

**EXHIBIT A  
DRAFT CONDITIONS OF APPROVAL**

**P16-0006, The Frank Berlogar Trust  
39 Silver Oaks Court  
April 13, 2016**

**SPECIAL CONDITIONS OF APPROVAL**

**Planning Division**

1. No building permit shall be issued prior to the recordation of Parcel Map 10248.
2. The Design Review will lapse and shall become void one year following the date on which the Design Review became effective, unless prior to the expiration of one year a building permit is issued and construction which was the subject of the Design Review application is commenced and diligently pursued toward completion on the site, or the applicant or his or her successor has filed a request for extension with the Director of Community Development pursuant to the provisions of the Pleasanton Municipal Code Section 18.12.030.
3. The project shall meet all requirements of the City's Growth Management Ordinance.
4. The applicant shall obtain all required City permits prior to construction.
5. The vehicle backup distance in front of the garage shall be reduced from the proposed 50 feet to 30 feet in order to reduce overall grading. The construction plan submitted for issuance of a building permit shall include this revision and is subject to review and approval by the Director of Community Development.
6. The garage doors shall be revised from two to four garage doors. This revision shall be included in the plans submitted for issuance of a building permit. The design of the four garage doors shall be subject to review and approval by the Director of Community Development.
7. The final landscape and irrigation plan shall specify the planting of *Westringia fruticosa* 'Wynabbie gem' shrubs, five-gallon size minimum, in front of and between the retaining walls located to the northeast of the driveway area to screen the view of the driveway. It shall also indicate the spacing and quantity of the plants and is subject to review and approval by the Director of Community Development and City Landscape Architect.
8. The retaining walls located to the north of the driveway area shall incorporate stone matching the stone used for the proposed home. This revision shall be shown on the final landscape plan and is subject to review and approval by the Director of Community Development.
9. Fence posts located within the tree dripline shall be dug by hand with care taken not to damage or cut any roots one-inch in diameter or greater. The project arborist shall be

on site during excavation within tree driplines and shall submit written verification that excavation is done appropriately and that no roots one-inch in diameter or greater have been compromised.

10. Unless otherwise approved by the Director of Community Development and the City Landscape Architect, the irrigation plan shall be revised to show no irrigation under the existing tree driplines prior to issuance of a building permit.
11. A final landscape and irrigation plan shall be submitted to and approved by the Director of Community Development as part of the building permit plans set prior to issuance of a building permit. Said landscape plan shall be detailed in terms of species, location, size, quantities, and spacing. Plant species shall be of a drought tolerant nature with an irrigation system that maximizes water conservation (e.g., drip system).
12. The project shall comply with the State of California Model Water Efficient Landscape Ordinance and Bay Friendly Basics Landscape Checklist. Prior to issuance of a Building Permit, the applicant shall submit the following documentation to the Planning Division:
  - a. Landscape Documentation Package, which includes date; project applicant/contact information; project address; total landscape area; project type (new, rehabilitated, public, private, cemetery, homeowner-installed); water supply type (potable, recycled, well, greywater, combination of potable/greywater); and applicant signature/date with the statement that "I agree to comply with the requirements of the prescriptive compliance option of the Water Efficient Landscape Ordinance."
  - b. Certificate of Completion.
13. In accordance with the timing requirements below, the landscape architect or landscape designer shall certify in writing to the Director of Community Development that the landscaping has been installed in accordance with the approved landscape and irrigation plans with respect to size, number, and species of plants and overall design concept. A special inspection by the Planning Division shall be coordinated with regards to landscaping and irrigation. Prior to occupancy, the landscaping shown on the final plan shall be installed and inspected.
14. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties. The project/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the building. The final landscape plan shall also show the removal of all landscaping up-lights.
15. The electrical plan for the home shall provide telecommunications infrastructure consistent with state-of-the-art methods (e.g., cabling for DSL, broadband, or wireless service, wiring for total room access, etc.) in effect at the time that building permit(s) are issued. The plan shall be part of the building permit plan set.

16. Water conservation devices such as low-flow faucets, toilets, shower fixtures, etc., shall be installed as part of the project. The water conservation devices shall be stated on the plans submitted for the issuance of a building permit.
17. The State of California's Green Building Standards Code, "CALGreen", as amended, shall apply, as applicable.
18. 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 Planning Division.
19. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through 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), if it can be demonstrated to the satisfaction of the Director of Community Development that the construction noise and construction traffic noise will not affect nearby residents or businesses. All construction equipment must meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the applicant shall post on the site the allowable hours of construction activity.
20. The building permit plan check package will be accepted for submittal only after completion of the 15-day appeal period, measured from the date of the approval letter, unless the project developer submits a signed statement acknowledging that the plan check fees may be forfeited in the event that the approval is overturned on appeal, or that the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the 15-day time-period.

### **Engineering Department**

21. The project developer shall comply with the recommendations of the Subdivisions' geotechnical report approved as part of PUD-84. The project developer shall hire a geotechnical consultant to review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the Subdivision as part of PUD-84.

## **STANDARD CONDITIONS**

### **Community Development Department**

22. The project applicant/developer shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the

permanent landscaping is installed for the project unless otherwise approved by the department.

23. The project developer shall submit a written dust control plan or procedure as part of the building permit plans.
24. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
25. The applicant shall pay any and all fees to which the property may be subject prior to issuance of building permits. The type and amount of the fees shall be those in effect at the time the building permit is issued.
26. The applicant shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the applicant shall pay any applicable Dublin San Ramon Services District (DSRSD) sewer permit fee prior to issuance of a building permit.

### **Planning Division**

27. The proposed development shall conform substantially to the project plans, color and material sheet, and view simulations, Exhibit B, dated "Received February 26, 2016," on file with the Planning Division, except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance to the approved exhibits.
28. To the extent permitted by law, the project applicant shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorney's fees), action, or proceeding brought by a third party against the indemnified parties and the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including (without limitation) reimbursing the City its attorney's 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.

29. The 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 in addition to the school impact fees required by State law. 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.
30. The applicant/building developer shall submit a final list of the green building measures used in the design of the house covered by this approval to the Planning Division for the review and approval by the Director of Community Development prior to the building permit submittal. The home 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 GreenPoints rating system. Notwithstanding the foregoing, the State of California's Green Building Standards Code, "CALGreen", as amended, shall also apply.

The green building measures shall be shown on one of the first two pages of the plans submitted for issuance of a building permit. Each point identified shall have a notation indicating the sheet the point can be found, and each sheet shall note where the point is located. All proposed green building measures shall be shown throughout the plan set, as appropriate, as determined by the Director of Community Development.

A special inspection by from the Planning Division shall be coordinated with regards to landscaping, irrigation, and exterior materials. All of the green building measures indicated on the approved checklist shall be inspected and approved by either the City of Pleasanton, or a third party rater, or the applicants shall provide written verification by the project engineer, architect, landscape architect, or designer.

31. The residence shall be constructed to allow for future installation of a photovoltaic (PV) system and solar water heating systems. The project applicant shall comply with the following requirements for making the dwelling photovoltaic-ready and solar-water-heating-ready:
  - a. Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's 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.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

32. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed.
33. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
34. The developer and future homeowners are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.
35. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
36. The project developer must provide to the Director of Community Development a building height certification performed by a licensed land surveyor or civil engineer. Said certification must allow for the installation of finished roof materials and must meet the approved building height.
37. The approved building materials and colors shall be stated on the plans submitted for issuance of building permits.
38. 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.
39. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
40. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.
41. The project developer shall submit a building pad elevation certification and foundation certification prepared by a licensed land surveyor or registered civil engineer to the Chief Building Official, certifying that the pad elevations and building locations (setbacks) conform to the approved plans, prior to receiving a foundation inspector for the structures.
42. All conditions of approval for this case shall be reprinted and included as a plan sheet(s) with the building permit plan check sets submitted for review and approval. At all times these conditions of approval shall be on all grading and construction plans kept on the project site.

## **Building**

43. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.
44. At the time of building permit plan submittal, the project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures to prevent stormwater runoff onto adjoining properties.
45. Prior to issuance of building or demolition permits, the applicant shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and indicate how the project developer intends to recycle at least 75 percent of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the project developer shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The project developer shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

## **Landscaping**

46. The project developer shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
47. The following statements shall be printed on the site, grading, and landscape plans where applicable to the satisfaction of the Director of Community Development prior to issuance of a building permit:
  - a. No existing tree may be trimmed or pruned without prior approval by Community Development Director.
  - b. No equipment may be stored within or beneath the driplines of the existing trees.
  - c. 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.
  - d. No stockpiling/storage of fill, etc., shall take place underneath or within five feet of the dripline of the existing trees.

48. Prior to issuance of a grading or building permit, the project developer shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final landscape inspection by Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
49. The project developer shall provide root control barriers and four inch perforated pipes for street trees and trees in planting areas less than ten feet in width, as determined necessary by the Director of Community Development at the time of review of the final landscape plans.
50. For purposes of erosion control, the applicant/developer shall plant a hydroseed mixture that has been designed by the project Landscape Architect. The hydroseed mixture shall be specified on the building permit plans for review and approval by the Director of Community Development and shall be maintained by the applicant/developer.

### **Engineering Department**

51. The haul route for all materials to and from this development shall be approved by the City Engineer prior to the issuance of a permit, and shall address the need to schedule major truck trips and deliveries during off peak travel times, to avoid peak travel congestion. It shall also 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 project applicant or developer.
52. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
53. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the project developer and includes but is not limited to slurry seal, overlay, restoration of landscaping and irrigation system, signing, striping, pavement marking or street reconstruction if deemed warranted by the City Engineer.
54. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve the project.
55. There shall be no direct roof leaders connected to the street gutter or storm drain system, unless otherwise approved by the City Engineer.
56. The project developer and/or the project developer's contractor(s) shall obtain an encroachment permit from the City Engineer prior to any work to be performed within the public right of way.



57. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit.
58. The project developer shall include erosion control measures on the final grading plan, subject to the approval of the City Engineer. The project developer is responsible for ensuring that the contractor is aware of such measures. All cut and fill slopes shall be revegetated and stabilized as soon as possible after completion of grading, in no case later than October 15. No grading shall occur between October 15 and April 15 unless approved erosion control measures are in place, subject to the approval of the City Engineer. Such measures shall be maintained until such time as a permanent landscaping is in place.
59. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.

## **Fire**

60. The project developer shall keep the site free of fire hazards from the start of construction until the final inspection.

## **Urban Stormwater**

60. The project shall comply with the "Alameda Countywide NPDES Permit #CAS612008 dated November 19, 2015 and amendments to this permit" issued by the California Regional Water Quality Control Board, San Francisco Bay Region, a copy of which is available at Community Development Department, Public Works/Engineering section at City offices, Alameda County Clean Water Program, at the State Water Board, and the following websites:

- [http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/Municipal/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml);
- [http://www.swrcb.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/Municipal/R2-2015-0049.pdf](http://www.swrcb.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/R2-2015-0049.pdf)

### A. Design Requirements

1. The Permit design requirements include, but are not limited to, the following:
  - a. Source control, site design measures, and design and implementation of stormwater treatment measures are required when commercial, industrial or residential development creates and replaces 10,000 square feet or more of impervious surface, including roof area, streets and sidewalk.

- b. The Permit requires a proactive Diazinon pollutant reduction plan (aka Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
- 2 The following requirements shall be incorporated into the project:
- a. The project developer shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and on-site drainage control measures including bio-swales. Irrigated bio-swales shall be redesigned as needed to the satisfaction of the City Engineer to optimize the amount of the stormwater running off the paved surface that enters the bio-swale at its most upstream end. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of any building permits.
  - b. Landscaping shall be designed to minimize irrigation and runoff, promote surface infiltration where appropriate and acceptable to the project soils engineer, and minimize the use of fertilizers and pesticides that can contribute to stormwater pollution.
    - Structures shall be designed to prohibit the occurrence and entry of pests into buildings, thus minimizing the need for pesticides.
    - Where feasible, landscaping shall be designed and operated to treat stormwater runoff. In areas that provide detention of water, plants that are tolerant of saturated soil conditions and prolonged exposure to water shall be specified. Soil shall be amended as required. (See planting guidelines of the Alameda County Clean Water Program.)
    - Plant materials selected shall be appropriate to site specific characteristics such as soil type, topography, climate, amount and timing of sunlight, prevailing winds, rainfall, air movement, patterns of land use, ecological consistency and plant interactions to ensure successful establishment.
    - Landscaping shall also comply with City of Pleasanton ordinances and policies regarding water conservation.
  - c. Roof drains shall discharge and drain away from the building foundation. Ten percent of the stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable.

#### B. Construction Requirements

The project developer is responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the Stormwater Pollution Prevention Plan (SWPPP) and implemented as approved by the City.

- a. The project developer shall include erosion control/stormwater quality measures on the final grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation

fences and are subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for an on-site permit, subject to the review and approval of the Building and Safety Division. The project developer is responsible for ensuring that the contractor is aware of and implements such measures.

- b. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the grasses are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of the City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
- c. Gather all sorted construction debris on a regular basis and place it in the appropriate container for recycling to be emptied at least on a weekly basis. When appropriate, use tarps on the ground to collect fallen debris or splatters that could contribute to stormwater runoff pollution.
- d. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked-on mud and dirt from these areas before sweeping.
- e. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing into the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
- f. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system through being windblown or in the event of a material spill.
- g. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
- h. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into street, gutters, or storm drains.

### C. Operation Requirements

The following requirements shall be incorporated into the project:

- a. The applicant and future homeowners of the home covered by this approval are encouraged to use best management practices for the use of pesticides and herbicides.
- b. Vegetated swales with grasses shall be mowed and clippings removed on a regular basis.

## **CODE REQUIREMENTS**

### **Building**

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

61. The project developer shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
62. The project developer shall post address numerals on the building so as to be plainly visible from all adjoining streets or driveways during both daylight and night time hours.
63. The building covered by this approval shall be designed and constructed to meet Title 24 state energy requirements.
64. All building and/or structural plans must comply with all codes and ordinances in effect before the Building and Safety Division will issue permits.

### **Fire**

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

65. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
66. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to the National Fire Protection

Association (NFPA) Pamphlet 13 for commercial occupancies, NFPA 13D for residential occupancies, and NFPA 13R for multifamily residential occupancies.

67. Fire alarm system shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.
68. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame- producing devices, asphalt/tar kettles, etc.
69. The building (s) covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

{end}

SILVER OAKS HILLSIDE LOTS SUBDIVISION  
PARCELS 1 & 2

SITE DEVELOPMENT AND ARCHITECTURAL REVIEW GUIDELINES





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## I. INTRODUCTION

Silver Oaks Hillside Lots is a 2-lot Subdivision located in eastern Pleasanton in the Vineyard Corridor. It is adjacent to Silver Oaks Estates Phase I. The project is located on a gently to steeply sloping hillside. Each lot has defined building envelopes. The area outside the defined building envelope is designated as an open space easement. The purpose of this guideline is to produce architecture and landscape criteria that result in home designs that are compatible with the hillside terrain and to blend the homes into the hillside and minimize visual impacts from below.

The Architectural Guidelines for Silver Oaks Hillside Lots are created to allow individual lot development with a high level of architectural integrity. It provides a procedure for achieving architectural uniqueness that promotes a sense of neighborhood and is designed to protect existing and future property values. They are based on the physical constraints as well as the opportunities of the site.

These guidelines are intended for use by residents, architects, civil engineers and landscape architects, as well as the City of Pleasanton Planning staff to ensure the compatibility of the proposed new residences with the surrounding neighborhood and with one another. The guidelines detail the process of plan review and interpretation of design intent and include recommendations on architectural integrity, composition and proportion, as well as specifics regarding exterior materials, finishes and landscaping.

It is not the intent of these guidelines to dictate specific architectural styles that must be used within the community, but rather to give property owners and their architects a set of guidelines that will make the entire community a more attractive place to live. Although no specific architectural styles are mandated, a consistency in style and detail and a high level of architectural refinement is required.

Each owner shall strive to design a building that is in harmony with its surroundings. The most important step in this process is to choose a competent design team, experienced with hillside properties, including an Architect (or other competent design professional) and Landscape Architect (or a competent unlicensed

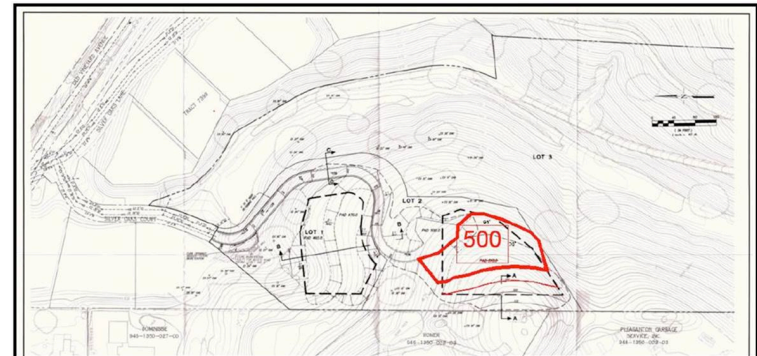
landscape designer) and a licensed Civil Engineer.

## II. DESIGN REVIEW PROCEDURES

It is important that every potential property owner at Silver Oaks Hillside Lots and their design team thoroughly read the Design Guidelines and understand its requirements. Contact the City of Pleasanton or the Silver Oaks Hillside Lots Design Review Architect ("DRA") if clarification is necessary. Each property owner shall also review the City of Pleasanton Vineyard Avenue Specific Plan.

The design review process is a two-tier review process: Silver Oaks Hillside Lots Design Review Architect (DRA) and City of Pleasanton will review each submittal. If necessary, the City of Pleasanton and the Silver Oaks Hillside Lots Homeowners Association may assign an alternate Design Review Architect, and it may revise these Guidelines. It is the responsibility of the property owners to verify with the City of Pleasanton Planning staff that they have the latest document.

Any and all improvements on lots within Silver Oaks Hillside Lots requires approval by the DRA in accordance with the design requirements set forth in the Design Guidelines.





Design Review Architect Contact Information:

Silver Oaks Hillside Lots DRA  
C/O Gorny & Associates Architecture  
1375 Locust St., Suite 205  
Walnut Creek, CA 94596

Tel: 925.939.0183  
JFGorny@comcast.net  
Attn: Joseph F. Gorny

An alternate DRA may be designated by the Pleasanton Planning Division if the designated DRA if the architect of record on either of the two properties or for any other reason.

**A. Initial Contact with DRA**

Property owners are required to contact the Design Review Architect to schedule a meeting to discuss the site layout, architectural style preference and choice of their design team (architect, landscape architect, etc.). Once the design team is established, the property owner and his/her design team shall communicate and receive feedback from the DRA during the conceptual design review process

**B. Review Process**

Submittals are to be sent to the DRA for review and approval. Once the submittal is determined to be complete, the DRA will have 10 working days after receipt of a complete package to provide the owner (or their representative) with comments. The DRA will review the project with the City of Pleasanton Planning staff as necessary.

**C. Fees**

A \$750 deposit shall accompany the submittal package payable to the current DRA.

Upon exhausting the deposit, the Architect will charge hourly rate (\$175.00/ hr. subject to change) for all required review All

fees for review must be paid before the final approval letter is sent to the City of Pleasanton Planning staff.

**D. Submittal Requirements**

The submittal must indicate the style chosen for the project and how the design, materials, details and colors are related. The submittal must include, but is not limited to the following:

Visual Analysis (Lot 2 only):

1. A visual analysis must be provided for Lots 1 & 2 per Planning Division requirements. Contact Pleasanton Planning Division to review acceptable viewpoints.

Site Plan: Min. Scale: 1" = 10'

1. Indicate lot lines including bearings and lengths;
2. Indicate floor area, FAR, lot coverage, site area;
3. Show contours, existing grades, proposed finish grades and swales;
4. Indicate major site features of adjacent lots if known, including location of major windows;
5. Indicate all buildings, structures, A/C and garbage enclosure locations, utility panels, fences, walls, sidewalks, driveways, patios, retaining walls (with height indicated), mailboxes (if individual mailbox locations are allowed by the USPS), and other site items including arbors, sport courts, etc.;
6. Indicate all building setbacks and easements;
7. Indicate conceptual site and roof drainage;
8. Show driveway and turnaround locations and dimensions and available on-site guest parking spaces;
9. Indicate the garage back-up distance, a minimum of 25' (28' required), plus a minimum of 3' between the edge of the

driveway and the property line. Landscape screening is required between the property line and driveway;

10. Show proposed top of finished floor and pad elevations;
11. Rear deck size and location (if proposed);
12. Indicate all existing trees with a trunk diameter of 6" and larger (as measured 3 ft. above the ground) with a designation of those which must be removed. Protection provisions for trees, if any are present on the homesite, must be provided.

Floor Plan(s): Min. Scale: 1/8" = 1'-0"

1. Indicate all walls, columns, openings and any conditions or features that will affect the exterior design of the building;
2. Label all items on the exterior that cannot be clearly noted on elevations;
3. Indicate decks, patios, stoops, retaining walls, trash enclosures, air conditioning screening, materials and finishes, and all interior floor spaces.

Exterior Elevations: Min. Scale: 1/8" = 1'-0"

1. The elevations shall show all sides, including hidden or courtyard elevations. All exterior elevations shall be drawn with enough detail to allow the DRA and City Staff to make an effective review of the plan; Indicate roof pitches and ridge heights above grade;
2. Show major landscape features including proposed trees at approximately 5 years growth;
3. Show all proposed hardscape and walls that are part of the elevation, including materials;
4. Indicate all exterior materials and lighting;
5. Window and door treatment(s) and operation;
6. Show all Chimneys with materials designated;
7. Show downspout locations;
8. Show the proposed finish grades against elevations, garbage screens, air conditioner location or any other screens.

Elevation Renderings or Perspective Renderings:

1. Elevation renderings must be in color and shall include major landscape components, shadowing and texturing that accurately illustrate how the home will look.

Roof Plan: Min. Scale: 1/8" = 1'-0" (may be shown on Plot Plan)

1. Indicate all roof projections, roof overhangs, chimneys and roof pitches.

Exterior Colors and Finishes:

1. Prepare a material color sample board and a colored elevation sheet showing "front" or other major elevation with a clear indication as to which colors are used on each surface. Submit actual samples of exterior masonry and roofing materials unless accurate color representations are available.

Exterior Detail Sketches:

1. Show conceptual details of major architectural features, i.e. overhang/ frieze/ window trim/ material transitions.

Landscape Concept:

1. Planting types proposed and location of new trees;
2. Major paved areas and hardscape, including materials proposed;
3. Proposed fencing and walls, including materials and heights;
4. Written description indicating the style chosen for the project and how the landscape design, materials, details and colors are related;
5. Arborists report references if existing trees are present.

**D. Final Approval**

Approved plans will be stamped by the DRA for submittal to the City of Pleasanton. Property

Owners shall be aware that the City of Pleasanton will not review any Silver Oaks Hillside Lots submittal without prior approval by the DRA.

### **III. SITE DESIGN STANDARDS**

#### **A. Grading Requirements**

The goal is to maintain the existing grades inasmuch of the original condition as possible.

Building pad grades may be altered only with the approval of the City. A cross-section drawing at property line of the lot on both sides shall be submitted to show grade change, drainage flow and hardscape. If alterations to pad grade elevation are determined to impact adjacent lots and causes improvements such as retaining walls, drainage modifications, etc., builder or owner of subject property shall bear the cost of those improvements or modifications caused by grade elevations. Grading that is required for pools, patios, etc. shall incorporate the same design philosophy as that used in siting the residence.

#### **B. Drainage**

Site drainage shall be detailed on a grading and drainage plan that is prepared per City of Pleasanton requirements to obtain a building permit. All sheet flow shall be directed into drainage swales, area drains or street curb and gutter. A soils engineering firm shall be consulted and its recommendations followed concerning the use of swales and underground drainage. The finished ground surface of each lot shall be maintained to slope away from all structures per City of Pleasanton requirements. Landscaping may not be installed in any manner which interferes with the storm drainage improvements or which traps or ponds water adjacent to a residence.

Site and drainage plans shall be designed to ensure that proper area drain systems and/or diversion routes are installed to prevent runoff into sensitive areas or other homesites. Approval of site and drainage plans does not relieve the Owner, Civil Engineer or

General Contractor of liability for any damage to their property or adjacent properties.

All designs need to conform to State and City regulations regarding grading and drainage. These Guidelines are not intended to allow any grading that conflicts with California Clean Water Act provisions. Refer to the City of Pleasanton Building Department grading requirements for additional regulations.

#### **C. Site Development Standards**

The goal of the Silver Oaks Hillside Lots Design Guidelines is to allow property owners the flexibility to develop their own home design. Therefore, the general architectural style will be left open and each application will be reviewed on its own merits.

#### **D. Designated Building Envelope:**

All structures are to fit within the designated building envelope.

Each lot is restricted to 8500 square feet of habitable space and 10,000 square feet of total building area.

#### **E. Accessory Structures**

1. Accessory structures, which include pool houses, cabanas, detached garages, play structures, shade structures, arbors, trellises, gazebos and storage sheds, are to fit within the designated building envelope.
2. Second units (guesthouses) must meet all requirements of the City of Pleasanton, including height restrictions and are to fit within the designated building envelope.
3. Patios, walks, seat walls and raised planters are to fit within the designated building envelope, subject to City requirements regarding building on slopes. Patios, walks, seat walls and raised planters may be

allowed to be constructed outside the building envelope when used to allow access to the street from the building entry.

4. Pools and spas are to fit within the designated building envelope. Pool equipment must be screened from neighbors view, oriented to minimize noise from adjacent property and installed in maintenance cabinets.
5. Wooden decks are to fit within the designated building envelope, subject to City requirements regarding building on slopes.
6. Built-in barbecues and garbage enclosures are to fit within the designated building envelope.
7. Retaining walls are required to be are to fit within the designated building envelope. Maximum allowable height of site retaining walls is 5 feet.

## F. General Hillside Development Guidelines

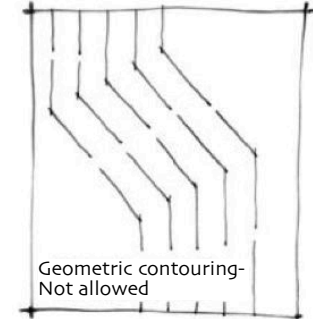
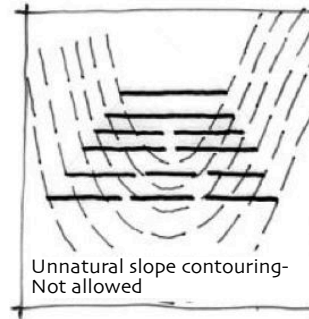
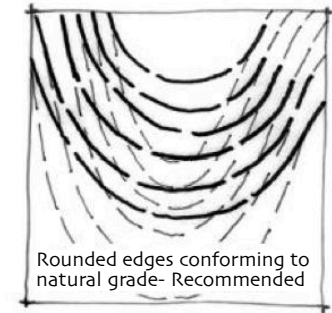
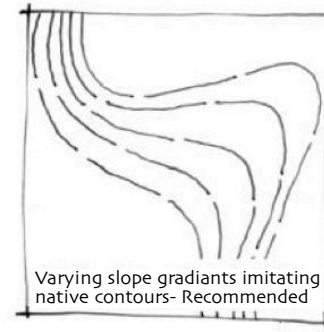
In addition to approval by the DRA, Grading approval must be obtained from the City of Pleasanton Building Department before earth is moved.

These guidelines are intended to promote architecture and landscape designs that are compatible with hillside terrain and minimize visual impacts from off-site. In addition to Section 3 of this guideline, General Design Aspects, the following requirements are to be followed in order to insure designs that are compatible with hillside development.

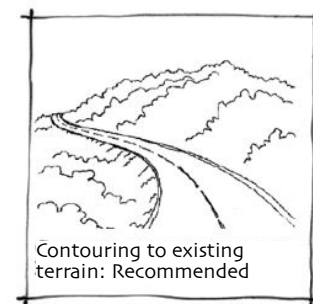
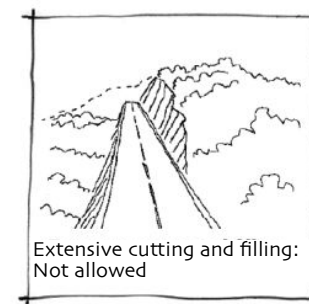
Finished cut and fill slopes shall be constructed to blend with the existing landscape, curving with the natural contour of the land, avoiding straight lines, and/or geometric patterns;

Unwarranted cutting and filling shall be avoided when constructing driveways and other related structures, using measures such as laterally balancing cut and fills, alignment with natural contours, carefully integrated retaining walls and restricting development to gentle climbing gradients;

Both properties in the Silver Oaks Hillside Lots



Subdivision have building envelopes that are defined by the City. All structures must be placed within this envelope. In many areas, slopes are significant outside of the designated building envelope. Extreme care must be taken in any work done in that zone.



Any trees in the project are to be preserved. Landscape appropriate to the hillside location is to be planted and maintained for use in screening the homes and maintaining the natural setting.

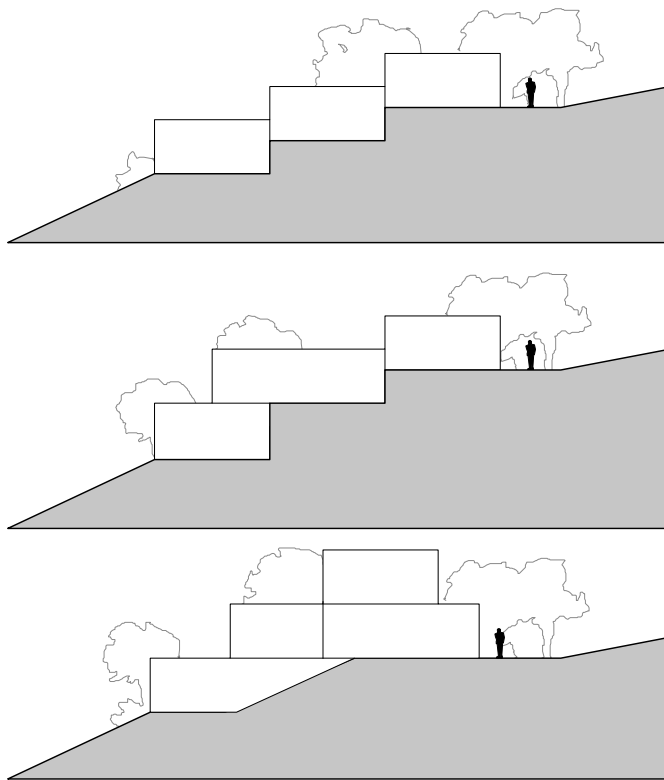
Both lots in the Silver Oaks Hillside Lots Subdivision have graded pads. Building height and elevation design shall be carefully reviewed on both lots. The design team shall design structures that respect the hillside. The design team may dig the lower floors into the hillside and step the building section.

No residence may be constructed such that two stories are visible any point. A residence may be three stories in height if no more

than two stories overlap at any point on the exterior elevations.

The steep hillsides, oaks, native shrubs and grasses combine with the dry climate to make the Silver Oaks Hillside Lots Subdivision a high fire hazard zone. In order to minimize fire danger, safety choices in the specification of materials are to be carefully considered by each design team. Designs must focus on the use of non-combustible materials, treatments or coatings or sizes of timbers that are fire-safe. All designs shall implement the standards in the Fire Management Plan available from the Planning Division.

Although these guidelines are written as a prescriptive standard, each design will be assessed on case-by-case basis and evaluated as to how well it meets the site planning and design intent of these guidelines. Absolute drawing accuracy is required in submittals at all phases. An engineered survey will be required on all properties. The DRA and/ or the City of Pleasanton representatives reserve the right to require additional information to assess site conditions.



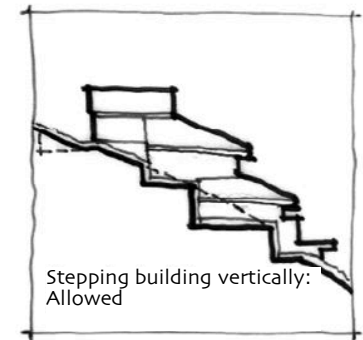
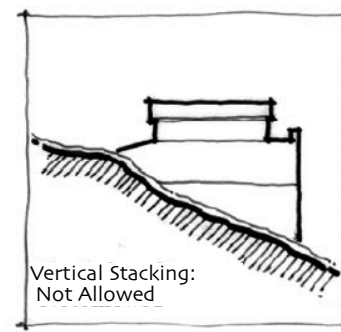
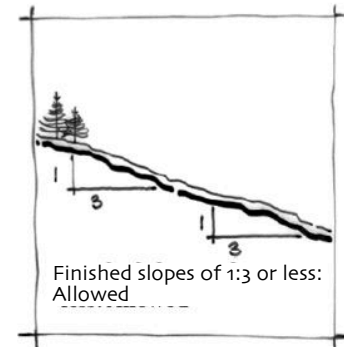
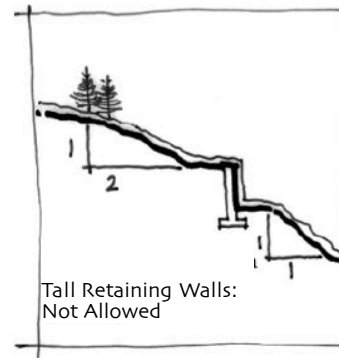
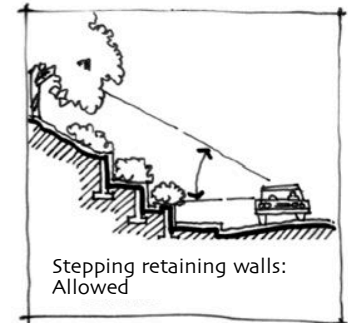
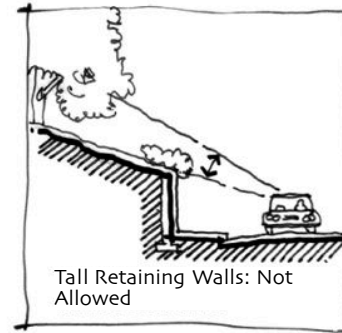
PLANNING DIVISION HILLSIDE BUILDING EXAMPLES

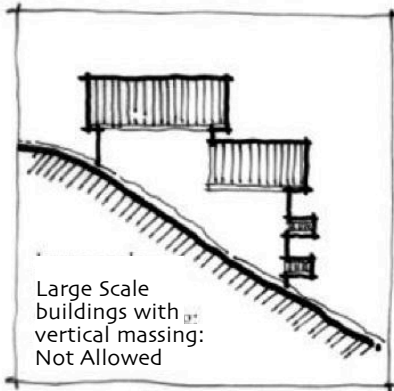
Retaining walls along roadways or associated with structural developments shall be stepped and terraced incrementally, avoiding tall flat surfaces that restrict views and slopes steeper than 1:3;

Use of small scale massing that minimizes visible height is required.

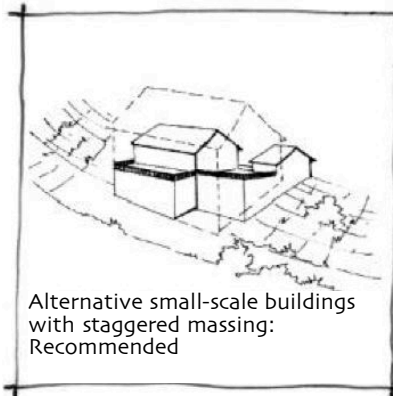
Maintain a balance of scale and proportion using design components which are harmonious with natural landforms;

Building design shall include articulated walls and utilize reveals, cornice detailing, alcoves or other features which breakup the scale of the building. Uses of projections, trellises, landscaping or other devices which in total serve to breakup long, continuous building walls is required. Install decking that is integrated into the building is required over that which is attached or tacked onto exterior walls.

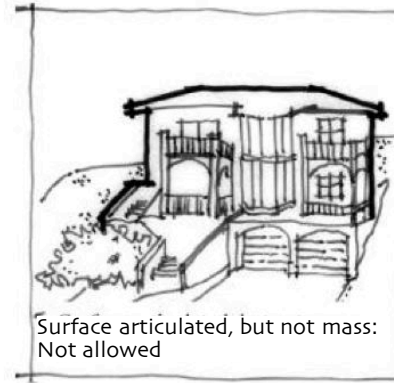




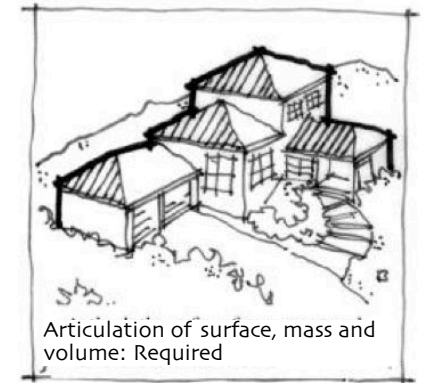
Large Scale buildings with vertical massing: Not Allowed



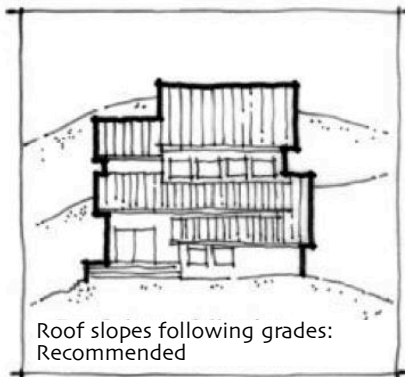
Alternative small-scale buildings with staggered massing: Recommended



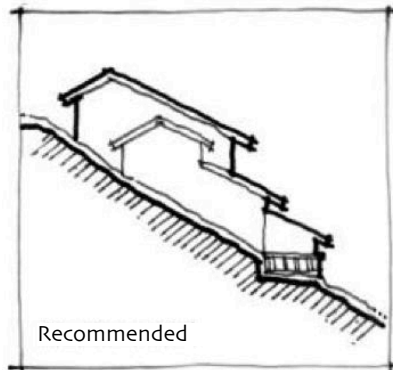
Surface articulated, but not mass: Not allowed



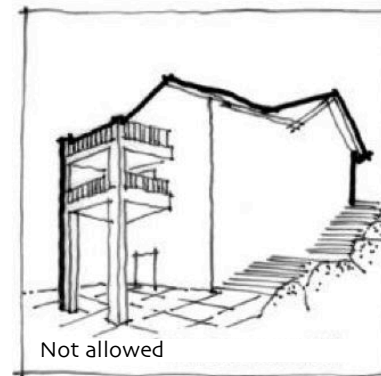
Articulation of surface, mass and volume: Required



Roof slopes following grades: Recommended



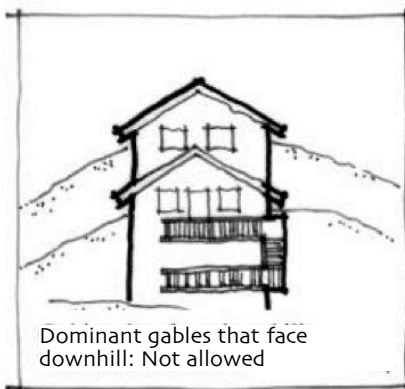
Recommended



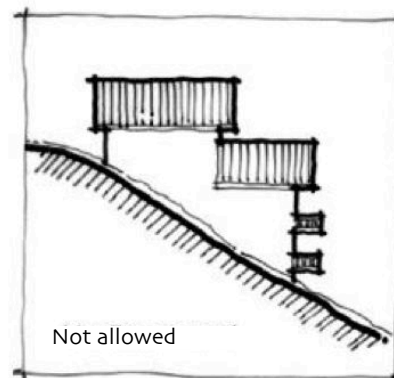
Not allowed



Recommended



Dominant gables that face downhill: Not allowed



Not allowed

## G. Height Restriction

All homes are to be designed to integrate into the hillside setting.

The maximum height of all homes shall be no more than thirty feet from the existing grade underneath the home before construction. The existing grade profile shall be shown on two sections of the house taken at the structure's mid-points.

Any exterior elevation wall surface taller than 25' shall incorporate a significant horizontal step in the wall plane. Integration of rooflines or terraces to break up tall elevations may be used with City and DRA review and approval.

*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.*

Maximum building height shall be measured to the highest point of the finished roofing including the ridge tile for a concrete tile roof. The location of natural grade shall be surveyed by a licensed Civil Engineer and verified by the Subdivision Architect and shall not be artificially raised to gain additional height. Heights of all ridges and plates shall be designated on the roof plan and field verified by a Civil Engineer at completion of framing with the verification letter(s) provided to the Planning and Building Divisions before the framing inspection. Any areas that exceed the height restriction shall be required to be reframed as necessary to meet the height restriction.

Retaining walls within 15' of the structure are to be illustrated on the elevations of the building and included in the building height.

The height of the structure on these lots shall be surveyed and verified as being in conformance with the approved building height measured from grade to the finished ridges and caps; to be calculated by the standard designated by the Planning Division for measuring height at the time of construction.

Said verification is the applicant responsibility and shall be performed by a licensed land surveyor or civil engineer and shall

be completed and provided to the Planning Division before the first framing or structural inspection by the Building and Safety Division. The certification of the framing shall allow for the finished roof and sheathing construction.

*The maximum building height for Lot 1 is 40 feet as measured from the "down slope" side.*

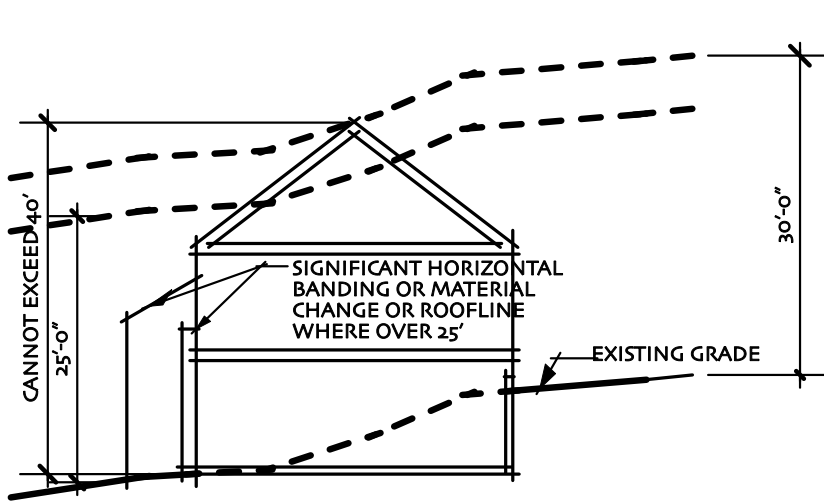
*The maximum building height for Lot 2 is 30 feet.*

*Modification to the building pad elevation(s) may require a modification to the PUD development plan as determined by the Director of Community Development.*

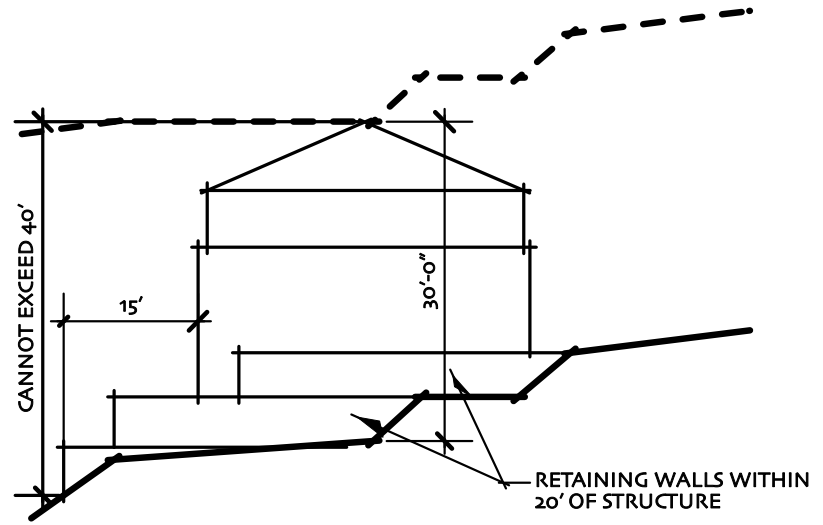
## H. Additional Grading

*If additional grading is requested as part of the design review application for the future custom home, the applicants shall show the scope of the additional grading on the preliminary grading plan. At the discretion of the Director of Community Development, a PUD modification to modify the building pad elevation(s) may be required if it is found that the requested amount of additional grading significantly differs from the approved plan. There is no guarantee that the PUD modification would be approved.*

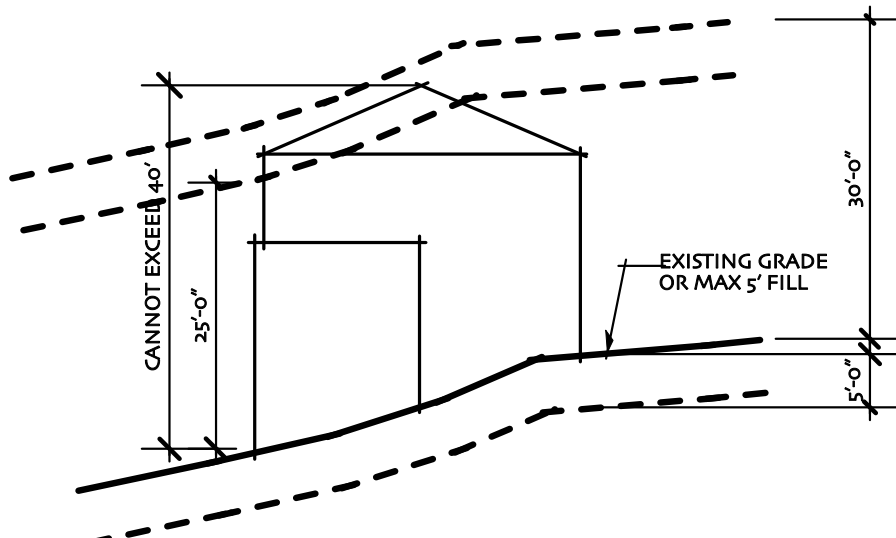




HEIGHT DEFINITION AT SECTION THROUGH HOME  
 FIGURE 1



HEIGHT DEFINITION- RETAINING WALLS  
 FIGURE 3



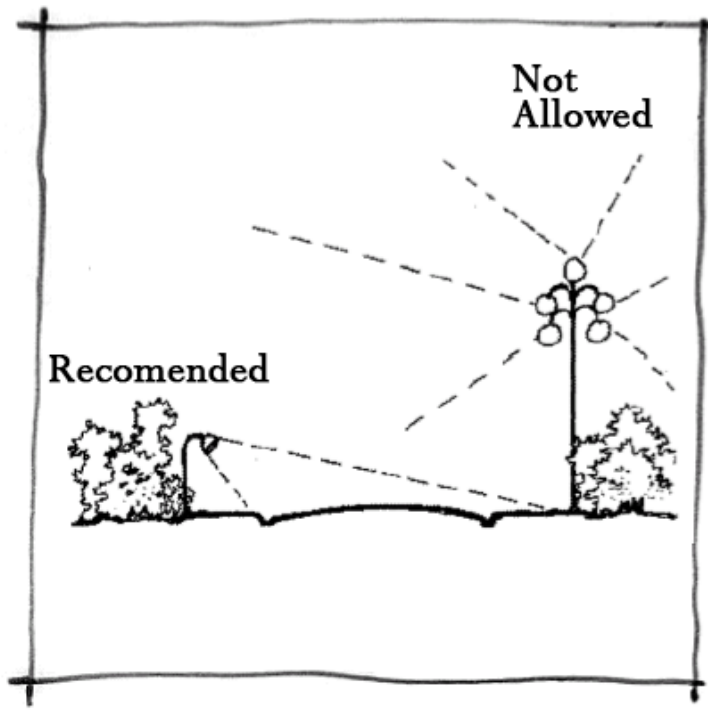
HEIGHT DEFINITION AT ELEVATION  
 FIGURE 2

## H. Outdoor Lighting

Outdoor lighting shall be designed to minimize nighttime disruption. Lamp sources shall be shielded from view and light source directed downward. Timers and motion detectors shall be used wherever possible.

Up-lighting of houses or landscape is not allowed.

*The home/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.*



#### IV. ARCHITECTURAL DESIGN REQUIREMENTS



##### A. Elevations

All elevations shall be designed to allow a variation in structure depth and provide aesthetically pleasing projections and variation in foundation, wall and rooflines. Long, flat, unarticulated exterior walls are not allowed. The use of masonry is encouraged and shall be incorporated as both trim and full-wall veneer as is architecturally appropriate. Masonry shall be initiated and terminated at interior corners or appropriate architectural features. Only high quality imitation stone or brick is permitted. Actual stone samples must be submitted to the DRA and the City of Pleasanton Planning Division for approval.

##### B. Side and Rear-facing Elevations

Side and rear-facing elevations shall be designed to allow a maximum amount of privacy to the neighbors. Care shall be taken in window placement and room orientations. Landscape placement shall also be considered. Material variation shall be considered only if consistent with the style chosen. The designer

*must use* consistent window styles and detailing. Window material and operation is to be consistent on all sides. Body and trim colors shall remain consistent on all elevations. The architect or designer shall strive to obtain sufficient articulation and detailing in wall planes on side and rear-facing elevations.



##### C. Garages

Extreme thought and care shall be taken in designing garage entries. Garage entries shall utilize foundation, wall and roof offsets to mitigate the size and effect of the doors. Doors shall be sectional roll-up. Doors shall be built of wood except in rare cases where other materials are appropriate to the architectural style. Doublewide garage doors shall be avoided. Garage doors with abstract window patterns inconsistent with the style chosen for the residence are not allowed. All homes must have a minimum of two enclosed parking spaces. Porte-cocheres are allowed, although they must be well integrated with the site plan, landscape plan, and building architecture and be appropriately scaled.



### Exterior Materials

An excessive number of building materials shall not be used on any exterior wall.

D.

Exterior walls may incorporate any of the following: brick, stucco, stone or wood.

The architect or designer is encouraged to use natural woods such as redwood or cedar for siding. No vinyl, metal, Masonite, exposed plain concrete block, or plain T-111 plywood siding is allowed. Wood siding may be horizontal lap, vertical, or T-111 type plywood with battens. Manufactured wood products are acceptable with appropriate detailing. Stamped wood grain siding is not allowed. Full size samples of wood material with applied finish shall be submitted for review.

Stucco siding is allowed only with sufficient architectural detailing. Stucco finishes shall be smooth and must be applied in a 3-coat application with integral color or approved acrylic finish. Sand finish is allowed when appropriate to the architectural style. Highly textured finishes are to be avoided unless appropriate to the style of the home.

Small slivers of exterior materials shall be avoided. Special attention shall be paid to the trim on ganged windows, bay windows and dormers.

### E. Exterior trim

The exterior trim detailing must match the architectural style of the home. Stucco designs must use adequate build-out or recessed detailing around doors and windows. Stucco build-outs or architectural control joints must be used to break-up large wall areas.

Consistency of detailing on all elevations must be maintained.

Openings shall be articulated through the use of shutters, flat or arched lintels, projecting sills or surrounds.

Properly scaled cast concrete detailing is encouraged. Pre-coated manufactured polystyrene architectural trim

and finish systems (Baystone, for example) are allowable when the quality and scale is indistinguishable from real cast concrete or stone at arm's length.



Field-coated

manufactured polystyrene architectural trim and finish systems (Coolstone or Bayfoam, for example) shall be used in a restrained

manner and carefully detailed. Samples of field-applied plaster detailing shall be submitted to the DRA for review and approval.

#### **F. Masonry**

Although real masonry is preferred, high quality manufactured masonry products are allowable when the quality and scale is indistinguishable from the real material. Special care shall be taken when detailing manufactured masonry, i.e. window openings, caps and base. Brick textures shall not look imitation. Bricks shall be earth tone in color.

Stone shall be laid to resemble structural stone walls with the long dimension turned horizontal. Grout color and tooling shall be specified and/or detailed. Masonry walls shall be detailed as if they were structural walls. Careful detailing of openings is required. On some projects, a mock-up of stone material will be required to be approved on site by the DRA.

#### **G. Exterior colors**

The DRA and the City of Pleasanton Planning Division must approve all exterior colors and their corresponding locations. Care shall be taken to match the house colors with the masonry and roofing materials. Colors may be denied if they conflict with adjacent existing homes. Trim and accent colors shall be carefully coordinated with the body colors. Colors for all exterior materials shall be appropriate for the selected building style.

All color and material selections will be reviewed during the review of the Preliminary and Final Design Submittals. Warm earth tone colors are preferred. Trim colors shall complement the body colors and not be highly contrasting. Visible elements such as gutters, trellises, and down spouts shall match the color of the architectural element they are attached to, or be of a complementary color. Stark white, bright pastels or bright intense colors in large uninterrupted expanses is

not allowed. Color selections may be denied if they contrast with



adjacent home. Colors selected shall be appropriate to the proposed architectural style.

## H. Windows

The style of the window chosen shall match the style of the building. Windows on all elevations shall be consistent in style. Avoid too many window shapes and sizes, unless appropriate to the architectural style.

Simulated true divided light windows add depth and break-up large glass areas and shall be used where appropriate. Use of transom, clerestory and bay windows, are encouraged and shall be used when appropriate to the style chosen. Side and rear elevation windows overlooking the adjacent home and invading either existing or future privacy shall be carefully evaluated.

Skylights shall be either clear or bronze in color.

Glazing shall be clear or gray tinted only. Reflective glazing of any type is not allowed.

The architect or designer is encouraged to use windows and doors made of wood or clad wood. Mill finish aluminum is not allowed, except in rare cases where appropriate to the architectural style. Snap-in grids or imitation divided lights installed solely within dual pane glass are not allowed. Vinyl windows are allowed, but extra care shall be taken in detailing.



Windows shall be square or rectangular in shape, with a vertical to horizontal ratio of at least 3 to 2, except in rare instances where they are compatible with the architectural style or used as transoms. Arch-top windows are to be used sparingly. Design of arched windows is to be carefully considered along with the architectural style of the home. Careful attention is to be paid to the walls on all sides of arched windows to achieve visual balance. Do not use horizontal window panes or vary window panes dramatically within a building. Horizontal sliding windows are prohibited, unless integral to the style of the home or at the side or

rear where a projecting casement window would become a safety concern or where used for a pass-through.

Window trim shall be proportional to the window. Take care in design of window casing, especially at the head and sill. Arched window surrounds must appear proportional and reflect adequate support.

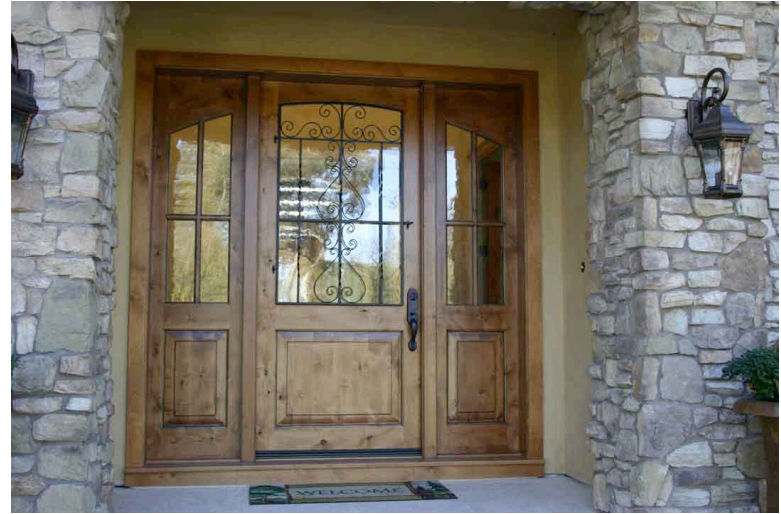
Windows in the street facing elevation in homes with stucco finish are to be recessed a minimum of 3" and with wood finish a minimum of 2", unless other architectural detail is provided to achieve depth and articulation.



## I. Entries

The main entrance may have a sense of prominence, but must not be over-scaled or garish. The main entrance shall contain more detail than other openings but be consistent in styling with the residence.

Exterior entry features shall not be taller than one story. Entry doors shall be wood and detailed appropriate to the style of the home. The use of sidelights on entry doors is encouraged.



## J. Doors

Exterior doors shall either be raised panel wood or French type glass. Care shall be taken in roof and wall design to provide adequate weather protection. Mill finish aluminum is not allowed, except in rare cases where appropriate to the architectural style.



#### **K. Shutters**

Shutters shall be traditional in design and in keeping with the architectural style.

Shutters shall be built of wood and proportional to their openings. Shutters shall be designed to look operable, with hinges and shutter-dogs.



#### **L. Fireplaces & Chimneys**

Care shall be taken in design and placement of fireplaces. Exterior fireplaces and chimneys contribute greatly towards the mass and visual permanence of a structure. The architect or designer must veneer all fireplaces with masonry or stucco.

Chimneys shall be properly detailed in correct proportion to the mass of the home. Chimneys shall be designed



with appropriate breaks for character. Flue pipes are required to be encased with a chimney enclosure of masonry or stucco and be supported by a foundation at grade. A decorative flue termination is required at all chimneys. Gas vent terminations are to be shown on exterior drawings. The use of chimneys to gang and disguise prominent vents is encouraged.

Refer to City of Pleasanton and County of Alameda ordinances regarding use of wood burning fireplaces. Only natural gas burning fireplaces and/or USEPA approved wood pellet stoves shall be permitted in the proposed homes. This condition shall not apply to outdoor barbeque or outdoor fire-pits.



#### **M. Roof**

The roof form is primary in providing clarity to the overall building form. The roof form shall express a clear hierarchy appropriate to the style. The roof is one of the most significant elements of the building and shall be simply shaped and uncomplicated. Roof forms shall be well organized and demonstrate the same character on all sides of the residence.

The pitch of the roof shall be consistent with the style of the dwelling. No Mansard roofs are allowed. Roofing material shall be fireproof Class "B" or better. A sample of roofing material must be submitted to the DRA for approval. All metal valleys, flashings, vents and skylight curbs shall be painted to match roofing material. Plumbing vents are to be combined wherever possible to reduce the number of roof penetrations as the plumbing/mechanical code allows.



Roof material shall be appropriate to the style of the residence. Use of authentic materials such as clay tile, is encouraged. Acceptable roofing materials are: slate, clay tile, concrete tile, wood, or standing seamed metal, factory painted steel. Architectural grade composition (40 year high definition without abstract shingle patterns) is acceptable, but not encouraged. Colors shall be appropriate for the style of the home although bold colors shall be avoided. Provide small samples of actual material proposed in full color range.

Eaves and rakes are to be detailed and shall be articulated by multiple fascia boards, moldings, decorative beam-work or decorative gutters. Carefully detail eave return caps. Eave projections and detail shall be appropriate to the building style.



#### **N. Gutters and Downspouts**

All gutters shall be drained in a solid pipe system through curbs onto streets. All gutters and downspouts shall be painted. No plastic gutters are allowed. Half-round gutters and round downspouts are preferred. Leader boxes contribute to the overall design and their use is encouraged.



#### **O. Columns**

Columns shall be designed or specified appropriate to the architectural style. Columns shall be built of substantial materials. Columns are to be drawn to scale on the elevations and their installation fully detailed to include connections at base and cap. Beams or entablature at top of columns are to be detailed. Carefully design multiple column areas with proportions

appropriate to the style chosen. Large square columns shall be built of frame and panels, unless they are classically designed manufactured columns.

**P. Balconies**

Carefully detail balconies where visible to the street. "Heavy" materials, such as cast concrete balustrades are to be avoided, unless detailed appropriately. Railings shall have top and bottom rails. Visually support projecting balconies.



**Q. Bay Windows**

Bay windows shall be carried down to grade or express visual support at cantilevered conditions. When bay windows are stacked in a 2-story condition, the blank panel between all facets shall be articulated. Bay roofs shall be distinct from the primary roof.



**R. Dormers**

Dormers shall be designed in keeping with the architectural style. Dormers must be correctly located on the roof and not be too large or out of proportion. Dormer jamb materials shall be a solid assembly with strong, substantial casing boards at the corners. Dormer roof trim shall begin at the window head with no siding over the window. Properly proportion dormers so the window adequately fills the dormer face. Articulate the

post between the windows on ganged dormer windows. Do not over-size the dormer roof or eaves. Stone or brick dormer faces shall terminate with a parapet.



**S. Exterior Decks and Trellises**

Decks, balconies & trellises must be integrated into the house design and be compatible in color, texture and form. Second story decks, if proposed, must be carefully designed into the residence and must not intrude on the privacy of adjacent homes. Exterior stairways must be integrated into the house design.

Raised deck supports shall incorporate materials which relate to the residence, such as wood, brick, stucco or stone. If wood posts are used, they shall be a minimum of 6" by 6" with base and capital detailing and shall relate to the design of the home. Decks over 3' above grade shall incorporate skirting. Decks over 6' off the ground are not allowed.

**T. Skylights**

Skylights can detract from the roof-scape and therefore shall be used sparingly. Skylights are to be flat panel with a thin profile and follow the pitch of the roof. Exposed curbs and flashing shall be painted to match the color of the roof. Location of skylights shall be carefully considered so as not to clutter the roof. Architecturally integrated lanterns or dormers shall be considered in lieu of skylights.

**U. Solar Panels**

Care shall be taken to design solar systems into the roof form rather than as an after-thought.

**V. Antennas**

Satellite dishes and antennas shall not be visible from streets and must be screened from adjacent lots. No roof-top antennas are allowed. The City of Pleasanton Planning Division must approve antenna location and screening.

**W. Exterior Lighting**

The DRA and the City of Pleasanton Planning Division must approve all exterior lighting fixtures. The goal of all exterior lighting is to accent architectural features and illuminate walkways and doors. Lighting must not glare onto adjacent homes. Side and rear yard lighting must be task type lighting for decks, patios, and doorways and landscaping. Light shall be projected directly to desired areas and not allowed to glare onto adjacent properties. Security flood lights may not be placed on timers, except as required by code, and shall not be in constant use. For decorative exterior lighting, the light source must be shielded. Cut sheets of fixtures chosen must be submitted. Up-lighting into trees is to be minimized.

#### **X. Mechanical Equipment**

Electrical meters, gas meters, trash containers, air conditioning units, soft water tanks, pool and spa equipment, etc., shall be completely screened from view of neighboring houses and shall not be located on the front elevation nor within the first one third of the side elevations. This may be accomplished by individual enclosures, fencing or landscaping. Equipment noise mitigation shall be considered in screen design.

#### **Y. Retaining Walls**

An effort shall be made in the grading design to minimize the use of retaining walls. However, situations will arise that require their use. If retaining walls are required, they shall be constructed of materials that complement or match those used on the residence and be screened or softened by the use of landscaping. Retaining walls must be masonry. High quality stack block is allowable if color is appropriate to the color of the home. Straight, uninterrupted retaining walls shall be avoided. The design team shall break up the length of retaining walls with planters, shaped or stepped elements.

Significant Landscape is to be incorporated to minimize the visual impact of retaining walls.

Check with the City of Pleasanton Building Department for requirements regarding structural engineering requirements for retaining walls.

*See final Conditions of Approval for details regarding retaining walls required for the roadway construction.*

#### **Z. Game Areas, Playhouses & Auxiliary Structures**

Structures 10' or less in height are exempt from planning review, providing they are within the designated building envelope. The style of all external/detached structures shall be consistent with the style of the residence. Landscaping shall be used to reduce dominance of external/detached structures to neighboring properties.

Any proposed accessory structures shall be located on the site plan and within the designated building envelope. All Silver Oaks Hillside Lots design requirements which are applied to the main residence will also be applied to any proposed accessory structures. The maximum height is fifteen feet as measured from finished grade to the peak of the structure, including finish material,

The design of accessory structures must be compatible with the architecture of the home including material and color selections.

## V. GENERAL FORM



New development on hillsides is the most visible and the most challenging to design with sensitivity. Homes in the Silver Oaks Hillside Lots must be designed to minimize visual impacts by careful attention to architectural and landscape design, preserving ridgelines and other significant topographic features when possible, and minimizing grading.

Proposed grading shall create a natural sloped or terraced effect resulting in smaller pads and varied footprints that conform to the topography and reduce the need for large visible retaining or skirt walls. All grading shall present a finished appearance with rounded slopes.

The building's massing shall respect and conform to the natural topography and create living spaces that are close to the ground. Location and design of skirt walls, projecting decks and spas/swimming pools shall also be designed to minimize off-site visual impacts.

Driveways, garages, fencing and open parking areas shall be integrated into the overall design.



The design and materials of the building shall achieve a well-composed, varied and interesting appearance, which visually integrates the building into its natural surroundings.

Buildings shall be simple in overall form. Composing a home from simple forms saves money for proper detailing and other amenities, such as porches and garden walls. The architect or designer is encouraged to site buildings so as to create courtyards and other interesting outdoor spaces.

A sense of order, proportion, and balance shall be expressed in the design. This is perhaps the core

statement in these Guidelines and the most difficult to articulate in words.

It is desirable for the homes of Silver Oaks Hillside Lots to exhibit the individuality of their owners as well as the characteristics of the selected architectural style. But it is also important that they observe some basic design principles. The following criteria will be used to evaluate submittals:

- a. Will the materials chosen allow a pleasing and harmonious exterior appearance for the residence;
- b. Does the project incorporate quality building materials and construction methods to provide a sense of permanency;
- c. Are columns and windows placed in a rational manner;
- d. Are the colors appropriate;
- e. Is there consistent scale used throughout the design of the residence;
- f. Is each element designed in proportion to the others;
- g. Are the specific features of the architectural style well developed and carefully detailed;
- h. Have these features been researched to achieve a degree of authenticity;
- i. Have the characteristics of the selected architectural style been expressed on all sides;
- j. Have the characteristics of the selected architectural style been expressed in the siting and landscape;
- k. Are openings properly placed and spaced and do they have well executed details that are consistent with the architectural style;
- l. Does the massing and roof structure reflect the tradition of the style chosen;
- m. Do the details selected relate to the tradition of the style chosen;
- n. Does the project reflect a sensitive interpretation of the style within constraints of budget and site;
- o. Is there consistency expressed in the site planning, landscaping and architecture.

The design of each residence shall be compatible with the architecture of the surrounding homes, whether they are existing, under construction or approved by the City. This applies to all

elements of the design including architecture, grading, fencing and landscaping. Although stylistic variety is encouraged, there shall be a sense of cohesion to the neighborhood. Wildly eccentric designs, such as stark white modern or Georgian mansions are not allowed. Well-designed contemporary homes are allowed, but must have a texture and color palette that is compatible with other homes in the neighborhood.

## **VI. ADDITIONS**

All additions to existing homes must be submitted to the DRA and the City of Pleasanton Planning Division for design review approval. All additions must be designed to match the existing architectural style of the existing house. Roofing, exterior siding, exterior colors and masonry details must match the existing house.

Remodeling or additions to existing homes are required to meet the same criteria as new construction. All criteria concerning aesthetics, color, siting, architecture, landscaping, grading and excavation, roof height limit, satellite dishes, setbacks, lighting etc., are of concern. Approval from the City of Pleasanton Planning staff is required for any additional work just as it is for new construction. Owners shall check with the City of Pleasanton Planning Division to determine if Design Review will be required. The City of Pleasanton Planning staff will assess whether the scale of the work proposed requires approval by the DRA.

Prior to starting any work on any changes to the existing home, the Owner must contact the City of Pleasanton Planning staff to determine what will be required for review process.

## **VII. ADDITIONAL REQUIREMENTS**

The Owner and General Contractor are ultimately responsible to construct the project per the approved

drawings. Deviation from the approved drawings shall not occur without review by the DRA and the City of Pleasanton Planning staff. Even deviations that seem minor can have catastrophic affect on the integrity of a design. Work done without approval that deviates from the approved drawings may be required to be removed and replaced if deemed necessary by the DRA and/ or the City of Pleasanton Planning staff. This may result in additional cost to the Owner. Owner is responsible for payment of any additional fees to the DRA if required to review any work that deviates from the approved drawings.

Any proposed changes or deviations from the approved plans occurring during construction must be submitted to the DRA for approval, prior to the execution of such changes. The Subdivision will make an effort to review proposed changes quickly, but has 10 working days to do so. Owner is responsible for payment of any additional fees to the DRA if required.

## VIII. LANDSCAPE REQUIREMENTS

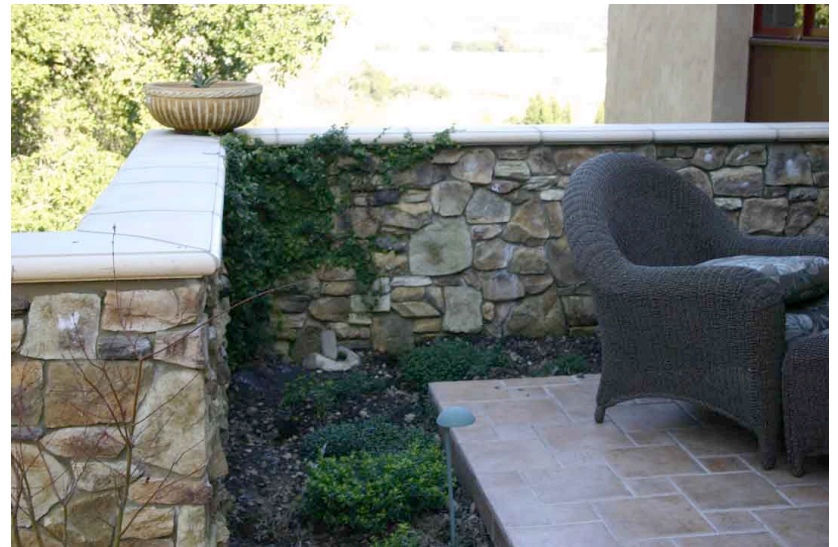
These guidelines outline some general principals that shall be considered by homeowners and their designers alike. Care shall be taken in developing a landscape design that blends landscape elements with the surrounding natural woodland environment, adjacent homes and yards, and the house itself. Care should be taken in the implementation of landscaping and hardscaping design to assure that the design complements and augments the architectural character of the home. Essential to the design is the basic need for harmony with the native terrain and natural beauty found on each lot. The use of plant materials indigenous to the area is strongly encouraged by these Guidelines.

### A. Design Requirements

Landscape design shall be based on the existing topography of each individual site. No landscaping may be installed or significantly altered without prior approval from the City of Pleasanton Planning Division.

Plans for all front and side yard landscaping visible from the street shall be submitted for approval to the DRA and the City of Pleasanton Planning Division per Section 1 Submittal & Review Process. Approved landscaping shall be completed no later than 9 months after final inspection.

No existing trees shall be removed without the written consent of the City of Pleasanton Planning Division. The landscape plan when completed should be fully detailed, showing contours and elevations clearly. The hardscape layout, drainage provisions, and all pertinent site and architectural information, including the outline of all buildings, showing doors, windows, stoops and decks, should be accurately drawn to an appropriate scale. A complete list of plant materials should be provided with plant nomenclature for positive identification. Standard nursery sizes should be indicated as well as the quantities of each plant group.





## B. Special Planting Zones

This development is surrounded by natural hillsides that feature blue oaks and open grassland. Both properties abut this open space shall have a 20' transition zone that consists of a landscape scheme that utilizes Oaks, grasses and other native plants installed in such a way as to form a transition from the domestic landscape to the native hillside. This transition zone may be outside the designated building envelope. No structures are permitted within the transition zone.

## C. Planting Design

Planting palettes shall also be developed to blend the landscape with the Architectural style of the home. Designers are encouraged to use plant material to frame views and compliment the elevations of the home.

When developing a planting plan, attention shall be given to both short and long term plant growth in order to avoid over-planting. Trees that develop a large canopy will be subject to scrutiny by the DRA and the City of Pleasanton Planning Division for mature size and appropriateness.

In addition to the harmonious blending of native and indigenous plant materials, consideration in the plan should be given to water conservation. Limited turf areas and the use of drought tolerant plants should be incorporated.

Landscape Design is to conform to City Conditions of Approval requiring compliance with the State Water efficient Ordinance and Bay Area Friendly Landscape Coalition practices.

Attention shall be paid to sections of the Vineyard Avenue Corridor Specific Plan regarding Landscape design and installation.

All shrubs shall be 5 gallon size (min.) All trees shall be 24" box (min.) All sizes must comply with the recognized standards for plant materials. Cf. American Nursery Association.

Inert materials such as Decomposed Granite is encouraged for use as top dress.

The selection of plant materials should lean heavily toward the native and indigenous species of trees, shrubs and ground covers that will complement the existing plant materials present in The Estates on Oak Ridge. They should be chosen and placed so that they can bring out the particular elements of the home site's architecture. The planting of new non-native materials should be compatible with the natural setting of the plant area and be confined to the immediate area of the home (VACSP pg. 33).

Certain trees, shrubs, and ground covers are considered not in keeping with the envisioned planting theme of The Estates on Oak Ridge. Other trees and plants may also be so considered and prohibited upon review of the landscape plans. The following plant types are not encouraged:

Botanical Name	Common Name
Acacia Species	Acacia
Calocedrus decurrens	Incense Cedar
Cupress glabra	Smooth Arizona Cypress
Eucalyptus Species	Eucalyptus
Palmae Species	Palm
Picea Species	Spruce
Pinus Species	Pines
Cortoderia Selloana	Pampas Grass
Juniper Species	Juniper

## D. Fences & Site Walls

The DRA and the City of Pleasanton Planning Division must approve all fences and site walls. The applicant shall provide designs for access gates and fencing for review and approval by the DRA and Pleasanton Planning Division.

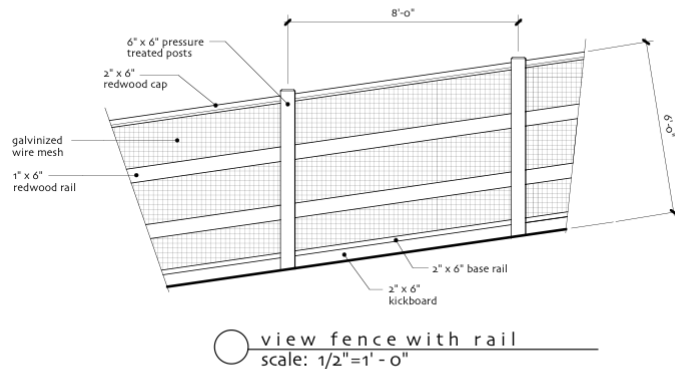
Fences, walls and hedges shall be considered as design elements to enclose and define courtyards, to extend and relate the building forms to the landscape, as well as to assure security and privacy elements.

Homeowners are also encouraged to screen boundaries with natural trees or shrubs whenever possible.

Provide 18" min. planting adjacent to wood fences and walls as a buffer between any fence or wall and paving

There are several types of approved walls and fencing:

1. **MASONRY WALLS:** Walls shall be considered as an extension of the architecture of the residence. They shall serve to make a transition between the mass of the architecture and the natural forms of the site. Walls can help define space in a courtyard or create a planting or retaining wall. The maximum height for a masonry wall is 5



shall be constructed of a material that matches or complements the architectural style of the residence. Acceptable materials include stucco, stone, brick or wrought iron with masonry columns.

2. **PERIMETER FENCING:** Fences used on the perimeter of the property shall be open fencing or 3-rail split rail fence, with a maximum height of six feet.
3. **RETURN FENCING:** Fences used to connect the house to the perimeter fence shall be open fencing or 3-rail split rail fence, with a maximum height of six feet.
4. **RETAINING WALLS:** Significant Landscape is to be incorporated to minimize the visual impact of retaining walls.

Clearly indicate extent of all fencing types on plans.

Walls and fencing must be properly planted to provide softening. Long stretches of bare fences or walls will not be allowed.

## E. Paving

Driveways, steps and sidewalks must be colored concrete, decorative gravel, or masonry paving. Earth-toned and textured surfaces which complement the home exterior building materials are preferred. No grey colored gravel is allowed except in special cases where appropriate to the style of the home.

Brick or masonry paving and borders are encouraged.

No asphalt driveways or uncolored concrete paving areas are allowed. Concrete colors are subject to review. Colors must relate to the house color chosen. Concrete paving may be seeded aggregate, washed aggregate, stamped, salt, or colored broom finish.

## F. Pools

All pools and spas shall require City of Pleasanton Planning Division approval. All pools are to fit within the designated building envelope.

## G. Trash, Pool Equipment & Air Conditioner Screening

All Pool and spa equipment shall be adequately screened. Trash enclosures and air conditioners shall be completely screened from view of neighboring houses. Pool equipment and trash enclosures may be screened with masonry walls or wood fencing. Fences or walls shall be softened with plant material. Equipment noise mitigation shall be considered in screen design.

In rare cases, plant material alone can be used to screen air conditioners, provided that appropriate plant varieties are chosen.

## H. Oak Tree Preservation and Protection

Removal of existing trees is subject to City of Pleasanton Tree Ordinance.

All lots have existing oak trees. Landscape architects and designers must be sensitive to existing trees when site planning

and shall provide special recommendations for planting and irrigation near existing trees.



The following activities and practices are ***not allowed*** within the dripline of existing oaks:

1. Trenching, grade cutting, filling, soil compaction or rototilling over 6" deep unless approved by a certified arborist.

2. Plant materials which require sprinkler irrigation (drip irrigation may be permitted).
3. Paving with materials of limited permeability. (Use of porous materials such as gravel, decomposed granite, or brick over sand is acceptable to allow sufficient water penetration and gas exchange).

Special conditions may require the services of an arborist. For example, newly constructed barriers (concrete foundations, swimming pools, garden walls) can act as dams that trap water. Shall such a barrier be proposed, a certified arborist shall be consulted to determine if any special remedial measures must be undertaken to avoid damage to the tree.

Sometimes, for remedial procedures proposed by an arborist, some limited infilling may be allowed under the dripline of oak trees. Boring or hand digging (in place of trenching) may limit damage to tree roots if a pipe or electrical line must be installed.

A Tree Assessment Report prepared by Ralph Osterling Consultants, Inc. 1650 Borel Place, Suite 204, San Mateo, Ca 94402 (650) 573-8733 is available for review from the Developer.

*The applicants shall comply with the recommendations of the tree report prepared by Ralph Osterling Consultant. The applicants shall arrange for the consultant to conduct a field inspection prior to commencing grading to ensure that recommendations concerning the two impacted blue oaks have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.*

## I. Irrigation

All landscape areas must have an automatically controlled irrigation system with in-line valves placed in valve boxed and appropriate backflow prevention. A Landscape Architect or irrigation system designer shall design the irrigation system. Landscape plans submitted for approval shall show detailed

irrigation system with pipe sizes, sprinkler layout, zone control and flow rates.

Weather-based irrigation controllers are required.

The design of the irrigation system should conform to all local and state laws, rules, and regulations, governing residential irrigation systems. The water conservation practices of the City of Pleasanton must be adhered to. Over watering of any landscape is counter-productive. On hillsides over watering can lead to slope damage and costly repairs. Low water consumption irrigation practices shall be utilized.

## J. Drainage

A complete and detailed drainage plan must be included in the landscape design. All surface water must be collected and directed to the street through an enclosed pipe drainage system. Water must be directed away from foundation. Ponding or surface flow onto adjacent lots is not allowed.

Conceptual Stormwater control designs are included on each property in this Subdivision. Copies of these plans are available from the developer. The Owner, Architect, Landscape Architect and Civil Engineer for each site are required to adhere to these conceptual designs. Any new work in the area designated for stormwater control shall be designed to meet any applicable standards.

## K. Additional Requirements from the City of Pleasanton Planning Division

- a. The applicant shall provide root control barriers and four inch perforated pipes for trees in planting areas less than ten feet in width as determined necessary by the Planning Division at the time of review of the final landscape plans.
- b. Within 9 months of occupancy all new landscaping

shall be installed.

c. No property line fencing of any type is allowed. Six-foot tall open fencing only may be installed on the perimeter of the building envelope areas including split rail style or wrought iron style fencing. Limited solid fencing is allowed as privacy fencing only for private courtyards or spas.

e. Limit landscape lighting to ground fixtures.

#### **L. Additional Landscape Requirements from final Conditions of Approval**

*The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Landscaping Basic requirements. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.*

*The applicants shall install evergreen trees (including Coast Live Oaks) and/or shrubs and/or vines or other landscaping to help screen the views of the retaining walls and road from off-site areas. A landscape plan shall be included with the subdivision improvement plans and shall be subject to the review and approval by the Director of Community Development, with input from the Silver Oaks Lane HOA. The applicants shall utilize plants that are appropriate for the soil and water conditions and that look appropriate in a grassland and/or oak woodland setting. In addition, plant species shall be a drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system)*

*No trees shall be removed. The applicants shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$ 5,000 for each tree required to be preserved, up to a maximum of \$ 25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of*

*construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.*

*No tree trimming or pruning other than that specified in the tree report shall occur: The applicants shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.*

*Except as otherwise conditioned, all trees used in landscaping for future homes shall be a minimum of 15 gallons in size and all shrubs used in the landscaping for the retaining wall and for future home shall be a minimum of 5 gallons.*

*Prior to issuance of a grading or building permit, the applicants shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final grading and retaining wall inspections by the Community Development Department. Removal of such fencing prior to that time may result in a " stop work order."*

*Front yard landscaping for the future homes on Lot 1 and Lot 2 shall be installed to screen the views of the hillside homes from off-site areas prior to occupancy. The Director of Community Development shall determine the location of the front yard landscaping at the time of building permit issuance. The remainder of site landscaping shall be installed within nine (9) months of occupancy.*

## **IX. CITY OF PLEASANTON REVIEW PROCESS**

It is the responsibility of each property owner to contact the City of Pleasanton and to review related codes and issues.

The homeowner and their design team shall contact the City of Pleasanton regarding conformance with the Green Building Ordinance and C-3 Stormwater Control.

When a property owner receives approval from the Silver Oaks Hillside Lots DRA, he/she will need to submit to the City of Pleasanton Planning and Community Development for design review approval before submitting plans for permits. Property owners are responsible to obtain all required permits from the City of Pleasanton.

CITY OF PLEASANTON  
Planning Division  
200 Old Bernal Avenue (site address)  
P.O. Box 520 (mailing address)  
Pleasanton, CA 94566

Tel: (925) 931-5600/Fax: (925) 931-5384  
Website: [www.ci.pleasanton.ca.us](http://www.ci.pleasanton.ca.us)

## **X. ADDENDUM 1- CONDITIONS OF APPROVAL FOR THE PUD.**

ORDINANCE NO. 2096

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION OF FRANK AND BARBARA BERLOGAR FOR PUD DEVELOPMENT PLAN APPROVAL, AS FILED UNDER CASE PUD-84**

**WHEREAS**, Frank and Barbara Berlogar have applied for Planned Unit Development (PUD) plan approval to subdivide an approximately 37.4 acre site into three single-family residential lots: two lots measuring approximately 1.2 acres and 1.9 acres for custom homes; and one lot measuring approximately 34.3 acres for the existing dwelling and accessory structures, located at the property located at 88 Silver Oaks Lane in the Vineyard Avenue Corridor Specific Plan Area; and

**WHEREAS**, zoning for the property is PUD/HR/OS/Planned Unit Development-Low Density Residential/Hillside Residential/Open Space) District; and

**WHEREAS**, the City Council determined that there were no changes to the environmental circumstances and impacts from the time that it certified the Environmental Impact Report for the Vineyard Avenue Corridor Specific Plan Area in March 1999 that require additional environmental review for this project; and

**WHEREAS**, the City Council received the Planning Commission's positive recommendations for approval of the development plan; and

**WHEREAS**, duly noticed hearing was held on April 15, 2014; and

**WHEREAS**, the City Council finds that the development plan and site development standards are consistent with the General Plan policies, the Vineyard Avenue Corridor Specific Plan, and the purposes of the PUD ordinance of the City of Pleasanton.

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

**SECTION 1.** It finds that the project is exempt from further environmental analysis pursuant to Government Code section 65457 because it is consistent with the Vineyard Avenue Corridor Specific Plan (VACSP) and the Pleasanton General Plan, and creates no new impacts which were not studied in the previously certified VACSP EIR.

**SECTION 2.** It approves Case PUD-84, the application of Frank and Barbara Berlogar for Planned Unit Development (PUD) plan approval to subdivide an approximately 37.4-acre site into three single-family residential lots as shown in Alternative 2 site layout (with building pad elevation at 500 feet for Lot 2) on file in the Community Development Department: two lots measuring approximately 1.2 acres and 1.9 acres for custom homes; and one lot measuring approximately 34.3 acres for the existing dwelling and accessory structures located at 88 Silver Oaks Lane in the Vineyard Avenue Corridor Specific Plan Area, subject to the conditions shown on Exhibit A, attached and incorporated by this reference.

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

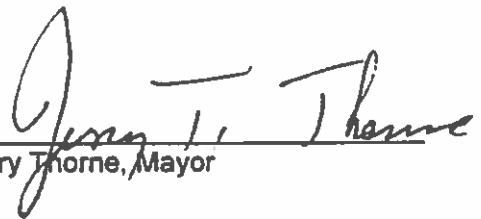
**SECTION 4.** This ordinance shall be effective thirty (30) days after its passage and adoption.

The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on April 15, 2014 by the following vote:

Ayes: Councilmembers Brown, Cook-Kallio, Narum, Pentin, Mayor Thorne  
Noes: None  
Absent: None  
Abstain: None

And adopted at a regular meeting of the City Council of the City of Pleasanton on May 6, 2014 by the following vote:

Ayes: Councilmembers Brown, Cook-Kallio, Narum, Mayor Thorne  
Noes: None  
Absent: Councilmember Pentin  
Abstain: None

  
Jerry Thorne, Mayor

ATTEST:

  
Karen Diaz, City Clerk

APPROVED AS TO FORM:

*fu*   
Jonathan Lowell, City Attorney



## **Exhibit A**

### **PUD-84, Frank and Barbara Berlogar 88 Silver Oaks Court Conditions of Approval**

#### **Project-Specific Conditions**

##### **Planning:**

1. The Vineyard Avenue Corridor Land Use Plan (Figure IV-2 on page 20) authorizes three residential lots in the Hillside Residential (HR) area on the northern portion of Lot 22. Although entitled to 3 lots, the applicant proposes to develop only two lots and agrees that development of the third lot will be lost with the City Council's approval of PUD-84. The applicant will retain the right to construct the two residential lots shown in the central area of Lot 22 designated as HR.
2. The PUD development plan shall lapse two years from the effective date of this ordinance unless a tentative or parcel map, as applicable, is approved. If a tentative or parcel map is approved, the PUD development plan approval shall lapse when the tentative map or parcel map approval expires. If a final map is recorded before the tentative map or parcel map expires, then the PUD development plan approval shall not lapse.
3. No building permits shall be issued prior to City approval and recordation of a Final Parcel Map.
4. Prior to the recordation of the Final Parcel Map, the applicants shall pay for the required Vineyard Avenue Corridor Specific Plan fees.
5. Prior to recordation of the Final Parcel Map, the applicants shall create road and utilities easements approved by the City Engineer to allow Lot 1 owner to utilize the private road and utilities. The easement language shall be subject to review and approval by the City Attorney's Office prior to recordation of the final parcel map. The easement shall be maintained to the satisfaction of the City Engineer.
6. Prior to the recordation of the Final Parcel Map, the applicants shall create a maintenance agreement including the maintenance responsibility of the driveway, retaining walls, common landscaping, electronic gate, bio-retention area, utilities, storm water treatment system, etc. in perpetuity. The maintenance agreement is subject to review and approval by the City Attorney's Office and shall be recorded concurrently with the Final Parcel Map. The Maintenance Agreement shall include exhibits showing the location of all the common private improvements to be maintained. The City shall be granted the rights and remedies of the agreement, but not the obligation, to enforce the maintenance responsibilities of the agreement. (Per CC memo – Section 1, No. 5, and CC memo Section 2, No. 5))

7. The recorded deed of sale for both lots covered by this PUD Development Plan approval shall include the following:
- a. A clause which states that the property is in an area subject to noise, dust, and vibration levels from gravel harvesting and processing and that the City of Pleasanton is not liable for possible damages due to such impacts.
  - b. The recorded deed of sale shall include a noise/dust vibration easement.
  - c. A disclosure statement shall be provided to prospective purchasers and tenants by lot owners, developers, and future successors in interest providing full disclosure of the potential future mining operations within the Specific Plan Area.
  - d. The recorded deed of sale for all lots shall include a disclosure statement indicate in the close proximity of the Vineyard Avenue Corridor Specific Plan area to the Livermore Municipal Airport and of possible impacts to homes due to aircraft overflights.
  - e. A disclosure statement describing the planned use and construction of the Old Vineyard Avenue right-of-way for public trail uses.
  - f. A disclosure of the future staging area and parking area to be owned and operated by the East Bay Regional Park on a portion of Old Vineyard Avenue right-of-way, and the proposed City Park to be located on the old land fill site on the south side of Vineyard Avenue.
  - g. A disclosure stating that the East bay Regional Park District operates Shadow Cliffs Regional Recreation Area, a regional recreation facility, and that the buyer recognizes that the activities that take place in the "Regional Recreation Area" may result in noise, odors, dust, traffic or other conditions that may affect the lots covered by this PUD Development Plan.
  - h. A disclosure of the noise, odor, and illumination associated with the operation of the asphalt batch plant on the RMC/Lonestar property.
  - i. A disclosure on all lots regarding the underground, 230-kilovolt electrical transmission line.
  - j. A statement disclosing the animal husbandry activities, including pig farming, of nearby property owners in the Vineyard Avenue Corridor Specific Plan area.

Wording for these clauses and/or disclosures shall be submitted to the City Attorney for review and approval before City Council approval of the first final subdivision map for this development and shall be recorded over the project site by separate instrument.

8. The recorded deed of sale shall include the following statement to be signed by the future homeowner(s) stating that:

"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 to be a nuisance."

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.

9. The three-lot development plan covered by this approval shall be in substantial conformance to the development plans, Exhibit B, listed below, on file with the Planning Division, except as modified by these 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 to the approved exhibits.

- Alternative 2 Site Layout, Preliminary Grading and Utility Plan, and Slope Plan by RJA
- Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines by Joseph Gorny and Associates
- Arborist Tree Assessment Report by Ralph Osterling Consultants
- Geotechnical Investigation Report by Berlogar-Stevens Geotechnical Consultants
- Landfill Gas Assessment Report by EBA Engineering

10. The uses of the lots covered in the PUD shall be as follows:

- A. Uses within the building envelope areas for Lot 1 and Lot 2 shall be subject to the following:

- 1) Permitted Uses:

- a) single-family detached housing
- b) household pets (up to 4 as defined by the Pleasanton Municipal Code)
- c) accessory structures and uses
- d) small family day care home in accordance with State Law
- e) second unit in conformance with the Pleasanton Municipal Code
- f) adult day care or nursing home for not more than six patients in accordance with State Law

- g) exempt home occupation

- 2) Conditionally Permitted Uses:

- a) large family day care home in accordance with State Law
- b) adult day care or nursing home for more than six patients in accordance with State Law

- c) home occupation

- 3) The above-listed uses shall have the meanings as defined and/or interpreted for uses in the R-1 districts of the Pleasanton Municipal Code. Other uses listed in the R-1 districts of the Pleasanton Municipal Code may be either permitted or conditionally permitted if the Director of Community Development finds that such uses do not conflict with the requirements of the Vineyard Avenue Corridor Specific Plan.

- B. Uses outside the building envelopes for Lot 1 and Lot 2:

- 1) Permitted Uses:

- a) vineyards, orchards, and other row crops for non-commercial purposes
- b) horticulture for non-commercial purposes

- C. Uses for the remainder lot (Berlogar site) shall be those indicated in PUD-05 (Ordinance No. 1832).

11. Unless otherwise specified in the conditions of approval and/or the Design Guidelines for the subject PUD, all site development standards shall be those of the R-1-40,000 District.

12. All main and accessory structures for Lot 1 and Lot 2 shall be located within the building envelopes as shown on Alternative 2 site layout of Exhibit B.
13. Sport courts shall not be allowed on any lot in the development.
14. Future homes on the subject property shall conform to the "Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines" by Joseph Gorny and Associates" on file with the Planning Division and are subject to design review approval per Chapter 18.20 of the Pleasanton Municipal Code.
15. The design of the future homes on Lot 1 and Lot 2 shall be subject to the design criteria specified in the Silver Oaks Hillside Lots Subdivision Parcels 1 and 2 Site Development and Architectural Review Guidelines in Exhibit B. The design guidelines shall be revised to include the following and are subject to review and approval by Community Development Director prior to recordation of the final parcel map:
  - a. Photosimulations are required as part of the design review application for the future homes on Lot 1 and Lot 2.
  - b. 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.
  - c. The maximum building height for Lot 1 is 40 feet as measured from the "down slope" side.
  - d. The maximum building height for Lot 2 is 30 feet.
  - e. Modification to the building pad elevation(s) may require a modification to the PUD development plan as determined by the Director of Community Development.
  - f. Alternative 2 site layout needs to be included in the guidelines.
16. The future homes within this PUD approval shall comply with the City's Green Building Ordinance.
17. The future homes within this PUD approval shall include the following:
  - a. A minimum of one appliance or system that meets Energy Star standards shall be installed as part of the project
  - b. A minimum of one water conservation device such as low-flow faucets, toilets, shower fixtures, etc. shall be installed as part of the project.
  - c. The future homes shall be constructed to allow for future installation of a Photovoltaic (PV) system and solar water heating systems. The project applicant shall comply with the following requirements for making the dwelling photovoltaic-ready and solar-water-heating-ready:
    - i) Electrical conduit and cable pull strings shall be installed from the roof/attic area to the building's main electrical panels;
    - ii) 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;
    - iii) 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;
    - iv) Plumbing shall be installed for solar-water heating; and
    - v) Space shall be provided for solar-heating tank.

These measures shall be shown on the building permit plan set submitted to the Director of Community Development for review and approval before issuance of the first building permit.

18. The retaining wall shall be of shotcrete construction to create a natural-appearing finish and where the wall height would be more than 6 feet, tiered walls shall be utilized with two walls approximately 3 feet apart. The design, color and materials shall be reviewed and approved by the Director of Community Development. ( per CC memo Section 1, No. 16)
19. Prior to recordation of the Parcel Map, the applicant shall install up to two 36 inch box Coast Live Oak trees behind the homes on Silver Oaks Lane, with at least one tree located on or near Lot 7 (2438 Silver Oaks Lane). Irrigation and maintenance of the trees shall be the responsibility of the home owner of the specific lot on Silver Oaks Lane and not the applicant. (per CC memo Section 1, No. 17)
20. Prior to completion of the private access road, the applicant shall install an electronic gate at the entrance to the access road. The design and location of the gate shall be subject to review and approval by the Director of Community Development. (Per CC memo section 2, No. 18)
21. The project shall comply with the current City and Pleasanton Garbage Service's recycling and composting programs.
22. The State of California's Green Building Standard Code, "CALGreen", shall apply, if applicable.
23. If grading is to occur during the raptor- nesting season (February 1 to August 31), a focused survey for raptor nests shall be conducted by a qualified biologist during the nesting season. The survey shall be conducted no less than 14 days and no more than 30 days prior to the beginning of grading. If nesting raptors are found during the focused survey, no grading shall occur within 500 feet of an active nest until the young have fledged (as determined by a qualified biologist), or until the project applicants receive written authorization from California Department of Fish and Wildlife to proceed.
24. Future custom homes shall comply with the recommendations of the Geotechnical Investigation Report by Berlogar-Stevens Geotechnical Consultants. A supplemental, lot specific geotechnical investigation report is required as part of the design review process. At the discretion of the City Engineer, the supplemental report may be peer reviewed.
25. Future homeowners shall be provided with a copy of the Landfill Gas Assessment Report by EBA Engineering.
26. If additional grading is requested as part of the design review application for the future custom home, the applicants shall show the scope of the additional grading on the preliminary grading plan. At the discretion of the Director of Community Development, a PUD modification to modify the building pad elevation(s) may be required if it is found that the requested amount of additional grading significantly differs from the approved plan. There is no guarantee that the PUD modification would be approved.

27. Separate PUD development plan approval shall be required for the future residential development on the Hillside Residential area located on the southern portion of the Berlogar property.
28. All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. No construction shall be allowed on State or Federal Holidays. 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 must 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.
29. All trucks hauling soil shall be covered with tarpaulins or other effective covers.

#### **Fire**

30. The future custom homes covered by this approval shall be equipped with an automatic fire sprinkler system. Plans and specifications for the automatic fire sprinkler system shall be submitted to the Pleasanton Building and Safety Division for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building.
31. The location(s) of the fire hydrant(s) and the detail of the hammerhead turn-around area for fire trucks shall be reviewed and approved by the Livermore-Pleasanton Fire Department prior to issuance of a building permit.
32. The Fire Chief and the Director of Building Inspection shall approve the number, type, and location of all private fire hydrants.
33. All curbs located within a seven-foot, six-inch radius of a public/private fire hydrant shall be painted red, unless, modified by the Fire Chief. Blue Street "hydrant markers" shall be installed for all fire hydrants per City of Pleasanton Standard Specifications.
34. All private streets and driveway aisles designated as fire lanes by the Fire Chief shall be maintained in accordance with Articles 9 and 10 of the Uniform Fire Code which permits towing vehicles illegally parked on the fire lanes. Fire lane curbs shall be painted red with "No Parking, Fire Lane, Tow Away Zone" or "No Parking, Fire Lane, Tow Away Zone" signs shall be installed as required by the Vehicle Code.

#### **Landscaping**

35. The project shall comply with the State of California's Model Water Efficient Landscape Ordinance and Bay Friendly Landscaping Basic requirements. A licensed landscape architect shall verify the project's compliance with the ordinance: 1) prior to the issuance of a building permit; and 2) prior to final inspection. The verification shall be provided to the Planning Division.

36. The applicants shall comply with the recommendations of the tree report prepared by Ralph Osterling Consultant. The applicants shall arrange for the consultant to conduct a field inspection prior to commencing grading to ensure that recommendations concerning the two impacted blue oaks have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
37. The applicants shall install evergreen trees (including Coast Live Oaks) and/or shrubs and/or vines or other landscaping to help screen the views of the retaining walls and road from off-site areas. A landscape plan shall be included with the subdivision improvement plans and shall be subject to the review and approval by the Director of Community Development, with input from the Silver Oaks Lane HOA. The applicants shall utilize plants that are appropriate for the soil and water conditions and that look appropriate in a grassland and/or oak woodland setting. In addition, plant species shall be a drought tolerant nature with an irrigation system that maximizes water conservation (e.g. drip system). (per CC memo Section 1, No. 33)
38. No trees shall be removed. The applicants shall post cash, letter of credit, or other security satisfactory to the Director of Community Development in the amount of \$5,000 for each tree required to be preserved, up to a maximum of \$25,000. This cash bond or security shall be retained for one year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. No trees shall be removed other than those specifically designated for removal on the approved plans or tree report.
39. No tree trimming or pruning other than that specified in the tree report shall occur. The applicants shall arrange for the horticultural consultant to conduct a field inspection prior to issuance of grading permits to ensure that all recommendations have been properly implemented. The consultant shall certify in writing that such recommendations have been followed.
40. Except as otherwise conditioned, all trees used in landscaping for future homes shall be a minimum of 15 gallons in size and all shrubs used in the landscaping for the retaining wall and for future home shall be a minimum of 5 gallons.
41. Prior to issuance of a grading or building permit, the applicants shall install a temporary six foot tall chain-link fence (or other fence type acceptable to the Director of Community Development) outside of the existing tree drip lines, as shown on the plans. The fencing shall remain in place until final grading and retaining wall inspections by the Community Development Department. Removal of such fencing prior to that time may result in a "stop work order."
42. Front yard landscaping for the future homes on Lot 1 and Lot 2 shall be installed to screen the views of the hillside homes from off-site areas prior to occupancy. The Director of Community Development shall determine the location of the front yard landscaping at the time of building permit issuance. The remainder of site landscaping shall be installed within nine (9) months of occupancy.

## **Engineering**

43. Lot 1 and Lot 2 sanitary sewer laterals shall connect to the public sanitary sewer system unless otherwise approved by the City Engineer.
44. A Double Check Detector Check shall be installed at the end of the public fire service line at the location shown on the PUD plans.
45. The Water Meters for Lot 1 and 2 shall be installed at the end of Silver Oaks Court as per city standard at the location shown on the PUD plans.
46. The Fire hydrant at the end of Silver Oaks Court and the fire hydrant at the end of the fire truck turn around shall be installed as per city standard.
47. If any of the subdivision improvements are proposed to be phased, a phasing plan shall be included with the Vesting Tentative Parcel Map and subject to the review and approval by the Director of Community Development.
48. A parcel map shall be required to subdivide the property into three lots.
49. The applicants shall comply with the recommendations of the Landfill Gas Assessment report by EBA on file with the Planning Division.
50. The applicants shall arrange and pay for the geotechnical consultant to inspect and approve all foundation, retaining, and wall and drainage geotechnical aspects of project construction. The consultant shall be present on site during grading and excavation operations. The results of the inspections and the as-built conditions of the project shall be certified in writing by the geotechnical consultant for conformance to the approved plans and geotechnical report and submitted to the City Engineer for review and approval prior to occupancy.
51. The applicants shall comply with the recommendations of the project's geotechnical consultant. The applicants' geotechnical consultant shall review and approve all foundation, retaining wall, and drainage geotechnical aspects of the final development plans to ensure that the recommendations have been properly incorporated into the development. The consultant shall certify by writing on the plans or as otherwise acceptable to the City Engineer that the final development plan is in conformance with the geotechnical report approved with the project.
52. The applicants' consultant shall provide AS BUILTS of the project improvement plans in AutoCAD and PDF format to the City.
53. The applicants shall provide a bond to the City guaranteeing the installation of all common improvements and infrastructure improvements shown on the approved development plan or otherwise required as part of this development plan approval. The applicants shall provide an itemized cost estimate of said improvements, to be submitted with the bond, for the review and approval the Director of Community Development prior to issuance of building permits. The bond shall be returned to the applicants upon acceptance of said improvements by the City Engineer.



54. Approval of the storm drainage system, including the detail of the storm water retention basin, shall be subject to the review and approved by the City Engineer prior to the issuance of a building permit for the project.
55. A detailed grading and drainage plan prepared by a licensed Civil Engineer including all supporting information and design criteria (including but not limited to any peer review comments), storm drain treatment calculations, hydromodification worksheets, etc., shall be submitted as part of the improvement plans.
56. The design of the water supply and sanitary sewer systems shall be subject to the review and approval by the City Engineer.
57. The applicants shall install the bio-retention area as shown on the PUD development plan. The design details of the bio-retention area shall be shown on the subdivision improvement plans, shall be reviewed and approved by the project's Soils Engineer, and then shall be reviewed and approved by the Director of Community Development and City Engineer.
58. Storm drainage swales, bioswale, gutters, inlets, outfalls, and channels not within the area of a dedicated public street or public service easement approved by the City Engineer shall be privately maintained by the property owners or through a Homeowners Association or a Maintenance Association if there is no commonly owned land as determined by the City Engineer, Director of Community Development, and City Attorney. Easements shall be recorded for the private storm drain facilities concurrently with the final subdivision map. The maintenance responsibilities shall be set forth in the easements or other appropriate document to be recorded concurrently with the final subdivision map, as approved by the City Attorney.

#### **Building**

59. Prior to issuance of a building permit, the applicants shall pay the applicable Zone 7 and City connection fees and water meter cost for any water meters, including irrigation meters. Additionally, the applicants shall pay any applicable DSRSD sewer permit fee.

#### **URBAN STORMWATER CONDITIONS OF APPROVAL**

60. The project shall comply with the City of Pleasanton's Stormwater NPDES Permit #CAS612008, dated October 14, 2009 and amendments (hereafter referred to as NPDES Permit). This NPDES Permit is issued by the California Regional Water Quality Control Board, San Francisco Bay Region (hereafter referred to as Regional Water Quality Control Board). Information related to the NPDES Permit is available at the City of Pleasanton Community Development Department, Engineering Division, and on line at:

- <http://www.ci.pleasanton.ca.us/business/planning/StormWater.html>
- [http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/Municipal/index.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/Municipal/index.shtml)

#### **A. Design Requirements**

1. NPDES Permit design requirements include, but are not limited to, the following:

- a. Source control, site design, implementation, and maintenance standards when a regulated project (such as a residential subdivision project) creates and/or replaces 10,000 square feet or more of impervious surface, including roof area, street, and sidewalk.
  - b. Hydromodification standards when a regulated project creates and/or replaces a total impervious area of one acre or more.
  - c. Compliance with a Diazinon pollutant reduction plan (Pesticide Plan) to reduce or substitute pesticide use with less toxic alternatives.
  - d. Compliance with a Copper Pollutant Reduction Plan and a Mercury Pollutant Reduction Plan.
2. The following requirements shall be incorporated into the project:
- a. The applicants shall submit a final grading and drainage plan prepared by a licensed civil engineer depicting all final grades and onsite drainage control measures including bioretention swales. Irrigated bioretention swales shall be designed to maximize stormwater entry at their most upstream point. The grading and drainage plans shall be subject to the review and approval of the City Engineer prior to the issuance of a grading or building permit, whichever is sooner.
  - b. In addition to natural controls, the applicants may be required to install a structural control(s), such as an oil/water separator(s), sand filter(s), or approved equal(s) in the parking lot and/or on the site to intercept and pre-treat stormwater prior to reaching the storm drain. The design, location(s), and a schedule for maintaining the separator shall be submitted to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. The structural control shall be cleaned at least twice a year (once immediately prior to October 15 and once in January).
  - c. The applicants shall submit to the City Engineer the sizing design criteria and calculations for a hydromodification facility, if required, and for the treatment of stormwater runoff. The design criteria and calculations shall be subject to the review and approval of the City Engineer and shall be submitted prior to the issuance of a grading or building permit, whichever is sooner.
  - d. Building/Structures shall be designed to minimize the occurrence and entry of pests into buildings, thus minimizing the need for pesticides, as determined by the Chief Building Official prior to the issuance of a building permit.
  - e. The project's landscape and irrigation plans shall be designed to: 1) minimize the use of fertilizers and pesticides that can contribute to stormwater pollution; and 2) promote surface infiltration. Prior to the installation of project landscaping and irrigation, the project landscape architect shall submit a landscaping and irrigation plan to the City Engineer for review and approval and submit written verification stating the project incorporates the following:
    - i. Plants tolerant of saturated soil conditions and prolonged exposure to water in areas that provide detention of water.

- ii. Plants and soil amendments appropriate to site specific characteristics such as topography and climate.
  - iii. Landscaping and irrigation consistent with Bay-Friendly Landscaping.
  - iv. Water conservation techniques to promote surface infiltration.
- f. All paved outdoor storage areas shall be designed to minimize pollutant runoff. Bulk materials stored outdoors that may contribute to the pollution of stormwater runoff must be covered as deemed appropriate by the City Engineer/Chief Building Official.
  - g. All metal roofs, gutters, and downspouts shall be finished with rust-inhibitive finish/paint as determined by the Chief Building Official.
  - h. All projects using architectural copper roofing, gutters, downspouts, etc., shall utilize the following Best Management Practices for use and maintenance:
    - a. During installation, copper material shall be pre-patinated at the factory. If patination is done on-site; collect the rinse water in a tank and haul off-site for disposal. With prior authorization from Dublin San Ramon Services District (DSRSD), you may collect the rinse water in a tank and discharge to the sanitary sewer. Optionally, consider coating the copper materials with a clear coating that prevents further corrosion and stormwater pollution. The clear coating, if utilized, shall be reapplied (as recommended by the coating manufacturer) to maintain its efficacy.
    - b. During maintenance, the following applies during washing and patination:
      - i. Minimize washing of architectural copper as it damages the patina and any protective coating.
      - ii. Block all storm drain inlets downstream of the wash.
      - iii. Collect in a tank and dispose off-site, or discharge the wash water to the sanitary sewer (with prior authorization from DSRSD).
    - c. During re-patination, collect the rinse water in a tank and dispose off-site or discharge to sewer (with prior authorization from DSRSD).
      - i. Roof drains shall drain away from the building foundation. Stormwater flow shall drain to a landscaped area or to an unpaved area wherever practicable as determined by the City Engineer/Chief Building Official.

**B. Construction Requirements**

The project shall comply with the "Construction General Permit" requirements of the NPDES Permit for construction activities (including other land disturbing activities) that disturb one acre or more (including smaller sites that are part of a larger common plan of development).

Information related to the Construction General Permit is on line at:

- [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/construction.shtml](http://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.shtml)
- [http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/docs/finalconstoermit.pdf](http://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/finalconstoermit.pdf)

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

- a. The applicants shall obtain a construction general permit (NOI) from the Regional Water Quality Control Board to discharge stormwater, and to develop and implement stormwater pollution prevention plans.
- b. The applicants shall submit a Stormwater Pollution Prevention Plan (SWPPP) to the City Engineer/Chief Building Official for review and approval prior to the issuance of a grading or building permit, whichever is sooner. A copy of the approved SWPPP, including all approved amendments, shall be available at the project site for City review until all engineering and building work is complete and City permits have been finalized. A site specific SWPPP must be combined with proper and timely installation of the BMPs, thorough and frequent inspections, maintenance, and documentations. SWPPP for projects shall be kept up to date with the projects' progress. Failure to comply with the most updated construction SWPPP may result in the issuance of correction notices, citations, and/ or stop work orders.
- c. The applicants are responsible for implementing the following Best Management Practices (BMPs). These, as well as any other applicable measures, shall be included in the SWPPP and implemented as approved by City.
  - i. The applicants shall include erosion control/stormwater quality measures on the project grading plan which shall specifically address measures to prevent soil, dirt, and debris from entering the public storm drain system. Such measures may include, but are not limited to, hydroseeding, hay bales, sandbags, and siltation fences and shall be subject to the review and approval of the City Engineer/Chief Building Official. If no grading plan is required, necessary erosion control/stormwater quality measures shall be shown on the site plan submitted for a building permit, and shall be subject to the review and approval of the Building and Safety Division. The applicants are responsible for ensuring that the contractor is aware of and implements such measures.
  - ii. All cut and fill slopes shall be revegetated and stabilized after completion of grading, but in no case later than October 15. Hydroseeding shall be accomplished before September 15 and irrigated with a temporary irrigation system to ensure that the vegetated areas are established before October 15. No grading shall occur between October 15 and April 15 unless approved erosion control/stormwater quality measures are in place, subject to the approval of City Engineer/Chief Building Official. Such measures shall be maintained until such time as permanent landscaping is in place.
  - iii. Gather all sorted construction debris on a regular basis and place in the appropriate container for recycling; to be emptied at least on a weekly basis.

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

- iv. Remove all dirt, gravel, rubbish, refuse, and green waste from the street pavement and storm drains adjoining the site. Limit construction access routes onto the site and place gravel on them. Do not drive vehicles and equipment off paved or graveled areas during wet weather. Broom sweep the street pavement adjoining the project site on a daily basis. Scrape caked on mud and dirt from these areas before sweeping.
  - v. Install filter materials (such as sandbags, filter fabric, etc.) at the storm drain inlet nearest the downstream side of the project site in order to retain any debris or dirt flowing in the storm drain system. Maintain and/or replace filter materials to ensure effectiveness and to prevent street flooding.
  - vi. Create a contained and covered area on the site for the storage of cement, paints, oils, fertilizers, pesticides, or other materials used on the site that have the potential of being discharged into the storm drain system by being windblown or by being spilled.
  - vii. Never clean machinery, equipment, tools, brushes, or rinse containers into a street, gutter, or storm drain.
  - viii. Ensure that concrete/gunite supply trucks or concrete/plaster operations do not discharge wash water into a street, gutter, or storm drain.
  - ix. Equipment fueling area (if used at the construction site): use a designated area away from the storm drainage facility; use secondary containment and spill rags when fueling; discourage "topping off" of fuel tanks; place a stockpile of absorbent material where it will be readily accessible; check vehicles and equipment regularly for leaking oils and fuels; and dispose of rags and absorbent materials promptly and properly. Use of an off-site fueling station is strongly encouraged.
  - x. Concrete wash area: 1) locate wash out area away from storm drains and open ditches; 2) construct a temporary pit large enough to store the liquid and solid waste; 3) clean the pit by allowing concrete to set; 4) break up the concrete; and then 5) recycle or dispose of properly.
  - xi. Equipment and vehicle maintenance area at the project site is not permitted; use an off-site repair shop.
2. Within 30 days of the installation and testing of the stormwater treatment and hydromodification facilities, the designer of the site shall submit a letter to City Project Inspector/Construction Services Manager certifying the devices have been constructed in accordance with the approved plans for stormwater and C3 design for the project. The letter shall request an inspection by City staff.

### **C. Operation and Maintenance Requirements**

The project shall comply with the operation and maintenance requirements of the NPDES Permit. All regulated projects (such as a residential subdivision projects) that create and/or replace 10,000 square feet or more of impervious areas shall enter into a recorded Stormwater Operation and Maintenance (O&M) Agreement for treating stormwater runoff from the site in perpetuity. The agreement is required to be recorded at the Alameda County Recorder's Office in a format approved by the City.

1. The Operation and Maintenance Agreement shall clarify that the property owner(s) of the site shall be responsible for the following in perpetuity:
  - a. Maintaining all private stormwater treatment measures on the project site.
  - b. Annually submitting a maintenance report to the City Operations Services Department, Utilities Division, addressing the implementation of the Operation and Maintenance Agreement requirements.
2. The final Operation and Maintenance Agreement shall be submitted to the Engineering Division prior to the issuance of a grading or building permit, whichever comes first. The Agreement is subject to review and approval of the City Engineer/City Attorney, prior to recordation.

The Operation and Maintenance Agreement responsibilities shall include, but not be limited to the following:

- a. Repainting text near the drain inlets to state "No Dumping – Drains to Bay."
- b. Ensuring maintenance of landscaping with minimal pesticide and fertilizer use.
- c. Ensuring no one is disposing of vehicle fluids and hazardous materials or rinse water from cleaning tools, equipment or parts into storm drains.
- d. Cleaning all on-site storm drains at least twice a year with one cleaning immediately prior to the rainy season. The City may require additional cleanings.
- e. Mowing and removing clippings from vegetated swales with grasses on a regular basis.

## **STANDARD CONDITIONS OF APPROVAL**

### **Community Development Department**

61. The project applicants shall submit a refundable cash bond for hazard and erosion control. The amount of this bond will be determined by the Director of Community Development. The cash bond will be retained by the City until all the permanent landscaping is installed for the development, including individual lots, unless otherwise approved by the department.
62. The project applicants shall pay any and all fees to which the property may be subject prior to issuance of permits. The type and amount of the fees shall be those in effect at the time the permit is issued.
63. If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work must stop within 20 meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of Appendix K of the State CEQA Guidelines. In the event of discovery or recognition of any human remains in any on-site location, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains until the County coroner has determined, in accordance with any law concerning investigation of the circumstances, the manner and cause of death and has made recommendations concerning treatment and dispositions of the human remains to the person responsible for the excavation, or to his/her authorized representative. A similar note shall appear on the improvement plans.
64. The applicants shall submit a written dust control plan or procedure as part of the improvement plans.

### **Planning**

65. To the extent permitted by law, the project applicants shall defend (with counsel reasonably acceptable to the City), indemnify and hold harmless the City, its City Council, its officers, boards, commissions, employees and agents from and against any claim (including claims for attorneys fees), action, or proceeding brought by a third party against the indemnified parties and the project applicants 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.
66. The applicants 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 in addition to the school impact fees required by State law. 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.

67. Only gas fireplaces, pellet fueled wood heaters or EPA certified wood-burning appliances may be installed inside or outside the homes.
68. All conditions of approval shall be attached to all permit plan sets submitted for review and approval, whether stapled to the plans or located on a separate plan sheet.
69. Planning Division approval is required before any changes are implemented in site design, grading, house design, house colors or materials, green building measures, landscape material, etc.
70. The developer and future homeowners are encouraged to use reclaimed gray water, rain water, etc., for landscape irrigation. If used, the details shall be shown on the permit plan set to the satisfaction of the Director of Community Development before issuance of a building permit.
71. The developer and future homeowners are encouraged to use best management practices for the use of pesticides and herbicides.
72. 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.
73. A construction trailer shall be allowed to be placed on the project site for daily administration/coordination purposes during the construction period.
74. Portable toilets used during construction shall be kept as far as possible from existing residences and shall be emptied on a regular basis as necessary to prevent odor.

#### **Engineering**

75. A "Conditions of Approval" checklist shall be completed and attached to all plan checks submitted for approval indicating that all conditions have been satisfied.
76. Storm water shall not flow from one lot to the other unless a storm drain easement created. The property line between lots shall be located a minimum of two feet from the uphill side of the top of the bank.
77. The in-lieu park dedication fees shall be paid to the City prior to approval of the parcel map, at the rate then in effect, for the total number of new residential units to be constructed, unless this requirement has been otherwise satisfied.
78. The applicants shall submit a final grading and drainage plan prepared by a licensed civil engineer including all supporting information and design criteria (including but not limited to any peer review comments), all final grades and drainage control measures, including concrete-lined V-ditches, to protect all cut and fill slopes from surface water overflow, etc., shall be submitted as part of the improvement plans. This plan shall be subject to the review and approval of the City Engineer prior to the issuance of a grading permit by Engineering Division.
79. All existing drainage swales that are filled shall have sub drains installed unless otherwise approved by the City Engineer and the developer's soils engineer. All sub drains shall have tracer wire along entire length of the sub drains and cleanouts installed with metal cap at the



beginning of the pipe and at locations needed for maintenance. The end of the pipe shall terminate in a storm drain or other storm drain outfall, subject to the approval of the City Engineer. The applicants' engineer shall submit a final sub drain location map to the City Engineer prior to acceptance of the public improvements and/or project. It shall be the responsibility of the property owner to relocate a sub drain, if during the excavation of a pool or other subsurface structure, a sub drain is encountered. All property owners within the subdivision shall receive notice of the presence of these sub drains. The City Attorney shall approve said notice.

80. All retaining walls along the street shall be placed behind the Public Service Easement (PSE), unless otherwise approved by the City Engineer.
81. A water meter shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
82. A sanitary sewer lateral with two-way cleanout (located at the back of the sidewalk or curb, whichever is applicable) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
83. A stub for each dry utility (electric power, gas, communication service, Cable television, street lights and any required alarm systems) shall be provided to each lot of record within the development unless otherwise approved by the City Engineer.
84. All dry utilities (electric power distribution, gas distribution, communication service, Cable television, street lights and any required alarm systems) required to serve existing or new development shall be installed in conduit, underground in a joint utility trench unless otherwise specifically approved by the City Engineer.
85. The applicants shall construct vertical P.C.C. curbs and gutters within this development unless otherwise approved by the City Engineer. When the sidewalk is adjacent to the curb and gutter, they shall be poured monolithically.
86. All existing septic tanks or holding tanks, if any shall be properly abandoned, pursuant to the requirements of the Alameda County Department of Health Services prior to the start of grading operations, unless specifically approved by the City Engineer.
87. This approval does not guarantee the availability of sufficient water and/or sewer capacity to serve new developments on the project.
88. The encroachment permit for haul route for all materials and equipment to and from this development shall be approved by the City Engineer prior to the issuance of any permit by City Building Division or Engineering Division.
89. Any damage to existing street improvements during construction on the subject property shall be repaired to the satisfaction of the City Engineer at full expense to the applicants/subdivider. This shall include slurry seal, overlay, or street reconstruction if deemed warranted by the City Engineer.
90. The project applicants and/or the project applicants' contractor(s) shall obtain an encroachment permit from the City Engineer prior to moving any construction equipment onto the site.

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

### **Building**

92. Prior to issuance of building or demolition permits, the applicants shall submit a waste management plan to the Building and Safety Division. The plan shall include the estimated composition and quantities of waste to be generated and how the applicants intends to recycle at least seventy-five percent (75%) of the total job site construction and demolition waste measured by weight or volume. Proof of compliance shall be provided to the Chief Building Official prior to the issuance of a final building permit. During demolition and construction, the applicants shall mark all trash disposal bins "trash materials only" and all recycling bins "recycling materials only." The applicants shall contact Pleasanton Garbage Service for the disposal of all waste from the site.

93. All retaining walls higher than four feet from the top of the wall to the bottom of the footway shall be constructed of reinforced concrete, masonry, or other material as approved by the Director of Community Development, or shall be an approved crib wall type. Calculations signed by a registered civil engineer shall accompany the wall plans.

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

### **Fire**

95. The applicants shall keep the site free of fire hazards from the start of lumber construction until the final inspection.

96. Prior to any construction framing, the project applicants 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.

97. Electrical conduit shall be provided to each fire protection system control valve including all valve(s) at the water connections. The Livermore-Pleasanton Fire Department requires electronic supervision of all valves for automatic sprinkler systems and fire protection systems.

98. Prior to any construction framing, the applicants 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.

99. The following items will be provided prior to any construction above the foundation or slab.  
NOTE: Periodic inspections will be made for compliance.

- a. Emergency vehicle access will be required to be provided to the site (tract), including the area where construction is occurring.
- b. Emergency vehicle access shall be a minimum of 20 feet in clear width. A clear height free of obstructions (power, cable, telephone lines, tree limbs, etc.) is required. This clearance shall be a minimum of 13 feet-6 inches. Inside turning radius of 45 feet and outside turning radius of 55 feet shall be provided.
- c. The carrying capacity of the access route(s) shall be 69,000 pounds under all weather conditions.
- d. Designated construction material storage and construction worker parking shall not obstruct the emergency vehicle access route(s).
- e. On-site fire hydrants shall be in service. Fire hydrants shall be flushed and all valves open.

## **CODE REQUIREMENTS**

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

### **Planning**

100. All exterior lighting including landscape lighting for future homes shall be directed downward and designed or shielded so as to not shine onto neighboring properties.
101. The home/building developer shall submit a final lighting plan, and include drawings and/or manufacturer's specification sheets showing the size and types of light fixtures proposed for the exterior of the buildings.

### **Building**

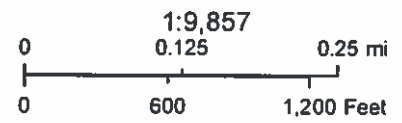
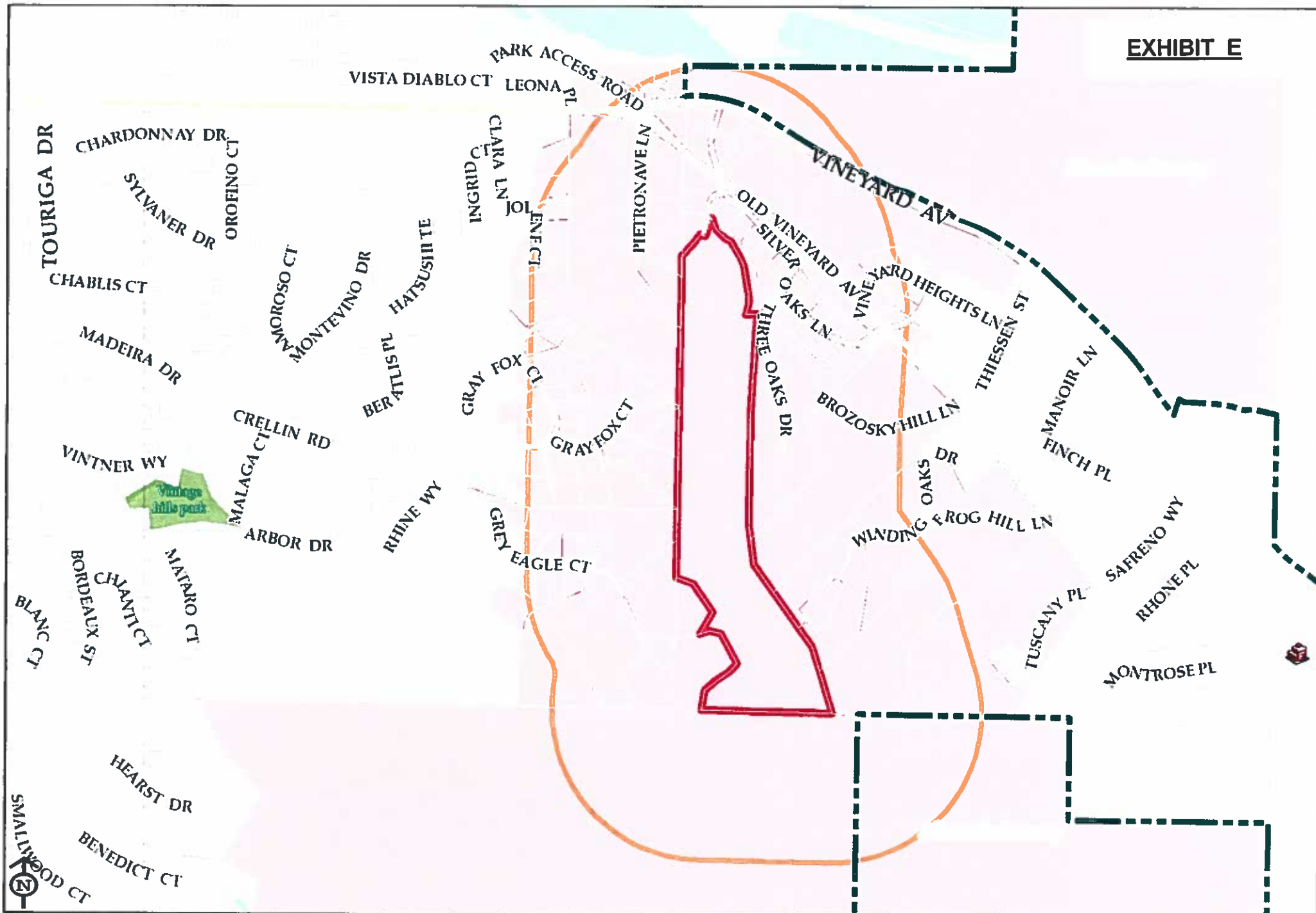
102. The project applicants shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the Municipal Code of the City of Pleasanton. These plans shall be approved by the Chief Building and Safety Official prior to the issuance of a building permit. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
103. All building and/or structural plans must comply with all codes and ordinances in effect before the Building Division will issue permits.

### **Fire**

104. All construction shall conform to the requirements of the California Fire Code currently in effect, City of Pleasanton Building and Safety Division and City of Pleasanton Ordinance 2015. All required permits shall be obtained.
105. Automatic fire sprinklers shall be installed in all occupancies in accordance with City of Pleasanton Ordinance 2015. Installations shall conform to NFPA Pamphlet 13 for commercial occupancies NFPA 13D for residential occupancies and NFPA 13R for multifamily residential occupancies.

106. Fire alarm system shall be provided and installed in accordance with the CFC currently in effect, the City of Pleasanton Ordinance 2015 and 2002 NFPA 72 - National Fire Alarm Code. Notification appliances and manual fire alarm boxes shall be provided in all areas consistent with the definition of a notification zone (notification zones coincide with the smoke and fire zones of a building). Shop drawings shall be submitted for permit issuance in compliance with the CFC currently in effect.
107. All buildings undergoing construction, alteration or demolition shall comply with Chapter 14 (California Fire Code currently in effect) pertaining to the use of any hazardous materials, flame-producing devices, asphalt/tar kettles, etc.
108. The buildings covered by this approval shall conform to the requirements of the California Building Code currently in effect, the California Fire Code currently in effect and the City of Pleasanton Ordinance 2015. If required plans and specifications for the automatic fire sprinkler system shall be submitted to the Livermore-Pleasanton Fire Department for review and approval prior to installation. The fire alarm system, including water flow and valve tamper, shall have plans and specifications submitted to Fire Prevention for review and approval prior to installation. All required inspections and witnessing of tests shall be completed prior to final inspection and occupancy of the building(s).

{end}



P16-0006, 39 Silver Oaks Court, Frank Berlogar