

RESOLUTION NO. PC-2019-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLEASANTON APPROVING A DESIGN REVIEW APPLICATION FOR A NEW SINGLE-FAMILY HOME AT 1131 SLEEPY HEAD LANE FOR LINH PHAN [P18-0269]

WHEREAS, on September 12, 2018, Linh Phan, applied for Design Review approval to construct an approximately 6,401-square-foot, two-story, single-family residence with an approximately 1,057-square-foot attached garage and approximately 572-square-foot detached garage at 1131 Sleepy Head Lane; and

WHEREAS, zoning for the property is Planned Unit Development-Semi Rural Density Residential (PUD-SRDR) District; and

WHEREAS, the project was programmatically reviewed as part of the Happy Valley Specific Plan Environmental Impact Report (EIR), which was certified on June 16, 1998. Pursuant to Section 15182 of the California Environmental Quality Act (CEQA) Guidelines, no additional environmental review is required for this residential project that is proposed in accordance with a Specific Plan for which CEQA documentation was certified; and

WHEREAS, on March 12, 2019, the Planning Commission held a duly-noticed public hearing and considered relevant exhibits, recommendations of the City staff concerning this application, and received testimony from the applicant and interested parties; and

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Pleasanton, based on the entire record of proceedings, including the oral and written staff reports and all public comment and testimony:

Section 1: Findings for Design Review Approval

With respect to the approval of P18-0269, the Planning Commission finds that the project was reviewed and approved based on the nine criteria as required by Section 18.20.030 of the Pleasanton Municipal Code which include the following:

1. Preservation of the natural beauty of the city and the project site's relationship to it;
2. Appropriate relationship of the proposed building to its site, including transition with streetscape, public views of the buildings, and scale of buildings within its site and adjoining buildings;
3. Appropriate relationship of the proposed building and its site to adjoining areas, including compatibility of architectural styles, harmony in adjoining buildings, attractive landscape transitions, and consistency with neighborhood character;
4. Preservation of views enjoyed by residents, workers within the city, and passersby through the community;

5. Landscaping designed to enhance architectural features, strengthen vistas, provide shade, and conform to established streetscape;
6. Relationship of exterior lighting to its surroundings and to the building and adjoining landscape;
7. Architectural style, as a function of its quality of design and relationship to its surroundings; the relationship of building components to one another/the building's colors and materials; and the design attention given to mechanical equipment or other utility hardware on roof, ground or buildings;
8. Integration of signs as part of the architectural concept; and
9. Architectural concept of miscellaneous structures, street furniture, public art in relationship to the site and landscape.

With respect to the above criteria, the Planning Commission finds that the project would preserve and enhance the City's aesthetic values and ensure the preservation of the public health, safety and general welfare since it would be consistent with the allowable height, setbacks and other pertinent development standards of the PUD zoning district as well as the Happy Valley Specific Plan in which it is located, and would enhance the site's appearance from Sleepy Head Lane and adjacent properties. The home would be attractive and well designed to include a range of materials and finishes that are compatible with the existing area and surrounding uses.

Section 2:

The Planning Commission hereby approves Case P18-0269, the application of Linh Phan, for Design Review approval to construct an approximately 6,401-square-foot, two-story, single-family residence with an approximately 1,057-square-foot attached garage and approximately 572-square-foot detached garage at 1131 Sleepy Head Lane, subject to the Conditions of Approval shown in Attachment 1, attached hereto and made part of this case by reference.

Section 3:

This resolution shall become effective 15 days after its passage and adoption unless appealed prior to that time by any member of the public, or if a City Councilmember wishes to review the item, pursuant to Pleasanton Municipal Code section 18.144.010, he or she must indicate their desire to review within 15 days following the date of approval, or at the next regular meeting of the City Council, whichever is later. If the majority of the City Council agrees to review the item, a further hearing shall be set pursuant to Pleasanton Municipal Code section 18.12.040 and the Council shall consider the item at that time.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Pleasanton at a regular meeting held on March 13, 2019, by the following vote:

AYES:
NOES:
ABSTAIN:
RECUSED:
ABSENT:

ATTEST:

Ellen Clark
Secretary, Planning Commission

Nancy Allen
Chair

APPROVED AS TO FORM:

Julie Harryman
Assistant City Attorney

DRAFT

EXHIBIT A
DRAFT CONDITIONS OF APPROVAL

P18-0269
1131 Sleepy Head Lane
March 13, 2019

The applicant is hereby notified, as part of this approval, that (s)he is required to satisfy and maintain compliance with the conditions of approval below. Where approval by the Director of Community Development, Planning Division, Director of Engineering/City Engineer, City Attorney, Chief Building and Safety Official, Fire Department or other City staff is required, review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices related to the approval. In addition to complying with the conditions below, the applicant is required to comply with all applicable federal, state, and local laws that pertain to this project whether or not specifically noted herein.

This approval is granted for a new house and related improvements located on Assessor Parcel No. 949-001901900 at 1131 Sleepy Head Lane. Development shall be substantially as shown on the project materials listed below:

- a. Project plans, Exhibit B, prepared by Terry Townsend for Linh Phan, dated "Received" on December 18, 2018, and kept on file in the Planning Division of the Community Development Department.
- b. Arborist Report, Exhibit B, prepared by John Leffingwell of HortScience for Linh Phan, dated "Received" on December 18, 2018, and kept on file in the Planning Division of the Community Development Department.

The project materials listed above are collectively the "Approved Plans."

THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **APPROVAL AND REVISIONS:** The proposed development shall be in substantial conformance with the "Approved Plans," except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits. Planning Division approval is required before any changes are implemented in site design, grading, architectural design, house colors or materials, green building measures, landscape material, etc.
2. **EXPIRATION – DESIGN REVIEW:** This design review approval shall lapse one (1) year from the effective date of approval unless a building permit is issued and construction has commenced and is diligently pursued towards completion, or the City has approved a time extension.

3. **CONDITIONS OF APPROVAL CHECKLIST:** The applicant shall submit a “Conditions of Approval Checklist” indicating all conditions in Exhibit A have been satisfied, incorporated into the building permit plans or improvements plans, and/or addressed. Said checklist shall be attached to all building permit and engineering permit submittals for review by the City prior to issuance of permits.
4. **CONDITIONS OF APPROVAL:** The Conditions of Approval shall be attached as a plan sheet(s) to all building permit plan sets submitted for review and approval.
5. **APPEAL PERIOD:** The building permit submittal will only be accepted after completion of the appeal period provided in the Municipal Code unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the approval is overturned on appeal, or 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 appeal period.
6. **BUILDING PERMIT:** The applicant shall obtain a building permit and any other applicable City permits prior to commencement of any work.
7. **LIABILITY AND INDEMNIFICATION:** To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or 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.

PLANNING DIVISION – 925-931-5600

Site Development and Building Design

8. **RETAINING WALL MATERIAL AND COLOR:** Plans submitted for plan check shall include the proposed retaining wall materials and color. Unless otherwise approved by the Director of Community Development, all retaining walls visible from Sleepy Head Lane shall be stucco matching the stucco color on the home. **(PROJECT SPECIFIC CONDITION)**
9. **FENCING PLAN:** Plans submitted for plan check shall include a complete fencing plan including fencing along the southern property line. All fencing and walls shall be shown on the construction plans submitted with the building permit submittal and shall be subject to the review and approval by the Planning Division prior to issuance of a building permit. **(PROJECT SPECIFIC CONDITION)**
10. **BUILDING MATERIALS AND COLORS:** The building materials and colors in the Approved Plans shall be stated on the building permit plans.

11. PAVING MATERIALS: The color, material, design, and product specifications for the paving materials used on-site shall be in conformance with the Approved Plans and included with the building permit submittal. Any proposed modifications to the final paving design details shall be subject to review and approval by the Planning Division prior to issuance of building permits.
12. WINDOWS: Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit/building in conformance with the Approved Plans in the building permit submittal. Any proposed modifications shall be subject to review and approval by the Planning Division prior to issuance of building permits.
13. LIGHTING PLAN: The type and location of light fixtures shall be subject to review and approval of the Director of Community Development. Proposed exterior lighting shall be shown on the plans submitted for building permits. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties or streets.
14. FINAL INSPECTION: Final inspection by the Planning Division is required prior to occupancy.
15. FIREPLACES AND FIRE PITS: Fireplaces and fire pits shall be gas fireplaces, pellet fueled wood heaters, or EPA certified wood-burning appliances. The fireplace types shall be indicated on the plan and/or specification sheet(s) submitted to for issuance of building permits.
(PROJECT SPECIFIC CONDITION)

Green Building and Sustainability Measures

16. PHOTOVOLTAIC AND SOLAR WATER HEATING SYSTEMS: The residence shall be constructed to allow for future installation of a photovoltaic (PV) system and a solar water heating system. The measures shall be shown on the building permit plans for review and approval by the Director of Community Development prior to building permit issuance. The applicant shall comply with the following requirements for making the unit on the subject site photovoltaic-ready and solar water heating-ready:
 - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the buildings' main electrical panels;
 - b. An area shall be provided near the electrical panel for the installation of an "inverter" required to convert the direct current output from the photovoltaic panels to alternating current;
 - c. Engineer the roof trusses to handle an additional load as determined by a structural engineer to accommodate the additional weight of a prototypical photovoltaic system beyond that anticipated for roofing;
 - d. Plumbing shall be installed for solar-water heating; and
 - e. Space shall be provided for solar-heating tank.

17. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** Prior to building permit issuance, a list of the green building measures used in the design, covered by this approval, shall be provided to the Planning Division for review and approval by the Director of Community Development. The home(s) covered by this approval shall be designed to achieve a “certified rating” of a minimum of 50 total points, achieving at least the minimum points in each category, using BuildItGreen’s current Green Points rating system. The green building measures shall be shown on the building permit plans submitted to the Building and Safety Division. Each proposed point identified shall have a notation indicating the sheet(s) the point can be found. A special inspection by the Planning Division shall be coordinated with regards to exterior materials. Prior to building permit final, all of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, a third-party rater, or the applicant shall provide written verification by the project engineer, architect, landscape architect, or designer.
(Per PMC 17.50)

Construction Practices and Noticing

18. **WORK HOURS:** All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8 a.m. to 5 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays, Saturdays, or Sundays. The Director of Community Development may allow earlier “start times” or later “stop times” for specific construction activities, e.g., concrete pouring. All construction equipment shall meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
19. **DUST CONTROL:** The applicant shall submit a written dust control plan or procedure as part of the building permit plans.
20. **PORTABLE TOILETS:** Portable toilets used during construction shall be kept on the project site and as far as possible from existing residences and shall be emptied to prevent odor.
21. **CONSTRUCTION TRAILERS:** A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
22. **EXCESS SOIL AND SOIL STOCKPILING:** All excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No temporary stockpiling of dirt on this site shall occur without specific review and approval by the Director of Community Development.
23. **DISTURBANCE COORDINATOR:** The applicant shall designate a “disturbance coordinator” who shall be responsible for responding to any complaints regarding construction noise, dust, construction parking, etc. The coordinator (who may be an employee of the general contractor) shall determine the cause of the complaint and

shall require the implementation of reasonable measures warranted to correct the problem. A telephone number of the disturbance coordinator shall be posted on the construction site fence and on the notification sent to neighbors adjacent to the site. The sign shall also list an emergency after-hours contact number for the disturbance coordinator, or designee.

24. **CULTURAL RESOURCES:** If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work shall 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 California Environmental Quality Act (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 their authorized representative. A similar note shall appear on the building permit and/or improvement plans.

Fees

25. **FEES:** The applicant shall pay any and all fees to which the property may be subject, prior to issuance of grading and/or building permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
26. **WATER FEES AND WATER METER CONNECTION FEES:** The applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters and irrigation meters, if applicable, prior to building permit issuance.
27. **SEWER FEES:** The applicant shall pay the applicable Dublin-San Ramon Services District (DSRSD) and City sewer permit fees prior to building permit issuance.
28. **SCHOOL IMPACT FEES – RESIDENTIAL NEW CONSTRUCTION:** Applicant shall work with the Pleasanton Unified School District (PUSD) to develop a program to offset this project's long-term effect on school facility needs in Pleasanton. This program shall be designed to fund school facilities necessary to offset this project's reasonably related effect on the long-term need for expanded school facilities. The method and manner for the provision of these funds and/or facilities shall be approved by the PUSD and in place prior to building permit issuance. Written proof of compliance with this condition shall be provided by applicant to the City, on a form generated by the PUSD, prior to building permit issuance.

BUILDING AND SAFETY DIVISION – 925-931-5300

29. **BUILDING SURVEY:** 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 PMC. These plans shall be approved by the Chief Building and Safety Official prior to building permit issuance. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
30. **PAD AND SETBACK CERTIFICATION:** The applicant shall submit a pad elevation certification prepared by a California licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying the pad elevations and building locations (setbacks) are conforming to the approved plans, prior to receiving a foundation inspection for the structures.
31. **BUILDING HEIGHT CERTIFICATION:** The applicant shall submit a building height certification prepared by a California licensed land surveyor or civil engineer to the Director of Community Development before the first framing or structural inspection by the Building and Safety Division. The height of the structures shall be surveyed and verified as being in conformance to the approved building heights as shown on Exhibit B or as otherwise conditioned.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT – 925-931-5655

Design

32. **DESIGN PER CITY STANDARDS:** All public improvements shall be designed in compliance with the City Standard Specifications and Details in effect at the time of the issuance of the encroachment, grading, or subdivision permit, whichever occurs first.
33. **CONDITIONS OF APPROVAL:** The Conditions of Approval shall be depicted on a plan sheet(s) in the improvement plans.
34. **IMPROVEMENT PLANS:** The applicant's California licensed civil engineer shall prepare improvement plans that include: typical and special cross sections; existing sanitary sewer, storm drain, and water improvements; proposed sanitary sewer connecting to the existing 2-inch force lateral stub located in the northwest corner of the property; proposed storm drain improvements; proposed water lateral connecting to the existing 2-inch water lateral located along the westerly property line; grading; driveway; existing and proposed easements; existing and proposed lot lines; storm water pollution control plan; storm water management plan; and other details as determined by the Director of Engineering/City Engineer. (**PROJECT SPECIFIC CONDITION**)
35. **EXISTING DRAINAGE SWALES:** All existing drainage swales proposed to be filled shall have subdrains installed unless otherwise approved by the applicant's California licensed geotechnical engineer and the Director of Engineering/City Engineer. All subdrains shall have cleanouts installed at the upstream end of the pipe and shall terminate in a storm drain or other storm drain outfall, subject to the review and

approval of the Director of Engineering/City Engineer and prior to City Council acceptance of the public improvements. The homeowner shall be responsible to relocate a subdrain, if the subdrain encountered during the excavation of a pool or other subsurface structure. All homeowners within the subdivision shall receive notice of the presence of these subdrains and the requirement shall be included in the CC&Rs or Maintenance Agreement, whichever applies, subject to the review and approval of the City Attorney. All subdrains shall be depicted on the as-built plans.

Construction

36. **CONSTRUCTION PER CITY STANDARDS:** All public improvements shall be constructed in compliance with the City Standard Specifications and Details in effect at the time of the issuance of the encroachment, grading, or subdivision permit, whichever occurs first.
37. **ENCROACHMENT AND HAUL ROUTE PERMITS:** The applicant's contractor shall obtain an encroachment and haul route permit from the Engineering Department prior to moving equipment to the project site or performing work in the public right of way or within public easements. The applicant's contractor shall submit a completed and signed encroachment permit application accompanied with six copies of City-approved improvement plans, proof of insurance with endorsement adding the City as an additional insured, a copy of a valid City of Pleasanton business license, applicable fees, and other requirements determined by the Director of Engineering/City Engineer.
38. **DAMAGE TO EXISTING PUBLIC AND PRIVATE IMPROVEMENTS:** The applicant shall repair damage to existing public and private improvements on and near the project site and along the haul route at their full expense caused by construction activities as determined and to the satisfaction of the Director of Engineering/City Engineer and prior to the City Council acceptance of public improvements.

Utilities

39. **SEPTIC TANKS:** The applicant shall abandon all existing on-site septic tanks or holding tanks in compliance with the Alameda County Department of Health Services requirements prior to issuance of the encroachment, grading, or subdivision permit, whichever occurs first, unless otherwise approved by the Director of Engineering/City Engineer.
40. **DESTRUCTION AND ABANDONMENT OF WATER WELLS:** The applicant shall destroy or abandon all existing on-site water wells in compliance with Alameda County Ordinance 73-68 and submit a copy of the Alameda County permit prior to issuance of the encroachment, grading, or subdivision permit, whichever occurs first, to the Engineering Department unless otherwise approved by the Director of Engineering/City Engineer.
41. **CONTINUED USE OF EXISTING WATER WELLS:** The applicant shall notify the Engineering Department in writing of Zone 7's desire to retain any water well

concurrently with the first plan check of the improvement plans. The applicant shall submit a written request to the Director of Engineering/City Engineer for approval for the temporary use of an existing water well(s) for construction water or for permanent use such as non-potable outdoor landscaping irrigation. The applicant shall install two reduced pressure backflow devices, one at the domestic water meter(s) and one at the existing water well(s) to remain, on all lots where the existing water well is to remain.

42. MAINTENANCE AGREEMENT: This property is subject to the "ROAD AND EASEMENT MAINTENANCE AGREEMENT" recorded at the Alameda County Recorder's Office on May 10, 2016 (Instrument Number 2016-118055). **(PROJECT SPECIFIC CONDITION)**

Fees and Bonds

43. HAPPY VALLEY SANITARY SEWER AND WATER SYSTEM ASSESSMENT FEES: The applicant shall pay the Happy Valley Sanitary Sewer and Water Assessment Fees prior to issuance of an engineering or building permit, whichever occurs first. **(PROJECT SPECIFIC CONDITION)**
44. EROSION CONTROL AND HAZARD MITIGATION BOND: The applicant shall submit a refundable cash deposit in an amount of \$2,000 to the Engineering Department for erosion control and hazard mitigation prior to issuance of an encroachment, grading or building permit, whichever occurs first. The City will retain the cash deposit until all work is substantially complete, all areas are stabilized, and all hazards are mitigated to the satisfaction of the Director of Engineering/City Engineer. **(PROJECT SPECIFIC CONDITION)**
45. ZONE 7 WATER METER CONNECTION FEE: The applicant shall pay the Zone 7 water meter connection fee to the Building Division prior to issuance of a building permit. **(PROJECT SPECIFIC CONDITION)**
46. CITY WATER METER CONNECTION FEE: The applicant shall pay the City water meter connection fee to the Building Division prior to issuance of a building permit. **(PROJECT SPECIFIC CONDITION)**
47. CITY WATER METER AND INSTALLATION FEE: The applicant shall pay the City water meter and installation fee to the Building Division prior to issuance of a building permit. **(PROJECT SPECIFIC CONDITION)**

Stormwater and Provision C.3 of the National Pollutant Discharge Elimination System Permit

48. STORMWATER TREATMENT: The project creates and/or replaces 10,000 square feet or more of impervious surface (collectively over the entire project site) and shall comply with Section "C.3.b Regulated Projects" of the NPDES Permit No. CAS612008, and amendments, issued by the San Francisco Bay Regional Water Quality Control Board. The improvements plans shall include the Stormwater Management Plan prepared by a California licensed civil engineer, indicating the type and locations of stormwater

treatment measures to be installed (numbered sequentially for identification purposes), and sizing calculations. The Stormwater Management Plan shall be subject to review and acceptance by the Director of Engineering/City Engineer, prior to the issuance of an engineering or building permit, whichever occurs first.

49. **STORMWATER TREATMENT MEASURES INSPECTION AND MAINTENANCE AGREEMENT:** The applicant shall enter into a “Stormwater Treatment Measures Inspection and Maintenance Agreement” for annual maintenance and reporting of the stormwater treatment system as depicted on the improvement plans City-approved by the Director of Engineering/City Engineer. The agreement shall be filed for record at the Alameda County Clerk-Recorder’s Office at a time determined by the Director of Engineering/City Engineer.
50. **CONSTRUCTION COMPLETION:** Prior to occupancy, the applicant shall provide the following documents to the City Inspector:
 - a. Signed and completed construction Project Completion Inspection Checklist.
 - b. Bio retention soil certification form completed and certified by the applicant’s soil supplier. **(PROJECT SPECIFIC CONDITION)**

FIRE DEPARTMENT – 925-454-2361

51. **FIRE HAZARDS:** The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
52. **FIRE PROTECTION FACILITIES:** Prior to any construction framing, the applicant 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.
53. **RESIDENTIAL – NEW CONSTRUCTION:** Automatic sprinklers shall be installed in all occupancies in accordance with City and Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13D for residential occupancies.

LANDSCAPE ARCHITECTURE DIVISION – 925-931-5672

Landscaping

54. **LANDSCAPING:** Proposed landscaping shall be shown on the site plan and reviewed and approved by the City Landscape Architect prior to building permit issuance. Additional landscaping materials or modifications may be required by the Landscape Architecture Division at final inspection to ensure adequate planting coverage and/or screening.
55. **WATER EFFICIENT LANDSCAPE ORDINANCE (WELO):** The project shall comply with the City of Pleasanton’s Water Efficient Landscape Ordinance (WELO) and Bay Friendly Basics Landscape Checklist. The applicant shall submit a Landscape Documentation Package in PDF format to the Landscape Architecture Division, which

shall be subject to review and approval by the City Landscape Architect prior to building permit issuance. The Landscape Documentation Package shall include:

- a. Project Information;
- b. Water Efficient Landscape Worksheet;
- c. Soil management report;
- d. Landscape design plan;
- e. Irrigation design plan; and
- f. Grading design plan.

56. **CERTIFICATE OF COMPLETION:** Upon completion of construction and prior to final inspection by the Building and Safety Division, the applicant's landscape architect shall submit a Certificate of Completion Package in PDF format to the Landscape Architecture Division for review and approval. The Certificate of Completion Package shall include:

- a. Project information sheet;
- b. Certificate of installation according to the landscape documentation package;
- c. Irrigation scheduling;
- d. Schedule of irrigation, landscape and irrigation maintenance;
- e. Landscape irrigation audit report; and
- f. Soil management report (if not previously submitted).

57. **LANDSCAPING INSTALLATION:** Prior to building permit final all landscaping shall be installed as shown on the approved building permit set, and shall be inspected and approved by the Landscape Architecture Division.

58. **EROSION CONTROL:** For purposes of erosion control, the applicant shall plant a hydro seed mixture designed by the applicant's landscape architect and approved by the Landscape Architecture Division prior to installation. The erosion control shall be maintained by the applicant until permanent landscaping is in place.

Trees

59. **TREE REPORT:** The applicant shall comply with the recommendations of the tree report prepared by John Leffingwell, HortScience, Bartlett Consulting dated October 26, 2018. No tree trimming or pruning other than that specified in the tree report shall occur. The applicant shall arrange for the Project Arborist to conduct a field inspection prior to building permit issuance to ensure all recommendations have been properly implemented. The Project Arborist shall certify in writing all recommendations have been followed.

60. **TREE REMOVAL MITIGATION:** Any trees approved to be removed by the City shall have its full value paid into the City's Urban Forestry Fund. A credit for replanting an approved removed tree shall be as follows:

- a. \$200 credit for a 15-gallon size replacement tree;
- b. \$400 credit for a 24-inch box size replacement tree; and
- c. \$800 credit for a 36-inch box size replacement tree.

61. **TREE BOND:** Any tree affected by development/construction must be protected per the Municipal Code. The applicant shall post cash, letter of credit, or other security satisfactory to the Director of Engineering/City Engineer, for all Heritage Trees and any other significant tree as deemed by the City Landscape Architect. This bond or security will be for the value of the tree, up to a maximum of \$25,000, and shall be held for a minimum of 1 year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. An arborist shall be onsite during any tree work (i.e. root pruning, trimming, setting up tree protection, etc.). The bond or security may be released early with a certification letter by the arborist confirming he/she was present during said tree work and work was performed in accordance with the arborist's recommendations.
62. **ROOT CUTTING:** The applicant shall comply with the following tree root cutting requirements:
- a. Roots 1-inch in diameter or larger to be removed shall be cleanly cut with a hand saw.
 - b. Roots smaller than 1-inch in diameter are not considered to be significant and may be removed by the most efficient means.
 - c. Roots larger than 2-inches in diameter and within 8-feet of the tree trunk shall not be cut or ground unless prior approval has been received from the Landscape Architecture Division.
 - d. Roots of any diameter farther than 8-feet from the tree trunk, which are in conflict with the proposed work may be ground a maximum of one-half of their diameter. Work of this nature shall only be performed using a mechanical stump grinder and only by personnel familiar with its operation.
 - e. Roots up to 6-inches in diameter and farther than 8-feet from the tree trunk may be removed if they are in conflict with the proposed work. Roots that are removed shall be cleanly cut using a hand saw.
63. **ROOT CONTROL BARRIER:** The applicant shall provide root control barriers and 4-inch perforated pipe for parking lot trees, street trees, and trees in planting areas less than 10-feet in width, as determined necessary by the City Landscape Architect. Root barriers shall be located along the edge of the pavement and shall extend 5-feet to either side of the tree trunk. Information and details shall be included in the landscape plan submittal for review and approval by the Landscape Architecture Division.
64. **TREE PRUNING:** Pruning shall be conducted by a certified arborist familiar with the International Society of Arboriculture (ISA) pruning guidelines and shall comply with the guidelines established by the ISA, Tree Pruning Guidelines, current edition, to maintain the health of the trees.
65. **TREE PROTECTION FENCING:** Prior to issuance of a grading or building permit, the applicant shall install temporary 6-foot tall chain-link fencing (or other fence type acceptable to the Landscape Architecture Division) outside of the existing tree drip

lines. The location of the tree protection fencing shall be shown on the demolition plans (if applicable), grading, building, and/or landscape plans. The fencing shall remain in place until final landscape inspection by the Landscape Architecture Division. Removal of such fencing prior to approval may result in a “stop work order.”

66. PROJECT PLANS: The following statements shall be printed on the demolition, grading and landscape plans where applicable to the satisfaction of the City Landscape Architect prior to issuance of building permits:
- a. No existing tree may be trimmed or pruned without prior approval by the City Landscape Architect.
 - b. Utilize best efforts to locate any new utility trenches outside of the existing canopy of the trees to be saved. If this is not feasible, the applicant shall submit a report from a certified arborist acceptable to the City indicating trenching will not be detrimental to the health of the tree.
 - c. Nothing may be stored within the dripline of the tree canopies. This includes equipment, oil, gas, chemicals, harmful materials, fill or storage.
 - d. No oil, gasoline, chemicals, or other harmful materials shall be deposited or disposed within the dripline of the trees or in drainage channels, swales, or areas that may lead to the dripline.
 - e. No sign, wires, or ropes shall be attached to the trees.
 - f. No stockpiling/storage of construction materials, fill, etc., shall take place underneath or within 5-feet of the dripline of the existing trees.
 - g. No equipment or temporary structures shall be placed within or beneath the dripline of the existing trees.

Failure to comply with these requirements may result in a “stop work order.”

70. SITE LIGHTING: All site lighting shall be Dark Sky Compliant and shall be subject to review and approval by the City Landscape Architect prior to building permit issuance.



CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, ALAMEDA

ORDINANCE NO. 1899

AN ORDINANCE APPROVING THE APPLICATION OF CITY OF PLEASANTON FOR A PUD DEVELOPMENT PLAN APPROVAL AS FILED UNDER CASE PUD-31

- WHEREAS, the City of Pleasanton has applied for a comprehensive master Planned Unit Development (PUD) development plan to establish development standards and design guidelines for all lots less than six (6) acres in size that are located in the PUD – Semi-Rural Density Residential (SRDR)-Zoned Subarea of the Happy Valley Specific Plan; and
- WHEREAS, the properties are either zoned or prezoned PUD (Planned Unit Development) – SRDR (Semi-Rural Density Residential) District; and
- WHEREAS, there are not substantial changes to the project or to the circumstances under which the project is undertaken that involve new significant environmental effects or substantially increase the severity of previously identified effects, and no new information of substantial importance became available after the EIR was certified; therefore, no additional environmental documentation was prepared for this application; and
- WHEREAS, Council received the Planning Commissioner’s recommendations for the project; and
- WHEREAS, a duly noticed public hearing was held on October 7, 2003; and
- WHEREAS, the City Council finds that the proposed master PUD development plan is consistent with the General Plan and Happy Valley Specific Plan.

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

- Section 1:** Approves Case PUD-31, the application of City of Pleasanton for a comprehensive master Planned Unit Development (PUD) development plan to establish development standards and design guidelines as shown in “Exhibit A,” attached hereto and made part of this case by reference, for all lots less than six (6) acres in size that are located in the PUD – Semi-Rural Density Residential (SRDR)-Zoned Subarea of the Happy Valley Specific Plan.
- Section 2:** A summary of this ordinance shall be published once within fifteen (15) days after its adoption in the “Valley Times,” a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk’s office within fifteen (15) days after its adoption.
- Section 3:** This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of City of Pleasanton on October 7, 2003.

ADOPTED at a regular meeting of the City Council of City of Pleasanton on October 21, 2003 by the following vote:

AYES: Councilmembers – Ayala, Brozosky, Campbell, Hosterman, and Mayor Pico
NOES: None
ABSENT: None
ABSTAIN: None

Tom Pico

TOM PICO, MAYOR

ATTEST:

Dawn G. Abrahamson
Dawn G. Abrahamson, City Clerk

APPROVED AS TO FORM:

Michael H. Roush
Michael H. Roush, City Attorney

Exhibit A

Master PUD Development Plan for 1157 and 1340 Happy Valley Road

Revised October 7, 2003

I. PURPOSE

The purpose of the PUD-SRDR District is to guide future development in such a way as to maintain the semi-rural character of the Greater Happy Valley. The ranchette lotting pattern, ranch style architecture, informal landscaping, varieties of open fencing, and the keeping of farm animals are all components of the character which the Happy Valley Specific Plan and PUD-SRDR District seek to perpetuate.

II. LAND USE STANDARDS

A. **Permitted Uses:** The following uses shall be permitted in the PUD-SRDR District:

- (1) Single-family detached dwellings;
- (2) Second units meeting the requirements of Chapter 18.106;
- (3) Household pets;
- (4) Accessory structures and uses, including but not limited to a barn, stable, coop, tank house, private garage, living area without a kitchen, enclosed storage, and recreation room;
- (5) Common recreation area and buildings for private use by residents of individual projects;
- (6) Small family daycare home;
- (7) The keeping of the following farm animals on a lot of at least 40,000 square feet in area:
 - a) Fifty mature fowl (chickens, ducks, geese, turkeys) or rabbits or Guinea pigs or other similar small animals or any combination thereof, for each 20,000 square feet of lot area; or
 - b) Two mature sheep, or goats, or llamas, or other similar domestic animals; or one mature cow, or horse, or other similar domestic animal, or any combination thereof, for each 20,000 square feet of lot area;
- (8) Greenhouse;
- (9) Field crops and horticultural specialties;
- (10) Orchard and vineyard;
- (11) Public water and/or sewer pump station;
- (12) Exempt home occupations; and
- (13) Public trails.

B. **Conditional Uses:** The following uses shall be permitted in the PUD-SRDR District upon the granting of a use permit in accordance with the provisions of the Pleasanton Municipal Code:

- (1) Nursing home for not more than six patients;

- (2) Non-exempt home occupations and temporary home boutiques;
- (3) Large family daycare home;
- (4) Religious institution;
- (5) Boarding or private stable, including horse barn(s), storage structure(s), and riding areas;
- (6) Temporary subdivision sales office; and
- (7) Public park.

C. ~~Non-Conforming Uses~~: The following non-conforming use standards shall be applied in the PUD-SRDR District:

- (1) Existing businesses and home occupations: Legal non-conforming businesses and home occupations existing at the time of property annexation to the City (which are not listed under Subsections II.A and II.B) may remain in operation.
- (2) Existing multiple dwellings: Second and third dwelling units existing on a single parcel of land at the time of property annexation to the City are permitted to remain as legal non-conforming uses subject to the provisions of Chapter 18.120 of the Pleasanton Municipal Code.
- (3) Existing agricultural uses: Agricultural uses (Which are not listed under Subsections II.A and II.B) existing at the time of property annexation to the City are permitted to remain as legal non-conforming uses subject to the provisions of Chapter 18.120 of the Municipal Code.
- (4) Accessory Buildings and Pens: Accessory buildings and pens existing at the time of property annexation to the City that do not pose a safety hazard as determined by the Chief Building Official are permitted to remain, regardless of minimum yard setbacks and maximum building height. However, such buildings and pens may not be expanded in such a way as to increase these non-conformities.

III. SITE DEVELOPMENT STANDARDS

- A. ~~Maximum density~~: One home per two (2.0) acres.
- B. ~~Minimum parcel size~~: One acre (with one unit per two acres overall PUD-SRDR area maximum density for the property).
- C. ~~Minimum parcel dimensions~~: Width - 175 feet; Depth - 175 feet.
- D. ~~Minimum principal dwelling setbacks~~: Front yard - 35 feet; side yard - 25 feet; rear yard - 35 feet.
- E. ~~Maximum principal dwelling height~~: 30 feet, as measured from the highest to the lowest elevations of the building.
- F. ~~Minimum parking~~: Two garage-parking spaces with four total on-site spaces.
- G. ~~Accessory structures~~: Maximum building height - 25 feet; minimum front yard setback - 35 feet; minimum side and rear yard setbacks for accessory structures of 100 square feet or less in area and 15 feet or less in height -

10 feet; and minimum side and rear yard setbacks of accessory structures greater than 15 feet in height and/or 100 square feet in area - 20 feet.

IV. Design Guidelines.

Happy Valley architectural design is generally informal in character and reflects the agricultural heritage of the neighborhood. The Valley contains a rich diversity of lot patterns, building siting, landscape design, and open space elements which the PUD-SRDR District strives to preserve. The design objectives of the PUD District are to: maintain the area's existing semi-rural character; maintain the open-space feeling between adjacent homes and other structures; minimize the visual prominence of homes; and encourage diversity in landscape design. The following guidelines should be followed to the greatest extent practical. Minor variations may be permitted during the development application

review process provided that any variation substantially meets or exceeds the objectives contained herein.

- A. Site Planning: Placement of new structures and additions should be sensitive to conditions on nearby properties and should not adversely impact open space views and the semi-rural character of the area if other reasonable site layout and design options are available.
- (1) New principal structures (homes) and other structures should be sited to minimize impacts on neighboring properties.
 - (2) House entries and porches should be oriented to adjacent roadways.
 - (3) Accessory structures detached from the main house are encouraged.
 - (4) The width of principal structures (homes) should be limited to not more than 50 percent of the lot width. Development on narrow, deep lots should emphasize structures with narrow width dimensions along the parcel frontages.
 - (5) Grading for development of hilly areas in the vicinity of Happy Valley Road should respect the natural land forms.
 - (a) Grading should be limited as much as feasible. Pads for structures and yard areas should be stepped with the hillside slope rather than creating large flat areas to accommodate structures on the same level.
 - (b) Grading which modifies the tops of hills and/or interrupts natural hill forms should be avoided whenever other reasonable alternatives are available.
 - (c) Where cuts and fills are necessary, contour grading shall be used which blends new grades with existing ones. Straight and geometric lines on graded slopes should be avoided.
 - (6) Home sites should be clustered where appropriate to preserve open

space and view corridors.

B. Architecture:

- (1) A diversity of architectural styles suitable to Happy Valley's semi-rural character is encouraged. The generally informal character of the neighborhood's structures should be reinforced. Informal architectural styles reflective of California's heritage such as ranch-style homes are strongly encouraged while more formal styles reflecting Neo-Colonial, European Estate, or similar architecture should not be permitted.
- (2) Front porches and other elements which facilitate neighborhood interaction and add visual interest to homes are strongly encouraged.
- (3) Building heights and forms should be similar to those currently existing in Happy Valley.
 - (a) One-story structures are strongly encouraged.
 - (b) One- and two-story combination structures are acceptable. One-story elements are especially suitable at entries and in situations where new structures are close to property lines.
 - (c) Two-story structures are generally discouraged, but can be acceptable if building masses are broken up with attached one-story elements such as porches or entry roofs.
 - (d) Pitched gable and hip-roof forms, rather than flat roofs, are strongly encouraged.
 - (e) The visual prominence of garage doors should be minimized. New construction should seek to limit the amount of garage fronts visible from adjacent roads. The following techniques should be used:
 - (1) Place garage doors so that not more than two doors face the fronting road.
 - (2) Arrange landscaping to block views of garages wherever possible.
 - (3) Use multiple garage doors rather than single larger doors.
 - (4) Garage doors should be set back from the front of the home and when multiple garage doors are used should be staggered.
 - (f) House entries should be proportionate in size to the structure. New homes should have inviting entries facing adjacent roads. One-story entries are strongly encouraged while formal entries exceeding a story and a half should be prohibited for being out of keeping with the informal, semi-rural character of the area.
- (4) Design review of structures shall follow the process of the R-1 zoning designation, except that new homes shall be subject to Planning Commission review and approval. Public noticing for new homes shall include all properties within 1,000 feet of the new home site, and public

noticing for additions exceeding 500 square feet in area shall be 300 feet.

C. Landscaping:

- (1) Substantial planted landscaping between structures and fronting roadways is encouraged. In general, a target of 1 tree for each 1,000 sq. ft. should be provided, with 30 percent of the trees 24-inch box or larger. The use of gravel or shale for driveways leading to individual homes, rather than concrete or blacktop, is encouraged.
- (2) Informal landscape planting is encouraged to reflect the existing character of Happy Valley.
- (3) Decorative driveway entry pylons, if provided, should be constructed of wood or stone. Materials which relate in a positive way to Happy Valley's heritage are encouraged. New materials such as stucco and brick are discouraged.
- (4) Except as noted below, fencing should follow the provisions of the R-1-40,000 zoning district. Where fencing is desired, only open fencing should be permitted along roadways and between properties.
- (5) New fencing should consist of wooden posts with horizontal wood rails or wood posts with wire mesh. Chain-link fencing is inappropriate along roadways and should not be permitted in front setback areas. Its use may be considered in locations not visible from public roadways but is not encouraged.
- (6) Solid fencing is discouraged except in cases where necessary to maintain privacy around special use areas, such as swimming pools. Solid fencing should not be permitted within the front yard setback.
- (7) Paved shoulders for parking next to public roadways should not be permitted.
- (8) Outdoor lighting should be subdued in brightness and should avoid creating off-site glare. Lighting fixtures should be selected with care to accomplish the identified task (e.g., entry identification, security, etc.) without unnecessary glare or light spill. Individual light fixtures exceeding 200 watts and/or located more than eight feet above the ground surface should be shielded to direct the light down and minimize its visibility from roadways and adjacent properties.

D. Other Considerations:

- (1) Street address numbers on mailboxes, driveway entry pylons, and separate identity plaques are required to the satisfaction of the Fire Department.
- (2) Individual mailboxes are encouraged where permitted by the Post Office.
- (3) Painted mail and newspaper boxes, and specially designed receptacles

are encouraged.

- (4) The retention and preservation of old water towers, windmills, barns, and interesting agricultural structures is encouraged.
- (5) Gates on private streets and driveways which serve more than one parcel shall not be permitted.
- (6) Antennas and satellite dishes shall be installed in accordance with the R-1-40,000 zoning district.
- (7) In the event that there is a discrepancy between these regulations or a circumstance inadequately provided for, the Planning Director shall issue a written interpretation resolving said issue. A history of these interpretations shall be kept on file in the Planning Department.

E. Construction:

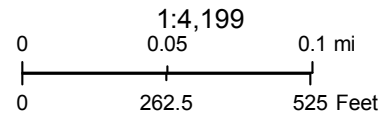
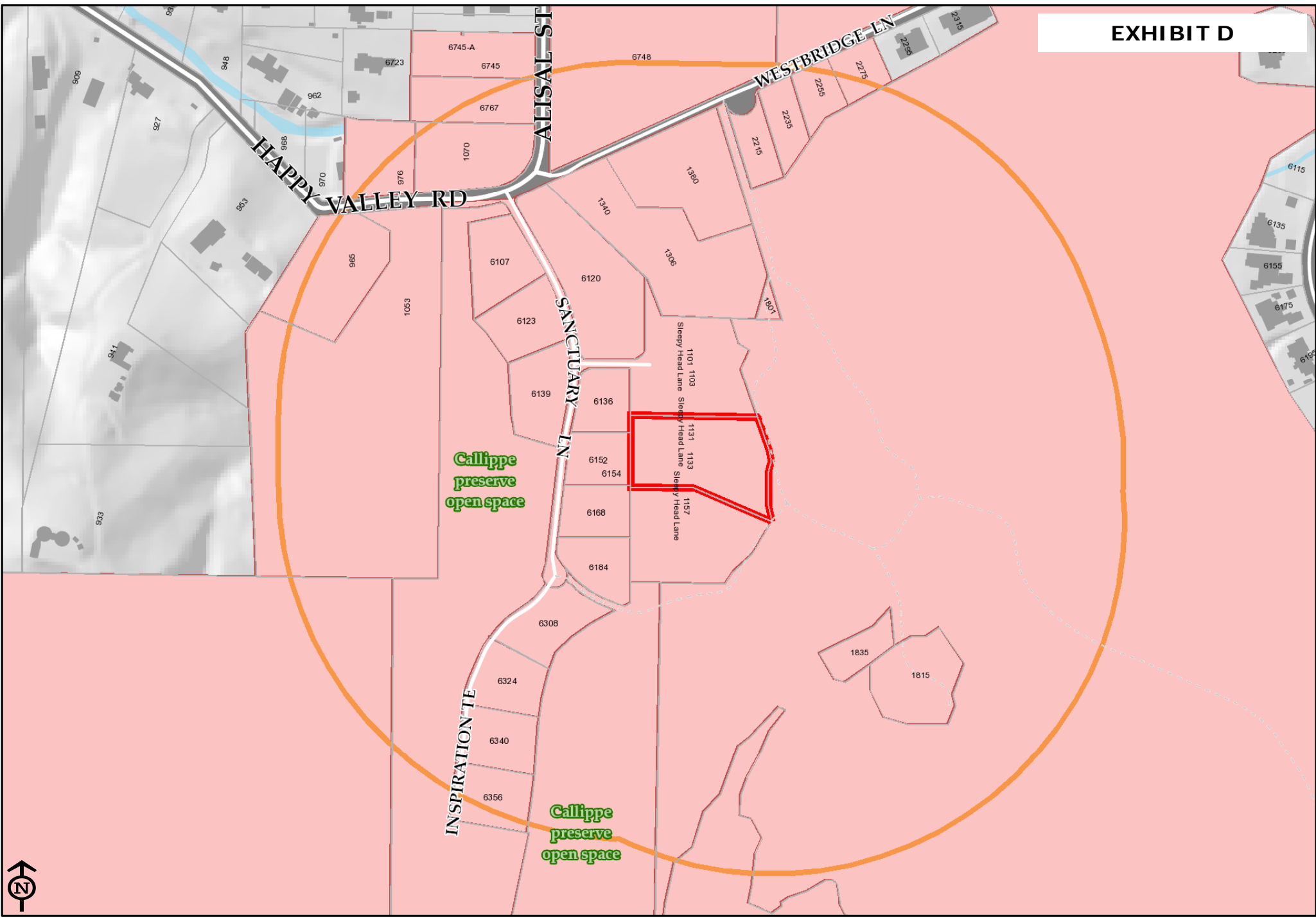
- (1) Construction activities are limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Saturday.
- (2) The following dust control measures are required:
 - (a) During the construction period, all active unpaved construction areas shall be watered as needed, or treated with soil stabilizers in order to avoid dust, and exposed stockpiles of dirt or sand shall be enclosed, covered, or treated with dust-preventives.
 - (b) If soil material is carried on public or private roads, such roads shall be swept daily with water sweepers to control dust.
 - (c) In graded construction areas, replacement vegetation shall be planted as quickly as possible. Graded areas that remain inactive for ten days or more during the rainy season (i.e., October 1 to April 1) without permanent replanting should be hydroseeded or stabilized to inhibit dust.
 - (d) Excavation and grading shall be suspended when winds (instantaneous gusts) exceed 25 miles per hour.

F. Access Roads: Vehicular circulation within some future subdivisions may require the use of flag lots, common drives, or other private streets, subject to approval through the minor subdivision process. In those cases where flag lots are required, deviation of the normal lot width requirements may be allowed. Road construction standards shall follow the requirements contained in the Happy Valley Specific Plan, except minor deviations may be allowed based on individual circumstances and meeting all health and safety considerations at the time of subdivision or design review approval.

G. Geotechnical Consideration: In conjunction with any development proposal, a soils/geotechnical report shall be prepared pursuant to the requirements of the Happy Valley Specific Plan as determined necessary by the Chief Building

Official.

- H. ~~Fire Safety:~~ In conjunction with any development plan proposal, adequate fire suppression measures shall be included pursuant to the requirements of the Happy Valley Specific Plan as determined necessary by the Fire Chief. Such measures may include but not limited to the use of fire sprinklers, the installation of fire hydrants, and/or the use of Class "A" fire-retardant roof material.
- I. ~~Water/Sewer Connection:~~ In conjunction with any development proposal, information describing how the development will connect to City sewer and water lines shall be included as required by the City Engineer.
- H. ~~Wetlands:~~ All development shall comply with the wetland protection measures contained within the Happy Valley Specific Plan as determined by the Planning Director.
- J. ~~Specific Plan Preparation Fee:~~ Each subdivision shall be required to pay its pro-rata share of the Happy Valley Specific Plan preparation fee as determined by the City Council.



P18-0269, 1131 Sleepy Head Lane, Linh Phan