



Exhibit "B-1"

Draft Conditions of Approval PUD-05-01M Silver Oaks Estates (Tract 7399)

1. The final design guidelines for the homes to be located on the lots of Silver Oaks Estates shall substantially conform to the design guidelines, Exhibit "A", dated "Received June 19, 2006" on file with the Planning Department, except as modified by the following conditions.
2. All conditions of Cases PUD-05 through PUD-05-01M shall remain in full force and effect except as otherwise modified by this approval.
3. This approval including design guidelines and review procedures shall remain effective for the life of the development called Silver Oaks Estates or by any future name unless modified by a subsequent City action.
4. The project developer shall provide all buyers of the lots in Silver Oaks Estates with copies of the approved design guidelines and the project conditions of approval.
5. The following paragraphs shall be included in the design guidelines:

Floor Area Ratio (FAR):

- Definition: FAR is the ratio of total floor area of all buildings on site to the total land area of the site.
- Any garage area exceeding 600 square feet is to be included in the FAR calculation.
- Floor area where the finished ceiling height is greater than twelve (12) feet is to be counted at two times the actual floor area.
- Basement area shall not be included in the FAR calculation.
- Covered porches that are not open 85% on at least two sides shall be included in the FAR calculation.
- The maximum FAR allowed is 40%

Green Building:

The homeowners and their design team shall contact the City of Pleasanton and conform to the Green Building Ordinance.

6. Review and approval of the Silver Oaks Estates homes shall conform to the design review procedures set forth by Section 18.20, Design Review, of the Pleasanton Municipal Code with the following exceptions:
 - a. Notice of the proposed house design applications will be sent to the Planning Commission with the noticing sent to surrounding neighbors.
 - b. With the notification of the Zoning Administrator's action sent to the Planning Commission, staff will provide to the Planning Commission copies of the Zoning Administrator's approval letter, conditions of approval, and reduced copies of the plan set of the proposed house including colored building perspectives and building elevations, photos of the study model, and the floor plans, landscape plans, grading plans, and any other design details considered by the Zoning Administrator to be pertinent to the proposed design.

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Exhibit "B-2"

**PDR-541
Draft Conditions of Approval
Lot No. 5, Tract 7399**

General Conditions:

1. The single-family home covered by this approval shall be designed and constructed substantially as shown on the development plans, Exhibit "A", dated "Received June 19, 2006 " on file with the Planning Department, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Planning Director if found to be in substantial conformance to the approved exhibits.
2. The project developer shall obtain a Building Permit from the Building Department and any other applicable City permits for the project prior to the commencement of any construction.
3. The project developer shall submit a final lighting plan for the building and the site for the review and approval of the Planning Director prior to issuance of building permits. Lighting shall be directed away from adjacent residences.
4. The project developer shall pay any and all fees to which the property may be subject prior to issuance of any building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
5. This design review approval will expire within one year from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or an extension has been approved by the City.
6. The applicant acknowledges that the City of Pleasanton does not guarantee the availability of sufficient sewer capacity to serve this development by the approval of this case, and agrees and acknowledges that building permit approval may be withheld if sewer capacity is found by the City not to be available.
7. This approval does not guarantee the availability of sufficient water to serve the project. The City shall withhold building permits for the project if at the time building permits are applied for, mandatory water rationing is in effect, unless the City has adopted a water offset program and unless the project developer is participating in the program. Notwithstanding the project developer's participation in such a program, the City may withhold building permits if the City determines that sufficient water is not available at the time of

application of building permits.

8. The building permit plan check materials will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.

Planning Requirements:

9. The height of the structure(s) shall be surveyed and verified as being in conformance to the approved building height as shown on Exhibit "A" or as otherwise conditioned. Said verification is the building developer's responsibility, shall be performed by a licensed land surveyor or civil engineer, and shall be completed and provided to the Planning Department before the first framing or structural inspection by the Building Department.
10. A list of all green building measures used in the design of the home(s) shall be provided for the review and approval of the Planning Director with the application for design review approval for the home(s). Each home shall be designed to include a minimum of 50 points using the ACWMA's Green Points rating system with a minimum of ten points in each category (Resources, Energy, and IAQ/Health).
11. The applicant shall submit a waste management plan to the Building Department prior to issuance of building or demolition permits. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 50-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.
12. Only natural gas burning fireplaces or USEPA-approved wood/pellet burning stoves shall be installed in the house covered by this approval.
13. The applicant shall submit a fence plan in conjunction with the building permit set for review and approval by the Planning Director before issuance of a building permit. All fencing along the rear property line shall be of an open fence design of tubular steel fence panels or welded wire framed with decorative pilasters at each fence corner and at each material change. Solid wood fencing is only permitted along the side yard property lines five feet behind the front corner of the house to 30 feet beyond the rear most corner of the house. The final fence design shall be shown on the building permit plan set.

14. Final inspection by the Planning Department is required prior to occupancy.

Building and Site Design Requirements:

15. The applicant shall provide automatic opening sectional roll-up garage doors on the garages of the single-family house covered by this approval to the satisfaction of the Planning Director.
16. The building developer shall comply with the design guidelines and shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours, according to the requirements of the Building and Fire Departments.
17. The approved building materials and colors shall be stated on the building permit plans submitted for issuance of building permits.

Landscaping and Irrigation System Design and Operation:

18. A final landscape plan and irrigation plan shall be submitted to and approved by Planning Director as part of the building permit plan set prior to issuance of an on-site permit. Said landscape plan shall be consistent with the approved landscape plan plus any conditions of approval, and shall be detailed in terms of species, location, size, quantities, and spacing.
19. All trees used in landscaping be a minimum of 15-gallons in size and all shrubs a minimum of five-gallons, unless otherwise shown on the approved landscape plan.
20. The applicant 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 Planning Director at the time of review of the final landscape plans. All landscaping shall be installed within nine months of occupancy. The applicant shall submit a letter to the planning Director indicating the completion of the landscaping.

Building Permit Review:

21. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. These conditions of approval shall be kept at all times at the project site. It is the responsibility of the applicant to ensure that the project contractor is aware of, and abides by, all conditions of approval. It is the responsibility of the building developer to ensure that the project landscape contractor is aware of, and adheres to, the approved landscape and irrigation plans. Prior approval from the Planning Department must be received before any changes are constituted in site design, grading, building design, building colors or materials, land-

scape material, etc. If prior approval is not obtained, the applicant may be required to submit for additional planning entitlements.

22. The house covered by this approval shall be designed and constructed by the building developer to meet Title 24 state energy requirements.
23. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Department will issue permits.
24. The applicant shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Director of Building Inspection 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. Specific items to be indicated on the site development plan necessary to construct the improvements are to be in accordance with the City of Pleasanton Private Development Design Guidelines adopted April 15, 1986.
25. All retaining walls higher than four-feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
26. The project developer shall submit two copies of the site soils report to the Director of Building Inspection for third party peer review and shall pay for such review at the time specified by the Director, but in all cases before the issuance of a grading permit.

Construction Requirements:

27. All 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 Federal Holidays. If future complaints are received regarding the Saturday construction hours, the Planning Director may modify or revoke the Saturday construction hours. The Planning Director 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 Planning Director that the construction and construction traffic noise will not affect nearby residents. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices.
28. 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.
29. A temporary construction trailer shall be allowed on site during construction for use during the allowed hours of operation.

30. 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.

Fire Department Requirements:

31. The project developer shall meet all requirements of the Pleasanton Fire Code (Pleasanton Municipal Code, Chapter 20.24).
32. The building covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building Department for review and approval prior to installation. The fire alarm system, including waterflow 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.
33. Prior to any construction framing, the building developer shall provide adequate fire protection facilities including, but not limited to, a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
34. The applicant/contractor shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

Engineering Requirements:

35. The applicant shall submit a refundable cash bond for hazard and erosion control prior to issuance of a Building Department permit. The amount of this bond will be determined by the City Engineer.
36. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of an encroachment permit. All hauled materials shall be under cover or tarps.
37. The applicant shall submit a dust control implementation plan as part of the improvement plans.
38. All storm drainage swales, gutters, inlets, outfalls, and channels not located within the area of a dedicated public street or public service easement shall be privately maintained by the property owner.

39. The storm drainage system for the property covered by this approval shall be subject to the review and approval of the City Engineer, to determine that the site-specific system meets any and all applicable requirements of the overall storm drainage plan in place for the Callippe Golf Course and golf course lots.
40. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
41. The applicant shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

URBAN STORMWATER RUNOFF REQUIREMENTS

42. Stormwater Design Requirements

The project shall comply with the Alameda Countywide NPDES Permit #CA50029831, a copy of which is available at the City offices.

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 storm water running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
- b) 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 (in the parking lot) (on the site) to intercept and pretreat storm water prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Director of Building Inspection 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. The project developer shall enter into a maintenance agreement for the oil/water separator.
- c) The project developer shall submit sizing designs criteria to treat stormwater runoff at the time of plan submittal.

- d) Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
- 1) Structures shall be designed to discourage the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - 2) Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required.
 - 3) Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
 - 4) Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
- e) Trash areas, dumpsters and recycling containers shall be enclosed and roofed to prevent water run-on to the area and runoff from the area and to contain litter and trash, so that it is not dispersed by the wind or runoff during waste removal. These areas shall not drain to the storm drain system, but to the sanitary sewer system and an area drain shall be installed in the enclosure area, providing a structural control such as an oil/water separator or sand filter. No other area shall drain into the trash enclosure; a berm shall be installed to prevent such drainage if found necessary by the City Engineer/Director of Building Inspection. 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 (DSRSD) upon installation of the sanitary connection; a copy of this notification shall be provided to the Planning Department.
- f) All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of storm water runoff must be covered as deemed appropriate by the City Engineer/Director of Building Inspection.
- g) Prior to grading permit issuance the project developer shall submit a copy of the State Water Resources Control Board Notice of Intent (NOI) for coverage under the State Construction Storm Water General Permit for projects with clearing, grading and excavation exceeding the current standards.
- h) All metal roofs shall be finished with rust-inhibitive paint.
- i) Roof drains shall discharge and drain away from the building foundation to an unpaved area wherever practicable.

43. Stormwater Construction Requirements

The project development shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review and approval by the City Engineer prior to issuance of building or grading permits. Failure to comply with the approved construction SWPPP may result in the issuance of correction notices, citations or stop work order. The following construction Best Management Practices (BMPs), as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.

The project developer is responsible for implementing the following measures during all construction phases of the project:

- a) The project developer shall include erosion control/storm water quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Director of Building Inspection. If no grading plan is required, necessary erosion control/storm water quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Director of Building Inspection. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
- b) All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/storm water quality measures are in place, subject to the approval of City Engineer/Director of Building Inspection. Such measures shall be maintained until such time as permanent landscaping is in place.
- c) Gather all construction debris on a regular basis and place it in a dumpster or other container which is emptied or removed on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to storm water runoff pollution.
- d) Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- e) Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the

storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.

- f) Create a contained and covered area on the site for the storage of bags, cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- g) Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h) Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

44. Stormwater Operation Requirements

All projects, unless otherwise determined by the City Engineer or Chief Building Official, shall enter into a recorded Stormwater Treatment Measures Inspection and Maintenance Agreement for ongoing maintenance and reporting of required stormwater measures. These measures may include, but are not limited to:

- a) A mechanism shall be created, such as a property owners' association, to be responsible for maintaining all private streets, private utilities and other privately owned common areas and facilities on the site including stormwater treatment measures. These maintenance responsibilities shall include implementing the maintenance plan, which is attached to the Stormwater Treatment Measures Inspection and Maintenance Agreement. This document shall be reviewed by the City Attorney's Office and recorded with the final map.
- b) On-site storm drain inlets clearly marked and maintained with the words "No Dumping – Drains to Bay."
- c) Proper maintenance of landscaping, with minimal pesticide and fertilizer use.
- d) Ensure wastewater from vehicle and equipment washing operations is not discharged to the storm drain system.
- e) Ensure that no person shall dispose of, nor permit the disposal, directly or indirectly, of vehicle fluids, hazardous materials or rinsewater from cleaning tools, equipment or parts into storm drains.
- f) Clean 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.

- g) Regularly but not less than once a month, sweep 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.
- h) Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

< **END** >