

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF HENDRICK AUTOMOTIVE GROUP FOR PUD DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-89.

WHEREAS, Kier and Wright, on behalf of Hendrick Automotive Group, has applied for Planned Unit Development (PUD) Development Plan approval for the demolition of an approximately 2,950-square foot building and construction of an approximately 6,260-square foot building to provide automotive detailing services, an inventory parking lot, and related site improvements at 3932 Old Santa Rita Road; and

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

WHEREAS, at its meeting of August 22, 2012, the Planning Commission recommended approval of the PUD Development Plan to the City Council; and

WHEREAS, at its meeting of September 18, 2012, the City Council received a report from the Director of Community Development, together with a copy of the staff report to the Planning Commission regarding this matter; and

WHEREAS, the City Council held a public hearing on September 18, 2012, at which time the applicants and any other members of the public were offered an opportunity to present information regarding this application; and

WHEREAS, after a review of the materials presented, the City Council determined that the proposed development plan, as conditioned, is appropriate for the site and is consistent with the General Plan, zoning regulations of the zoning district of the property, and the purposes of the PUD District Ordinance of the City of Pleasanton; and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES RESOLVE, DECLARE, DETERMINE, AND ORDER THE FOLLOWING:

SECTION 1. The City Council finds that the proposed project is consistent with the Pleasanton General Plan, the PUD-C-S zoning designation, and the PUD District Ordinance of the City of Pleasanton.

SECTION 2. The City Council approves Case PUD-89, an application for a PUD development plan to demolish an approximately 2,950-square-foot building and construct an approximately 6,260-square foot building in order to provide automotive detailing services, an inventory parking lot, and related site improvements at 3932 Old Santa Rita Road, subject to conditions of approval listed in "Exhibit A", attached hereto,

and subject to the operational narrative and PUD Development Plan marked as "Exhibit B", on file in the Planning Division.

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

SECTION 3. This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on September 18, 2012 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

And adopted at a regular meeting of the City Council of the City of Pleasanton on October 2, 2012 by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Jennifer Hosterman, Mayor

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Jonathan Lowell, City Attorney

**EXHIBIT A
PUD-89
DRAFT CONDITIONS OF APPROVAL**

SPECIAL CONDITIONS OF APPROVAL

Planning

1. Hendrick Automotive Group shall provide employees of the subject facilities with parking on the subject property or private property owned or operated by Hendrick Automotive Group.
2. Automobile detailing, storage of automobile parts, and outdoor vehicle storage are allowed uses, subject to details described in the applicant's narrative dated "Received August 13, 2012" on file with the Planning Division, and the conditions in this document.
3. If the operation of this use results in conflicts pertaining to parking, noise, traffic/circulation, or other factors, at the discretion of the Director of Community Development, the matter shall be reviewed by the Director of Community Development for potential mitigation measures and may be submitted to the Planning Commission and/or City Council for their subsequent review at a public hearing.
4. No signage is approved as part of this application. Any signage shall be subject to separate City review and approval.
5. If additional hours of operation, number of employees, or activities beyond what is stated in the applicant's written narrative dated, "Received August 13, 2012" on file in the Planning Division, are desired, prior City review and approval is required. The Director of Community Development may approve the modification or refer the matter to the Planning Commission and/or City Council if judged to be substantial.
6. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not cause glare or shine onto neighboring properties. The project/building developer shall submit a final lighting plan with the plans submitted to the Building and Safety Division for permits, and include drawings and/or manufacturer's specification sheets showing the intensity, size, design, and types of light fixtures proposed for the exterior of the buildings and the site.
7. New backflow prevention devices shall be screened to the maximum extent feasible, subject to the Director of Community Development.

8. Plans submitted to the Building and Safety Division shall include a fencing plan, subject to the review and approval by the Director of Community Development. Proposed fencing along and near the front of the property shall meet sight-distance requirements as determined by the City Traffic Engineer and also allow for adequate space of vehicles to pull into the property without blocking or impeding traffic on Old Santa Rita Road.
9. All mechanical equipment shall be constructed in such a manner that noise emanating from it will not be perceptible beyond the property plane of the subject property in a normal environment for that zoning district.
10. Plans submitted to the Building and Safety Division shall include a revised landscaping plan that proposes evergreen species to be planted in the landscaping areas along the northern and southern boundaries of the site, subject to the review and approval by the Director of Community Development.
11. A final landscape plan and irrigation plan shall be submitted to and approved by Director of Community Development as part of the plan check plans prior to issuance of a building 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. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation throughout the development (e.g. drip system).
12. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and shall implement Bay Friendly Basics. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.
13. The State of California's Green Building Standards Code, "CALGreen", as amended, shall apply to the project.

Traffic Engineering

14. The development shall maintain clear sight lines for vehicles entering and exiting the site as determined by the City Traffic Engineer.
15. The project developer shall post a stop sign at the driveway exit for vehicles exiting the subject site onto Old Santa Rita Road.
16. The project developer shall construct a continuous 4-foot 6-inch wide (5-foot total width with curb) concrete sidewalk along entire property frontage and tie the sidewalk to the existing concrete sidewalk to the south to provide a continuous pedestrian facility.

17. The project developer shall remove all abandoned driveways on the property's frontage and replace with City standard curb, gutter and sidewalk. The red curb adjacent to the driveway and other signs restricting the parking along the property frontage shall also be removed.
18. The project developer shall remove/trim trees and bushes to maintain the 5-foot wide pedestrian walkway along the property frontage and to the building's main entrance.
19. The project developer shall remove the existing chain link fence and privacy slats and other fencing along and near the front property line. Proposed fencing shall allow for adequate sight entering and exiting the facility, as determined by the City Traffic Engineer.
20. Plans submitted to the Building and Safety Division for permits shall designate inventory parking stalls and if applicable, employee parking stalls. All vehicles associated with the property's use shall be contained on the subject site or private property owned or operated by Hendrick Automotive Group.
21. The project developer shall construct a connection from the East Bay BMW site located at 4350 Rosewood Drive to the subject property. Vehicles between the properties shall be transported without using Old Santa Rita Road or Rosewood Drive.
22. The project developer shall construct an ADA-compliant pedestrian connection to the East Bay BMW site located at 4350 Rosewood Drive through the eastern side of the subject property.

Engineering

23. The project developer shall install a City standard sanitary sewer manhole in Old Santa Rita Road at the sewer lateral connection.
24. The property owner shall dedicate right-of-way across the property frontage to include the proposed sidewalk.
25. The property owner shall dedicate an 8-foot wide Public Service Easement (P.S.E.) from back of sidewalk across the property frontage along Old Santa Rita Road.

Fire

26. The pass-through provided at east side of the subject parcel shall be available as emergency access for fire department apparatus in lieu of turn-around provisions for the site.

27. 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 Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building. The fire alarm system shall be monitored in accordance with the Pleasanton Municipal Ordinance #2015. The fire alarm system shall transmit zone information to a UL listed Central Station as specified in the Ordinance.
28. All construction shall conform to the requirements of the 2010 California Fire Code and City of Pleasanton No. 2015. All required permits shall be obtained prior to work commencement.
29. City ordinances require that all new and existing occupancies be provided with an approved key box from the Knox Company as specified by the Fire Department. The applicant is responsible for obtaining approval for location and the number of boxes from the Fire Prevention Bureau. Information and application for Knox is available through the Knox Company website or the Fire Prevention Bureau. Occupant shall be responsible for providing tenant space building access keys for insertion into the Knox Box prior to final inspection by the Fire Department. Keys shall have permanent marked tags identifying address and/or specific doors/areas accessible with said key.

STANDARD CONDITIONS OF APPROVAL

Community Development Department

30. The applicant or responsible party shall obtain all required City permits for the project scope prior to construction.
31. The project developer shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
32. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, unless otherwise approved by the department.
33. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20

meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.

Planning

34. The proposed development shall conform substantially to the project plans and colors/materials board, Exhibit B, dated "Received, July 3, 2012," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved exhibits.
35. The building permit plan check package will be accepted for submittal only after the ordinance approving the PUD development plan becomes effective, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the ordinance is overturned or that the design is significantly changed. In no case will a building permit be issued prior to the effective date of the ordinance.
36. The approved building materials and colors shall be stated on the project plans submitted for issuance of building permits.
37. Prior to issuance of a building permit, the developer shall pay the required commercial development school impact fee as prescribed by state law and as adopted by the Pleasanton Unified School District.
38. This approval will lapse within two (2) years from the date of approval unless a building permit is issued and construction has commenced and is diligently pursued toward completion or the City has approved an extension.
39. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.

40. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start-times" or later "stop-times" for specific construction activities (e.g., concrete pouring, interior construction, etc), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
41. To the extent permitted by law, the project applicant shall defend (with counsel reasonable acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees) , action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorneys fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
42. Campers, trailers, motor homes, or any other similar vehicle are not allowed on the construction site except when needed as sleeping quarters for a security guard.
43. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following completion of construction and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
44. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.

Landscaping

45. The project developer shall enter into an agreement with the City, approved by the City Attorney, which guarantees that all landscaping included in this project will be maintained at all times in a manner consistent with the approved landscape plan for this development. Said agreement shall run with the land for the duration of the existence of the structures located on the subject property.

46. Six-inch vertical concrete curbs shall be installed between all paved and landscaped areas.
47. The project developer shall provide root control barriers and four inch perforated pipes for parking lot trees, street trees, and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
48. The following statements shall be printed on to the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
- a) No existing tree to be saved may be trimmed or pruned without prior approval by the Community Development Director.
 - b) No equipment may be stored within or beneath the driplines of the existing trees to be saved.
 - c) No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees to be saved or in drainage channels, swales, or areas that may lead to the dripline.
 - d) No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees to be saved.
49. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection of the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."

Building

50. Prior to or at the time of issuance of building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. The proposed plan must be approved by the Building Division prior to any building permit inspections. 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.

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

Engineering

52. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit.

53. 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.

54. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.

55. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

56. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.

57. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.

58. Any existing City utility lateral stubbed to the property and not being utilized shall be abandoned in accordance with City Standards.

59. There shall be a sampling manhole installed on the sanitary sewer service lateral (on-site) in accordance with City Standard details.

Fire

60. The applicant or responsible party shall provide a Hazardous Materials Declaration for this tenant and/or use. The form shall be signed by owner/manager of company occupying the suite/space/building. No building permit will be issued until the Hazardous Materials Declaration is provided. The form is available through the permit center or from the LPFD Fire Prevention Bureau.
61. Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the LPFD prior to commencing operations. Please contact the hazardous materials staff at (925) 454-2361.

CODE REQUIREMENTS

Building

(Applicants/Developers are responsible for complying with all applicable Federal, State and City codes and regulations regardless of whether or not the requirements are part of this list. The following items are provided for the purpose of highlighting key requirements.)

62. The building(s) covered by this approval shall be designed and constructed to the Title 24 Building Standards, including Building, Electrical, Mechanical, Plumbing, Energy, Fire, Green Building and both State and Federal accessibility requirements in effect and as amended by the City of Pleasanton at the time of Building Permit submittal.
63. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.
64. All Building and Fire permit plans, including demolition, on-site, building shell and tenant improvements shall be submitted to the Building and Safety Division for review and approval.

URBAN STORMWATER CONDITIONS OF APPROVAL

65. The project shall comply with the "Municipal Regional Stormwater NPDES Permit #CASCAS612008 dated October 14, 2009 and amendments to this permit" issued by the California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at the Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program and at State Water Board

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

66. The project shall also comply with the "NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities" by the California Regional Water Quality Control Board, San Francisco Bay Region.

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

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

68. The following requirements shall be incorporated into the project:

- a. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
- b. 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 pre-treat stormwater prior to reaching the storm drain. The design, locations, and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to issuance of building permits. The structural control shall be cleaned at least twice a year: once immediately prior to October 15 and once in January.
- c. The project developer shall submit sizing design criteria to treat stormwater runoff and for hydromodification, if required, at the time of PUD plan submittal and an updated detailed copy of calculations with subsequent submittals.

- d. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
 - i. Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
 - ii. Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guide line by Alameda County Clean Water Program.)
 - iii. 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.
 - iv. 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 ridge or a berm shall be constructed to prevent such drainage if found necessary by the City Engineer/Chief Building Official. A sign shall be posted prohibiting the dumping of hazardous materials into the sanitary sewer. The project developer shall notify the Dublin-San Ramon Services District (DSRSD) upon installation of the sanitary connection; a copy of this notification shall be provided to the Planning Division.
- f. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official and as required by the State Water Board.
- g. All metal roofs, if used, shall be finished with rust-inhibitive paint.
- h. Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to landscaped area or to an unpaved area wherever practicable.

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

Construction activities (including other land-disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development) are regulated under the NPDES stormwater program.

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

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

Stormwater

- a. The project developer shall submit a Stormwater Pollution Prevention Plan (SWPPP) for review by the City Engineer/Chief Building Official prior to issuance of building or engineering permits. A reviewed copy of the SWPPP shall be available at the project site until engineering and building permits have been signed off by the inspection departments and all work is complete. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in the issuance of correction notices, citations or stop work orders.
- b. The amendments to the SWPPP and all the inspection forms shall be completed and available at the site for inspection by the city, county or state staff.
- c. The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measure, shall be included in the SWPPP and implemented as approved by the City.
 - i. The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.
 - ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
 - iii. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling; to be emptied at least on a weekly basis.

When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.

- iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.
- ix. Equipment fueling area: Use off-site fueling stations as much as possible. Where on-site fueling occurs, use designated areas away from the storm drainage facility, use secondary containment and spill rags when fueling, discourage "topping off" of fuel tanks, place a stockpile of absorbent material where it will be readily accessible, and check vehicles and equipment regularly for leaking oils and fuels. Dispose rags and absorbent materials promptly and properly.
- x. Concrete wash area: Locate wash out areas away from the storm drains and open ditches, construct a temporary pit large enough to store the liquid and solid waste, clean pit by allowing concrete to set, breaking up the concrete, then recycling or disposing of properly.
- xi. Equipment and vehicle maintenance area: Use off-site repair shop as much as possible. For on-site maintenance, use designated areas away from the storm drainage facility. Always use secondary containment and keep stockpile of cleanup materials nearby. Regularly inspect vehicles and equipment for leaks and repair quickly or remove from the project site. Train employees on spill cleanup procedures.

70. The Permit's operation and maintenance requirements include but are not limited to the following: The operation and maintenance of treatment measures including but not limited to bio-swales, lawns, landscaped areas with deep-rooted plants, oil/water separator, filterra units, etc., requires completing, signing and recording an agreement with Alameda County recorder's office in a format approved by the State and Alameda County.
71. 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 rinse water 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.

- h. Wastewater containing any soap, cleaning agent or degreaser shall not be discharged into the storm drain.
- i. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.