

ORDINANCE NO. 2283

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PLEASANTON APPROVING THE APPLICATION FOR A PUD MAJOR MODIFICATION TO 1) SUBDIVIDE AN APPROXIMATELY 1.4-ACRE PARCEL LOCATED AT 3450 MOHR AVENUE INTO TWO LOTS MEASURING APPROXIMATELY 44,237-SQUARE-FEET (LOT 1) AND 17,123-SQUARE-FEET (LOT 2), AND 2) CONSTRUCT A 2,288 SQUARE FOOT ADDITION TO THE EXISTING RESIDENCE ON LOT 1 LOCATED AT 3450 MOHR AVENUE AS FILED UNDER CASE NO. PUD-18-07M

WHEREAS, on December 12, 2023, Anurag Jain ("Applicant") applied for a PUD Major Modification approval under Case No. PUD-18-07M to 1) subdivide an approximately 1.4-acre parcel located at 3450 Mohr Avenue into two lots measuring approximately 44,237-square-foot (Lot 1) and 17,123-square-foot (Lot 2), and 2) construct a 2,288 square foot addition to the existing residence on Lot 1 ("Project") located at 3450 Mohr Avenue ("Property"); and

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

WHEREAS, the Property is located within the PUD-18 area, following the development standards for the Busch Residences; and

WHEREAS, on April 25, 2024, the application was deemed complete; and

WHEREAS, on June 12, 2024, with a 5-0 vote, the Planning Commission made the findings, and recommended to the Pleasanton City Council PUD-18-07M be approved; and

WHEREAS, on July 16, 2024, the Pleasanton City Council held a duly noticed public hearing on this application and considered all public testimony, agenda reports, and related materials, and the recommendations of City staff and the Planning Commission; and

WHEREAS, after review of the materials presented, the City Council determined that the PUD plan is consistent with the General Plan, PUD-18, and purposes of the PUD ordinance based on the considerations set forth in this ordinance.

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

SECTION 1. With respect to CEQA, the project is within the scope of the PUD-18 Negative Declaration entitled PGPA-04, PUD-18, PGM-6 Ponderosa Homes Initial Study/Negative Declaration adopted by City Council on August 20, 2002. No additional environmental review is required under the California Environmental Quality Act (CEQA) pursuant to Section 15162 because no substantial changes to the PUD are proposed, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial importance shows that the project will have one or more significant effects not discussed in the previous negative declaration.

SECTION 2. The City Council approves case PUD-18-07M, the application of Anurag Jain for PUD Major Modification approval to 1) subdivide an approximately 1.4-acre parcel located at 3450 Mohr Avenue into two lots measuring approximately 44,237-square-foot (Lot 1) and 17,123-square-foot (Lot 2), and 2) construct a 2,288 square foot addition to the existing residence

on Lot 1 located at 3450 Mohr Avenue, subject to the conditions as shown in Exhibit A, attached hereto and made part of this ordinance 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 become effective thirty (30) days after its passage and adoption.

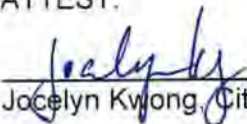
The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Pleasanton on July 16, 2024, and adopted on August 20, 2024, by the following vote:

Ayes:	Councilmembers Arkin, Balch, Testa, Mayor Brown
Noes:	None
Absent:	Councilmember Nibert
Abstain:	None




Karla Brown, Mayor

ATTEST:



Jocelyn Kwong, City Clerk

APPROVED AS TO FORM:



Daniel G. Sodergren, City Attorney

**EXHIBIT A
CONDITIONS OF APPROVAL**

**PUD-18-07M
3450 Mohr Avenue
July 16, 2024**

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

This approval is granted for a Planned Unit Development Major Modification to 1) subdivide an approximately 1.4-acre parcel located at 3450 Mohr Avenue into two parcels measuring approximately 44,237-square-feet (Lot 1) and 17,123-square-feet (Lot 2), and 2) construct a 2,288 square foot addition to the existing residence on Lot 1 located on Assessor Parcel No(s).(946-4604-1) at 3450 Mohr Avenue. Development shall be substantially as shown on the project materials listed below:

- a. Project plans, Exhibit B, prepared by AJS Architecture & Planning for Anurag Jain dated "Received" on 4-9-2024 and kept on file in the Planning Division of the Community Development Department.
- b. Vesting Tentative Parcel Map 11413 by Alexander & Associates Inc. dated 4-8-2024

THIS APPROVAL IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

1. **APPROVAL AND REVISIONS:** The proposed development shall be in substantial conformance with the "Approved Plans", except as modified by the following conditions. Minor changes to the plans may be allowed subject to the approval of the Director of Community Development if found to be in substantial conformance with the approved exhibits. Planning Division approval is required before any changes are implemented in site design, grading, architectural design, house colors or materials, green building measures, landscape material, etc.
2. **EXPIRATION – RESIDENTIAL PUD:** The PUD development plan shall lapse two years from the effective date of this ordinance unless a final or parcel map, as applicable, is approved. If a final or parcel map is approved, the PUD development plan approval shall lapse when the final or parcel map approval expires. If the map is recorded before the final or parcel map expires, then the PUD development approval shall not lapse.
3. **EXPIRATION – DESIGN REVIEW:** This design review approval shall lapse 1 year from the effective date of approval unless a building permit is issued and construction has

commenced and is diligently pursued towards completion, or the City has approved a time extension.

4. **CONDITIONS OF APPROVAL CHECKLIST:** The applicant shall submit a "Conditions of Approval Checklist" indicating all conditions in Exhibit A have been satisfied, incorporated into the building permit plans or improvements plans, and/or addressed. Said checklist shall be incorporated as one of the first four plan sheets of all building permit and engineering permit plan submittals for review by the City prior to issuance of permits.
5. **APPEAL PERIOD:** The building permit submittal will only be accepted after completion of the appeal period provided in the Municipal Code unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the approval is overturned on appeal, or the design is significantly changed as a result of the appeal. In no case will a building permit be issued prior to the expiration of the appeal period.
6. **PUD PERIOD:** The building permit submittal will only be accepted after the ordinance approving the Planned Unit Development (PUD) development plan becomes effective, unless the applicant submits a signed statement acknowledging the plan check fees may be forfeited in the event the ordinance is overturned. In no case will a building permit be issued prior to the PUD ordinance amendment being in effect.
7. **LIABILITY AND INDEMNIFICATION:** To the extent permitted by law, the project applicant shall hold harmless, defend (with counsel acceptable to the City), and indemnify the City, its City Council, its officers, commissions, employee and agents from and against any claim, action, or proceeding brought by a third party against the indemnified parties and/or the applicant to attack, set aside, or void the approval of the project or any permit authorized hereby for the project, including without limitation, reimbursing the City its attorneys' fees and costs incurred in defense of the litigation. The City may, in its sole discretion, elect to defend any such action with attorneys of its choice.
8. **LOT 2 DEVELOPMENT:** Future development of Lot 2 requires Design Review that adheres to the Estate Lot standards as outlined in PUD-18.

PLANNING DIVISION – 925-931-5600

Site Development and Building Design

9. **BUILDING MATERIALS AND COLORS:** The building materials and colors in the Approved Plans shall be stated on the building permit plans.
10. **PAVING MATERIALS:** The color, material, design, and product specifications for the paving materials used on-site shall be in conformance with the Approved Plans and included with the building permit submittal. Any proposed modifications to the final paving design details shall be subject to review and approval by the Planning Division prior to issuance of building permits.
11. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit/building in conformance with the Approved Plans in the building permit submittal. Any proposed modifications shall be

- subject to review and approval by the Planning Division prior to issuance of building permits.
12. FENCE/WALL: All fencing and walls shall be shown on the construction plans with the building permit submittal. The design and location must be approved by the Planning Division and comply with all setback requirements.
 13. OUTDOOR STORAGE: There is to be no outdoor storage without prior approval by the City.
 14. LIGHTING PLAN: The applicant shall submit a lighting plan with the building permit submittal. The plan shall include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. All exterior lighting including landscape lighting shall be directed downward and designed or shielded so as to not shine onto neighboring properties or streets. The photometrics shall be reviewed and approved by the City Traffic Engineer and Director of Community Development prior to building permit issuance. The type and location of all exterior light fixtures shall be reviewed and approved by the Director of Community Development prior to building permit issuance.
 15. BUILDING SURVEY: The applicant shall submit a building survey and/or record of survey and a site development plan in accordance with the provisions of Chapter 18.68 of the PMC. These plans shall be approved by the Chief Building Official prior to building permit issuance. The site development plan shall include all required information to design and construct site, grading, paving, drainage, and utilities.
 16. PAD AND SETBACK CERTIFICATION: The applicant shall submit a pad elevation certification prepared by a California licensed land surveyor or registered civil engineer to the Chief Building Official and Director of Community Development certifying the pad elevations and building locations (setbacks) are conforming to the approved plans, prior to receiving a foundation inspection for the structures.
 17. BUILDING HEIGHT CERTIFICATION: The applicant shall submit a building height certification prepared by a California licensed land surveyor or civil engineer to the Director of Community Development before the first framing or structural inspection by the Building and Safety Division. The height of the structures shall be surveyed and verified as being in conformance to the approved building heights as shown on Exhibit B or as otherwise conditioned.
 18. FINAL INSPECTION: Final inspection by the Planning Division is required prior to occupancy.
 19. TRANSFORMERS: New electrical transformers shall be placed underground, or aboveground and screened from view to the satisfaction of the Director of Community Development. Details of the new electrical transformers, and any screening architecturally compatible with the building, shall be included in the building permit submittal and shall be subject to the review and approval of the Director of Engineering/City Engineer and Director of Community Development prior to building permit issuance.
 20. MECHANICAL EQUIPMENT – SCREENING: The applicant shall effectively screen from view all ducts, meters, air conditioning equipment, and any other mechanical equipment, whether on the structure, on the ground, or on the roof, with materials architecturally

compatible with the building. Screening details shall be shown on the plans submitted for building permit, the adequacy of which shall be determined by the Director of Community Development. All required screening shall be installed prior to final occupancy.

21. TRASH ENCLOSURE: All trash, refuse, and recycling shall be contained completely within enclosures. Containers shall be stored within the enclosures at all times except when being unloaded. The enclosures shall be sized to accommodate trash, recycling, and green waste containers in compliance with the Alameda County Mandatory Recycling Ordinance. The materials and colors of any new enclosures shall match or be compatible with the primary building on site and the gates shall be metal or solid wood unless otherwise approved by the Director of Community Development. Elevation drawings and plan details, including color and material of the enclosures noted, shall be included in the building permit submittal and shall be subject to the review and approval of the Director of Community Development prior to building permit issuance.
22. RECYCLING AND COMPOSTING PROGRAMS: The project shall comply with the current City/Pleasanton Garbage Service recycling and composting programs.

Green Building and Sustainability Measures

23. Climate Action Plan 2.0 Compliance: Prior to building permit issuance, a GHG Emission Compliance Checklist shall be provided, to the Planning Division for review and approval by the Director of Community Development. The measures shall be shown on the building permit plans submitted to the Building and Safety Division. The Checklist shall include notation indicating the sheet(s) the measure can be found. Prior to building permit final, all of the measures indicated on the approved checklist shall be inspected and approved by the City of Pleasanton.

Construction Practices and Noticing

24. WORK HOURS: All demolition and construction activities, inspections, plan checking, material delivery, staff assignment or coordination, etc., shall be limited to the hours of 8 a.m. to 5 p.m., Monday through Saturday. No construction shall be allowed on State or Federal Holidays or Sundays. The Director of Community Development may allow earlier "start times" or later "stop times" for specific construction activities, e.g., concrete pouring. All construction equipment shall meet Department of Motor Vehicles (DMV) noise standards and shall be equipped with muffling devices. Prior to construction, the hours of construction shall be posted on site.
25. CONSTRUCTION MANAGEMENT PLAN: The applicant shall prepare a construction and parking management plan to address impacts and parking demands during the construction phase of the project. The construction and parking management plan shall be subject to review and approval by the City Traffic Engineer and Director of Community Development prior to issuance of a demolition permit, or the first building permit, whichever comes first. The following items shall be incorporated into the construction and parking management plan:
 - a. Show truck route for construction and delivery trucks that does not include neighborhood residential streets, unless approved by the City Traffic Engineer;

- b. Show construction vehicles, temporary storage trailers and equipment parking area, materials storage, temporary fencing, construction trailer location, and construction contractors/workers parking area.
 - c. Sidewalk closure or narrowing is not allowed during on-site construction activities without prior approval by the City.
26. **DUST CONTROL:** The applicant shall submit a written dust control plan or procedure as part of the building permit plans.
27. **PORTABLE TOILETS:** Portable toilets used during construction shall be kept on the project site and as far as possible from existing residences and shall be emptied to prevent odor.
28. **EXCESS SOIL AND SOIL STOCKPILING:** All excess soil from the site shall be off-hauled from the site and disposed of in a lawful manner. No temporary stockpiling of dirt on this site shall occur without specific review and approval by the Director of Community Development.
29. **NOTICE OF CONSTRUCTION:** Prior to construction, the applicant shall notify neighbors within 300-feet of the project site of the construction schedule in writing. Such notice shall include contact names and numbers for property owner, agent or contractor.
30. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who shall be responsible for responding to any complaints regarding construction noise, dust, construction parking, etc. The coordinator (who may be an employee of the general contractor) shall determine the cause of the complaint and shall require the implementation of reasonable measures warranted to correct the problem. A telephone number of the disturbance coordinator shall be posted on the construction site fence and on the notification sent to neighbors adjacent to the site. The sign shall also list an emergency after-hours contact number for the disturbance coordinator, or designee.
31. **CULTURAL RESOURCES/HUMAN REMAINS:** If any prehistoric or historic artifacts, or other indication of cultural resources are found once the project construction is underway, all work shall stop within 20-meters (66 feet) of the find. A qualified archaeologist shall be consulted for an immediate evaluation of the find prior to resuming groundbreaking construction activities within 20 meters of the find. If the find is determined to be an important archaeological resource, the resource shall be either avoided, if feasible, or recovered consistent with the requirements of the State California Environmental Quality Act (CEQA) Guidelines. In the event that human remains are discovered during grading and construction of the project, work shall stop immediately. There shall be no disposition of such human remains, other than in accordance with the procedures and requirements set forth in California Health and Safety Code Section 7050.5, Public Resources Section 5097.98, and Title 14 California Code of Regulations Section 15064.5. These code provisions require notification of the County Coroner, who may then notify the Native American Heritage Commission, who in turn must notify the persons believed to be most likely descended from the deceased Native American for appropriate disposition of the remains. A similar note shall appear on the building permit and/or improvement plans.

Fees

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

BUILDING AND SAFETY DIVISION – 925-931-5300

37. **BUILDING AND FIRE CLEARANCE:** Prior to issuance of a business license, the applicant shall contact the Building and Safety Division and the Fire Department to ensure the proposed use of the tenant space meets Building and Fire Code requirements. If required, the applicant shall obtain all appropriate City permits.

ENGINEERING DEPARTMENT – LAND DEVELOPMENT – 925-931-5650

38. **CONDITIONS OF APPROVAL:** These conditions of approval shall be depicted on a plan sheet(s) in the submitted plans for construction. (Address this condition prior to plan approval)
39. **PUBLIC WORKS DIVISION FEES FOR SERVICE:** The Public Works Division assesses fees for services including plan-check, permit issuance, and inspection according to the City's adopted Master Fee Schedule. These fees are separate and distinct from fees assessed by the Community Development Department (including Planning and Building Division fees). The applicant is responsible for payment of all Public Works Division fees prior to services rendered or permit issuance, whichever is first. (Address this condition prior to plan approval)
40. **CLEAN WATER PROGRAM:** Land development projects that create and/or replace more than 5,000 square feet (0.23 acres) of impervious surface are considered "Regulated" according to Provision C.3.b of the Municipal Regional Stormwater NPDES Permit that regulates stormwater runoff in Alameda County. The Alameda Countywide Clean Water Program developed a C.3 Guidance Manual to assist applicants in addressing these regulations. The Guidance Manual is available for download at:

<https://cleanwaterprogram.org/development/>

Since the impervious surface to be created for Lot 2 is not currently known, it is difficult to determine whether the threshold for regulation under the program will be met. The applicant shall be aware that the Lot 2 impervious surface will be evaluated when this information becomes available. If the Lot 2 impervious surface exceeds the ultimate Lot 1 impervious surface (i.e. after the new addition and garage are added), then storm runoff from the impervious surface for both Lot 1 and Lot 2 must be treated. (Address this condition prior to plan approval)

41. SUBDIVISION MAPS: The subdivision of land is governed by Pleasanton Municipal Code Title 19, as well as the California Government Code §§66410-66499.85 (Subdivision Map Act). All maps are subject to review and approval by the City Engineer. Recordation of the subdivision map shall be coordinated by the applicant's title company, with one full- sized mylar copy of the recorded map returned to the City.

The following statement shall be included on the cover sheet of the map: "I, Adam Nelkie, P.E., City Engineer of the City of Pleasanton, County of Alameda, State of California, do hereby state that I have examined the herein embodied map entitled "[MAP NAME/NUMBER]" consisting of [NUMBER OF SHEETS] sheets, this statement being on Sheet 1 thereof and that the [PARCEL OR TRACT] map was presented to me as provided by local ordinance. This map conforms with the requirements of the Subdivision Map Act and of any local ordinances applicable at the time of approval of the tentative map, and the subdivision as shown is substantially the same as it appeared on the tentative map, if any, and any approved alterations thereof. The name of the subdivider is as shown on the statement of owner upon this sheet."

The Public Service Easement (PSE) and Emergency Vehicle Access Easement (EVAE) were not explicitly accepted by the City Engineer on Parcel Map 8099. Final Parcel Map 11413 shall again grant those same easements so they can be formally accepted across Lots 1 and 2.

For parcel maps, add the following: "The dedications and/or easements shown as [LIST] upon said map thereon offered for dedication are hereby accepted for the purpose for which offered."

Adam Nelkie, P.E., Registration No. 78830, City Engineer, City of Pleasanton, County of Alameda, State of California [SIGNATURE LINE], [DATE], [SPACE FOR STAMP]"
(Address this condition prior to plan approval.

42. CITY SURVEYOR: The City utilizes the services of an outside consultant to certify the technical accuracy of subdivision maps as City Land Surveyor pursuant to California Government Code §66451.1. In order to provide this service, the consultant will submit a proposal to the City for the estimated cost of the work. The estimate will be presented to the applicant together with the City's administrative markup according to the City's adopted Master Fee Schedule. Review of the subdivision map cannot commence until the applicant has submitted payment to the City for these costs. If the ultimate fee at the conclusion of the work is less than this payment, the applicant will be refunded the difference. If the ultimate fee is more than this payment, then the applicant shall submit payment for the difference before the consultant certifies the map.

The following statement shall be included on the cover sheet of the map: "I, [NAME PROVIDED BY CITY], P.L.S, Acting City Surveyor for the City of Pleasanton, Alameda County, California, do hereby state that I have examined this map entitled "[MAP NAME/NUMBER]", and I am satisfied that said map is technically correct.

[SIGNATURE LINE], [DATE], [SPACE FOR STAMP]" (Address this condition prior to map approval)

43. DRIVEWAY: Lot 2 will not have access to the existing private reciprocal access and emergency vehicle access easements. Lot 2 must therefore have driveway access off Mohr Avenue. The driveway approach shall be designed and installed per City Standard Drawing #106. (Address this condition prior to plan approval)
44. ENCROACHMENT PERMIT: Any work performed within the City's right-of-way, City easements, or City-owned property shall be subject to an Encroachment Permit as defined in Pleasanton Municipal Code Chapter 13.04. All encroachment permit work is subject to adopted City of Pleasanton Standard Specifications and Details, and shall be performed by properly-licensed contractors as determined by the City Engineer. Said contractors must provide evidence of proper licensure, insurance and City-issued Business License upon application for a permit. (Address this condition prior to permit issuance)
45. GROUNDWATER WELLS: Zone 7 Water Agency is the administering agency for Alameda County's "Water Wells Ordinance" (General Ordinance No. 0-2015-20). All groundwater wells on properties subject to development must be disclosed on the applicant's plans.

If the well will be used in the future, the applicant shall submit a "Statement of Future Well Use" form available from Zone 7 prior to the approval of final map. The application form can be downloaded at:

https://www.zone7water.com/sites/main/files/file-attachments/statement_of_future_use.pdf?1618854689.
(Address this condition prior to permit issuance)

46. WATER SERVICE: According to the City's Utility Billing records, the property at 3450 Mohr Avenue is currently served by a 5/8" City water meter (#55834280). The location of the existing meter will be relocated and reconnected to serve Lot 1 in the future. The existing 5/8" relocated meter for Lot 1 may need to be upsized due to the home addition on Lot 1 and will be evaluated during the building permit set. With the future development of Lot 2, the water meter size will be determined with the building permit application. The service lateral and water meter must be sized and installed to accommodate the new home and fire sprinkler requirement per CBC 903.2.

Water meter, connection and other fees may apply to City of Pleasanton and Zone 7, the City's water wholesaler. For more info:

<https://www.cityofpleasantonca.gov/assets/our-government/finance-department/business-license/master-fee-schedule.pdf>
(Address this condition prior to plan approval)

47. UTILITY ENCLOSURES: Proposed utility enclosures including vaults, meter boxes, splice boxes, and pedestals shall be installed in the public right-of-way, in a public

service easement (PSE), or in a utility company specific easement. The locations for utility enclosures shall be considered in the following order of preference: (1) PSE area behind public sidewalk; (2) parkstrip area between the roadway curb & gutter and the sidewalk; (3) within the public sidewalk set flush to grade; (4) within driveway approach areas set flush to the surface with traffic-rated lids. In no case shall an above-ground pedestal or utility cabinet obstruct sight-line visibility for vehicle drivers at intersections or driveways. Above-ground pedestals or utility cabinets are preferred within the side- yard area of a corner residential lot rather than the front-yard. Deviations from this standard must be approved by the City Engineer. (Address this condition prior to plan approval)

48. DRY UTILITIES (ELECTRICITY, CATV, TELECOM): All dry utilities including electricity, telecommunications, cable television, street lights, alarm systems, etc. required to serve the project shall be installed underground from the point-of-connection at the utility purveyor's network to the service point. Aerial drops from utility poles will not be allowed without prior approval of the City Engineer. (Address this condition prior to plan approval)
49. TEMPORARY TRAFFIC CONTROL: Work in the public right-of-way or publicly-accessible easement areas require submittal, review, approval, and implementation of a temporary traffic control plan. The plan shall be in writing and subject to review and approval of the City's Traffic Engineer. The plan must conform to the California Manual on Uniform Traffic Control Devices (CA MUTCD), with specific emphasis on Part 6 "Temporary Traffic Control".

If Flaggers will be utilized, said personnel must be trained in the proper fundamentals of flagging moving traffic before entering the right-of-way. The City may demand to see evidence of said training before allowing said personnel into the right-of-way.

Any alterations to pedestrian paths of travel must conform to current standards for the disabled. Any walking member of the public with a visual impairment (cane or guide dog) must be escorted through the construction zone. (Address this condition during construction)

50. HIGH VISIBILITY SAFETY APPAREL: All workers on foot who are exposed to the hazard of vehicular traffic shall wear warning garments such as vests, jackets, or shirts manufactured in accordance with the requirements of the American National Standards Institute (ANSI)/International Safety Equipment Association (ISEA) 107-2004 Performance Class 2, high visibility safety apparel and headwear, or any updates adopted by Cal OSHA. During hours of darkness, warning garments shall be retroreflective with visibility from a minimum 1,000 feet. (Address this condition during construction)
51. EXCAVATION SAFETY: All excavations must be performed in conformance with California Government Code Section 4216 et seq. No excavation shall occur until proper notice is provided to Underground Service Alert (usanorth811.org) by calling either 811 or 800-642-2444 at least 72-hours prior to the work so buried utilities can be marked. All excavations shall be covered or barricaded to prevent entry when work is inactive. Open excavations in the public right-of-way must be covered by skid-resistant steel plates that are firmly affixed to the surface with leading edges ramped. Excavations 5-feet and deeper require a protective system as defined by Cal-OSHA. If a shoring

system or trench boxes will be utilized as the protective system, said system shall either be manufactured and installed according to manufacturer recommendations, or designed by a registered professional engineer and installed according to approved plans. No excavation shall be performed atop or adjacent to a high-risk facility until authorized by the owner of the facility. High-risk facilities are defined as gas transmission pipelines and hazardous liquid pipelines as regulated by the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (US DOT PHMSA) (Address this condition during construction)

52. POLLUTANT REDUCTION IN STORMWATER: At no time during construction of the project shall pollutants be allowed to enter, clog, or contaminate storm drain pipe networks or open stormwater channels in violation of Pleasanton Municipal Code §9.14.080 et seq. The applicant shall contain all trash and debris for proper disposal to authorized landfills or recyclers. Erosion control features shall be deployed during the rainy season that extends from October 1st to April 15th each year, or any time rain is forecast outside of this period. Best Management Practices (BMPs) shall be strictly followed. Street sweepers must be employed if soil or debris is tracked onto the public roads from vehicles exiting the site. Standard BMPs are available from the California Stormwater Quality Association (CASQA), the United States Environmental Protection Agency (EPA), Caltrans, and others. Notes and/or illustrations shall be added to the plans that describe the BMPs to be utilized during construction. The use of manufactured erosion control woven blankets and straw wattles that utilize plastic monofilament netting is specifically prohibited. (Address this condition during construction)
53. DUST CONTROL: Dust control measures must be employed during all phases of construction to prevent airborne nuisance to neighboring properties. All stockpiles or unused materials that can create dust shall be covered or removed. Exposed soil areas shall be routinely watered until surfacing materials or landscaping is installed. Use of dust palliatives shall conform to Caltrans Standard Specification Section 18. Any damage caused by airborne dust to neighboring properties shall be cleaned with costs paid by the applicant. If the applicant fails the address dust as directed by the City, the City shall have the right to enter the property to effectuate the correction, with all costs paid by the applicant or levied as a lien against the applicant's property. (Address this condition during construction)
54. PROPERTY NUISANCE: At no time during construction of the project shall the condition of the property become a nuisance as defined in Pleasanton Municipal Code §9.28.020. The City shall have the right to inspect the property for conditions that violate the code standard. If a nuisance is found, the applicant shall immediately submit a plan of correction. Depending on the severity of the nuisance, the City may suspend all construction work until the condition is corrected. Any of the following conditions shall be considered severe: Leaking chemicals that can cause environmental damage; open excavations or any excavation deeper than 4 feet that lacks proper shoring; unsecured materials that can fall to the ground causing damage or injury; open or exposed utilities that could cause electrical shock or contamination of sewer, potable water systems, groundwater wells, or storm drainage networks. If the applicant fails to address the nuisance as directed by the City, the City shall have the right to enter the property to effectuate the correction, with all costs paid by the applicant or levied as a lien against the applicant's property. (Address this condition during construction)

55. **NOISE**: Construction noise is regulated under Pleasanton Municipal Code Chapter 9.04. Noise is prohibited outside of the hours of 8:00 am and 8:00 pm daily except Sundays and holidays when noise is prohibited outside the hours of 10:00 am and 6:00 pm. Noise is defined as a level exceeding 83 dBA at a distance of 25 feet or 86 dBA at any point beyond the boundary of the property under construction. If the applicant fails to address the noise as directed by the City, the City shall have the right to enter the property to effectuate the correction, with all costs paid by the applicant or levied as a lien against the applicant's property. Exceptions to these regulations require a special permit granted by the City for circumstances when strict compliance would be impractical or unreasonable, and contingent upon proper noticing to surrounding property owners that includes the dates and times when noise levels will be exceeded and the specific reasons why an exception to the regulation has been granted. (Address this condition during construction)
56. **GEOGRAPHIC INFORMATION SYSTEMS**: The City's Geographic Information Systems (GIS) staff publishes digital maps that enable first responders to efficiently navigate to locations where calls for service have been requested. The maps are also shared with agencies and departments that provide other critical services to residents such as mail delivery. To keep these maps current, the City requires as-built plan or map information to be submitted by the applicant in a format that integrates with ArcGIS by ESRI. The "Digital Submittal Requirements" are available for download at the following weblink:
<https://www.cityofpleasantonca.gov/gov/depts/gis.asp>
(Address this condition prior to acceptance of improvement or issuance of an Occupancy Permit)
57. **DAMAGE TO EXISTING PUBLIC OR PRIVATE IMPROVEMENTS**: The applicant shall repair damage to existing public or private improvements on and near the project site and along the haul route at the applicant's expense if caused by construction activities. (Address this condition prior to acceptance of improvements or issuance of an Occupancy Permit)

FIRE DEPARTMENT – 925-454-2361

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

58. **FIRE HAZARDS**: The project developer shall keep the site free of fire hazards from the start of lumber construction until the final inspection.
59. **FIRE CODE**: All construction shall conform to the requirements of the 2016 Pleasanton Fire Code and local ordinances. All required permits shall be obtained prior to work commencement.
60. **SITE SAFETY**: Site safety during construction shall be in accordance with Fire Code chapter 33.

61. FIRE SPRINKLERS: Automatic fire sprinklers shall be installed in all occupancies in accordance with the 2016 Pleasanton Building, Fire and Residential Codes with local amendments and ordinances.
62. EMERGENCY RESPONDER RADIO: Emergency responder radio coverage shall be provided in accordance with section 510 of the Fire Code.
63. FIRE PROTECTION FACILITIES: Prior to any construction framing, the applicant shall provide adequate fire protection facilities, including, but not limited to a water supply and water flow in conformance to the City's Fire Department Standards able to suppress a major fire.
64. WATER FLOW AND CONTROL VALVES: All fire sprinkler system water flow and control valves shall be complete and serviceable prior to final inspection. Prior to the occupancy of a building having a fire alarm system, the Fire Department shall test and witness the operation of the fire alarm system.
65. ELECTRICAL CONDUIT: 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.
66. PREMISES IDENTIFICATION: Address numbers shall be installed on the front or primary entrance for all buildings. Minimum building address character size shall be 12-inch high by 1-inch stroke. In all cases address numerals shall be of contrasting background and clearly visible in accordance with the Livermore-Pleasanton Fire Department Premises Identification Standards. This may warrant field verification and adjustments based upon topography, landscaping or other obstructions.
67. FINAL INSPECTION: Prior to request for final inspection, all access roads, on-site access and fire hydrants shall be provided. All fire hydrants shall be accepted, inspected and tested to applicable City Standards.

LANDSCAPE ARCHITECTURE DIVISION – 925-931-5672

Landscaping

68. Building permit plans shall show all trees 6" in diameter or greater, including their dripline, and include tree protection notes for trees to be retained as required by the municipal code. All trees 6" in diameter or greater that are being removed should be replaced with a 15-gallon sized tree.
69. LANDSCAPING: Detailed landscape and irrigation plans encompassing all planting areas shall be included in the building permit plans. All plans shall be prepared by a licensed landscape architect and shall provide the species, location, size, quantities, and spacing of all plants. Minimum plant sizes are 1-gallon containers for ground cover, 5-gallon containers for shrubs, and 15-gallon containers for trees. Plant species shall be of a drought-tolerant nature and the irrigation design shall utilize low-volume drip, bubbler, or other water conserving irrigation systems to the maximum extent possible. The drawings shall be subject to the review and approval of the City Landscape Architect prior to building permit issuance.

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

Trees

71. **TREE BOND:** Any tree affected by development/construction must be protected per the Municipal Code. The applicant shall post cash, letter of credit, or other security satisfactory to the Director of Engineering/City Engineer, for all Heritage Trees and any other significant tree as deemed by the City Landscape Architect. This bond or security will be for the value of the tree(s), up to a maximum of \$100,000, and shall be held for a minimum of 1 year following acceptance of public improvements or completion of construction, whichever is later, and shall be forfeited if the trees are destroyed or substantially damaged. An arborist shall be onsite during any tree work (i.e. root pruning, trimming, setting up tree protection, etc.). The bond or security may be released early with a certification letter by the arborist confirming he/she was present during said tree work and work was performed in accordance with the arborist's recommendations.
72. **ROOT CUTTING:** The applicant shall comply with the following tree root cutting requirements:
- a. Roots 1-inch in diameter or larger to be removed shall be cleanly cut with a hand saw. Roots smaller than 1-inch in diameter are not considered to be significant and may be removed by the most efficient means.
 - b. Roots larger than 2-inches in diameter and within 8-feet of the tree trunk shall not be cut or ground unless prior approval has been received from the Landscape Architecture Division.
 - c. Roots of any diameter farther than 8-feet from the tree trunk, which are in conflict with the proposed work may be ground a maximum of one-half of their diameter. Work of this nature shall only be performed using a mechanical stump grinder and only by personnel familiar with its operation.
 - d. Roots up to 6-inches in diameter and farther than 8-feet from the tree trunk may be removed if they are in conflict with the proposed work. Roots that are removed shall be cleanly cut using a hand saw.
73. **ROOT CONTROL BARRIER:** The applicant shall provide root control barriers and 4-inch perforated pipe for all trees located within 8-feet of pavement or other hardscape, determined by the City Landscape Architect. Root barriers shall be located along the edge of the pavement wherever the tree is within 8-feet of pavement or hardscape.

Information and details shall be included in the landscape plan submittal for review and approval by the Landscape Architecture Division.

74. TREE PRUNING: Pruning shall be conducted by a certified arborist familiar with the International Society of Arboriculture (ISA) pruning guidelines and shall comply with the guidelines established by the ISA, Tree Pruning Guidelines, current edition, to maintain the health of the trees.
75. TREE PROTECTION FENCING: Prior to issuance of a grading or building permit, the applicant shall install temporary 6-foot tall chain-link fencing (or other fence type acceptable to the Landscape Architecture Division) outside of the existing tree drip lines. The location of the tree protection fencing shall be shown on the demolition plans (if applicable), grading, building, and/or landscape plans. The fencing shall remain in place until final landscape inspection by the Landscape Architecture Division. Removal of such fencing prior to approval may result in a "stop work order."
76. PROJECT PLANS: The following statements shall be printed on the demolition, grading and landscape plans where applicable to the satisfaction of the City Landscape Architect prior to issuance of building permits:
- e. No existing tree may be trimmed or pruned without prior approval by the City Landscape Architect.
 - f. Utilize best efforts to locate any new utility trenches outside of the existing canopy of the trees to be saved. If this is not feasible, the applicant shall submit a report from a certified arborist acceptable to the City indicating trenching will not be detrimental to the health of the tree.
 - g. Nothing may be stored within the dripline of the tree canopies. This includes equipment, oil, gas, chemicals, harmful materials, fill or storage.
 - h. 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.
 - i. No sign, wires, or ropes shall be attached to the trees.
 - j. No stockpiling/storage of construction materials, fill, etc., shall take place underneath or within 5-feet of the dripline of the existing trees.
 - k. No equipment or temporary structures shall be placed within or beneath the dripline of the existing trees.

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

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

77. BACKFLOW PREVENTION ASSEMBLIES: Backflow preventer assemblies shall be designed and installed in accordance with current City Standards 704, 705, 706; State Health and Safety Code; Title 17; and as required by the Director of Operations and Water Utilities. All backflow preventer assemblies shall be tested and certified by a City approved tester with the certification submitted to the City's contractor, Aqua Backflow. Testing will be performed at the time City water is turned on to the site. If an existing backflow preventer is on the site it shall be tested and certified by an approved tester with the certification submitted to the City's contractor, Aqua Backflow, before project water is drawn through it. An all-weather cover shall be placed over all backflow prevention assemblies 4 inch and smaller.

TRAFFIC ENGINEERING DIVISION – 925-931-5677

Traffic Control

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