillation of bones;
- (hf) Dumping, disposal, incineration, or reduction of garbage, sewer, offal, dead animals or refuse;
- (ig) Fat rendering;
- (jh) Stockyard or slaughter of animals;
- (ki) Cemeteries;
- (hj) Refining of petroleum or its products;
- (mk) Smelting of iron, tin, zinc, or other ores;
- (nl) Jail or honor farms;
- (om) Labor or migrant worker camps;
- (pn) Truck or bus terminals;
- (po) Petroleum storage yards;
- (rp) Automobile or truck dealerships (except on Lot 51), wrecking, auto or truck repair, or painting;
- (sq) ~~Storage of radioactive materials;~~ Storage of radioactive materials, hazardous substances, hazardous wastes and/or medical wastes as such terms are defined in applicable federal, state, regional or local laws, rules, regulations or orders governing such matters, as amended from time to time, except to the extent the storage of such materials, and any related use or disposal thereof (i) involves only the presence of commercially reasonable quantities of such materials used or held for use in the ordinary course of business, where such use is ancillary or incidental to the on-site conduct of a primary business which is otherwise a permitted use under this Declaration, and (ii) is conducted in compliance with all applicable laws, rules, regulations, orders, permits, licenses and operating authorities having jurisdiction over such materials; and
- (tr) Construction yards.

3.2 The prohibited uses for the for the TOD Residential Mixed Use District (Parcels 7G, 7E and the northern 12 acres of Parcel 6) and Housing Element Mixed Use Sites (Parcels 18A, 19, 54 and 56B) are:

- (a) Cigarette stores; and
- (b) Adult bookstores.

~~4.0 Conditional Uses. The following are conditionally permitted uses on any Parcel except those designated solely as High Density Residential:~~

- ~~(a) State licensed childcare facilities~~
- ~~(b) State registered Heritage Schools~~

{COMMENT: This change is proposed to reflect the cumulative modifications made to prohibited uses. Additional reference is made to reflect the application of the Hacienda TOD Standards and Design Guidelines, and Housing Site Development Standards and Design Guidelines.}