

CITY COUNCIL AGENDA REPORT

September 15, 2020
Community Development
Planning Division

**TITLE: SECOND READING AND ADOPTION OF ORDINANCE NO. 2210
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON
APPROVING APPLICATIONS FOR PLANNED UNIT DEVELOPMENT
(PUD) REZONING AND DEVELOPMENT PLAN AND VESTING
TENTATIVE MAP FOR A FIVE-LOT RESIDENTIAL PROJECT LOCATED
AT 990 SYCAMORE ROAD, AS FILED UNDER CASE NOS. PUD-135
(PLANNED UNIT DEVELOPMENT), P19-0030 (REZONING), AND
VESTING TENTATIVE MAP 8528**

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 18, 2020 by the following vote:

Ayes: Councilmembers Brown, Narum, Pentin, Mayor Thorne
Noes: Councilmember Testa
Absent: None
Abstain: None

ORDINANCE NO. 2210

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING APPLICATIONS FOR PLANNED UNIT DEVELOPMENT (PUD) REZONING AND DEVELOPMENT PLAN AND VESTING TENTATIVE MAP FOR A FIVE-LOT RESIDENTIAL PROJECT LOCATED AT 990 SYCAMORE ROAD, AS FILED UNDER CASE NOS. PUD-135 (PLANNED UNIT DEVELOPMENT), P19-0030 (REZONING), AND VESTING TENTATIVE MAP 8528

WHEREAS, on February 7, 2019, Alaina Stewart / Bringhurst LLC (“Applicant”) submitted applications to develop an approximately 3.28-acre site located at 990 Sycamore Road for PUD development plan approval for a five-lot single-family residential development with related on- and off-site improvements and Vesting Tentative Subdivision Map approval to subdivide the 3.28-acre parcel into five residential lots for four new homes and one existing home (the “Project”); and

WHEREAS, the site is designated Low Density Residential in the General Plan; and

WHEREAS, the site is designated Planned Unit Development - Agricultural (PUD-A) in the North Sycamore Specific Plan (NSSP); and

WHEREAS, on July 11, 2018, the Planning Commission, following public notice, conducted a work session where the Project was presented as a public hearing item; and

WHEREAS, on December 16, 2019, Notice of Public Hearing and Notice of Intent (NOI) to Adopt a Draft Initial Study and Proposed Negative Declaration were sent to interested parties and property owners/residents in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15072; and

WHEREAS, on January 22, 2020, staff presented the Project and recommended denial of the Project as staff did not support the requested amendment to the NSSP to increase density; and

WHEREAS, on January 22, 2020, the Planning Commission, following public notice, conducted a public hearing where it considered the written agenda report, public testimony, related project materials, and stated its support of the Project including five residential lots; however, the Commission continued the hearing and requested project revisions and additional information be provided when the application returned to the Commission: 1) visual simulations of the future home on Lot 1; 2) a reduction in the maximum allowable building area on Lot 1; 3) an increase of the building setback on Lot 1 from Dale Way and 4) monetary contribution for bicycle and pedestrian improvements; and

WHEREAS, on January 22, 2020, the Planning Commission also reviewed the Initial Study (IS) and Negative Declaration (ND) prepared in accordance with Sections 15070 and 15072 of the CEQA Guidelines and continued the hearing to a date to be determined; and

WHEREAS, on May 27, 2020, the Planning Commission, following public notice, conducted a public hearing where it considered the written agenda report, public testimony, related project materials, and additional information and revisions to the plans requested by the Planning Commission; and

WHEREAS, on May 27, 2020, the Planning Commission adopted Resolution 2020-07, determining that the proposed NSSP amendments, PUD rezoning and development, and subdivision of the site are appropriate for the site, making the findings, and recommending to the City Council that the Project be approved, and

WHEREAS, on August 18, 2020, the City Council held a duly noticed public hearing on the Project and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, based on the Initial Study, a Negative Declaration was prepared for this Project and was adopted by the City Council at its noticed public hearing on August 18, 2020; and

WHEREAS, the City Council finds that the PUD rezoning and development, and subdivision of the site, are consistent with the General Plan and the purposes of the PUD ordinance and Subdivision Map Act based on the considerations set forth in this ordinance.

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

SECTION 1. The approximately one-acre northern portion of the site located at 990 Sycamore Road is rezoned from the Planned Unit Development – Agriculture (PUD-A) District to the Planned Unit Development – Medium Density Residential (PUD-MDR) District.

SECTION 2. The Zoning Map of the City of Pleasanton, dated April 18, 1960, on file with the City Clerk, designating the dividing of the City into zoning districts, is hereby amended by Zoning Unit Map No. 507, attached hereto as Exhibit A1, dated August 18, 2020 and incorporated herein by this reference.

SECTION 3. With respect to the Planned Unit Development application, the City Council makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

1. Whether the plan is in the best interests of the public health, safety, and general welfare:

The City Council finds that the proposed Project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new lots. The Project would be compatible with the adjacent uses and the design criteria listed in the design guidelines, which would require new homes to be constructed consistent with the existing residential scale and character of the area. Adequate setbacks have been required between the new dwellings and the existing structures on the adjacent properties. The Project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The proposed homes will be designed to meet the requirements of the California Building Code, California Fire Code, and other applicable codes. As such, the City Council concludes that this finding can be made.

2. Whether the plan is consistent with the City's General Plan and any applicable specific plan:

The Project site has a General Plan Land Use designation of "Low Density Residential" on the General Plan Map. However, the General Plan Land Use Element indicates that General Plan Land Uses, densities and street alignments that are within specific plan areas are only conceptually shown on the General Plan Map while the Specific Plan provides additional detail. Therefore, the proposed development will need to conform to the Land Use Designation and density indicated by the NSSP.

The NSSP Land Use Designation for the site is PUD-Agriculture, which allows a maximum density of 1.0 dwelling unit per acre. The proposal would change to the land use designation of an approximately 1.01-acre northern portion of the site from PUD-Agriculture to PUD-Medium Density Residential. The PUD-Medium Density Residential land use category allows a maximum density of 3.5 dwelling units per acre. The proposed density of the PUD-Medium Density Residential portion of the site would be 3.0 dwelling units per acre. The remaining 2.27-acre southern portion of the site would retain the PUD-Agriculture land use designation and would have two dwelling units, resulting in a density of 0.88 dwelling units per acre. With the proposed amendments to the NSSP, the City Council finds the proposed density conforms to the NSSP land use designations. The City Council concluded the specific plan amendment to increase the density for this site is acceptable because:

1. The topography of the site creates a natural separation between the northern portion of the site from the southern portion;
2. The three-lot design fronting Sycamore Creek Way follows the design and lotting pattern of the existing neighborhood;
3. Utilities to accommodate the new homes are readily available;
4. The increase in units would remain within the total buildout capacity of the North Sycamore Specific Plan; and
5. Conditions of Approval specify that no further subdivision of the property will be allowed.

The City Council concludes the specific plan amendments pertaining to trail realignment, supported by the Bicycle, Pedestrian and Trails Committee (BPTC) and Parks and Recreation Commission, and rezone of the northern approximately one-acre portion of the site from PUD-A to PUD-MDR are appropriate.

3. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The existing neighborhoods include a mixture of one-and-two-story residences with a variety of architectural styles. The City Council finds that the design criteria listed in the Design Guidelines would require future homes to be constructed in a style and manner compatible with the land use pattern in the neighborhood and previously developed properties in the vicinity. The photo simulations of a future home on the new lot fronting Sycamore Road demonstrates its compatibility with the existing neighborhood. The proposed pad elevations are compatible with the existing lots in the vicinity and the development standards and design guidelines would ensure the future homes are sited to minimize impacts on surrounding neighbors to the extent feasible and are designed to reduce their mass and not overpower the site. The Project has been designed around mature trees on the project site which will be

retained as part of the development. As such, the City Council finds the development is sensitive to the existing vegetation on-site. In addition, proposed new home sites will have adequate space for outdoor living area which will relate well to the site's natural and built features. The City Council concludes that this finding can be made.

4. Whether grading takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible:

The City Council finds that grading follows a similar pattern as the existing neighborhood and results in building pad height that would help avoid future homes looming over neighboring properties. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Safety Division and Engineering Department. In addition, the flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. The site is not located within an Alquist-Priolo Earthquake Fault Zone. As such, the City Council concludes that this finding can be made.

5. Whether streets, buildings, and other manmade structures have been designed and located in such manner to complement the natural terrain and landscape:

The Project site is in a developed area of the City and does not include the extension of any new public streets. The Project site would be graded in such a manner that the proposed building pads for new residences do not contrast unfavorably with the natural terrain. The City Council finds the proposal is sensitive to existing landscaping, maintaining existing mature trees on-site. The design guidelines would require future homes to be constructed compatible with the existing neighborhood. As such, the City Council concludes that this finding can be made.

6. Whether adequate public safety measures have been incorporated into the design of the plan:

The City Council finds that private driveway entries off Sycamore Creek Way would be located and configured to provide adequate line-of-sight distances and to facilitate efficient ingress/egress to and from the project site. The new lot fronting Sycamore Road would share the driveway with the existing residential lot. The existing streets to the development provide adequate circulation for fire, police, and other emergency vehicles. The new homes will be equipped with automatic residential fire sprinklers. In addition, the Project is required to follow the maintenance guidelines detailed in the Open-Space Management and Wildland Fire Management Plan prepared by Olberding Environmental, Inc. for the Project. Furthermore, the future homes will be required to meet the requirements of applicable City and State codes. As such, the City Council concludes that this finding can be made.

7. Whether the plan conforms to the purposes of the PUD District:

The City Council finds that a PUD development plan with five residential lots for four new homes and one existing home conforms to the purposes of the PUD district. The primary purpose of the PUD district is to allow flexibility in the development of projects the City determines are in its best interest. The City Council finds that the proposed project, as conditioned, would help to implement the purposes of the PUD ordinance by allowing for flexible site standards that meets the City's General Plan and NSSP and results in a development plan that optimizes the use of this site in a

reasonably sensitive manner. As such, the City Council concludes that this finding can be made.

SECTION 4. With respect to the Vesting Tentative Subdivision Map application, State law and the Zoning Ordinance of the Pleasanton Municipal Code (PMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Subdivision Map. The City Council makes the following findings and determinations with respect to each of the considerations for approval of a subdivision as required by Sections 19.20.110 and 19.22.060 of the Pleasanton Municipal Code (PMC):

1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.

The design and improvements of Vesting Tentative Subdivision Map 8528 closely follow and conform to the proposed PUD development plan. The City Council finds the subdivision map conforms to the zoning regulations and the proposed development plan.

2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This subdivision would create five residential lots for four new homes and one existing home. The future homes would generally be oriented in an east-west orientation for southern exposure and provide for passive heating and/or cooling opportunities. The future homes would be required to comply with the City's residential Green Building Ordinance (provided that they are 2,000 square feet or more in size), which requires that each home achieve a "Green Home" rating on Alameda County Waste Management Authority's "Single-Family Green Building Rating System." Energy efficiency is the cornerstone of every green home. Solar water heating systems, photovoltaic energy systems, and energy efficient windows are some of the possible green features that the future homeowners may choose to achieve the "Green Home" rating. As such, the City Council concludes that this finding can be made.

3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.

With the approval of the proposed amendments to the NSSP, the proposed subdivision and improvements would be consistent with the objectives, policies, land uses, and programs specified in the General Plan and NSSP. The City Council finds the subdivision is compatible with the objectives, policies, land uses, and programs specified in both the General Plan and NSSP.

4. The subdivision site is physically suitable for this type and density of development.

The subdivision would create five residential lots for four new homes and one existing home with lotting configurations and development standards and design guidelines for the future homes and/or remodeled existing home compatible with the existing lots and homes in the neighborhood. The project area is not in a flood zone or earthquake fault zone. Thus, the City Council finds the subdivision site is physically suitable for the type and density of development.

- 5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

The Project includes project-site specific reports in the areas of geotechnical and biological assessment, which state the site is suitable for the proposed development without substantial environmental damage. In addition, hydrology studies conducted for the Project indicate the proposed development would result in a slight increase in surface water flow into Sycamore Creek, but the increase is not considered to be significant and would not result in substantial erosion or siltation on- or off-site. The environmental initial study prepared for the proposed development also indicates the proposed development would not have significant impacts on the environment. Thus, the City Council finds the proposed subdivision will not cause any substantial environmental damage or injure fish and/or wildlife or their habitat.

- 6. The design of the proposed subdivision or type of improvements is not likely to cause serious public health problems.**

As proposed and conditioned, the proposed subdivision and improvements will be designed and constructed to meet the applicable City standards pertaining to public health and safety, including public utilities and services, road design and traffic safety, emergency vehicle access, fire hazards, geologic hazards, and flood hazards. In addition, all new structures will be required to comply with the applicable Building and Fire Codes, City codes, and State of California energy requirements. New lots will be required to have independent utility connections subject to review and approval by the City Engineer. Thus, the City Council finds the proposed subdivision will not cause serious public health problems.

- 7. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

The Project includes the realignment of the public trail as shown in the NSSP to reduce environmental impacts to the creek and reduce potential conflicts between trail users and private property owners in the Project. The realigned trail conforms to the trail location shown in the City's Trails Master Plan. The proposed subdivision includes the realigned public trail and an easement dedicated for the public's use of the trail. The vesting tentative map also establishes other easements shown in the PUD development plan. Thus, the City Council finds the design of the subdivision will not have conflict with easements acquired for public use.

- 8. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by any land conservation contract, and so this finding can be made.

- 9. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

Existing and future homes will be connected to the City sanitary sewer system for conveyance to the sewer treatment plant. Stormwater runoff will be treated as part of the subdivision improvements. Thus, this subdivision will not result in violation of existing requirements prescribed by the California Regional Water Quality Control

Board (RWQCB). The City Council finds the proposed subdivision will meet this requirement.

SECTION 5. The City Council hereby approves the Project, as reflected in the plans dated March 13, 2020 for the Project located at 990 Sycamore Road, subject to the Conditions of Approval in Exhibit A2, attached hereto and incorporated into this ordinance by reference.

SECTION 6. 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 7. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 18, 2020 by the following vote.

Ayes:	Councilmembers Brown, Narum, Pentin, Mayor Thorne
Noes:	Councilmember Testa
Absent:	None
Abstain:	None

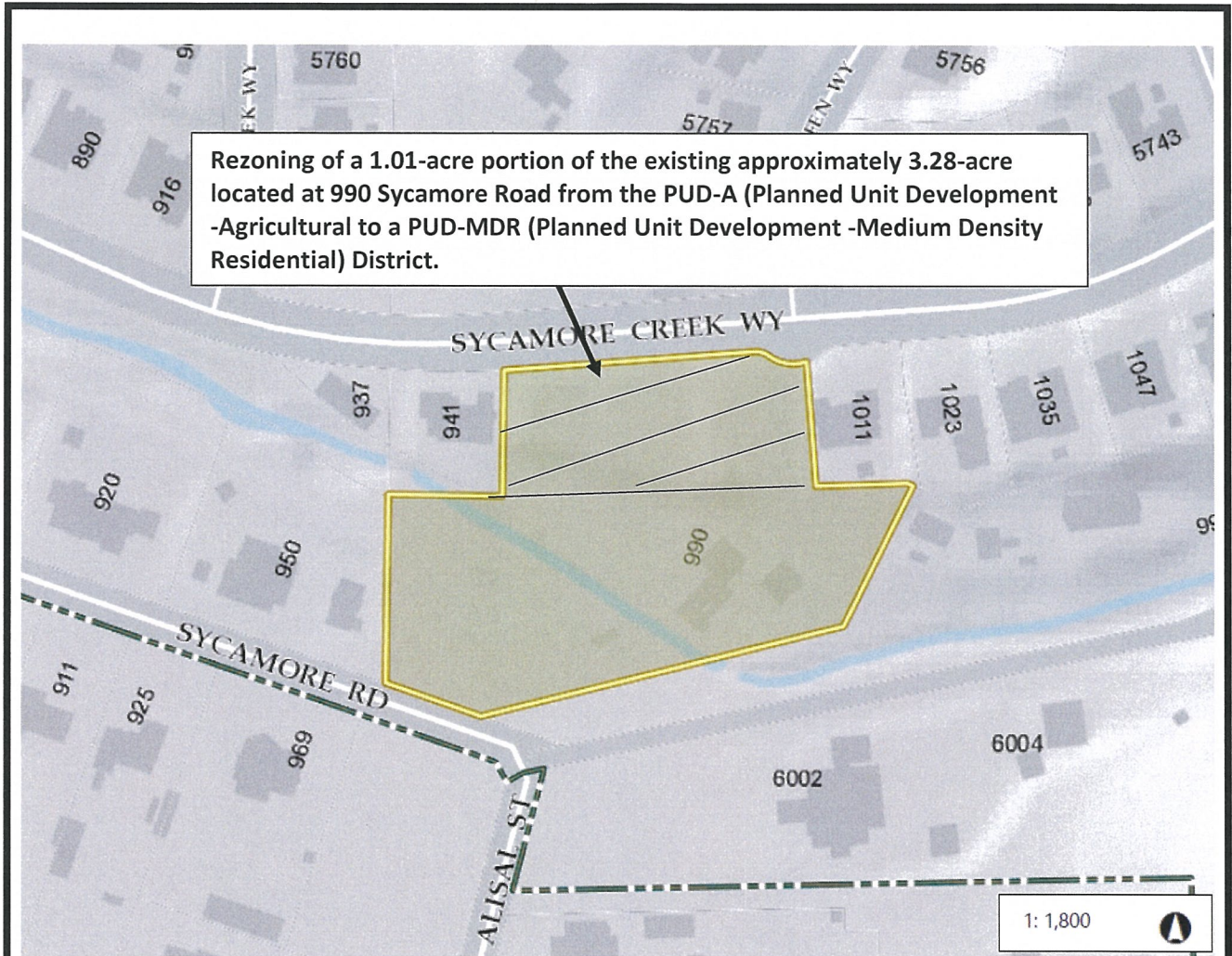
Jerry Thorne, Mayor

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney



CITY OF PLEASANTON PLANNING DIVISION

Ordinance No. 2210 Zoning Unit Map No. 507

DRAWN BY: <p style="text-align: center;">J.SOO</p>	APPROVED BY: E. Clark	DATE: August 18, 2020
SCALE: <p style="text-align: center;">1" = 300'</p>		SEC. NO.: <p style="text-align: center;">PUD-135</p>

EXHIBIT A2
CONDITIONS OF APPROVAL

PUD-135, P19-0030, P19-0031 and Vesting Tentative Subdivision Map 8528
990 Sycamore Road
City Council

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: (1) amendments to the North Sycamore Specific Plan (NSSP) to: a) change the land use designation of an approximately 1.01-acre portion of the site from Planned Unit Development – Agricultural (PUD-A) to Planned Unit Development – Medium Density Residential (PUD-MDR); b) allow the proposed PUD-MDR lots to have access from Sycamore Creek Way; c) allow one of the PUD-A lots to be less than one acre in area; and d) realign the planned public trail on the project site; (2) rezoning an approximately 1.01-acre portion of the site from Planned Unit Development – Agricultural (PUD-A) District to Planned Unit Development – Medium Density Residential (PUD-MDR) District; (3) PUD development plan approval for a five-lot single-family residential development with related on- and off-site improvements; and (4) Vesting Tentative Subdivision Map approval to subdivide the 3.28-acre parcel into five residential lots for four new homes and one existing home located on Assessor Parcel No. 948 001600215 at 990 Sycamore Road. Development shall be substantially as shown on the project materials listed below:

- a. Project plans, Exhibit B, prepared by LandTech Consultants for Bringhurst LLC, dated “Received” on January 8, 2020, Design Guidelines dated March 13, 2020, visual simulations, and building envelope exhibit for Lot 1, and kept on file in the Planning Division of the Community Development Department.
- b. Biological Resources Analysis Report by Olberding Environmental, Inc., dated May 2019.
- c. Arborist Report by HortScience, dated March 2018.
- d. Geotechnical Studies prepared by PRA Group dated October 2007 and updated in August 2018.
- e. Engeo Inc. Peer Review Reports of Geotechnical Studies Prepared by PRA Group dated November 2018.
- f. Hydrology Studies by LandTech, dated January 3, 2000, and revised January 25, 2019.
- g. Engeo Inc. Peer Review of Hydrology Studies by LandTech, dated November 18, 2018.

- h. Open-Space Management and Wildland Fire Protection Plan by Olberding Environmental, Inc., dated July 2019

The project materials listed above are collectively the “Approved Plans.”

THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. FUTURE SUBDIVISION: With the approvals of amendments to the NSSP under Case No. P19-0031 and PUD rezoning under Case No. P19-0030, the maximum number of residential units on the project site, identified as Parcel #24 by NSSP, is five: 3 new single-family residential lots located in the approximately 1.01-acre PUD-MDR portion of the site fronting Sycamore Creek Way, and two single-family residential lots located in the approximately 2.28-acre PUD-A portion of the site fronting Sycamore Road. No further subdivision of the project site shall be allowed. **(Project Specific Condition)**
2. PUBLIC AMENITY CONTRIBUTION: The monetary contribution in the amount of \$100,000 to be used for public bicycle and pedestrian trail improvements in the City, with priority given to projects in the vicinity of the proposed subdivision shall be paid in full prior to recordation of Final Map. **(Project Specific Condition)**
3. 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.
4. EXPIRATION: The PUD development plan shall lapse two years from the effective date of this ordinance unless a final map, as applicable, is approved. If a final map is approved, the PUD development plan approval shall lapse when the final map approval expires. If the map is recorded before the final map expires, then the PUD development approval shall not lapse.
5. 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.
6. GROWTH MANAGEMENT PROGRAM: The project shall meet all requirements of the City’s Growth Management Program, as determined by the Director of Community Development; or Growth Management Agreement, if applicable.
7. PUD PERIOD: The building permit submittal will only be accepted after the ordinance approving the Planned Unit Development (PUD) development plan becomes effective, unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the ordinance is overturned. In no case will a building permit be issued prior to the PUD ordinance being in effect.

8. **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

Permitted and Conditionally Permitted Uses

9. The PUD-MDR lots shall be subject to the permitted and conditionally permitted uses in the City's R-1One Family residential District

The PUD-A lots shall be subject to the permitted and conditionally permitted uses in the City's Agriculture District. **(PROJECT SPECIFIC CONDITION)**

Site Development Standards and g Design Guidelines

10. **PLANNED UNIT DEVELOPMENT (PUD) DEVELOPMENT PLAN:** The development standards for the project shall be those listed in the Design Guidelines in addition to the following:

PUD-MDR Lots (Lots 2-4) shall follow the site development standards of the City's R-1-20,000 zoning district.

PUD-A Lots:

	Lot 1	Lot 5
Building Location*	Within Building Envelope	Within Building Envelope
Maximum Building Area**	5,180 square feet	8,500 square feet
Maximum Building Height***	30 feet	30 feet

- * All main and accessory structures for the PUD-A Lots shall be located within the building envelopes shown in the Building Envelope Exhibit attached to the Design Guidelines.
- ** Maximum Building Area includes the area of all enclosed structures including garage area over 600 square feet.
- *** Building height is measured vertically from the lowest elevation of the building to the highest elevation of the building, excluding chimneys. The lowest elevation of the building is the lowest finished grade adjacent to an exterior wall of the main house. **(PROJECT SPECIFIC CONDITION)**

11. **DESIGN GUIDELINES:** The design guidelines, titled Sycamore Corner Design Guidelines and Standards, dated March 13, 2020, shall be revised to reflect the following:

- a. PUD-LDR references shall be revised to PUD-MDR;
- b. The Building Envelope Exhibit dated "March 13, 2020," shall be revised so the 6-foot tall open-wire fence does not block the shared driveway by Lots 1 and 5.

The above revisions shall be incorporated into a final edition of the Sycamore Corner Design Guidelines and Standards which shall be subject to review and approval by the Director of Community Development prior to recordation of the final map. **(PROJECT SPECIFIC CONDITION)**

12. DESIGN REVIEW: Future homes and remodel of the existing residence shall be subject to design review approval per Section 18.20 of the Pleasanton Municipal Code and shall be subject to review and approval by the Zoning Administrator. **(PROJECT SPECIFIC CONDITION)**
13. RETAINING WALLS: The proposed retaining wall located on Lot 5 near the northern property line shared with Lots 2 and 3 shall be relocated so that it is located entirely on Lots 2 and 3, or the rear property line of Lots 2 and 3 shall be adjusted to include the wall. The proposed retaining walls located in the side yards of Lots 2-4 shall be located entirely on the individual lots and shall not encroach onto an adjacent property, including footings. The plans submitted for plan check review shall show the location of the wall and is subject to approval by the Director of Community Development and City Engineer prior to issuance of a building permit.

Additionally, an easement shall be established from Lot 5 to Lots 2 and 3 for maintenance of, or removal and reconstruction of the retaining wall. The easement language shall include the following:

- a. On Lot 5, no trees shall be planted within or near the easement area, whose drip line would be within 5 feet of the wall, and no improvements, such as pool, accessory structures, etc. shall be constructed within the easement area. The owners of Lot 5 shall be responsible for the costs of removing any trees/improvements planted/constructed in or near or within the easement should it be necessary to do so to allow for maintenance or reconstruction of the retaining walls.
 - b. Lot owners of Lots 2 and 3 shall not be responsible for restoring the improvements within the retaining wall easement area. The owners of Lot 5 shall hydroseed and irrigate the disturbed area to prevent any erosion on their property.
 - c. All accessory structures and/or swimming pool on Lot 5 shall be set back a minimum of 5 feet from the retaining wall easement line. **(PROJECT SPECIFIC CONDITION)**
14. GRADING: The applicant shall submit a final grading plan for review and approval by the Director of Community Development and City Engineer prior to issuance of a building permit. **(PROJECT SPECIFIC CONDITION)**
 15. PUBLIC TRAIL EASEMENT: The applicant shall dedicate a 25-foot wide public trail easement along the project site which runs parallel to Sycamore Road. This easement shall be shown on and recorded as part of the Final Map for Lot 1. **(PROJECT SPECIFIC CONDITION)**

16. PUBLIC TRAIL MAINTENANCE: The public trail shall be maintained by owner(s) of Lot 1. The applicant shall create a trail maintenance agreement which sets forth the maintenance responsibilities and requirements for the public trail. The trail maintenance agreement is subject to review and approval by the City Attorney, Engineering Department and Community Development Department prior to recordation of the final map. **(PROJECT SPECIFIC CONDITION)**
17. DALE WAY: Dale Way shall be included in the public trail easement document. Its maintenance shall be the responsibility of the Lot 1 owner(s) and be part of the public trail maintenance agreement. **(PROJECT SPECIFIC CONDITION)**
18. CREEK MAINTENANCE: The owner(s) of Lot 5 which contains the existing residence shall be responsible for maintenance and repairs of Sycamore Creek located on Lot 5. The applicant shall create a creek maintenance agreement which sets forth the maintenance responsibilities and requirements for the creek. The creek maintenance agreement is subject to review and approval by the City Attorney, Engineering Department and Community Development Department prior to recordation of the final map. **(PROJECT SPECIFIC CONDITION)**
19. LOT 1 LANDSCAPING: The applicant shall enhance front yard landscape to provide sufficient screening of the home. Landscaping in the front yard of Lot 1 shall include trees and shrubs. The species of the proposed trees and shrubs shall be consistent and compatible with the rural character of the existing neighborhood and with surrounding properties. The final landscape plan for Lot 1 shall be subject to review and approval by the City Landscape Architect and Director of Community Development as part of the design review approval. **(PROJECT SPECIFIC CONDITION)**
20. BIOLOGICAL RESOURCES: The applicant shall comply with recommendations listed in the Biological Resources Analysis Report, prepared by Olberding Environmental, Inc. for the proposed development, on file with Planning Division concerning: a) pre-construction avian survey, 2) pre-construction bat survey, and 3) pre-construction amphibian survey. **(PROJECT SPECIFIC CONDITION)**
21. FIREPLACES: All new indoor and outdoor fireplaces or similar appliances shall be a gas fireplace, pellet fueled wood heater, or EPA certified wood-burning appliance. **(PROJECT SPECIFIC CONDITION)**
22. DISCLOSURE: The project developer shall disclose the following information to the future owners of these parcels:
 - a. You are hereby advised that this property is located near land zoned and/or used for agricultural purposes. Agricultural use is defined as including, but not limited to, day and night-time activity relating to livestock grazing, the keeping of livestock, the growing and processing of agricultural crops, and any commercial agricultural practices performed as incidental to or in conjunction with such operations. Some of the impacts associated with agricultural use include, but are not limited to, noise, odor, dust, chemicals, refuse, waste, unsightliness, use of agricultural equipment, and traffic. Permitted agricultural pursuits conducted in accordance with good practice and maintenance are not deemed by the City of Pleasanton as a nuisance.

- b. That Sycamore Creek Way will be extended as a bypass road to the City Golf Course.

The exact language of said disclosures shall be reviewed and approved by the City Attorney before recordation of the final parcel map for the subdivision covered by this approval. **(PROJECT SPECIFIC CONDITION)**

23. **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 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.
24. **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.
25. **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.
26. **FINAL INSPECTION:** Final inspection by the Planning Division is required prior to occupancy.
27. **RECYCLING AND COMPOSTING PROGRAMS:** The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.

Green Building and Sustainability Measures

28. **PHOTOVOLTAIC AND SOLAR WATER HEATING SYSTEMS:** All new residences 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 for the residence. The applicants for the new residences shall comply with the following requirements for making all new units 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.
29. GREEN BUILDING: Prior to building permit issuance for a home, a list of the green building measures used in the design of the home shall be provided to the Planning Division for review and approval by the Director of Community Development. The homes 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 for each home. 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 of a home, 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

30. 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.
31. CONSTRUCTION PARKING: 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 subject to receipt of a temporary conditional use permit (per PMC 18.116.010.E).
32. CONSTRUCTION TRAILERS: A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
33. CONSTRUCTION AND PARKING MANAGEMENT PLAN: The applicant shall prepare a construction and parking management plan to address impacts and parking demands during the construction phase of the project. The construction and parking management plan shall be subject to review and approval by the City Traffic Engineer and Director of Community Development prior to issuance of a demolition permit, or the first building permit, whichever comes first. The following items shall be incorporated into the construction and parking management plan:
- a. Show truck route for construction and delivery trucks that does not include neighborhood residential streets, unless approved by the City Traffic Engineer;

- b. Show construction vehicles and equipment parking area, materials storage, temporary fencing, construction trailer location, and construction contractors/workers parking area.
 - c. Sidewalk closure or narrowing is not allowed during on-site construction activities without prior approval by the City.
34. 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.
35. 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.
36. NOTICE OF CONSTRUCTION: Prior to construction, the applicant shall notify neighbors within 300-feet of the project site of the construction schedule in writing. Such notice shall include contact names and numbers for property owner, agent or contractor.
37. 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.
38. 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

39. 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, or prior to recordation of the final map, whichever is applicable. The type and amount of the fees shall be those in effect at the time the permit is issued.

40. 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.
41. SEWER FEES: The applicant shall pay the applicable Dublin-San Ramon Services District (DSRSD) and City sewer permit fees prior to building permit issuance.
42. SCHOOL IMPACT FEES: 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.
43. CONDITIONS OF APPROVAL: The applicant shall provide all initial buyers with copies of the final project conditions of approval.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT – 925-931-5650

Design

44. WATER CONNECTION: The existing residence shall be connected to City water system prior to recordation of the final map (**PROJECT SPECIFIC CONDITION**)
45. 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.
46. CONDITIONS OF APPROVAL: The Conditions of Approval shall be depicted on a plan sheet(s) in the improvement plans.
47. GEOTECHNICAL CONSULTANT: The applicant shall comply with the recommendations of the project geotechnical report. The applicant's California licensed geotechnical engineer shall review and approve all foundation, retaining walls, drainage and geotechnical aspects of the final grading and improvement plans and shall certify on the plans or as otherwise acceptable to the Director of Engineering/City Engineer that the plans are in general compliance with the recommendations of the project geotechnical report. The applicant shall bear all costs for work related to this condition by their geotechnical engineer.
48. HYDRAULIC CONSULTANT: The applicant shall comply with the recommendations of the project hydraulic report. The applicant's structural engineer shall design all foundations, retaining walls, of the final grading and improvement plans. The applicant shall bear all costs for work related to this condition by their geotechnical engineer.
49. IMPROVEMENT PLANS: The applicant's California licensed civil engineer shall prepare improvement plans that include the plan and profile of all proposed streets; typical and

special cross sections; existing and proposed sanitary sewer storm drain, and water improvements; grading; curb ramps, sidewalk, and driveways; subdrains; fire hydrants; street lights; repair or replacement of deficient frontage improvements; construction of frontage improvements; flood zone limits; seismic fault zone limits; existing and proposed easements; existing and proposed lot lines; storm water pollution control plan; storm water management plan; and other details as required by the Geotechnical report and the hydraulic report and determined by the Director of Engineering/City Engineer.

50. DUST CONTROL PLAN: The applicant shall submit a written dust control plan or procedure with the first submittal of the grading and improvement plans to the Engineering Department subject to the review and approval of the Director of Engineering/City Engineer.
51. RETAINING WALLS: All retaining walls along the street shall be located behind the public service easement (PSE), unless otherwise approved by the Director of Engineering/City Engineer. All retaining walls with a minimum height of 4 feet, measured from the bottom of the footing to the finished grade at the top of the wall, and all retaining walls with a surcharge shall be designed by a California licensed civil or structural engineer
52. 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.
53. EROSION CONTROL MEASURES FOR SUBDIVISIONS: The applicant shall submit an erosion control plan designed by a certified Qualified SWPPP (Stormwater Pollution Prevention Plan) Practitioner (QSP) for all projects disturbing 1 acre or more or by a California licensed civil engineer, subject to the review and approval of the Director of Engineering/City Engineer. All cut and fill slopes shall be hydromulched/hydroseeded and stabilized immediately after the completion of grading work and in no case later than October 1, unless otherwise approved by the Director of Engineering/City Engineer. No grading shall occur between October 1 and April 30 unless erosion control measures are in place, subject to the review and approval of the Director of Engineering/City Engineer. Such measures shall be maintained until the permanent landscaping is completed to the satisfaction of the Director of Engineering/City Engineer and the Notice of Termination for the coverage under the Construction General Permit, if applicable, is approved by the California State Water Resources Board.

Construction

54. 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.
55. GEOTECHNICAL CONSULTANT – CERTIFICATION OF CONSTRUCTION OF SUBDIVISIONS: The applicant's California licensed geotechnical engineer shall inspect and approve the construction of all foundations, retaining walls, drainage and geotechnical aspects of the development to ensure compliance with the approved grading and improvement plans. The geotechnical engineer shall be present on site during grading and excavation operations and certify on the as-built plans that the inspection results and the as-built conditions of the development were constructed in general compliance with the project geotechnical report and improvement plans. The results of the inspections shall be submitted to the Director of Engineering/City Engineer prior to the issuance of the certificate of occupancy. The applicant shall bear all costs for work related to this condition by their geotechnical engineer.
56. 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.
57. RIGHT OF ENTRY: The applicant shall furnish written proof of all necessary rights-of-entry, permits and/or easements for the construction of off-site temporary or permanent improvements to the Director of Engineering/City Engineer prior to the issuance of the encroachment, grading, or subdivision permit, whichever occurs first.
58. 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.
59. AS-BUILT DRAWINGS: The applicant's California licensed civil engineer shall submit signed and stamped as-built drawings and AutoCAD files for the construction of the public improvements and stormwater treatment system subject to the review and approval of the Director of Engineering/City Engineer and prior to the release of the performance and labor and materials bond.

Utilities

60. 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.

61. 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.
62. 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.
63. SANITARY SEWER CLEANOUT: A sanitary sewer service lateral with a two-way cleanout shall be installed at the back of the sidewalk or curb, whichever is applicable, at each lot of record within the development in compliance with the City Standard Specifications and Details in effect at the time of issuance of the encroachment, grading, or subdivision permit, whichever occurs first, unless otherwise approved by the Director of Engineering/City Engineer.
64. SANITARY SEWER CONNECTIONS: The applicant shall provide each lot, parcel of land, or building with an independent connection to the public sanitary sewer main as provided for in the Municipal Code.
65. WATER LATERALS: The applicant shall provide each lot, parcel of land, or building with an independent connection to the public water main as provided for in the municipal Code.
66. WATER AND SEWER CAPACITY: This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project. Recordation of a final map, issuance of a grading permit, issuance of a building permit, or utility extension approval to the site, shall not occur until the Engineering Department verifies sufficient water and/or sewer is available for the project. If sufficient water and/or sewer is not available, the applicant may need to offset the project's demand.
67. WATER METERS: The applicant shall provide a water meter to each lot of record within the development unless otherwise approved by the Director of Engineering/City Engineer.
68. JOINT UTILITY TRENCH: All dry utilities (electric power distribution, gas distribution, communication service, cable television, street lights and alarm systems) required to serve an existing or new development shall be installed in underground conduit in a joint utility trench subject to the review and approval of the Director of Engineering/City Engineer and prior to City council acceptance of public improvements.

69. PUBLIC SERVICE EASEMENT: The applicant shall grant a public service easement (PSE) to the City over those parcels and lots as determined by and subject to the review and approval of the Director of Engineering/City Engineer and prior to City Council acceptance of public improvements.
70. PRIVATE EASEMENTS: The applicant shall record private access, drainage, and utility easements across the project for the benefit of the individual lots as determined by, subject to the review and approval by, and at a time determined by the Director of Engineering/City Engineer.
71. UTILITY VAULTS: The applicant shall set existing and proposed utility vaults to the grade of adjacent curb and/or sidewalk as determined by and subject to the review and approval of the Director of Engineering/City Engineer and prior to City Council acceptance of public improvements.
72. CREEK EASEMENT DEDICATION: The applicant shall dedicate a 60-foot public storm drain easement located on Lot 5 to the City of Pleasanton on the Final Map. The property owner(s) of Lot 5 shall be responsible for maintenance of the creek. If the property owner(s) of Lot 5 fails to maintain creek to the satisfaction of the City Engineer, the City has the right to enter and maintain at the cost of the property owner(s) of Lot 5. **(PROJECT SPECIFIC CONDITION)**

Subdivisions

73. MAINTENANCE OF PRIVATE IMPROVEMENTS: All private improvements including but not limited to storm drainage swales, gutters, inlets, outfalls, channels, retaining walls, fences, etc., shall be privately maintained by the property owners. **(Project Specific Condition)**
74. OUTSIDE AGENCY COMPLIANCE: The applicant shall comply with all applicable conditions of outside agencies having jurisdiction prior to the approval of the final map.
75. FINAL MAP APPROVAL: The applicant shall submit to the Engineering Department one completely signed Mylar copy of the final map, one signed copy of the improvement plans, one signed copy of the Subdivision Agreement, one signed copy of the Creek Maintenance Agreement, one signed copy of the Public Trail Maintenance Agreement, one signed copy of the Stormwater Operations and Maintenance Agreement, and one signed copy of the Creek Maintenance Agreement prior to the City Council approval of the final map. If existing buildings or structures on-site are to be demolished or retained, or existing utilities to be relocated, the applicant shall obtain the necessary permits from the Building and Safety Division and complete all work prior to recordation of the final map.
76. STREET DEDICATIONS AND GRANTS OF EASEMENTS: All dedications, open offers of dedication, or grants of easements to the City shall be dedicated on the face of the final map unless otherwise approved by the Director of Engineering/City Engineer.

Agreements and Covenants

77. SUBDIVISION AGREEMENT: The applicant shall enter into a subdivision agreement with the City agreeing to construct and complete all improvements necessary to serve the subdivision. The agreement shall be executed and submitted to the City prior to approval of the final map. As part of the agreement, the applicant shall provide securities acceptable to the City, guaranteeing construction of the required improvements.
78. DEED RESTRICTION AND DISCLOSURE: Prior to recordation of the final map, any deed restrictions required by specific Planning or Engineering approval, or Specific Plan, shall be recorded on all applicable lots covered by this approval. Wording for all disclosures, deed restrictions, and clauses shall be submitted to the City Attorney and Director of Engineering/City Engineer for review and approval prior to City Council approval of the final map or prior to the Director of Engineering/City Engineer's approval of the final map for this development and shall be concurrently recorded by separate instrument.
79. MAINTENANCE AGREEMENT: Applicant shall create a maintenance agreement, or other mechanism agreed upon by applicant and City, which sets forth the maintenance areas and responsibilities for development. The maintenance agreement (or other mechanism) may be a separate recorded document for the development, subject to review and approval by the City Attorney, Engineering Department and Community Development Department, prior to recordation of the final map. The maintenance agreement (or other mechanism) shall designate responsibility for the maintenance of all private utilities and private improvements described in Condition "*Maintenance of Private Improvements*" above, on the site. The maintenance agreement (or other mechanism) shall include an exhibit showing the location of all the improvements subject to the maintenance agreement (or other mechanism). The City shall be granted the rights and remedies described in the maintenance agreement (or other mechanism), but not the obligation to enforce the maintenance responsibilities set forth in the maintenance agreement (or other mechanism).
80. ESCROW AGREEMENT FOR MAP RECORDATION: The applicant and their title company shall enter into an escrow agreement that provides for the terms on filing the final map concurrently with other related documents for record at the Alameda County Clerk-Recorder's Office. Within a reasonable amount of time following recordation, the applicant's title company shall provide a copy of each recorded document to the Engineering Department determined to be legible by the Director of Engineering/City Engineer.
81. PRIVATE STORM DRAIN EASEMENT: The applicant shall dedicate a private storm drain easement on Lot 2 benefiting Lot 3 to allow a private storm drain pipe to channel storm water from Lot 3 to Lot 2 prior to connecting to the City storm drain system located in Sycamore Creek Way. The owners of Lot 3 shall be responsible for the maintenance, repair and replacement of this storm drain system. The owners of Lot 3 shall restore any improvement including but not limited to landscape and hardscape located within the easement area that are damaged as a result of the storm drain system maintenance, repair or replacement by the owners of Lot 3 or their contractors. The language of the easement is subject to review and approval by the City Attorney's Office prior to recordation of the subdivision map and shall be recorded as a deed restriction for Lot 3.

(PROJECT SPECIFIC CONDITION)

Fees and Bonds

82. ACTING CITY SURVEYOR MAP REVIEW: The applicant shall submit a preliminary copy of the final map, approved tentative map, preliminary title report(s), adjoining deeds, and underlying recorded maps to the Director of Engineering/City Engineer, prior to submittal of the first plan check. The Acting City Surveyor will provide a cost estimate to review the map and certify it is technically correct in compliance with the California Subdivision Map Act. The applicant shall submit full payment for the Acting City Surveyor's fee and the City's administrative fee and all applicable plan check fees with the first map plan check. Unspent Acting City Surveyor's fees will be refunded to the applicant following recordation of the map. If the applicant withdraws their application in writing prior to recordation of the map, unspent Acting City Surveyor's fees will be refunded to the applicant. If the Acting City Surveyor's estimate is insufficient to cover their services, the applicant shall pay the difference between the initial estimate and the actual cost prior to submittal of the map for the Director of Engineering/City Engineer's signature.
83. IMPROVEMENT PLAN AND MAP REVIEW FEES: The applicant shall pay all applicable plan check review fees to the Engineering Department with the first submittal of the improvement plans, grading plans, and final map.
84. SUBDIVISION FEES: The applicant shall pay all subdivision fees to the Engineering Department prior to Director of Engineering/City Engineer approval of the final map at the rate in effect at the time of the approval for the total number of buildable lots on the map.
85. IMPROVEMENT SECURITY: The applicant shall submit a performance bond and labor and material bond, or other improvement security acceptable to the Director of Engineering/City Engineer, for all private and public subdivision improvements necessary to serve the subdivision to the Engineering Department prior to Director of Engineering/City Engineer approval of the final map. Both bonds shall be in an amount equal to 100 percent of the cost estimate as approved by the Director of Engineering/City Engineer. The improvement security may be waived if the necessary improvements have been constructed to the satisfaction of the Director of Engineering/City Engineer prior to City Engineer approval of the final map.
86. WARRANTY BOND: The applicant shall submit a one-year warranty bond in an amount of 10 percent of the full value of all public subdivision improvements necessary to serve the subdivision to the Engineering Department prior to City Council acceptance of the public subdivision improvements.
87. EROSION CONTROL AND HAZARD MITIGATION BOND: The applicant shall submit a refundable cash deposit to the Engineering Department for erosion control and hazard mitigation in an amount determined by the Director of Engineering/City Engineer prior to issuance of an encroachment, grading or subdivision 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.

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

88. **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.
89. **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.
90. **HYDROMODIFICATION MANAGEMENT:** The project will create and/or replace 1 acre or more of impervious surface and increase the total impervious surface area over the pre-project surface area and shall comply with Section "C.3.g Hydromodification Management" of NPDES Permit No. CAS612008 and amendments, issued by the San Francisco Bay Regional Water Quality Control Board, except where on the three provisions stated in the permit applies. Post construction stormwater runoff shall drain to approved permanent Hydromodification Management (HM) controls to mitigate increases in peak runoff flow and increased runoff volume created by the project. The improvement plans shall include the Stormwater Management Plan, prepared by a California licensed civil engineer, indicating the type and locations of HM controls to be installed, sizing calculations using Bay Area Hydrology Model (BAHM). The Stormwater Management Plan shall be subject to review and acceptance by the Director of Engineering/City Engineer, prior to issuance of an engineering or building permit, whichever occurs first. Stormwater HM controls required under this condition shall be provided for in the Stormwater Treatment Measures Inspection and Maintenance Agreement.
91. **STATE OF CALIFORNIA CONSTRUCTION GENERAL PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing 1 acre or more of land (including smaller sites that are part of a larger common plan of development). The applicant shall include the Waste Discharger Identification Number (WDID) on the title sheet of the improvement plans and provide proof of coverage under the State of California Construction General Permit to the Engineering Department prior to the approval of the improvement plans by the Director of Engineering/City Engineer.
92. **STORMWATER POLLUTION PREVENTION PLAN:** The applicant shall submit one hard copy and one PDF copy of the Stormwater Pollution Prevention Plan (SWPPP) for review and acceptance by the Director of Engineering/City Engineer prior to issuance of a building or engineering permit, whichever occurs first. A hard copy of the City-accepted

SWPPP shall be available at the project site until all work is complete and engineering and building permits have been finalized. A site specific SWPPP shall be combined with proper and timely installation of the Best Management Practices, thorough and frequent inspections, maintenance, and documentation. Failure to comply with the reviewed construction SWPPP may result in issuance of correction notices, citations, or a stop work order.

93. **STORMWATER POLLUTION CONTROL PLAN:** The project will disturb more than 1 acre of land during the construction phase. The applicant shall include a Stormwater Pollution Control Plan (SWPCP) on the improvement plans with the first improvement plans review submittal to the City. The SWPCP shall include Stormwater Best Management Practices (BMPs) to be used at the project site for review and approval by the Director of Engineering/City Engineer. The applicant, general contractor and all subcontractors and suppliers of materials and equipment shall implement these BMPs. All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
94. **LANDSCAPE DESIGN:** Landscape shall be designed to minimize runoff, promote surface filtration, and minimize the use of fertilizers and pesticides that contribute to stormwater pollution. Examples include: (a) design structures to prohibit the entry of pests, minimizing the need for pesticides; (b) install appropriate plants for the location in accordance with appropriate climate zones; and (c) install and maintain landscaping to treat stormwater runoff.
95. **CONSTRUCTION COMPLETION:** Prior to occupancy, the applicant shall provide the following documents to the City Inspector:
 - a. A letter prepared and signed by the applicant's engineer of record certifying the project permanent stormwater treatment measures and Hydromodification Management (HM) measures, if applicable, have been installed in accordance with the City approved improvement plans. Photographs shall be taken of all the stormwater treatment measures and HM measures, if applicable, and identified by matching the identification number stated in the city accepted improvement plans.
 - b. Signed and completed construction Project Completion Inspection Checklist
 - c. Bio retention soil certification form completed and certified by the applicant's soil supplier.

FIRE DEPARTMENT – 925-454-2361

The Fire Prevention Bureau reviews building/civil drawings for conceptual on-site fire mains and fire hydrant locations only. Plan check comments and approval DO NOT include: 1.) Installation of the on-site fire mains and fire hydrants. Specific installation drawings submitted by the licensed underground fire protection contractor shall be submitted to the Fire Prevention Bureau for approval; and 2.) Backflow prevention or connections to the public water mains.

96. **FIRE HAZARDS:** The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

- 97. FIRE CODE: All construction shall conform to the requirements of the 2016 Pleasanton Fire Code and local ordinances. All required permits shall be obtained prior to work commencement.
- 98. SITE SAFETY: Site safety during construction shall be in accordance with Fire Code chapter 33.
- 99. FIRE SPRINKLERS: Automatic fire sprinklers shall be installed in all occupancies in accordance with the 2016 Pleasanton Building, Fire and Residential Codes with local amendments and ordinances.
- 100. WILDLAND FIRE MANAGEMENT PLAN: Fire Fuel management provisions of the Wildland Fire Management Plan shall be enforced year-round. **(Project Specific Condition)**
- 101. 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.
- 102. HAZARDOUS MATERIALS: Should any operation or business activity involve the use, storage or handling of hazardous materials, the firm shall be responsible for contacting the Livermore-Pleasanton Fire Department prior to commencing operations. Please contact the Hazardous Materials Coordinator at 925/454-2361.
- 103. FIRE LANE MARKING: On-site access ways, turn arounds, and internal drives shall be designated as fire lanes and identified as such by red curb striping and posted with signs at locations approve by the Fire Department. Signs shall be according to State standards and read "No Parking – Fire Lane" and must be shown on the plans. The red curb striping, sign location(s), and sign language shall be included in the building permit submittal for review and approval by the Livermore-Pleasanton Fire Department prior to building permit issuance.
 - a. The following schedule for NO PARKING signs shall apply:

<i>Width</i>	<i>Requirements</i>
36 feet or greater	No requirements
Between 28 and 36 feet	Post one side
Between 20 and 28 feet	Post both sides
Less than 20 feet	Not permitted
Cul-de-Sac	Not permitted
- 104. EMERGENCY VEHICLE ACCESS ROADS: Access roads shall have 13 feet, 6 inches unobstructed vertical clearance, 20 feet of unobstructed width (26 feet where occupied building floors exceed 30 feet height), and inside turning radius of 31 feet and outside turning radius of 51 feet. Unobstructed shall mean a clear travel way, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds under all weather conditions. Unobstructed width shall not include the width of rolled curbs, sidewalks, or non-drivable surfaces. All exterior portions of buildings must be within 200

feet of an access road. Yard and parking area may be able to be located farther than 200 feet from access roads, depending on the specific use.

105. FIRE VEHICLE TURNAROUNDS: Where Fire Department vehicle access through or around a site involves changes in direction or curves, inside radius of 45 feet and outside radius of 55 feet shall be provided to facilitate fire truck turning radius for entry and exit from the site. Dead-end access ways and internal drives shall not exceed 300 feet in length and shall terminate in cul-de-sacs no less than 96 feet in diameter or hammer-head (tee). Standards and options are available through the Livermore-Pleasanton Fire Department, Fire Prevention Bureau.
106. PREMISES IDENTIFICATION: Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12-inch high by 1-inch stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.
107. RESIDENTIAL – NEW CONSTRUCTION: The following items shall be provided prior to any construction above the foundation or slab.
 - a. Emergency vehicle access shall be provided to the site (tract), including areas where construction is occurring.
 - b. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
 - c. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.
108. FINAL INSPECTION: Prior to request for final inspection, all access roads, on-site access and fire hydrants shall be provided. All fire hydrants shall be accepted, inspected and tested to applicable City Standards.

LANDSCAPE ARCHITECTURE DIVISION – 925-931-5672

Landscaping

109. LANDSCAPING: Detailed landscape and irrigation plans encompassing all planting areas, both on-site and off-site, shall be included in the building permit plans. All plans shall be prepared by a licensed landscape architect and shall provide the species, location, size, quantities, and spacing of all plants. Minimum plant sizes are 1-gallon containers for ground cover, 5-gallon containers for shrubs, and 15-gallon containers for trees. Plant species shall be of a drought-tolerant nature and the irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to the maximum extent possible. The drawings shall be subject to the review and approval of the City Landscape Architect prior to building permit issuance.
110. 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.

111. **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).

112. **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.

113. **CONCRETE CURBS:** 6-inch vertical concrete curbs, with curb cuts or flush curbs with wheel stops, if determined to be acceptable by the Director of Engineering/City Engineer and Director of Community Development, shall be installed between all paved and landscape areas, in conformance with the City's Standard Specifications and Details.

114. **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.

115. **BACKFLOW AND IRRIGATION METER SCREENING:** All backflow prevention devices, above ground irrigation controls, and above ground irrigation meters shall be located and screened to minimize their visual impacts. These devices with their proposed screening shall be shown on the landscaping and utility plans submitted with the building permit plans or improvement plans, clearly marked "above ground" or "below ground" on the plans, and shall be subject to the review and approval of the City Landscape Architect prior to their installation. If above-ground, they shall be painted forest green or an equivalent dark-green color. Screens shall consist of berms, walls, or landscaping satisfactorily integrated into the landscape plan. Landscape screens shall include shrubbery designed by species and planting density to establish a complete screen within 1 year from the date of planting. Weather protection devices, such as measures to protect pipes from freezing, shall require approval by the City Landscape Architect prior to use; at no time shall fabric or other material not designed and/or intended for this purpose be wrapped around or otherwise placed on these devices.

116. **AGREEMENT:** The project includes landscaping or private features within the public right-of-way, trail, or plantings or features of a unique nature. The applicant shall enter into a Landscape Maintenance Agreement with the City, approved by the City Attorney, which guarantees all landscaping, trail improvements, and fencing included in the project will be maintained at all times in a manner consistent with the approved plans. Said agreement shall be recorded and run with the land for the duration of the existence of the structures located on the subject property. **(Project Specific Condition).**
117. **TRAIL DESIGN:** The trail design, including the layout, planting, materials, fencing, signage, and modifications required for Dale Way shall be subject to the review and approval of the City Landscape Architect and shall be consistent with the Trails Master Plan. The existing trail for Bridle Creek shall be modified to connect directly with Dale Way. This shall include removal of a portion of the existing fence to allow for that direct connection.
- In addition, the applicant is encouraged to reach out to the adjoining property owners of 994 Sycamore Road to redesign the shared driveway to a more pedestrian-friendly design, which may include striping, change in pavement, change in driveway alignment, etc. to clearly delineate the pedestrian path of travel. The design shall be an integral part of the trails along Sycamore Road. **(Project Specific Condition).**
118. **TRAIL CONSTRUCTION:** The trail, including the associated site and landscape improvements, shall be constructed prior to recordation of the final map **(Project Specific Condition).**

Trees

119. **TREE REPORT:** The applicant shall comply with the recommendations of the tree report prepared by HortScience, dated March 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.
120. **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 trees 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.
121. **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(s), up to a maximum of \$100,000, and shall be held for a minimum of 1 year following acceptance of public improvements of 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.

122. 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. Roots smaller than 1-inch in diameter are not considered to be significant and may be removed by the most efficient means.
 - b. 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.
 - c. 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.
 - d. 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.
123. ROOT CONTROL BARRIER: The applicant shall provide root control barriers and 4-inch perforated pipe for all trees located within 8-feet of pavement or other hardscape, determined by the City Landscape Architect. Root barriers shall be located along the edge of the pavement wherever the tree is within 8-feet of pavement or hardscape. Information and details shall be included in the landscape plan submittal for review and approval by the Landscape Architecture Division.
124. 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.
125. 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."
126. 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”.

127. 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.

**OPERATIONS SERVICES DEPARTMENT – ENVIRONMENTAL SERVICES/UTILITIES
DIVISION – 925-931-5500**

128. SEWER LINE: The sewer line shall be private from sewer mains on Sycamore Creek Way and Sycamore Road into the development. Prior to building permit submittal, the project plans shall be revised to reflect this requirement.
129. BACKFLOW PREVENTION ASSEMBLIES: Backflow preventer assemblies shall be designed and installed in accordance with current City Standard 706; State Health and Safety Code; Title 17; and as required by the Director of Operations and Water Utilities. All backflow preventer assemblies shall be tested and certified by a City approved tester with the certification submitted to the City’s contractor, Aqua Backflow. Testing will be performed at the time City water is turned on to the site. If an existing backflow preventer is on the site it shall be tested and certified by an approved tester with the certification submitted to the City’s contractor, Aqua Backflow, before project water is drawn through it. An all-weather cover shall be placed over all backflow prevention assemblies 4 inch and smaller.

TRAFFIC ENGINEERING DIVISION – 925-931-5677

130. TRAFFIC CONTROL PLAN (TCP): A comprehensive traffic control plan shall be submitted to the City Traffic Engineer for review and approval. Best management practices to minimize traffic impacts shall be used during construction, including scheduling of major truck trips and deliveries, to avoid peak travel hours. The TCP shall have proper lane closure procedures such as flagger stations, signage, cones, and other warning devices implemented during construction. The TCP shall also include time of day/hours of lane closures and total number of days.
131. TRUCK ROUTES: The haul route for all materials to and from the project site shall be reviewed and approved by the City Traffic Engineer prior to building permit issuance and shall include the provision to monitor the street surfaces used for the haul route so that any damage and debris attributable to the haul trucks is identified and corrected at the expense of the applicant.

[end]

ORDINANCE NO. 2210

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING APPLICATIONS FOR PLANNED UNIT DEVELOPMENT (PUD) REZONING AND DEVELOPMENT PLAN AND VESTING TENTATIVE MAP FOR A FIVE-LOT RESIDENTIAL PROJECT LOCATED AT 990 SYCAMORE ROAD, AS FILED UNDER CASE NOS. PUD-135 (PLANNED UNIT DEVELOPMENT), P19-0030 (REZONING), AND VESTING TENTATIVE MAP 8528

WHEREAS, on February 7, 2019, Alaina Stewart / Bringhurst LLC (“Applicant”) submitted applications to develop an approximately 3.28-acre site located at 990 Sycamore Road for PUD development plan approval for a five-lot single-family residential development with related on- and off-site improvements and Vesting Tentative Subdivision Map approval to subdivide the 3.28-acre parcel into five residential lots for four new homes and one existing home (the “Project”); and

WHEREAS, the site is designated Low Density Residential in the General Plan; and

WHEREAS, the site is designated Planned Unit Development - Agricultural (PUD-A) in the North Sycamore Specific Plan (NSSP); and

WHEREAS, on July 11, 2018, the Planning Commission, following public notice, conducted a work session where the Project was presented as a public hearing item; and

WHEREAS, on December 16, 2019, Notice of Public Hearing and Notice of Intent (NOI) to Adopt a Draft Initial Study and Proposed Negative Declaration were sent to interested parties and property owners/residents in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15072; and

WHEREAS, on January 22, 2020, staff presented the Project and recommended denial of the Project as staff did not support the requested amendment to the NSSP to increase density; and

WHEREAS, on January 22, 2020, the Planning Commission, following public notice, conducted a public hearing where it considered the written agenda report, public testimony, related project materials, and stated its support of the Project including five residential lots; however, the Commission continued the hearing and requested project revisions and additional information be provided when the application returned to the Commission: 1) visual simulations of the future home on Lot 1; 2) a reduction in the maximum allowable building area on Lot 1; 3) an increase of the building setback on Lot 1 from Dale Way and 4) monetary contribution for bicycle and pedestrian improvements; and

WHEREAS, on January 22, 2020, the Planning Commission also reviewed the Initial Study (IS) and Negative Declaration (ND) prepared in accordance with Sections 15070 and 15072 of the CEQA Guidelines and continued the hearing to a date to be determined; and

WHEREAS, on May 27, 2020, the Planning Commission, following public notice, conducted a public hearing where it considered the written agenda report, public testimony, related project materials, and additional information and revisions to the plans requested by the Planning Commission; and

WHEREAS, on May 27, 2020, the Planning Commission adopted Resolution 2020-07, determining that the proposed NSSP amendments, PUD rezoning and development, and subdivision of the site are appropriate for the site, making the findings, and recommending to the City Council that the Project be approved, and

WHEREAS, on August 18, 2020, the City Council held a duly noticed public hearing on the Project and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, based on the Initial Study, a Negative Declaration was prepared for this Project and was adopted by the City Council at its noticed public hearing on August 18, 2020; and

WHEREAS, the City Council finds that the PUD rezoning and development, and subdivision of the site, are consistent with the General Plan and the purposes of the PUD ordinance and Subdivision Map Act based on the considerations set forth in this ordinance.

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

SECTION 1. The approximately one-acre northern portion of the site located at 990 Sycamore Road is rezoned from the Planned Unit Development – Agriculture (PUD-A) District to the Planned Unit Development – Medium Density Residential (PUD-MDR) District.

SECTION 2. The Zoning Map of the City of Pleasanton, dated April 18, 1960, on file with the City Clerk, designating the dividing of the City into zoning districts, is hereby amended by Zoning Unit Map No. 507, attached hereto as Exhibit A1, dated August 18, 2020 and incorporated herein by this reference.

SECTION 3. With respect to the Planned Unit Development application, the City Council makes the following findings and determinations with respect to each of the considerations for approval of a PUD Development Plan as required by Section 18.68.110 of the Pleasanton Municipal Code (PMC):

1. Whether the plan is in the best interests of the public health, safety, and general welfare:

The City Council finds that the proposed Project, as conditioned, meets all applicable City standards concerning public health, safety, and welfare. The subject development would include the installation of all required on-site utilities with connections to municipal systems in order to serve the new lots. The Project would be compatible with the adjacent uses and the design criteria listed in the design guidelines, which would require new homes to be constructed consistent with the existing residential scale and character of the area. Adequate setbacks have been required between the new dwellings and the existing structures on the adjacent properties. The Project will not generate volumes of traffic that cannot be accommodated by existing City streets and intersections in the area. The proposed homes will be designed to meet the requirements of the California Building Code, California Fire Code, and other applicable codes. As such, the City Council concludes that this finding can be made.

2. Whether the plan is consistent with the City's General Plan and any applicable specific plan:

The Project site has a General Plan Land Use designation of "Low Density Residential" on the General Plan Map. However, the General Plan Land Use Element indicates that General Plan Land Uses, densities and street alignments that are within specific plan areas are only conceptually shown on the General Plan Map while the Specific Plan provides additional detail. Therefore, the proposed development will need to conform to the Land Use Designation and density indicated by the NSSP.

The NSSP Land Use Designation for the site is PUD-Agriculture, which allows a maximum density of 1.0 dwelling unit per acre. The proposal would change to the land use designation of an approximately 1.01-acre northern portion of the site from PUD-Agriculture to PUD-Medium Density Residential. The PUD-Medium Density Residential land use category allows a maximum density of 3.5 dwelling units per acre. The proposed density of the PUD-Medium Density Residential portion of the site would be 3.0 dwelling units per acre. The remaining 2.27-acre southern portion of the site would retain the PUD-Agriculture land use designation and would have two dwelling units, resulting in a density of 0.88 dwelling units per acre. With the proposed amendments to the NSSP, the City Council finds the proposed density conforms to the NSSP land use designations. The City Council concluded the specific plan amendment to increase the density for this site is acceptable because:

1. The topography of the site creates a natural separation between the northern portion of the site from the southern portion;
2. The three-lot design fronting Sycamore Creek Way follows the design and lotting pattern of the existing neighborhood;
3. Utilities to accommodate the new homes are readily available;
4. The increase in units would remain within the total buildout capacity of the North Sycamore Specific Plan; and
5. Conditions of Approval specify that no further subdivision of the property will be allowed.

The City Council concludes the specific plan amendments pertaining to trail realignment, supported by the Bicycle, Pedestrian and Trails Committee (BPTC) and Parks and Recreation Commission, and rezone of the northern approximately one-acre portion of the site from PUD-A to PUD-MDR are appropriate.

3. Whether the plan is compatible with previously developed properties in the vicinity and the natural, topographic features of the site:

The existing neighborhoods include a mixture of one-and-two-story residences with a variety of architectural styles. The City Council finds that the design criteria listed in the Design Guidelines would require future homes to be constructed in a style and manner compatible with the land use pattern in the neighborhood and previously developed properties in the vicinity. The photo simulations of a future home on the new lot fronting Sycamore Road demonstrates its compatibility with the existing neighborhood. The proposed pad elevations are compatible with the existing lots in the vicinity and the development standards and design guidelines would ensure the future homes are sited to minimize impacts on surrounding neighbors to the extent feasible and are designed to reduce their mass and not overpower the site. The Project has been designed around mature trees on the project site which will be

retained as part of the development. As such, the City Council finds the development is sensitive to the existing vegetation on-site. In addition, proposed new home sites will have adequate space for outdoor living area which will relate well to the site's natural and built features. The City Council concludes that this finding can be made.

4. Whether grading takes into account environmental characteristics and is designed in keeping with the best engineering practices to avoid erosion, slides, or flooding to have as minimal an effect upon the environment as possible:

The City Council finds that grading follows a similar pattern as the existing neighborhood and results in building pad height that would help avoid future homes looming over neighboring properties. Erosion control and dust suppression measures will be documented in the improvement plans and will be administered by the City's Building and Safety Division and Engineering Department. In addition, the flood hazard maps of the Federal Emergency Management Agency (FEMA) indicate that the subject property is not located in a flood hazard zone. The site is not located within an Alquist-Priolo Earthquake Fault Zone. As such, the City Council concludes that this finding can be made.

5. Whether streets, buildings, and other manmade structures have been designed and located in such manner to complement the natural terrain and landscape:

The Project site is in a developed area of the City and does not include the extension of any new public streets. The Project site would be graded in such a manner that the proposed building pads for new residences do not contrast unfavorably with the natural terrain. The City Council finds the proposal is sensitive to existing landscaping, maintaining existing mature trees on-site. The design guidelines would require future homes to be constructed compatible with the existing neighborhood. As such, the City Council concludes that this finding can be made.

6. Whether adequate public safety measures have been incorporated into the design of the plan:

The City Council finds that private driveway entries off Sycamore Creek Way would be located and configured to provide adequate line-of-sight distances and to facilitate efficient ingress/egress to and from the project site. The new lot fronting Sycamore Road would share the driveway with the existing residential lot. The existing streets to the development provide adequate circulation for fire, police, and other emergency vehicles. The new homes will be equipped with automatic residential fire sprinklers. In addition, the Project is required to follow the maintenance guidelines detailed in the Open-Space Management and Wildland Fire Management Plan prepared by Olberding Environmental, Inc. for the Project. Furthermore, the future homes will be required to meet the requirements of applicable City and State codes. As such, the City Council concludes that this finding can be made.

7. Whether the plan conforms to the purposes of the PUD District:

The City Council finds that a PUD development plan with five residential lots for four new homes and one existing home conforms to the purposes of the PUD district. The primary purpose of the PUD district is to allow flexibility in the development of projects the City determines are in its best interest. The City Council finds that the proposed project, as conditioned, would help to implement the purposes of the PUD ordinance by allowing for flexible site standards that meets the City's General Plan and NSSP and results in a development plan that optimizes the use of this site in a

reasonably sensitive manner. As such, the City Council concludes that this finding can be made.

SECTION 4. With respect to the Vesting Tentative Subdivision Map application, State law and the Zoning Ordinance of the Pleasanton Municipal Code (PMC) set forth the considerations to be addressed in reviewing a Vesting Tentative Subdivision Map. The City Council makes the following findings and determinations with respect to each of the considerations for approval of a subdivision as required by Sections 19.20.110 and 19.22.060 of the Pleasanton Municipal Code (PMC):

1. The proposed vesting tentative subdivision map conforms to the zoning regulations/development plan.

The design and improvements of Vesting Tentative Subdivision Map 8528 closely follow and conform to the proposed PUD development plan. The City Council finds the subdivision map conforms to the zoning regulations and the proposed development plan.

2. The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities.

This subdivision would create five residential lots for four new homes and one existing home. The future homes would generally be oriented in an east-west orientation for southern exposure and provide for passive heating and/or cooling opportunities. The future homes would be required to comply with the City's residential Green Building Ordinance (provided that they are 2,000 square feet or more in size), which requires that each home achieve a "Green Home" rating on Alameda County Waste Management Authority's "Single-Family Green Building Rating System." Energy efficiency is the cornerstone of every green home. Solar water heating systems, photovoltaic energy systems, and energy efficient windows are some of the possible green features that the future homeowners may choose to achieve the "Green Home" rating. As such, the City Council concludes that this finding can be made.

3. The proposed vesting tentative subdivision map, together with its design and improvement, is consistent with the Pleasanton General Plan.

With the approval of the proposed amendments to the NSSP, the proposed subdivision and improvements would be consistent with the objectives, policies, land uses, and programs specified in the General Plan and NSSP. The City Council finds the subdivision is compatible with the objectives, policies, land uses, and programs specified in both the General Plan and NSSP.

4. The subdivision site is physically suitable for this type and density of development.

The subdivision would create five residential lots for four new homes and one existing home with lotting configurations and development standards and design guidelines for the future homes and/or remodeled existing home compatible with the existing lots and homes in the neighborhood. The project area is not in a flood zone or earthquake fault zone. Thus, the City Council finds the subdivision site is physically suitable for the type and density of development.

- 5. The design of the subdivision and improvements covered by the proposed vesting tentative subdivision map will not cause substantial environmental damage and avoidably injure fish and/or wildlife or their habitat.**

The Project includes project-site specific reports in the areas of geotechnical and biological assessment, which state the site is suitable for the proposed development without substantial environmental damage. In addition, hydrology studies conducted for the Project indicate the proposed development would result in a slight increase in surface water flow into Sycamore Creek, but the increase is not considered to be significant and would not result in substantial erosion or siltation on- or off-site. The environmental initial study prepared for the proposed development also indicates the proposed development would not have significant impacts on the environment. Thus, the City Council finds the proposed subdivision will not cause any substantial environmental damage or injure fish and/or wildlife or their habitat.

- 6. The design of the proposed subdivision or type of improvements is not likely to cause serious public health problems.**

As proposed and conditioned, the proposed subdivision and improvements will be designed and constructed to meet the applicable City standards pertaining to public health and safety, including public utilities and services, road design and traffic safety, emergency vehicle access, fire hazards, geologic hazards, and flood hazards. In addition, all new structures will be required to comply with the applicable Building and Fire Codes, City codes, and State of California energy requirements. New lots will be required to have independent utility connections subject to review and approval by the City Engineer. Thus, the City Council finds the proposed subdivision will not cause serious public health problems.

- 7. The design of the subdivision or its related improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.**

The Project includes the realignment of the public trail as shown in the NSSP to reduce environmental impacts to the creek and reduce potential conflicts between trail users and private property owners in the Project. The realigned trail conforms to the trail location shown in the City's Trails Master Plan. The proposed subdivision includes the realigned public trail and an easement dedicated for the public's use of the trail. The vesting tentative map also establishes other easements shown in the PUD development plan. Thus, the City Council finds the design of the subdivision will not have conflict with easements acquired for public use.

- 8. The restriction on approving a tentative subdivision map on land covered by a land conservation contract entered into pursuant to the California Land Conservation Act of 1965 (Williamson Act) is not applicable.**

The site is not covered by any land conservation contract, and so this finding can be made.

- 9. The discharge of waste from the proposed subdivision would not result in violation of existing requirements prescribed by the California Regional Water Quality Control Board (RWQCB).**

Existing and future homes will be connected to the City sanitary sewer system for conveyance to the sewer treatment plant. Stormwater runoff will be treated as part of the subdivision improvements. Thus, this subdivision will not result in violation of existing requirements prescribed by the California Regional Water Quality Control

Board (RWQCB). The City Council finds the proposed subdivision will meet this requirement.

SECTION 5. The City Council hereby approves the Project, as reflected in the plans dated March 13, 2020 for the Project located at 990 Sycamore Road, subject to the Conditions of Approval in Exhibit A2, attached hereto and incorporated into this ordinance by reference.

SECTION 6. 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 7. This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on August 18, 2020 by the following vote.

Ayes:	Councilmembers Brown, Narum, Pentin, Mayor Thorne
Noes:	Councilmember Testa
Absent:	None
Abstain:	None

Jerry Thorne, Mayor

ATTEST:

Karen Diaz, City Clerk

APPROVED AS TO FORM:

Daniel G. Sodergren, City Attorney