RESOLUTION NO. 2014-093

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAMON UPHOLDING PLANNING COMMISSION RESOLUTION NO. 05-14 AND ADOPTING THE INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (IS 12-250-004), AND HEREBY APPROVING THE FARIA PRESERVE DEVELOPMENT ASSOCIATED WITH VESTING TENTATIVE MAP 9342 (MAJOR SUBDIVSION 12-900-002); DEVELOPMENT PLAN AMENDMENT 12-310-003; AND ARCHITECTURAL REVIEW AR (12-200-046) (APNs: 208-240-005, -007, -008, -052 to -055, -057, -058, 208-260-046, AND 208-250-011)

FILED BY LAFFERTY COMMUNITIES (APPLICANT/OWNER)

WHEREAS, on October 4, 2012, applications were filed by Lafferty Communities requesting consideration of the Revised Faria Preserve Community, which included a Major Subdivision (VTM-9342) to create parcels for 786 residential units (single- and multi-family) in five neighborhoods, a Development Plan Amendment, Architectural Review (for 476 single-family units in four neighborhoods) and Environmental Review for the development of 786 residential units (single- and multi-family), community facilities and open space, and associated grading and infrastructure improvements on an approximately 290-acre site located within City Limits and the City's Urban Growth Boundary ("UGB"), and within the Northwest Specific Plan Area; and

WHEREAS, on October 16, 2012, the City Council and Planning Commission held a joint public workshop to discuss the conceptual site plan proposal and gave an opportunity for the public to provide input on the proposal; and

WHEREAS, based on comments received from the October 16, 2012 joint workshop, the applicant amended their conceptual site plan to reduce the total housing unit proposal from 786 to 751 residential units. The revised conceptual site plan was presented at a Planning Commission study session on January 15, 2013 where further discussion and input was received from the public and Planning Commission; and

WHEREAS, on February 14, March 7, April 11, May 9, June 13, July 11 and August 8, 2013, the Architectural Review Board ("ARB") reviewed the subdivision layout, residential building architecture, community pool, preliminary landscape plans and associated grading and infrastructure improvements for the Faria Preserve Community and provided specific design recommendations to the Planning Commission and resulted in Project site design, architecture and landscape changes including a reduction of eleven residential units, reducing the total housing unit proposal from 751 to 740 residential units; and

WHEREAS, Parks and Community Services Commission Facilities Committee reviewed a draft conceptual Faria Park plan on March 27, 2013, the full Parks and Community Services Commission held public hearings on the conceptual park plan on May 8, August 14, and September 11, 2013, and held one public workshop on July 18, 2013 to consider the conceptual Faria Park plan; and

WHEREAS, on October 24, 2013, the Housing Advisory Committee ("HAC") reviewed the proposed revised Faria Preserve Community affordable housing proposal and provided comments for the Planning Commission's consideration; and

WHEREAS, the Planning Commission held duly-notice public hearings on November 19 and December 17, 2013, January 7, January 21, February 4, March 4, April 15, and May 6, 2014 to consider the proposed Project; and

WHEREAS, an Initial Study/Mitigated Negative Declaration (IS/MND 12-250-004) for the proposed revised Faria Preserve Community was prepared pursuant to Section 15070 of the California Environmental Quality Act of 1970, as amended; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for a 30-day public review period in accordance with section 15070 and 15073 of the California Environmental Quality Act (CEQA) guidelines, commencing on December 6, 2013 and ended on January 13, 2014; and

WHEREAS, on January 7, 2014, the Planning Commission held a public hearing on the subject applications and Initial Study/Mitigated Negative Declaration, where the staff report, plans, and other pertinent documents, and public testimony relating to the proposed Project applications and Initial Study/Mitigated Negative Declaration (IS 12-250-004) were heard and considered; and

WHEREAS, a response to comments received on the Initial Study/Mitigated Negative Declaration was included in the January 21, 2014 staff report and at the January 21st public hearing; and

WHEREAS, at the January 21, 2014 Planning Commission public hearing, the applicant stated that based on comments received through the public hearing process, they have modified the Project to relocate the project entryway from Deerwood Road to Purdue Road; and

WHEREAS, on February 4, 2014, the applicant amended their affordable housing proposal to reduce the overall number of rental affordable housing units proposed from 112 to 99 while maintaining a total of 28.8% of all units as affordable; and

WHEREAS, a 46-unit reduction from the previously approved vesting tentative map (VTM 8891) from 786 housing units to 740 housing units is consistent with the City's adopted Housing Element and General Plan because the Housing Element identifies adequate housing opportunity sites with excess housing capacity to meet the City's Regional Housing Needs Allocation; and

WHEREAS, on March 4, 2014, the applicant modified the Project to relocate the designated future house of worship parcel from the northeast corner of Bollinger Canyon Road and Faria Preserve Parkway to within Neighborhood V; and

WHEREAS, as a result of the relocation of the house of worship parcel and the relocation of the proposed primary eastern site access from Deerwood Road to Purdue Road, the City's environmental consultant prepared a memorandum dated March 13, 2014 to examine if the Project modifications would result in changes to the Project's environmental impacts and mitigation measures; and

WHEREAS, the City determined that re-circulation of the IS/MND and the March 13, 2014 memorandum evaluating the environmental impacts of the Project was appropriate and thus a 30-day public review period began on March 17, 2014 and closed on April 15, 2014; and

WHEREAS, a response to comments received on the recirculated IS/MND was prepared and no environmental impacts in addition to those discussed in the Initial Study/Mitigated Negative Declaration and the memorandum evaluating the environmental impacts of the Project were identified during the public hearing testimony or in the written comments; and

WHEREAS, mitigation measures and a monitoring program have been recommended by the Initial Study/Mitigated Negative Declaration to be adopted as part of the project to reduce any potential impact to a less that significant level; and

WHEREAS, Initial Study/Mitigated Negative Declaration (IS 12-250-004) adequately and thoroughly assesses the environmental impacts associated with the Project and with incorporation of the recommended Mitigation Measures, there is no substantial evidence in the record that the proposed project will result in significant impacts to the environment; and

WHEREAS, on April 15, 2014, the Planning Commission directed staff to prepare a draft Project Resolution with associated findings and conditions of project approval for the Commission's consideration at the May 6, 2014 meeting; and

WHEREAS, on May 6, 2014, following a duly noticed public hearing, the City of San Ramon Planning Commission approved Resolution No. 05-14 with findings and subject to the Conditions of Approval attached as Exhibit "A", the Mitigation Measures and Monitoring Program as Exhibit "B", and Development Plan and Vesting Tentative Map dated September 26, 2013 as Exhibit "C" and as amended by the Conditions of Approval, thereby adopting Initial Study/Mitigated Negative Declaration (IS 12-250-004) and approving the Development applications for the Project, including a Vesting Tentative Map (VTM 9342; MJ 12-900-02), Development Plan Amendment (DPA 12-310-003), and Architectural Review (AR 12-200-046); and

WHEREAS, on May 15, 2014, Councilmember Sachs, pursuant to Section D7-12 of the Zoning Ordinance, initiated a Call for Review of the Planning Commission's Approval (Resolution. No. 05-14); and

WHEREAS, a Call for Review is intended to avoid results inconsistent with the City's Zoning Ordinance, and applicable procedures require the Council to conduct a hearing "de novo,"

and authorize the Council to affirm, modify, or reverse the Planning Commission's original decision following that hearing; and

WHEREAS, all of the reports, minutes and other documents constituting the record before the Planning Commission were provided to the City Council for use in considering the Call for Review; and

WHEREAS, on July 8, 2014, the City Council held a duly-noticed public hearing on the Call for Review at which there was a staff presentation and public comments received, and upon City Council deliberation, continued the public hearing and requested staff return at a future hearing date to address four discussion items: potential to add more senior housing units, study pedestrian enhancements, provide explanation regarding the traffic analysis, and provide an alternative land plan that would further reduce impacts to the Creek.; and

WHEREAS, on August 4, 2014, the City Council held its second duly-noticed public hearing on the Call for Review at which there was a staff presentation and public comments received, and upon City Council deliberation, continued the public hearing to September 9, 2014 and requested staff return with additional information on 1) whether the Northwest Specific Plan requirement to set-aside 25% of total units as affordable units could be reduced in order to give the applicant more flexibility to further reduce the overall housing unit count, and 2) if a unit reduction commensurate with the percentage of development footprint reduction would further reduce Project impacts; and

WHEREAS, on September 9, 2014, the City Council held its third duly-noticed public hearing on the Call for Review at which there was a staff presentation, public comments received, and City Council deliberation; and

WHEREAS, at the September 9, 2014 City Council public hearing, the applicant stated their continued support of affordable, workforce housing and their intent to enter into an agreement with the Sentinels of Freedom, a non-profit organization, for the donation of one affordable, workforce housing unit towards the housing of veterans of the armed forces should the Project be approved with a total of 740 housing units; and

WHEREAS, at the September 9, 2014 City Council public hearing, the applicant stated their desire to offer a contribution to the City's open space fund for the preservation of open space in the amount of $500,000 at the time of building permit issuance for the 100th housing unit and another $500,000 at the time of building permit issuance for the 300th housing unit should the Project be approved with a total of 740 housing units; and

WHEREAS, at the September 9, 2014 City Council public hearing, the City Council discussed the need to incorporate three additional Project conditions of approval to: 1) enlarge the usable rear yard space for homes on Milano Court and Caprio Court in Neighborhood 2, 2) relocate the Neighborhood 4 tot lot and increase the size of the former tot lot parcel to create open space within the neighborhood, and 3) install two radar speed display signs along Bollinger Canyon Road, and as part of that discussion the Council determined that none of the new conditions would cause any new adverse environmental effects requiring study; and

WHEREAS, the City Council voted unanimously to deny the Call for Review based on the testimony received and directed staff to prepare a City Council Resolution to uphold the Planning Commission's decision, adopting the findings and conditions as approved by Planning Commission's Resolution No. 05-14 with the incorporation of additional City Council conditions of approval as set forth in Exhibit 2.

NOW, THEREFORE, BE IT RESOLVED, that the City Council, in the exercise of its independent judgment, and based upon all the evidence in the record (including but not limited to all application materials, project studies, CEQA documents, the written and oral staff reports, and oral and written comments received by the City) does hereby make the following findings:

1. **Regarding the Call for Review:**

   a. That the recitals above are true and correct and are incorporated herein by reference; and

   b. That the Call for Review procedures as set forth in Section D7-12 of the Zoning Ordinance have been satisfied as intended to ensure consistency with the Zoning Ordinance; and

   c. That the Call for Review's assertions that the General Plan identifies the project property as being in a high landslide area and that the previous version of the Project was denied by a State Regulatory Agency in part, for environmental impacts to creeks, wetlands, and natural habitat areas have been adequately addressed in the Call for Review hearings and as reflected in this Resolution; and

   d. That the Call for Review requests to review the conditions of approval and the proposed mitigation measures have been adequately responded to through re-adoption of the Planning Commission conditions and the additional City Council conditions set forth in Exhibit 2; and

   e. That the May 6, 2014 decision of the Planning Commission is consistent with the City's Zoning Ordinance and its purposes based on the findings and other provisions in Planning Commission Resolution No. 05-14 and on all evidence in the record before the Council on the Call for Review.

2. **Regarding Planning Commission Resolution No. 05-14**

   a. That the recitals above are true and correct and are incorporated herein by reference; and

   b. That all the findings set forth in its Resolution No. 05-14 are applicable to the project and form the basis to re-approve the project in affirming the Planning Commission's prior approval of Resolution No. 05-14; and

   c. That the Council did not support a housing unit reduction below the number of housing units approved by Resolution No. 05-14 because of the large reduction of affordable, workforce housing units that would result in an overall housing unit reduction; and

d. That this decision on the Call for Review is final and effective immediately following the City Council action pursuant to Section D7-13B of the Zoning Ordinance.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the applicant is hereby given notice that the 90-day period in which the applicant may protest any fees, dedications, reservations or other exactions imposed on the development project and stated in the Conditions of Approval attached hereto as part of Exhibit 1 shall commence upon passage of this Resolution pursuant to Government Code Section 66020(d)(1).

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the City Council, in the exercise of its independent judgment and based upon all the evidence in the record (including but not limited to the Call for Review, all application materials, related CEQA documents, the written and oral staff reports, and oral and written comments received by the City), hereby adopts all findings of the Planning Commission in support of the May 6, 2014 approval of the Project, re-adopts the Initial Study/Mitigated Negative Declaration and the Mitigation Measures and Monitoring Program and re-approves the Project as set forth in its Resolution No. 05-14, which is attached hereto and incorporated by reference as Exhibit 1, and adopts additional conditions of Project approval attached as Exhibit 2.

PASSED, APPROVED AND ADOPTED on this 23rd day of September, 2014, by the following vote:

AYES: *Cm. Hudson, O'Loane, Perkins, and Mayor Clarkson*

NOES: *Councilmember Sachs*

ABSENT:

ABSTAIN:

Bill Clarkson, Mayor

ATTEST:

Renee Beck, City Clerk

Exhibit 1: Planning Commission Resolution No. 05-14 and associated exhibits
Exhibit 2: City Council Conditions of Approval

RESOLUTION NO. 05-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN RAMON APPROVING VESTING TENTATIVE MAP MJ 12-900-002 (VTM 9342), DEVELOPMENT PLAN AMENDMENT DPA 12-310-003, ARCHITECTURAL REVIEW AR 12-200-046 and INITIAL STUDY IS 12-250-004 FILED BY LAFFERTY COMMUNITIES (Applicants, Owners) (APNs: 208-240-005, -007, -008, -052 to -055, -057, -058, 208-260-046, and 208-250-011)

WHEREAS, on September 1, 2004, applications were filed by Claremont Homes requesting consideration of applications for the Faria Preserve Community, which included a Major Subdivision (VTM-8891), Development Plan, Architectural Review and Environmental Review, for 786 homes (single- and multi-family) in four neighborhoods, community facilities and open space, and associated grading and infrastructure improvements on an approximately 290-acre site located adjacent to City Limits, within the City's Urban Growth Boundary ("UGB"), and within the Northwest Specific Plan Area; and

WHEREAS, on December 6, 2004, City staff deemed the application request to be complete for processing pursuant to Government Code Section 65943; and

WHEREAS, a single EIR was prepared, called the Northwest Specific Plan EIR, to evaluate the potential impacts from implementation of the Northwest Specific Plan ("NWSP") at a programmatic level and the impacts from development of the Faria Preserve Community at a project level; and

WHEREAS, on September 5, 2006 the Planning Commission held a duly noticed Public Hearing related to the accuracy and adequacy of the Draft Environmental Impact Report; and

WHEREAS, a duly noticed joint public hearing of the Planning Commission and the City Council was held on July 24, 2006 to consider the NWSP and subsequent public hearings by the Planning Commission alone were held on September 5, October 3, October 17, and November 7, 2006 to consider the NWSP; and

WHEREAS, on November 28, 2006, the City Council certified the Northwest Specific Plan / Faria Preserve Community Environmental Impact Report ("NWSP EIR"); adopted findings and a statement of overriding considerations; and approved the NWSP and related prezonings for the Faria Preserve (PZ-06-610-003) and on December 5, 2006 the Planning Commission approved Resolution No. 25-06 approving VTM-8891 for the Faria Preserve Community ("Faria Preserve VTM"), which through commitments to construct identified amounts of affordable housing on site, has determined by the City to qualify as a housing development project for very low-, low-, or moderate income households pursuant to the California Planning & Zoning law; and

WHEREAS, on December 27, 2007, the East Bay Regional Parks District ("EBRPD") and the Sierra Club filed suits challenging certain approvals required for development of the Faria Preserve Community; and

WHEREAS, in April 2008, the Faria Preserve proponents, EBRPD, Sierra Club, the City of San Ramon, and the landowners and applicants for the Faria Preserve Community entered into two Comprehensive Agreements to Settle Litigation ("Settlement Agreements"); and

WHEREAS, the Settlement Agreements require the proponents of the Faria Preserve Community to make certain minor modifications to the Faria Preserve VTM to address issues and concerns raised by EBRPD and the Sierra Club; on June 24, 2008, the City Council approved Resolution No. 2008-132 approving settlement-related refinements to the Faria Preserve VTM; and

WHEREAS, the Contra Costa Local Agency Formation Commission (LAFCO) through LAFCO Resolution 08-27 approved the Faria Preserve Reorganization, annexing the Faria Preserve Project Area to the City of San Ramon, Central Contra Costa Sanitary District and the East Bay Municipal Utility District, effective March 19, 2009; and

WHEREAS, in 2012, Lafferty Communities acquired the Faria Preserve Project and associate parcels from Claremont Homes; and

WHEREAS, on October 4, 2012, applications were filed by Lafferty Communities requesting consideration of the Revised Faria Preserve Community, which included a Major Subdivision (VTM-9342) to create parcels for 786 residential units (single- and multi-family) in five neighborhoods, a Development Plan Amendment, Architectural Review and Environmental Review applications for the development of 476 residential units (single- and multi-family) in four neighborhoods, community facilities and open space, and associated grading and infrastructure improvements on an approximately 290-acre site located within City Limits and the City's Urban Growth Boundary ("UGB"), and within the Northwest Specific Plan Area; and

WHEREAS, on October 16, 2012, the City Council and Planning Commission held a joint public workshop to discuss the conceptual site plan proposal and gave an opportunity for the public to provide input on the proposal; and

WHEREAS, based on comments received from the October 16, 2012 joint workshop, the applicant amended their conceptual site plan to reduce the total housing unit proposal from 786 to 751 residential units. The revised conceptual site plan was presented at a Planning Commission study session on January 15, 2013 where further discussion and input was received from the public and Planning Commission; and

WHEREAS, on February 14, March 7, April 11, May 9, June 13, July 11 and August 8, 2013, the Architectural Review Board ("ARB") reviewed the subdivision layout, residential building architecture, community pool, preliminary landscape plans and associated grading and infrastructure improvements for the Faria Preserve Community and provided specific design recommendations to the Planning Commission and resulted in Project site design, architecture and landscape changes including a reduction of eleven residential units, reducing the total housing unit proposal from 751 to 740 residential units; and

WHEREAS, Parks and Community Services Commission Facilities Committee reviewed a draft conceptual Faria Park plan on March 27, 2013, the full Parks and Community Services Commission

held public hearings on the conceptual park plan on May 8, August 14, and September 11, 2013, and held one public workshop on July 18, 2013 to consider the conceptual Faria Park plan; and

WHEREAS, on October 24, 2013, the Housing Advisory Committee ("HAC") reviewed the proposed revised Faria Preserve Community affordable housing proposal and provided comments for the Planning Commission's consideration; and

WHEREAS, the Planning Commission held duly-notice public hearings on November 19 and December 17, 2013, January 7, January 21, February 4, March 4, April 15, and May 6, 2014 to consider the proposed Project; and

WHEREAS, an Initial Study/Mitigated Negative Declaration (IS/MND 12-250-004) for the proposed revised Faria Preserve Community was prepared pursuant to Section 15070 of the California Environmental Quality Act of 1970, as amended; and

WHEREAS, the Initial Study/Mitigated Negative Declaration was circulated for a 30-day public review period in accordance with section 15070 and 15073 of the California Environmental Quality Act (CEQA) guidelines, commencing on December 6, 2013 and ended on January 13, 2014; and

WHEREAS, on January 7, 2014, the Planning Commission held a public hearing on the subject applications and Initial Study/Mitigated Negative Declaration, where the staff report, plans, and other pertinent documents, and public testimony relating to the proposed Project applications and Initial Study/Mitigated Negative Declaration (IS 12-250-004) were heard and considered; and

WHEREAS, a response to comments received on the Initial Study/Mitigated Negative Declaration was included in the January 21, 2014 staff report and at the January 21st public hearing; and

WHEREAS, at the January 21, 2014 Planning Commission public hearing, the applicant stated that based on comments received through the public hearing process, they have modified the Project to relocate the project entryway from Deerwood Road to Purdue Road; and

WHEREAS, on February 4, 2014, the applicant amended their affordable housing proposal to reduce the overall number of rental affordable housing units proposed from 112 to 99 while maintaining a total of 28.8% of all units as affordable; and

WHEREAS, on March 4, 2014, the applicant modified the Project to relocate the designated future house of worship parcel from the northeast corner of Bollinger Canyon Road and Faria Preserve Parkway to within Neighborhood V; and

WHEREAS, as a result of the relocation of the house of worship parcel and the relocation of the proposed primary eastern site access from Deerwood Road to Purdue Road, the City's environmental consultant prepared a memorandum dated March 13, 2014 to examine if the Project modifications would result in changes to the Project's environmental impacts and mitigation measures; and

WHEREAS, the City determined that re-circulation of the IS/MND and the March 13, 2014 memorandum evaluating the environmental impacts of the Project was appropriate and thus a 30-day public review period began on March 17, 2014 and closed on April 15, 2014; and

WHEREAS, on April 15, 2014, the Planning Commission directed staff to prepare a draft Project Resolution with associated findings and conditions of project approval for the Commission's consideration at the May 6, 2014 meeting; and

WHEREAS, no environmental impacts in addition to those discussed in the Initial Study/Mitigated Negative Declaration and the memorandum evaluating the environmental impacts of the Project were identified during the public hearing testimony or in written comments received in the re-circulated environmental document; and

WHEREAS, mitigation measures and a monitoring program have been proposed as part of the project to reduce any potential impact to a less that significant level; and

WHEREAS, Initial Study/Mitigated Negative Declaration (IS 12-250-004) adequately and thoroughly assesses the environmental impacts associated with the Project and with incorporation of the recommended Mitigation Measures, there is no substantial evidence in the record that the proposed project will result in significant impacts to the environment.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission in the exercise of its independent judgment, and based upon all the evidence in the record (including but not limited to all application materials, the Initial Study/Mitigated Negative Declaration for the proposed Project, the written and oral staff reports, and oral and written comments received by the City) does hereby make the following findings:

1. **Regarding the Initial Study/Mitigated Negative Declaration**

After the certification of the Northwest Specific Plan/Faria Preserve Community Environmental Impact Report ("NWSP EIR"), the proposed Revised Faria Preserve Project made the following changes reflecting minor changes to the project analyzed in the NWSP EIR and further reducing some environmental impacts evaluated in the NWSP EIR:

- Reduced the proposed number of residential units from 786 to 740
- Reduced the proposed on-site grading footprint by 33 acres, resulting in an increase in natural, preserved open space
- Reduced the on-site development footprint by 18 acres, resulting in an increase of preserved open space
- Preserving over 80% of the Faria Preserve Project for permanent open space and non-residential development which includes the dedication of 144-acres contiguous to the Project Site as permanent open space
- Moved Faria Preserve Parkway where it connects to Purdue Road further south in order to reduce grading and associated drainage channel impacts
- Reduced cut-and-fill grading quantities by over 1,000,000 cubic yards
- Eliminated fill of the central drainage headwaters

- Reduced fill of channels and wetlands of the lower eastern drainage
- Eliminated the complete fill of the eastern drainage
- Reduced the total linear feet of creek disturbance from 4,853 to 2,120
- Reduced wetland fill from 0.94 to 0.81 acres

Based on the substantial evidence in the record, the City finds and declares:

a. The recitals above are true and correct and are incorporated herein by reference; and

b. The custodian of the documents described above constituting the record is the Planning Services Division. The documents are located at the offices of the City of San Ramon, 2401 Crow Canyon Road, San Ramon, CA 94583; and

c. In accordance with Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15092, the City adopts the findings and conclusions regarding impacts and mitigation measures that are set forth in the IS/MND. The City ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the IS/MND. The City adopts the reasoning of the IS/MND, of staff reports, and of staff and the presentations provided by the Project Applicant; and

d. The City has, by its review of the evidence and analysis presented in the IS/MND and in the record, acquired a better understanding of the full scope of the environmental issues presented by the Project. In turn, this understanding has enabled the City to make fully informed, thoroughly considered decisions on these important issues. These findings are based on a full appraisal of the IS/MND and the record, as well as other relevant information in the record of proceedings for the Project; and

e. Under Public Resources Code section 21081(a)(2) and CEQA Guidelines section 15091(a)(2) and 15092(b)(2)(A), the City recognizes that some mitigation measures require action by, or cooperation from, other agencies. Similarly, mitigation measures requiring the Project Applicant to contribute towards improvements planned by other agencies will require the relevant agencies to receive the funds and spend them appropriately. The City also recognizes that some cumulative impacts will be feasibly mitigated when other agencies build the relevant improvements, which also requires action by these other agencies. For each mitigation measure that requires the cooperation or action of another agency, the City finds that adoption and/or implementation of each of those mitigation measures is within the responsibility and jurisdiction of another public agency, and that the measures can and should be adopted and/or implemented by that other agency; and

f. The Project is consistent with the General Plan 2030 EIR, and the regional and areawide cumulative impacts of the Project have already been adequately addressed in the certified General Plan 2030 EIR, consistent with CEQA Guidelines Section 15130(d). The General Plan 2030 EIR also sufficiently analyzed a range of reasonable alternatives to the General Plan, and all relevant circumstances remain the same as they relate to those alternatives. In addition to the analysis of cumulative impacts contained

in the EIR, these Findings summarize, rely upon and incorporate the General Plan EIR findings to address those cumulative impacts and alternatives; and

2. **Regarding Development Plan Amendments**

   a. The recitals above are true and correct and are incorporated herein by reference; and

   b. The Project, as conditioned, will not be detrimental to the health, safety and general welfare of persons residing or working in the neighborhood of the proposed development because the development will create affordable housing opportunities that will benefit the community, development of the site has been contemplated in the General Plan and Northwest Specific Plan, and is consistent with the uses allowed by the Northwest Specific Plan; and

   c. The Project will not be injurious or detrimental to property or improvements in the neighborhood because the site will be designed to be compatible with the adjoining development(s), built in conformance with General Plan Figure 8-3 *Resource Management*, and maintains at least 75% of the Project site for non-residential development or open space; and

   d. The Project as conditioned will not be injurious or detrimental to the general welfare of the City in that sufficient off-street parking and proper on-site circulation will be provided and that maintenance of landscaping will be secured through a separate maintenance agreement; the Project is required to mitigate any significant negative impacts to City services by establishing a funding mechanism to offset the additional costs associated with providing City services to the new residential units the Project design; and

   e. That the proposed development has been reviewed by the Architectural Review Board and is architecturally compatible with other developments in the same vicinity, both inside and outside the subject zone, as detailed in the Architectural Review Findings below; and

3. **Regarding Architectural Review**

   a. The recitals above are true and correct and are incorporated herein by reference; and

   b. The Project design is consistent with the goals and objectives of the General Plan; and

   c. The Project is consistent with the purpose of the Northwest Specific Plan in regulating land use and complying with the Architectural Review process; and

   d. In compliance with Subparagraph D6-22 (G.2) (factors to be considered) of the Zoning Ordinance in that the Architectural Review Board reviewed the proposed Project at seven ARB meetings against the standards and provided recommendations; and

e. The Project design is in the best interest of the public health, safety and general welfare based on the design elements and responsiveness to the site conditions, proximity to the existing uses surrounding the Project, and responding to the Open Space and Conservation Element policies of the General Plan; and

f. General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development; and

g. General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and, signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings; and

h. General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and similar elements have been considered to ensure visual relief, to complement buildings, structures and surrounding open space, and to provide an attractive environment for the enjoyment of the public; and

4. <u>Regarding the Major Subdivision</u>

a. The recitals above are true and correct and are incorporated herein by reference; and

b. The proposed map and the Revised Faria Preserve Project, together with the provisions for its design and improvement, as conditioned pursuant to the Conditions of Approval attached hereto as Exhibit A, are consistent with the General Plan, Northwest Specific Plan, all applicable requirements of State Law, and the City's Subdivision Ordinance and Municipal Code, including the performance standards established by the City's General Plan Growth Management Element; and

c. The grading footprint for the Revised Faria Preserve Project will comply with the City's application of Ridgeline Protection Zones for the westerly and easterly ridgelines consistent with the General Plan Land Use Diagram, General Plan Policy 4.7-I-1, and General Plan Figure 8-3 *Resource Management*; and

d. The Revised Faria Preserve site is physically suitable for the type of development proposed, and for the proposed density of development; and

e. The design of the Faria Preserve Project has been addressed as part of the Initial Study/Mitigated Negative Declaration and is unlikely to cause either substantial environmental damage, substantial and avoidable injury to fish or wildlife or their habitat, or serious public health problems; and

f. Modifications to VTM 9342 to 1) relocate the eastern project entrance from Deerwood Road to Purdue Road, 2) align Faria Preserve Parkway to extend to Purdue Road (instead of Deerwood Road), 3) relocate of the future house of worship site from the northeast corner of Bollinger Canyon Road and Faria Preserve Parkway to Neighborhood V, and 4) reduce the total number of affordable housing units proposed from 226 to 213 shall be incorporated as revisions to the VTM within 60 days of Project approval by the Planning Commission; and

5. **Regarding Growth Management Plan – Measure "J" Compliance:**

In accordance with the City's General Plan Growth Management Program, the Zoning Administrator has reviewed the Project, and based on this review and the fact that the project is subject to certain Conditions of Approval, which are incorporated herein by reference, finds that the project can meet each of the following identified performance standards for full urban services as outlined in the General Plan Growth Management Element:

Community Centers
Performance Standard: At General Plan build-out, provide a minimum ratio of 1.2 square feet of community center space per 1,000 residents.

Project Compliance: The City of San Ramon Parks and Recreation Department has verified that the Project can meet this performance standard.

Fire
Performance Standard: Prior to project approval, require written verification from the San Ramon Valley Fire Protection District that a 5-minute response time (travel time) can be maintained for 90 percent of emergency calls in urban and suburban areas and/or that there will be a fire station within 1.5 miles of all development.

Project Compliance: The San Ramon Valley Fire Protection District has verified that the Project can meet this performance standard.

Flood Control
Performance Standard: Prior to project approval, applicants shall obtain written verification from the San Ramon Engineering Services Department stating that the new development will provide adequate storm drain facilities. Runoff from the development shall not increase the 100-year peak flow in the City's flood control channels and shall be substantially equal to pre-development conditions.

Project Compliance: The City of San Ramon Engineering Department has verified that the Project can meet this performance standard.

Libraries
Performance Standard: At General Plan build-out, provide minimum ratios of 0.5 square feet of library space per capita and 3 volumes per capita.

Project Compliance: The City of San Ramon Parks and Community Service Department has verified that the Project will not have a significant impact on the library level of services and the performance standard will be maintained.

Parks
Performance Standard: At General Plan build-out, provide a ratio of 6.5 acres of public park per 1,000 residents, with a goal to have park and recreation facilities within one-half mile of all residences.

Project Compliance:
The developer will be required to construct a 12.7 acre community park and 0.5 acre rose garden to serve the community. The City of San Ramon Parks & Community Services Department has verified that this will meet the performance standard.

Police
Performance Standard: Prior to project approval, require written verification from the San Ramon Police Department that a 3-5 minute response time (travel time) for emergency calls and a 20-minute response for all other calls can be maintained 95 percent of the time.

Project Compliance: The San Ramon Police Department has verified that the Project can meet this performance standard.

Sanitation Facilities
Performance Standard: Written verification, prior to project approval, that the capacity to provide sufficient sanitation facilities and services to all residents and business within San Ramon as indicated by either Central Contra Costa Sanitary District or Dublin San Ramon Services District will be available to serve the project.

Project Compliance: The Central Contra Costa Sanitary District has verified that there is sufficient sanitation facility capacity to serve the project.

Schools
Performance Standard: As part of the development review process, new development will be required to submit fees to the San Ramon Valley Unified School District to mitigate its impact on the school system.

Project Compliance: The Project will be required to pay school impact fees to the San Ramon Valley Unified School District to offset impacts on existing school facilities prior to issuance of a Building Permit

Water

Performance Standard: Prior to project approval, require written verification from the East Bay Municipal Utility District (EBMUD) that adequate water quality, quantity and distribution will be available to serve the project.

Project Compliance: EBMUD has verified that adequate water quality, quantity, and distribution will be available to serve the project.

As indicated above, the proposed project can meet each of the identified performance standards for full urban services as outlined in the General Plan Growth Management Element.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Planning Commission of the City of San Ramon has considered the Initial Study/Mitigated Negative Declaration IS 12-250-004 for the proposed Revised Faria Preserve Community and adopts the Project Mitigation Measure/Monitoring Program includes as Exhibit "B"; and

NOW, THEREFORE, BE IT FURTHER RESOLVED, that pursuant to Government Code Section 66020(d)(1), the applicant is hereby given notice that the 90-day period in which the applicant may protest any fees, dedications, reservations or other exactions imposed on the development project and stated in the Conditions of Approval attached hereto shall commence upon passage of this Resolution; and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Planning Commission, in the exercise of its independent judgment, and based upon all the evidence in the record (including, but not limited to, all application materials, the written and oral staff reports, and oral and written comments received by the City), does hereby approve Major Subdivision MJ 12-900-002 (VTM 9342), Development Plan Amendment DPA 12-310-003, Architectural Review AR 12-200-046, and IS 12-250-004, based on the required findings, conformance with the General Plan 2030 and subject to the Conditions of Approval attached as Exhibit "A", the Mitigation Measures and Monitoring Program as Exhibit "B", and Development Plan and Vesting Tentative Map dated September 26, 2014 as Exhibit "C" and as amended by the Conditions of Approval.

* * * VOTE AND SIGNATURE ON THE FOLLOWING PAGE * * *

PASSED, APPROVED AND ADOPTED on this 6th day of May 2014, by the following vote:

AYES: *Commissioners Benedetti, Viers, Kerger, Marks and Chair Wallis*

NOES: *None*

ABSTAIN: *None*

ABSENT: *None*

Phil Wong,
Secretary to the Planning Commission

ATTACHMENTS:
Exhibit A: Conditions of Approval
Exhibit B: Mitigation Measures and Monitoring Program
Exhibit C: Development Plan and Vesting Tentative Map dated September 26, 2014

EXHIBIT A

CONDITIONS OF APPROVAL
VESTING TENTATIVE MAP MJ 12-900-002 (VTM 9342), DEVELOPMENT PLAN AMENDMENT DPA 12-310-003, ARCHITECTURAL REVIEW AR 12-200-046 and INITIAL STUDY IS 12-250-004
(APNs: 208-240-005, -007, -008, -052 to -055, -057, -058, 208-260-046, and 208-250-011)

THE FARIA PRESERVE COMMUNITY (REVISED)
Vesting Date November 4, 2013

General Conditions

Planning Services Division

1. The Project authorized with this action consists of the subdivision and development of: 1) Neighborhood I—121 single-family dwelling units on 22.3 acres, 2) Neighborhood II—72 single-family dwelling units on 10.1 acres, 3) Neighborhood III—63 courtyard single-family dwelling units on 6.2 acres, 4) Neighborhood IV—104 townhomes and 78 two-story condominium flats on 13.6 acres, 5) an approximately 12.7 acre turn-key public park, 6) an approximately 0.7 acre turn-key public rose garden, 7) a neighborhood pool facility, and 8) various streets, trails, open space parcels, infrastructure improvements, and landscaping associated with the Project. Additionally, the vesting tentative map includes the subdivision of: 1) Neighborhood V—a 12.6 acre site proposed for 86 senior apartment units, 216 multi-family apartments, and a house of worship, and 2) an approximately 2.6 acre site for a educational facility site. The Project shall be in substantial conformance with the Development Plan and Vesting Tentative Map plans dated September 26, 2013, unless modified by the conditions herein.

   Development approval granted by these Conditions excludes the Neighborhood V site, the house of worship site, and the educational facility site (as shown on Vesting Tentative Map Sheets TM.15 and TM.16), which are subject to their own separate development and architectural review and approval process.

2. Development Plan and Vesting Tentative Map approvals include the following modifications as identified in the Overall Site Plan date received March 6, 2014 and shall be incorporated as revisions to the Project Plans within 60 days of Project approval: 1) relocation of the eastern project entrance from Deerwood Road to Purdue Road, 2) align Faria Preserve Parkway to extend to Purdue Road (instead of Deerwood Road), 3) relocation of the future house of worship site from the northeast corner of Bollinger Canyon Road and Faria Preserve Parkway to Neighborhood V, and 4) reduction of the total number of affordable housing units proposed from 226 to 213. Any significant change to the proposed development plan and vesting tentative map other than those required by these conditions will necessitate further review and approval by the Planning Commission as determined by the Planning/Community Development Director.

3. The Applicant shall submit to the Planning Services Division a set of annotated conditions elaborating on the compliance status of each condition and mitigation measure for the Project and noting how each condition has been satisfied for the following benchmarks:

   - Prior to site development permit issuance
   - Prior to building permit issuance
   - 72 hours prior to final building occupancy request

4. Failure of the Applicant to implement, follow, and adhere to these conditions may result in revocation hearing proceedings before the Planning Commission and/or City Council.

5. The approval(s) associated with a Tentative Map shall expire only if the Tentative Map expires per the California Subdivision Map Act.

6. The Applicant shall pay all applicable project processing fees. Deposit amounts are set at the average cost to provide various services. If costs exceed the deposit, the Applicant will be billed the cost over runs.

7. Construction activity shall be limited to the hours between 7:30 AM and 6:00 PM Monday through Friday, 9:00 AM and 5:00 PM on Saturdays. Construction shall be prohibited on Sundays and Holidays. Construction workers shall not park vehicles in neighborhoods adjacent to the Project. The use of radios and car stereos by construction workers on-site shall be prohibited.

8. The City may impose more restrictive construction days/hours if determined to be necessary to protect the public well-being. The Applicant shall designate a "Noise Disturbance Coordinator" to respond to any local complaints about construction noise and work closely with Planning Staff in resolving complaints. A notice shall be sent to property owners and tenants/residents within a 500-foot radius of the site prior to start of grading and site development containing Coordinator contact information along with approved hours of construction.

9. Dust, dirt and other negative impacts including displacement of rodents on the site related to site development will be minimized to the greatest extent feasible. In addition to fully complying with the requirements of the Mitigation Monitoring and Reporting Plan (MMRP) pertaining to mitigating negative impacts related to site development, the Applicant shall make responsible, feasible efforts to remove dust, dirt, and related debris resulting from on-site grading activity on properties immediately adjacent to the development area during the period in which grading activity occurs. The Applicant shall conduct street-sweeping of the public streets located immediately adjacent to the development area a minimum of once per week, preferably on Fridays or as determined by the City. The Applicant shall designate a "Dust and Vector Control Coordinator" to respond to any local complaints about site development activity and work closely with Planning Staff in resolving complaints.

10. To the extent feasible, the phase-specific site plans shall provide for utility meters, transformers, irrigation control boxes, backflow devices, valves, etc. to be screened by buildings, fencing and/or landscaping so as to harmonize with building design and recognize setback requirements.

11. No individual unit shall be occupied until the immediately adjoining area is safe and until all reasonable expected services and amenities are provided to the unit to be occupied as deemed appropriate by the City.

12. In Neighborhoods I and II, detached accessory structures shall not exceed 9-feet in height and attached accessory structures shall not exceed 10-feet in height. Structures shall maintain a minimum side and rear yard setback equal to the total structure height minus 3 feet.

13. For any landscaping to be owned and maintained by the City, landscaping shall a) consider a variety of color, texture, size, seasons, etc; b) primarily utilize drought-tolerant plants, including native and/or non-native species taking into account soils and other conditions; c) meet City plant palette requirements and standard details and specifications for installation of landscaping including irrigation systems; d) include water conserving irrigation system per City specifications [Calsense]; e) screen utility meters, transformers, backflow devices, etc.; and f) be consistent with the established water conservation design guidelines contained in the City's Ordinance No. 218, and meet all other requirements of Zoning Ordinance Section D3-21, *Landscape Standards*, including a minimum of 30 percent, 24-inch box-size trees. Project may be required to install a radio hub within the Project for proper radio communication between irrigation controllers, field units and the City's centralized irrigation system. This is dependent upon assessment and evaluation of the proximity to and capacity of other radio hubs already installed within the City.

14. Prior to any residential sign installation (including monument entry signs), such signs shall be submitted and approved by the Planning/Community Development Director.

15. All mitigation measures contained in the approved Mitigated Negative Declaration shall be met. The Mitigated Negative Declaration provides a comprehensive list of all of the required mitigation measures for the subject Project, which shall by reference herein, become conditions of approval. The mitigation requirements are identified in the Mitigation Monitoring and Reporting Plan (MMRP) referenced as Exhibit B of Resolution No. 05-14.

16. A minimum of a two-car garage shall be provided for single-family residences having up to 4 bedrooms; a three-car garage is required for a 5-bedroom home. Tandem parking for two of the parking spaces is acceptable in any single-family residence where a three-car garage is required or provided. Conversion of dens, family rooms, office, etc. designated on the approved Project Plans into a bedroom is not permitted unless the required garage parking is provided.

17. The minimum, unobstructed interior garage dimension of 20'-0" x 22'-0" shall be provided for each required two-car garage. A required three-car garage shall also meet this interior clearance, however, the third stall dimension measuring 10'-0" x 22'-0" may be staggered or off-set from the adjoining required two car stalls. A single-car garage shall also measure a minimum interior clearance of 10'-0" x 22'-0". Interior garage dimension of 20'-0" x 22'-0" shall be provided for each two- and three-car garage. To discourage excessive driveway parking in single-family residential neighborhoods, the CC&Rs for any Homeowners Association governing such neighborhoods, which will be subject to review and approval by the Planning/Community Development Director, shall include policies requiring that the interior of garages be kept clear of items, including workbenches, storage units, or personal property, that would in any way prevent cars from making full use of the garages.

18. All plans for mitigation of biological impacts prepared for compliance with orders or requirements of state or federal agencies shall be presented to the Planning/Community Development Director and the Engineering Service Director for review concurrent with presentation to the relevant state or federal agency(ies) in accordance with the MMRP.

19. The Applicant shall be responsible for providing and installing view fencing between rear yards and open space areas. The fencing shall be uniform in appearance throughout the Project and shall be incorporated into the master landscape plan for review and approval by the Planning Services Division.

20. The Applicant shall provide one model unit within each "for-sale" Neighborhood incorporating a program of sustainable building technology options to be reviewed by the Planning Services Division. The sustainable building options should include energy efficient building technologies, recycled building materials, installation of a Level II vehicle charging station, and other state of the art technologies, materials and construction techniques associated with green residential development.

21. The Applicant shall convey a conservation easement in perpetuity for 144-acres of the remainder parcel located immediately adjacent to the Faria Preserve to the East Bay Regional Park District (EBRPD) or entity deemed acceptable by the City. A funding mechanism deemed acceptable to the City shall be established for on-going maintenance of this area.

22. Within five (5) years of the filing of the first final map, if no agreement has been reached by the Applicant with an institute, museum, educational provider, or other cultural organization for establishment of an educational facility, the Applicant shall make an offer of dedication to the City for a minimum 1.6 acre Educational Facility Site. The subject site shall be graded and all necessary utilities stubbed to the property.

23. Applicant shall convey development rights to the open space parcels to the City or an entity deemed acceptable by the City. All revenues from contracts associated with any service provider or lease related to the use of property conveyed pursuant to this

condition shall be assigned to the recipient or holder of the rights to the property, or the entity responsible for maintaining the property if different from the holder of the rights to the property.

24. All rooftop equipment, which includes, but not limited to, air conditioning, heating, refrigeration equipment, plumbing lines, ductwork and transformers, shall be screened from views on all sides.

Planning Services Division—Special Conditions

25. Based on the Project's fiscal analysis, the Faria Preserve Development will not generate sufficient General Fund revenues to cover the costs of providing City public services to the Development. The Applicant shall provide a funding mechanism to offset the additional costs associated with providing City services to the new residential units. Appropriate funding mechanisms for compliance with this condition of approval includes but is not limited to, a Community Facilities District (CFD), a Landscape and Lighting District, or other mechanism acceptable to the Applicant and City. Current estimates from the January 2014 Project Fiscal Analysis are that the unit assessments will be approximately $909 per unit plus administrative costs. The Applicant shall be responsible for associated administrative costs of establishing said funding mechanism.

26. To the maximum extent practicable, the ground floor units of the Neighborhood IV stacked flats shall incorporate design elements to make the units handicap accessible.

<u>Conversion to Condominiums</u>

27. If in the future the Applicant or subsequent owner desires to convert units in the Project from rental to ownership, the Applicant shall be subject to the City's Condominium Conversion Ordinance which includes entering into an Affordable Housing Agreement for the conversion of income-restricted rental units to affordable ownership units.

28. Said Affordable Housing Agreement shall require that the conversion of very low, low and moderate income rental units to ownership be sold at a corresponding sales price that is affordable to each very low, low, and moderate income unit being converted.

29. Affordable rental units converted to ownership shall be required to remain affordable to the established income restriction level for the remainder of the affordability term conditioned herein. The affordability covenants on the units shall be made enforceable by recorded deed covenants or restrictions on each of the parcels in the Official Records of Contra Costa County, California. The affordability controls shall be binding upon the initial purchaser and subsequent purchasers of the units for a period equal to the remainder of the initial affordability term required by the Affordable Housing Agreement.

Engineering Department—Standard Conditions

30. Applicant shall pay all applicable fees relating to but not limited to the following items, project fees required by the City's fee schedule, unpaid outstanding fees for City services incurred prior to project approval, processing of City's base map revision, processing of all Final Maps, parcel maps, condominium maps, and lot line adjustments, including lot mergers. (For all recorded maps such as Final Maps and Parcel Maps, a full-size, 18" x 26", mylar copy of shall be submitted to the City upon recordation with the Contra Costa County Recorder's Office).

31. All applicable fees and sureties relative to the permit, plan check and inspection process shall be paid or submitted, pursuant to City Council Resolution No. 2013-040, as amended, at the time of Project entitlement approval. Surety shall be provided in the amount and form approved by the City Engineer with surety company licensed to do business in the State of California and acceptable to the City. If any on-site or off-site improvements remain to be constructed after the issuance of a Certificate of Occupancy by the Building & Safety Services Division, Applicant shall provide, prior to the issuance of such permits, a supplemental cash bond reflecting 150% of the full value of the amount of work remaining to be done.

32. The Project Applicant shall provide a bond to the City guaranteeing the installation of all common open space and recreational improvements, future public and private access roads, street trees, and all infrastructure and landscaping improvements on private property shown on the approved development plan or otherwise required as part of this development prior to the approval of the first Final Map or site development permit for the Project. The Project Applicant shall provide an itemized cost estimate of said improvements, to be submitted with the bond, for the review and approval of the City Engineer prior to approval of the Final Map and/or site development permit. The bond shall be returned to the Applicant upon acceptance of said improvements by the City Engineer.

33. Applicant shall pay all peer review costs based upon the City's fee schedule associated with the final Project design and construction review for geologic, soil, and seismic matters related to this project. Upon completion of any and all lot grading operations, full geotechnical documentation shall be required, including a final geotechnical report, plot plans, and as-built grading plans. As-built grading plans shall include location and identification of all critical geotechnical stabilization features (including but not limited to sub-drains and keyways) as well as primary drainage structures and final lot pad grades. Plans shall be provided in AutoCAD and PDF format.

34. Applicant shall procure site development and grading permits from the City Engineer for all designed construction elements and methods, and all on-site improvements, including site grading and drainage facilities, paved areas and landscaping. All improvements must be constructed in compliance with the most current City standards pursuant to the City's General Plan or applicable specific plan and Engineering Services Design and Procedures

Manual. Construction elements, materials, and installation methods and design shall be in accordance with City standards and where a City standard does not exist, Caltrans standards shall be implemented unless otherwise approved by the City Engineer. Improvements shall also be constructed in accordance with federal and local requirements for clean water and pedestrian accessibility.

35. Improvements requiring a permit generally include but are not limited to: traffic signals/ signal systems, roadway paving, concrete curb, gutter and sidewalk, handicap ramps, asphalt pavement on aggregate base materials, roadway sub-drains, raised median with landscaping and irrigation system, City-owned streetlight system, storm drain system, and pavement striping and traffic signs.

    A. Separate permits shall be procured from the Building & Safety Services Division for parking lot lights and walkway and parking improvement requirements at or adjacent to the buildings, specifically related to the Americans with Disabilities Act (ADA).

    B. Plans shall be prepared by a civil engineer, registered within the State of California, and submitted to the City Engineer for plan check and approval.

        i. The Applicant's design professional shall provide a Computer-Aided Drafting (CAD), and PDF or TIF digital files for all plans (including plan revisions) as requested by the City, consistent with the City's requirements.
        ii. The Applicant shall also provide the City with both paper and PDF or TIF files for all required professional reports.

    C. A deposit for plan check per the City fee schedule shall be required at the time of the first submittal.

36. All work conducted within existing City right-of-way or easement shall require an encroachment permit and payment of appropriate fees.

37. If applicable for grading, construction, access of equipment, etc. Applicant shall obtain all necessary required permits from public and private agencies including but not limited to, Contra Costa County, the United States Army Corps of Engineers, State of California Department of Fish and Wildlife, Caltrans, East Bay Regional Parks District, San Francisco Regional Water Quality Control Board, and all other agencies with jurisdiction. Proof of all approvals will be required prior to Site Development Permit issuance.

38. If the City has recently (within the last 5 years) resurfaced any roadway (slurry seal, overlay/inlay, etc.) in which the Utility Agency or Applicant is requesting trench work (including emergency repair work), then the requester (Utility Agency or Applicant) will restore the roadway by slurry seal, pavement inlay/overlay, or pay “in-lieu” fees as directed by the City Engineer.

Engineering Department—Special Conditions

39. No habitable structures shall be located within 50 feet of the Calaveras Fault or 25 feet of that Fault A as described in the preliminary geotechnical report for the Project, unless otherwise approved by the City. The Applicant shall also make all appropriate modifications to the grading and improvement plans for the Project, as required by the City, in response to revised locations of faults and fault splays. The Applicant's Certified Engineering Geologist (CEG) shall map the landslide deposits along the western edge of the Calaveras Fault setback zone to assess the character of the landslides and to provide recommendations, as appropriate, to modify the grading plan for the Project.

40. All streets within the Project shall be private streets except for Faria Preserve Parkway.

41. The Applicant shall construct the Purdue Road extension connecting to Faria Preserve Parkway and terminating at the corner of Purdue Road and Omega Road with final roadway design to be reviewed and approved by the City Engineer. Portions of this road are subject to existing deferred improvement agreements with the four private property owners. The Applicant shall work in good faith with the four property owners and the City to coordinate the improvements and any reimbursements. Applicant will be financially responsible for any improvements not covered in these deferred improvement agreements and/or improvements that only benefit the Project.

42. The Applicant shall be responsible for conducting a traffic signal warrant study at the Deerwood Road / Omega Road-Old Crow Canyon Road intersection within one year after the Project has been constructed and fully occupied or sooner if requested by the City. If warranted, the City shall consider the installation of a traffic signal at the intersection with all costs to be paid by the Applicant. The Applicant shall be financially responsible for the design and construction of the new traffic signal at the Deerwood Road / Omega Road-Old Crow Canyon Road intersection if warranted, including any street modifications on Deerwood Road and Omega Road-Old Crow Canyon Road in conjunction with the implementation of the new signal, and the interconnection of the signal communication system from the new signal to the existing traffic signal at the San Ramon Valley Boulevard / Fostoria Way-Deerwood Road intersection.

43. The Applicant shall be responsible for conducting a traffic signal warrant study at the intersection of Bollinger Canyon Road / Norris Canyon Road within three years after the Project has been constructed and fully occupied or sooner if requested by the City. If warranted, the City shall consider the installation of a traffic signal at the intersection and Applicant shall pay their fair share of the costs for this signal installation.

44. The Applicant shall be responsible for conducting a traffic signal and all-way stop warrant study at the new intersection on Bollinger Canyon Road at the Faria Preserve Parkway within three years after the Project has been constructed and fully occupied or sooner if requested by the City. If warranted, the City shall consider the installation of a traffic signal at the intersection with all costs including design and construction to be paid by the Applicant.

Parks and Community Services Department

45. Develop and dedicate all open space within the approximately 286.5-acre Faria Preserve Community to the Geologic Hazard Abatement District (GHAD), a Homeowners Association, or other entity deemed appropriate by the City with funding mechanisms in place and to provide for the maintenance and operation of said open space.

46. Applicant to provide City with as-built drawings for the parks upon completion of Faria Preserve Park.

47. The Applicant shall make an offer of dedication to the City for the minimum 12.7 acre park and 0.5 acre rose garden after completion of park improvements within 60 days of final approval of the punch item list.

48. The City shall assume maintenance responsibility for the park upon its acceptance of dedication. The Applicant shall warrant the park for one year after acceptance by the City.

49. Applicant to participate in the park dedication "celebration" activities coordinated by the City.

50. In coordination with Parks and Community Services Department staff, develop and install a paved 4-foot wide trail connections with signage to Mill Creek Park from Faria Preserve Park with appropriate approvals.

Transportation Services Division

51. As per the City Municipal Code, landscaping or signage constructed as part of the Project shall not block the sight distance triangle for clear visibility at each of the Project intersections with a public street.

Police Services Department

52. Applicant shall comply with the City of San Ramon Security Code, Ordinance 227.

53. Solid core wood or metal doors (in compliance with Ord. 227, Section C2-8) shall be used for the door leading from the exterior into the garage. If windows are used in doors, they should be far enough from the lock that a person cannot break the glass and reach in to unlock the door, thereby gaining entry into the home (even via the garage). A deadbolt lock with a hardened steel, one-inch throw shall be used in all exterior doors, including that from the garage leading to the interior of the home.

San Ramon Valley Fire Protection District

54. Fire apparatus roadways (public, private streets, roads and in some instances driveways used for vehicle access) shall extend to within 150 ft. (45.72 m) of any portion of an exterior wall of the first story of any building.

55. Fire apparatus roadways (public, private streets, roads, and in some instances driveways used for vehicle access) shall have a minimum unobstructed width of 20 feet (6 m) and an unobstructed vertical clearance of not less than 13 feet 6 inches (4 m). Streets under 36 feet (11 m) shall have red curbs and be posted with signs or red curbs and stenciled on one side and under 28 feet (8.5 m) on both sides of the street. Stencil and signs shall read as follows: "NO STOPPING FIRE LANE CVC 22500.1".

56. Fire apparatus roadways (public, private streets, roads and in some instances driveways used for vehicle access) shall be capable of supporting the imposed weight of fire apparatus (40,000 pounds) and shall be provided with an all weather driving surface. [Only paved, concrete, or engineered paver system surfaces are considered to be all weather driving surfaces].

57. The maximum grade for a fire apparatus roadway is 20%. Roadways with grades of 16-20% shall be grooved concrete. Grooved concrete shall be ½" wide, ½" deep, and spaced 1½" on center. If alternate surfacing is proposed, provide a letter stamped by the civil engineer documenting that the skid resistance is better than or equal to the grooved concrete specification. The alternate surfacing must also be approved by the appropriate city, town or county department.

58. Fire hydrant(s) are required. All hydrants shall be wet barrel EBMUD standard steamer type (1) 4 1/2" (114.3 mm) and (1) 2 1/2" (63.5 mm) outlet).

59. Fire apparatus roadways in excess of 150 ft. (45.72 m) in length shall make provisions for approved fire apparatus turnarounds.

60. NOTE ON FIELD PLAN: Provide a weed abatement program before, during and after construction. Maintain grass or brush clearance of 100 ft. (30.48 m) from combustible construction and 30 feet (9.144 m) from street and property lines.

61. Nothing in this review is intended to authorize or approve any aspects of the design or installation that do not strictly comply with all applicable codes and standards. San Ramon Valley Fire Protection District is not responsible for inadvertent errors or omissions pertaining to this review and/or subsequent field inspection(s) i.e., additional comments may be added during subsequent drawing review or field inspection.

62. Business/commercial plan submittals will not be reviewed by San Ramon Valley Fire Protection District without submittals of the required CBC and CFC information as listed: Address; Occupancy classification; Building construction type; Square footage of occupancy and tenant improvement; Building height; Occupant load; Site plan showing

relationship of occupancy to adjoining/adjacent development/property, including existing fire hydrants; Existing and planned fire detection and suppression devices/systems; Assessor's Parcel Number (APN); Wet stamp, signature, and current State Certification date/number for architects, engineers and/or California Contractor's License number.

63. Adjacent to fire hydrants, fire apparatus roadways shall be a minimum of 26 feet in width for at least 20 feet (6 meters) in both directions from fire hydrant.

64. The minimum number of fire apparatus access roads serving residential development(s) shall be based on the number of dwelling units served and shall be as follows: (a) 1-75 units, one public or private access road. (b) 76-150 units, one public or private access road and one emergency vehicle access (EVA) road. (c) 151+ units, at least two public or private access roads.

65. Provide engineering document disclosing live load standards have been met on private/public access roadways and or bridges (minimum 40,000 lb. (18,144 kg) live load standard). Post sign with maximum live load at bridge entrance(s).

66. Applicant shall design and install a system of fire trails in the open space areas acceptable to the San Ramon Valley Fire Protection District (SRVFPD). An access easement over the trails shall be granted to the SRVFPD. The trails shall be maintained by the Applicant/Homeowners Association or other assignees, to be a minimum 12' in width, with no horizontal or vertical ruts greater than 3" in width, with no vegetation greater than 3" in height. This condition shall be maintained in perpetuity.

<u>Prior to Final Map Approval</u>

Planning Services Division

67. The Developer may record a large lot final map to create lots that correspond to each of the Neighborhoods and to the other parcels as described in the Vesting Tentative Map. At least 30 days prior to approval of the first Final Map for the Project, a Master Phased Development Plan for the entire Faria Preserve Project Site shall be submitted and approved by the Planning Services Division and Engineering Services Department. The Master Phased Development Plan shall identify the building(s) under each phase, and the site improvements that will be constructed (i.e., roadways, sound walls, off-street parking, landscaping, etc.). Given the size of the grading operation required to prepare the Project site and install required utilities, including water service, it is anticipated that Project grading will occur before Final Map recordation.

68. Prior to Final Map approval, street names and address assignments shall be subject to the review and approval of the Planning Services Department. Proposed names/addresses shall be submitted to the Planning Services Department by the Applicant at least thirty (30) days prior to filing a Final Map.

69. Homeowners association(s) shall be established for all of the Faria Preserve Project and shall be created with Covenants, Conditions and Restrictions (CC&Rs) covering each included lot and all common areas (including tot lots). Such CC&Rs shall be subject to review and approval by the Planning/Community Development Director. Said document shall be submitted for the City's review at least thirty (30) days prior to submission by the Applicant of materials requesting Final Map approval. For subsequent phases of the Faria Preserve, the Applicant may submit a redline showing only those changes to CC&Rs made since the City's approval of CC&Rs for the previous phase. CC&Rs for any Homeowners Association within the Faria Preserve shall be recorded concurrently with the Final Map for each phase. CC&R's for said association shall typically include the following provisions as appropriate:

(a) Failure to pay dues and assessments shall be both a lien against the assessed land and a personal obligation of each property owner.

(b) The association shall keep the Planning Services Division informed of the current name, address and phone number of the association's official representative.

(c) The association shall conform with the design and color/materials of the fences and walls within the subdivision approved by the City of San Ramon. The Planning/Community Development Director may authorize minor deviations prior to such improvements.

(d) The interior of garages shall be kept clear of items, including workbenches, storage units, or personal property, that would in any way prevent cars from making full use of the garages for the primary purpose of parking vehicles as designed.

(e) Parking of boats or recreational vehicles on the driveways, guest parking spaces, and/or private streets is prohibited.

(f) Guest parking shall be appropriately signed as "guest parking only" and maintained available for guests only.

(g) In the event the common areas or facilities are not properly maintained, repaired or replaced according to the approved plans, each property owner shall be responsible for their proportionate share of these costs to bring the common area or facilities back to its original condition, secured by a lien on the property in favor of the HOA, in accordance with the HOA procedures.

(h) The association shall be responsible for the long-term Project maintenance and upkeep of all common areas related to the association.

(i) The association shall maintain all building and site improvements in accordance with the final approved color and materials board for this Project as approved and accepted by the City of San Ramon. The Planning/Community Development

Director may authorize minor deviations to such improvements if deemed appropriate.

(j) All amendments to the CC&Rs shall be submitted to the Planning Services Division at least forty-five (45) days for review prior to Final Map recordation.

(k) The association shall provide for proper management and maintenance of association-owned open space and improved common areas, including all private recreation areas, walkways, landscaped areas, identification/directional signs, and retaining walls as described herein. As part of this requirement, all landscaping within the common area(s) shall be maintained and replaced on a 1:1 basis.

(l) The association shall be responsible for maintenance of any required public access easement(s) and improvements within said easement(s) which may be required herein.

(m) The association shall maintain City-approved documents relevant to the subject subdivision for inspection by property owners, including but not necessarily limited to, Planning Commission Resolution No. 05-14, Project Plans (referenced herein), and Project Construction Plans (known as "as built" plans); and deed restrictions required by this action.

(n) Post Construction funding for the installation of traffic calming measures along private streets, such as speed humps, will be provided by the Homeowners Association. Traffic calming features must be consistent with the City's overall transportation network and with nationally recognized standard traffic engineering safety practices and procedures, specifically the Institute of Transportation Engineers (ITE).

70. Prior to recordation of the first Final Map for the Faria Preserve, a Utilities Plan shall be submitted and approved by the Planning/Community Development Director. The Utilities Plan shall be submitted sixty (60) days before the submission of materials requesting approval of the first Final Map. The Utilities Plan shall provide for undergrounding of all wet utilities to the extent feasible. It is acknowledged that certain above ground water system appurtenances, such as backflow preventors, fire connections, etc., must be above ground.

71. The Applicant shall prepare a single, separate page disclosure to the future purchaser of residential units describing parking rules and regulations. The disclosure shall be provided to Planning Services Division for review at least forty-five (45) days prior to filing a Final Map. The disclosure shall be provided to all purchasers of residential units for review and acknowledgement.

72. The Applicant shall prepare and record a "Blanket Deed Restriction" in favor of the Homeowners Association reinforcing use of the garage for the primary purpose of parking vehicles as designed (see also CC&R requirements contained herein). The draft

deed restriction shall be provided to Planning Services Division for review at least forty-five (45) days prior to filing a Final Map.

73. The Applicant shall prepare a single, separate page disclosure to the future purchaser of residential units advising them that no new public school will be built within the Project and to check with the San Ramon Valley Unified School District in advance of purchasing a unit to determine which public schools are designated for said unit. The disclosure will state the City and the Applicant makes no representation regarding which public schools children residing in the Project will attend. The disclosure shall be provided to Planning Services Division for review at least 45 days prior to filing a Final Map. The disclosure shall be provided to all purchasers of residential units for review and acknowledgement.

74. EBMUD has provided a water supply assessment concluding there is sufficient water supply to serve the Project as required by Water Code section 10910 *et seq.*, as explained in the Faria Preserve Community IS/MND. Verification of the sufficiency of the water supply to serve the Project shall occur prior to recordation of the first Final Map and shall be demonstrated pursuant to Government Code section 66473.7.

Engineering Department

75. In conjunction with the recordation of the Final Map (or by separate instrument), the Applicant shall provide all necessary easements for streets, alleys, sewer and water facilities, utilities and drainage facilities, irrigation district facilities, fiber optics and other facilities as required by the City or serving utility. Applicant shall offer to the City all abutting road rights of way, new easements, and easements not previously accepted by City or Contra Costa County, as the case may be, for all past, existing, and intended public improvements. Applicant shall convey to the City access and maintenance easements from the nearest practical access point to public streets for all stormwater quality facilities required of the Project. Easements shall be a clear ten feet (10') for one utility and greater widths required for multiple utilities as outlined in the Engineering Design, Grading, and Procedures Manual. Easements shall not split between two property lines or as otherwise determined by the City Engineer. The easement widths identified are minimums and in certain circumstances, additional easement widths may be required as determined by the City Engineer. A master utility map shall be prepared by the Applicant and included as part of the improvement plans. The map shall indicate the location of all public and private utilities to the approval of the City Engineer.

76. A General Maintenance and Subdivision Improvement Agreement may be required, and if so, must be recorded concurrent with the Final Map.

77. Ownership and maintenance responsibility for easements and improvements relating to sound walls, fences, drainage features, open space trails, landscape, and decorative elements shall be shown on the Final Map or approved by separate instrument.

78. Applicant shall provide on the Final Map (or by separate instrument), Site Visibility Easements to ensure clear visibility at Project roadway intersections as deemed appropriate by the City Engineer. Site Visibility Easements shall be based upon those parameters as adopted in the Zoning Ordinance and consistent with the Engineering Design, Grading, and Procedures Manual.

79. The final location and alignment of storm drain easements and improvements shall be reviewed and approved by the City Engineer prior to approval of the Final Map.

80. Prior to filing of the Final Map the Applicant shall submit a preliminary Stormwater Control Plan. The plan shall meet the current requirements of the California Regional Water Quality Control Board Municipal Regional Stormwater NPDES Permit. The plan shall include a maintenance plan detailing long term operation and management of the facilities. The plan shall be subject to the review and approval of the City.

81. The Applicant shall conduct final geotechnical investigation(s) for the site that shall provide detailed recommendations for building foundations, retaining walls, pavements, grading and other geotechnical issues. The reports shall be submitted to the City prior to the filing of the Final Map for review and approval. The recommendations of the approved report(s) shall be incorporated into the site grading and foundation design. The report(s) shall consider the effects of expansive soils, total and differential fill thickness, and resulting total and differential settlements in the foundation design.

82. Applicant shall cooperate with the City for the establishment of a Geologic Hazard Abatement District (GHAD). The Applicant shall petition City Council acting as GHAD Board in accordance with State Law for the formation of a GHAD. The GHAD shall be established at the time of approval of the first final map or other time as deemed appropriate at the discretion of the City. All parcels of the development shall be included in the GHAD. The Applicant shall provide start-up funds for the GHAD in an amount to be approved by District Engineer, or assume financial responsibility for all maintenance and repairs for a period of time approved by District Engineer. If the latter is the case, surety shall be provided in an amount to be determined. At the time of petition, a final determination shall be made by the GHAD Board and the Applicant with respect to which properties are to be owned by the GHAD.

83. Applicant shall provide City with recordable instruments at the time of Final Map approval which address the following obligations: a) the Landscape and Lighting District, GHAD, Homeowners Association, Mello Roos, Community Facilities District (CFD), or other qualified entity shall provide the full funding necessary for the proper maintenance and/or periodic replacement of private drainage facilities and funding City maintenance; and b) each of the Project's residents, individually as owners of the lots in the Project, shall enter into lien agreements with the City, encumbering their property with the obligation to pay a prorated percentage of the total costs in the event the Landscape and Lighting District, GHAD, HOA, Community Facilities District (CFD), Mello Roos, or other entity defaults, unless otherwise obligated pursuant to the Final Map. Costs shall be reviewed annually by the City and shall be based, in part, on the cost of living index

and construction values published in Engineering News Record. An initial amount shall be established following discussions with the Applicant and per the terms of the agreement.

84. In the event no emergency vehicle access way is required through the area, Applicant shall abandon all claims to the easements in their favor that are located on Parcel A and Lot 31 of Subdivision 7989 prior to approval of the Final Map.

Parks and Community Services Department

85. Applicant shall lead the process for improvement plans for the design and development of the park which shall consist of:

    (a) Submittal of at least two alternative design concepts for the park's conceptual master plan including opportunities for additional on-site parking; input from City staff and subsequent refinement of one preferred alternative to carry through to the final park master plan phase with the Parks and Community Services Commission;

    (b) Participation by City staff in all phases of the planning, design and development process including participation of City staff in the selection of the Landscape Architect for design of the park;

    (c) Coordination of design meetings with landscape architect and City staff;

    (d) Establishment of design, usage and maintenance goals with City staff and the Parks and Community Services Commission;

    (e) Application of all City standards and specifications;

    (f) Review and approval of final park design by City staff prior to construction drawings.

86. Submittal of construction drawings for the park to be submitted to City staff at 70%, 90%, 95% and 100%. Review process after each submittal to be conducted by staff of Parks and Community Services and Public Services Departments within thirty (30) days.

87. Complete improvement plans (drawn upon City furnished Mylar's), specifications and calculations shall be submitted to and approved by the City and/or the other agencies having jurisdiction for all public improvements within the proposed subdivision prior to recordation of the Final Map.

East Bay Regional Park District

88. The Applicant shall dedicate a 20' wide public trail easement to East Bay Regional Park District (EBRPD) for the Calaveras Ridge Trail. The trail may merge with the East Bay

Municipal Utility District (EBMUD) access road serving the water tank facility where necessary to address engineering, topographic, or aesthetic constraints. The Applicant shall provide a minimum ten-foot wide dirt trail within the 20' wide public trail easement. The trail shall be built to EBRPD standards, which includes, but not limited to, a 10-15% maximum grade with signs and gates. However, due to the ridgeline nature of the trail and to minimize the amount of grading required, the grade may exceed 15% along short distances. The trail alignment, design and improvements shall be developed in consultation with the EBRPD and subject to review and approval by the Planning/Community Development Director.

89. The Applicant shall develop an open space management plan, which shall address fire protection and provide for accessible and managed firebreaks between the open space and the development.

90. The Applicant shall construct and dedicate five parking stalls within Neighborhood V to facilitate access to the Calaveras Ridge Trail. The layout of Neighborhood V and the location of the five parking stalls will be finalized as part of a future Development Plan submittal to the City. An access easement will be granted to the East Bay Regional Park District, as needed along the drive aisle within Neighborhood V to the five parking spaces. If the timing of the construction of the Neighborhood V parking stalls is after the issuance of the 400th building permit, five parking stalls will be designated on an interim basis for trail parking in Neighborhood IV on parcel IV-F (Sheet TM8 of the Vesting Tentative Map) with an interim access easement to the parking stalls until such time the Neighborhood V parking stalls are constructed.

91. The Applicant shall implement all applicable provisions of the April 2008 Settlement Agreement between the City of San Ramon, the East Bay Regional Park District and the Faria Preserve Developers to the satisfaction of the City.

<u>Prior to Grading Permit Issuance</u>

Engineering Department

92. Applicant's Grading plan approvals for subdivision and site development permit applications shall comply with the City's Subdivision and Grading Ordinance, as amended, and all other City standards and policies related to grading, roadway and drainage improvements, which includes the Engineering Services Design and Procedures Manual.

93. Compliance with the City's Grading Ordinance requires submittal of grading plans and relevant support documents including but not limited to geotechnical reports to the City Engineer for review and approval. The City Engineer will require an erosion control plan for implementation. All residential lots and commercial building sites shall be fine graded in such a manner that drainage is conveyed by pipe underneath sidewalk or walkways to adjacent roadways or to otherwise acceptable drainage facilities. Applicants shall implement best management practices for erosion control in compliance with the

current State Water Resources Control Board General Construction Stormwater Permit at all times.

94. All grading shall be in general conformance with that indicated on the Vesting Tentative Map as amended by the conditions herein unless otherwise approved by the City. If the grading is phased, then the phasing and timing of grading for each phase shall be reviewed as part of the grading plan approval process.

95. Applicant shall coordinate all grading and improvements with adjacent property owners to the satisfaction of the City. Any grading, drainage, or installation of the tie-backs onto adjacent properties shall require written authorization of those property owners affected, with said approval provided by the City Engineer.

96. As part of a grading plan approval and site development permit, the Applicant shall implement as described in the California Regional Water Quality Control Board San Francisco Bay Region Municipal Regional NPDES Permit revised November 28, 2011 to minimize or eliminate the discharge of certain stormwater pollutants originating from the site. The following shall be included as provisions to meet those measures:

    (a) Procurement of a General Construction Stormwater Permit from the State Water Resources Control Board (filing of a Notice of Intent and a Storm Water Pollution Prevention Plan) prior to the commencement of construction for any project which shall disturb one (1) acre or more. Evidence of permit's procurement shall be provided to City engineer prior to City's permit issuance.

    (b) Applicant shall cause all on-site and off-site drainage inlets to be marked in accordance with City standards. These designations, if located on private property, shall be maintained by Applicant or owner in a manner acceptable to the City, pursuant to City Ordinance.

97. Applicant shall conduct final geotechnical investigation(s) for the site that shall provide detailed recommendations for the building foundations, retaining walls, pavement, grading and other geotechnical issues. The reports shall be submitted to the City for review and approval. The recommendations of the approved report(s) shall consider the effects of expansive soils and total differential fill thickness and resulting total differential settlements in the foundation design. Reports shall be provided in paper and PDF formats.

98. Where the finished grade of the property is in excess of six inches (6") higher or lower than the abutting property or adjacent lots, a retaining wall or other suitable solution acceptable to the City Engineer shall be required, and any fence or wall shall be measured from the top of grade on the higher side of the retaining wall or slope. Walls shall be shown on the grading plans and shall be structurally engineered if it contains surcharge or if it is lower than three feet (3') in height without surcharge. Walls will require a separate building permit. Good neighbor fences shall retain no more than one foot (1') of dirt.

99. For sites located in the Alquist-Priolo Zones, Applicant shall retain the services of a Certified Engineering Geologist (CEG) to evaluate the location of active or potentially active faults, fault splays or secondary faults or mapped fault zones within the development area (including roads, keyways, buttress fills, and utilities). The Applicant shall pay for the services of a peer reviewer to be selected by the City to independently confirm the findings of the Applicant's CEG. The Applicant shall be responsible for coordinating the grading activities such that both the Applicant's CEG and the City's peer reviewer are able to make all appropriate observations of the site conditions. The locations of any active or potentially active faults, whether located during the original investigations for the Project, or as the result of grading activities, shall be determined by the CEG and accurately surveyed and described in a Final Supplement Fault Investigation Report for the Project and shall be noted on final grading plans.

100. Where adversely oriented bedrock slopes are exposed, the Applicant shall install appropriate measures such as retaining walls, rock bolts and/or soil nails to stabilize slopes. The design of stabilization methods shall be approved by the City.

101. Subdrains shall be installed beneath and upslope of all potential landslide areas and from other areas where seeps or extensive fill placement require installation of subdrains as recommended by the Applicant's geotechnical consultant or the City's geotechnical peer reviewer.

102. The Applicant shall remove and replace all soils that are susceptible to liquefaction with engineered fill, or otherwise prevent the liquefaction or mitigate its effects in a manner approved by the City. The extent of potentially liquefiable materials shall be determined by the Applicant either during grading, or by prior to grading by a supplemental geotechnical investigation. Any supplemental investigation will be subject to review and approval by the City.

103. The Applicant shall conduct a site specific geotechnical investigation for all East Bay Municipal Utility District (EBMUD) water tanks. The investigations shall be submitted to EBMUD and the City for review and approval. The recommendations of the investigation(s) shall be incorporated into the design of the tank sites and foundations. EBMUD shall review and approve of all aspects of grading that relate to their access roads, pipelines, and tanks.

104. No finished slopes shall have a surface inclination of greater than 3:1 (horizontal: vertical) unless the stability of such slopes has been demonstrated by the Applicant's Geotechnical Consultant and the design has been reviewed and approved by the City.

105. All stream and drainage banks shall be appropriately stabilized using methods that have been reviewed and approved by the City or the City's peer reviewer. Where feasible from and engineering standpoint, development shall be set back behind a 3:1 (horizontal: vertical) line extending up from the toe of the bank of gully. Greater setbacks may be required where stabilization cannot be adequately achieved.

106. All proposed temporary stockpiling for export fill shall be reviewed as part of the grading plan approval process. The review shall include location, amount, haul routes, duration of stockpiling, and erosion and sediment control plans as appropriate.

107. Applicant shall provide access entry points to City and GHAD owned open space parcels to permit entry by vehicles for fire break and routine maintenance. The location and design of the entry points shall be shown on the grading and site improvement plans and approved by the City.

108. Prior to the commencement of and throughout all grading, demolition or construction activities, the existing watershed boundaries and area shall be maintained. Watershed areas shall not be altered and all existing discharge points shall be maintained as closely as possible. Stormwater drainage from all developed areas shall be carefully designed such that runoff from streets, housing, and other impervious surfaces drains to the appropriate watershed based on pre-Project drainage patterns and in compliance with the current State Construction General Permit.

<u>During Grading Operations</u>

Engineering Department

109. Applicant shall coordinate and work closely with the existing property owners on Purdue Road and Purdue Road Extension to provide adequate access and egress with road improvements and during construction, and minimize dust, debris, and noise for the existing subject properties.

110. The Applicant shall retain the services of a licensed Geotechnical Engineer and Certified Engineering Geologist (CEG) to observe all grading activities and provide all customary testing of fill materials and fill placement in order to very that the grading is conducted in accordance with the Project plans and specifications, the recommendations of the geotechnical reports for the project and any supplemental recommendations made by the CEG for the Project. They shall also evaluate the location of active or potentially active faults, fault splays or secondary faults that are within 50 feet of any proposed habitable structure or other critical improvements (including roads, keyways, buttress fills, and utilities). The Applicant shall pay for the services of a peer reviewer to be selected by the City to independently confirm the findings of the Applicant's CEG. The Applicant shall be responsible for coordinating the grading activities such that both the Applicant's CEG and the City's peer reviewer are able to make all appropriate observations of the site conditions. The locations of any active or potentially active faults, whether located during the original investigations for the Project, or as the result of grading activities, shall be determined by the CEG and accurately surveyed and described in a Final Supplemental Fault Investigation report for the Project and shall be noted on final grading plans. The Applicant's CEG shall provide written reports on a monthly basis that summarizes their observations, supplemental recommendations and test results. The Applicant shall also pay for the services of a peer review consultant to be selected by the City who shall provide intermittent observations of the grading activities.

111. Applicant shall identify, remove, and replace, or otherwise mitigate all soils that are susceptible to liquefaction with engineered fill, or otherwise prevent the liquefaction or mitigate its effects in a manner approved by the City. The extent of potentially liquefiable materials shall be determined by the Applicant prior to grading. Any supplemental investigation will be subject to review and approval by the City.

112. Construction of the on-site detention basins shall occur prior to all other post-grading major construction activities such that these structures can be used to retain stormwater runoff and water from dewatering activities during the construction period and in compliance with the current State Construction General Permit. The purpose is to reduce sediment in surface runoff leaving the site.

113. The detention basins shall be engineered within the Faria Preserve Project Site. The design and storage volumes of the detention basins shall be consistent with the design parameters contained in the Project drainage studies.

114. Prior to commencement of and throughout all grading, demolition or construction activities, the existing watershed boundaries and area shall be maintained. The post-development condition shall be carefully designed such that post-Project watershed areas reasonably approximate pre-Project watershed drainage areas.

115. Prior to finalization of grading activities on sites with known contamination, remedial activities shall be addressed to the satisfaction of the City and the Regional Water Quality Control Board of the San Francisco Bay Region.

<u>Prior to Site Development Permit Issuance</u>

Planning Services Division

116. The Applicant shall provide a mitigation plan addressing proposed mitigation pertaining to the displacement of rodents on the site related to grading activity to be reviewed and approved by the Planning Services Division prior to the commencement of any grading activity.

117. Prior to issuance of a grading permit, the Applicant shall provide a finalized grading plan for review and approval of by the Planning/Community Development Director and Engineering Services Director, finalizing the maximum height of retaining walls and confirming that grading will not occur within the Ridgeline Protection Zone as applied by the City pursuant to the General Plan Figure 8-3 *Resource Management*, except where necessary to accommodate slide repair for health and safety reasons, the EBRPD trail and the EBMUD tank and related access roads.

118. To accommodate particular features of the Faria Preserve site, to avoid protected ridgeline areas, and to comply with mitigation requirements of the City and of resource agencies, retaining walls that exceed the City height limitation of 4 feet shall be allowed but shall be kept to the minimum height required to satisfy such objectives. Justification for increasing the height of the retaining walls as described within, above the 4-foot maximum, shall be provided with the final grading plan. The heights and design finishes

of such walls shall be subject to review by the Architectural Review Board and review and approval by the Zoning Administrator and/or the Planning Commission.

119. Prior to Site Improvement Plan approval, the Final Landscape/Irrigation Plan for the respective phase shall be submitted to the Planning/Community Development Director for review by the Architectural Review Board for consistency with the approved development plans and which addresses all plan areas out to the curb, and within common areas if required. As part of the final landscape plan review and approval, the Applicant shall include pedestrian-scale street lighting and mail receptacles for each home.

Engineering Department

120. The Project site improvement plans will be reviewed by Engineering Services for compliance with the Engineering Services Design and Procedures Manual to minimize traffic hazards, including, but not limited to, features such as all pavement markings and signing to facilitate safe vehicular and pedestrian movements along the Project roadways. Installation of signing and pavement markings shall conform to a City approved plan.

121. The Applicant shall furnish proof to the City Engineer of the acquisition of all necessary rights-of-entry, permits and/or easements for the construction of off-site temporary or permanent road and drainage improvements prior to any construction within these areas.

122. Applicant shall provide the City with recorded instruments at the time of Final Map approval which address the following obligations: a) the GHAD, HOA, or other qualified entity shall provide the full funding necessary for the proper maintenance and/or periodic replacement of private drainage facilities and funding City maintenance; and b) each of the Project's residents, individually as owners of the lots in the Project, shall enter into lien agreements with the City, encumbering their property with the obligation to pay a prorated percentage of the total costs in the event the GHAD, HOA, or other entity defaults, unless otherwise obligated pursuant to the Final Map. Costs shall be reviewed annually by the City and shall be based, in part, on the cost of living index and construction values published in Engineering News Record. An initial amount shall be established following discussions with the Applicant.

123. All improvements shall be in general conformance with that indicated on the final Map unless otherwise approved by the City. If the site improvements will be phased, then the phasing and timing of improvements for each phase shall be reviewed as part of the approval process.

124. All plans shall be fully dimensioned. Site plans shall show all signing, striping, circulation arrows, driveway design details, roadway slopes, and Americans with Disabilities Act (ADA) compliance. Additionally, plans shall show width and length of parking stalls and include dimensions for drive aisles and pedestrian walkways. All designed construction elements and methods shall meet City standards, where a City standard does not exist, Caltrans standards shall be used or as approved by the City.

125. As may be required by the City, drawings submitted with the permit application (including structural, mechanical, architectural, grading, drainage, site, landscape, and other drawings) shall show the details and methods of construction for site design features, measures to limit directly connected impervious area, pervious pavements, self-retaining area, treatment, Best Management Practices (BMPs), permanent source control BMPs, and other features that control stormwater flow and potential stormwater pollutants.

126. Project drainage elements shall be consistent with Engineering Services Design and Procedures Manual. The Applicant shall demonstrate that the proposed improvement is consistent with hydrologic and stormwater management and clean water requirements. Applicant shall provide draft maintenance agreements for storm water control and water quality devices and features.

127. Prior to the issuance of a site development permit, the Applicant shall prepare and submit a Stormwater Pollution Prevention Plan (SWPPP) to the Engineering Services Department as required by the State Water Resources Control Board General Construction Stormwater Permit for the development. The plan shall be subject to the review and approval of the City.

128. The Applicant shall prepare and submit a final Stormwater Control Plan to the Engineering Services Department, for the proposed development Project. The Stormwater Control Plan shall be prepared according to the instructions in the Contra Costa Clean Water Stormwater C.3 Guidebook. The Stormwater Control Plan shall be substantially consistent with the preliminary Stormwater Control Plan submitted for the Project. The Stormwater Control Plan shall include, at minimum, the following:

(a) Delineation of separate drainage areas within the site;

(b) Tabulation of pervious and impervious surfaces in each drainage area;

(c) Calculation showing pre and post Project square footage of impervious surface;

(d) Proposed design features and surface treatments used to minimize imperviousness;

(e) Proposed locations and approximate sizes of stormwater treatment facilities (Best Management Practices, or BMPs, including swales, flow-through planter boxes, or other treatment BMPs);

(f) Preliminary designs, including calculations, for each treatment BMP;

(g) Locations on the site of potential sources of pollutants;

(h) A tabulation of potential pollutant sources identifying appropriate permanent source control BMPs to address potential pollutant source;

(i) General description of maintenance requirements for treatment BMPs; and

(j) Operation and Maintenance of the proposed BMPs and necessary funding mechanism to cover the costs.

In addition, the final Stormwater Control Plan shall qualitatively evaluate potential changes to site runoff peaks and durations when compared to the pre-Project condition. The controls incorporated into the Stormwater Control Plan need not meet quantitative criteria for mitigating those changes.

129. Applicant shall install drainage improvements as necessary within the boundaries of the Project to impound new development related run-off consistent with the requirements of the IS/MND's hydrology study. Any detention basins shall meter stormwater discharge in such a way that there is no net increase at the ten-year, twenty five-year, fifty-year and 100-year event levels at any of the Project's discharge points. Run-off from the development shall not increase the 100-year peak flow in the City's flood control channels and shall be consistent with approved hydrology/stormwater reports. Detention facilities shall be owned and maintained by the GHAD, HOA, Communities Facilities District (CFD), or other qualified entity acceptable to the City. The GHAD, HOA, CFD or other qualified entity shall maintain the, designated wetlands and all drainage facilities (pipes, inlets and v-ditches) not within public rights-of-way, including the existing storm drainage under the existing townhome communities that tie-in downstream at Deerwood Road (townhome communities exit onto Deerwood Road from both Prestige Place and Dawn Ct).

130. Within the Special Flood Hazard Area ,lowest floor elevations should be designed to be at a minimum of one foot (1') above the base flood elevation. The Applicant shall be responsible for all necessary activities, applications, documentation and costs to amend the floodplain maps for their development, Letter of Map Revision (LOMR), Elevation Certificates, for all projects on parcels identified in Zone A or Zone AE on the FEMA Flood Insurance Rate Map (FIRM) for the City of San Ramon. Applications for LOMR shall be prepared and submitted by the Applicant prior to the issuance of the site development permit.

131. Surface water shall not be permitted to drain from the landscaped areas of open space across public walkways. Where public walkways abut landscaped areas or open space, special drainage features including v-ditches, French drains, or others, as approved by the City shall be incorporated into the Project improvement plans.

132. A pesticide and fertilizer application program shall be prepared for all public open space and landscaped areas. This program shall include limitations on the types and amounts of chemicals allowed on the site. The program shall be designed to minimize chemical and fertilizer use throughout the Project site. Fertilizer, herbicide, and pesticide applications within the Faria Preserve/NWSP Area shall be limited to the dry season April 16 to October 14. Adjacent residents shall be notified of these program restrictions.

133. All new utilities required to serve the development shall be installed underground. This includes, electrical, gas, telephone, and cable television services in accordance with City policies and existing ordinances. All utilities shall be located and provided within public utility easements or public streets sited to meet utility company standards. Applicant is responsible for obtaining all permits necessary for underground work.

134. The design of all utilities shall consider the effects of total and differential fill settlement and shall incorporate flexible materials or joints as necessary. Gravity flow sewers, storm drains and subdrains shall be designed to accommodate anticipated total and differential settlements while still providing adequate gradients. The design of all utilities shall also consider the effects of fault creep and fault rupture potential, and shall be subject to review and approval by the City.

135. Applicant's Traffic Engineer shall provide City with a letter certifying that sight and distance triangles (as adopted in the Zoning Ordinance) have been reviewed for clear visibility based on proposed design amenities at all intersections as deemed appropriate by the City Engineer.

136. A Traffic Control Plan is required for all Projects with construction items that are expected to impact vehicle, pedestrian, or bicycle travel. All Traffic Control Plans must be consistent with the current version of the California Manual of Uniform Traffic Control Devices (MUTCD) and any long term or non-standard submittals as determined by the City Traffic Engineer, must be approved and stamped by a California licensed and registered Traffic Engineer and approved prior to the beginning of construction.

137. Haul routes shall take into consideration residential neighborhoods and school zones including those to be constructed as part of the Project. A haul route plan must be submitted to Engineering Services for review and approval.

138. All public and privately maintained streets shall be shown, in cross sections, on the final design plans for review and approval by the City Engineer in coordination with the San Ramon Valley Fire Protection District. Street cross sections shall be dimensioned in accordance with the Engineering Services Design and Procedures Manual showing curb-to-curb and right-of-way widths.

139. Structural sections for public streets shall assume a minimum asphalt concrete thickness of four inches (4"). Asphalt concrete shall be placed in a minimum of two lifts with the final lift being placed at such time as construction traffic is no longer expected. The actual structural section shall be shown on the improvement plans, as required by the City Engineer, based on the traffic index for the use of the street.

140. Roadways shall be constructed at a minimum grade of 2% and a maximum grade of 15%. Cross sloped streets may be permitted and approved by the City Engineer and slopes shall be constructed at minimum 2% grade. No streets shall be designed steeper than 15% or less than 2% without approval from the City Engineer.

141. On City maintained roadways within Project development, pavement markings shall be thermoplastic or as approved by the City Engineer on the site development permit.

142. The Faria Preserve Parkway shall be designed to provide an unobstructed width of twenty (20) feet on each side of a center median for San Ramon Valley Fire Protection District (SRVFPD) emergency vehicle access. The unobstructed width shall be measured from the travelway edge of an 8-foot (8') wide parking lane to the center median. Width of the median along Faria Preserve Parkway may be modified to the extent necessary to accommodate this required unobstructed emergency vehicle access.

143. The Faria Preserve Parkway shall be constructed to collector street standards as a two lane divided roadway with Class II bike lanes on each side of the street as shown on Vesting Tentative Map Sheet TM.4. All crosswalks along Faria Preserve Parkway shall be reviewed and approved by the City Traffic Engineer.

144. Project interior circulation elements such as aisles and parking lot spaces shall be consistent with the requirements of the Engineering Services and Planning Services Departments. Any special pavement treatments at access points shall be located outside of the painted crosswalks areas connecting City sidewalks.

145. Due to variable parking demands associated with the Project, it is proposed to provide on-street parking along certain segments of Faria Preserve Parkway. Parking along Faria Preserve Parkway shall be standard size and will be restricted as shown on Vesting Tentative Map Sheet TM.4, unless approved otherwise by the Traffic Engineer.

Public Services Department

146. Submit a Waste Management Plan for all construction to include selection of one of two options for compliance with the City's construction and demolition (C&D) debris program. Project must recycle at least 50% of all Project construction and demolition debris and the Waste Management Plan will outline means and methods for that. Option 1. Applicant may select and execute an agreement with one permitted C&D hauler to collect, haul, dispose and recycle ALL C&D debris generated by Project. If the Applicant complies with the terms of the agreement with the C&D hauler, the Applicant shall have no further requirements in order to comply with this condition. C&D haulers will submit reports to the City to demonstrate compliance with the diversion requirements. Option 2. Applicant may use any combinations of C&D haulers, self-haul or other means to collect, transport, dispose and recycle C&D debris generated by Project. The Applicant must maintain and submit detailed weight and/or volume records to the City to demonstrate compliance with the diversion requirements at the conclusion of the Project.

147. The Applicant shall submit a site plan and conceptual drawings of the solid waste and recycling enclosures. The number, size, and location of the enclosures and containers for solid waste, recycling, and organic waste shall be indicated. Refuse and recycling enclosures must be constructed and comply with the approved plans for the Project. Enclosures must be designed and located to be accessible to standard automated refuse and recycling collection vehicles. Waste management plans shall meet the requirements provided in Section D3.11 *Solid Waste/Recyclable Materials Storage* of the Zoning Ordinance and AB 2176 (requirements for large event and venue operators). Waste

management plans shall be approved by the Planning Services Division and the Public Services Director. Changes to the waste management plan must be approved by the Planning Services Division and the Public Services Director.

148. The Applicant shall demonstrate that interior and exterior refuse and recycling enclosures are sufficiently designed and located for the storage and collection of refuse and recyclable materials in accordance with the City's Zoning Ordinance and comply with the approved waste management plan for the Project. The design of enclosures shall be architecturally integrated with the Project and comply with the City's Zoning Ordinance.

149. The Applicant, and/or owner of record, is responsible for assuring the maintenance of City infrastructure and public right-of-ways constructed as part of the project(s) which includes a one year maintenance and warranty period after completion of the Project.

Transportation Services Division

150. The Project site improvement plans will be reviewed by the Engineering Service Department for compliance with design standards to minimize traffic hazards, including but not limited to, features such as all pavement markings and signing to facilitate safe vehicular and pedestrian movements along the Project roadways. Installation of signing and pavement markings shall conform to a City approved plan.

151. Coordinate the implementation of Residential Traffic Calming with the Transportation Services Division by locating, purchasing and installing up to three Radar Speed Display Signs, as determined by the Transportation Services Division. The preliminary locations for installation are as follows:

    (a) Eastbound Faria Preserve Parkway;
    (b) Westbound Faria Preserve Parkway; and
    (c) Eastbound near the Purdue Road extension.

    Exact locations to be determined prior to issuance of site development permit. Installation to take place prior to first occupancy.

San Ramon Valley Fire Protection District

152. Any/all gates across San Ramon Valley Fire Protection District access roadways shall have the same minimum clear, unobstructed linear width of the road and a clear vertical height of 13 feet 6 inches (4.1 meters). All locking devices shall provide for San Ramon Valley Fire Protection District emergency access. All gate plans shall be approved by San Ramon Valley Fire Protection District prior to construction.

153. If development interfaces with wildland or open space areas, a separate landscape plan for vegetation fuel modification and/or buffer zone(s) featuring fire resistive and drought tolerant varieties of landscaping is required to be submitted and approved by San Ramon Valley Fire Protection District prior to issuance of grading and building permits. The

plan shall include dedicated easements, as required in conjunction with the Fuel Modification plan, for emergency and maintenance access to these zones and shall be maintained in perpetuity. The maintenance for the buffer zones and emergency/maintenance access ways shall be assigned to a Homeowners Association or other approved agent. These responsibilities shall be disclosed to property owner(s) by way of deed restrictions and/or covenants, conditions and restrictions. Supplemental "Fuel Modification" criteria available upon request. As part of the Fuel Modification plan, all v-ditches shall be reviewed by the San Ramon Valley Fire Protection District to ensure necessary access is provided.

154. Provide an open space management plan for review and approval by the San Ramon Valley Fire Protection District prior to issuance of a grading permit. The plan should address the establishment and maintenance of fuel modification before, during and after construction, and emergency access provisions to assure access to open space and fire trails.

<u>During Site Development</u>

Planning Services Division

155. During site development, covered dumpsters shall be provided on-site for collection of trash and debris and shall be emptied when full or at a minimum on a weekly basis.

Engineering Department

156. Applicant shall coordinate and work closely with the existing property owners on Purdue Road and Purdue Road Extension to ensure appropriate access and egress with road improvements and during construction, and minimize dust, debris, and noise for the existing subject properties.

157. Applicant shall, at its sole expense, construct public improvements within the interior of the subdivision, in accordance with Project conditions of approval and additionally as follows:

    (a) Stormdrain system and facilities shall be installed within the Project, consistent with the requirements of the Project's hydrology study and in accordance with City of San Ramon standards.

    (b) Improvements to the ridge trail up-slope of the development shall be constructed, consistent with the requirements of the Parks and Community Services Department. Efforts shall be made to grade the trail in such a fashion that scour potential is minimized. Drainage facilities shall be constructed if substantial scour potential is unavoidable with such facilities. Such drainage facilities shall be maintained by the GHAD, HOA, or other qualified entity acceptable by the City.

(c) Certain landscape improvements have been proposed within the future public roadways. The landscape features shall be maintained by the HOA and serviced by irrigation system as required by Public Services Department. Separate water meter(s) shall be provided and paid for by Applicant.

(d) Trails may require site specific design to ensure long term durability as approved by the City.

158. Construction of the on-site detention basins shall occur prior to all other post-grading major construction activities such that these structures can be used to retain stormwater runoff and water from dewatering activities during the construction period. This would help to reduce sediment in surface runoff leaving the site.

159. Riparian habitat landscaping improvements shall be installed by the Applicant as permitted and required by the Department of Fish and Wildlife and other regulatory agencies with jurisdiction. Drainage channel stabilization work shall be accomplished as deemed necessary by the City and any other regulatory agency at the same time habitat improvements are installed. Channel and habitat protection and maintenance during mitigation, monitoring, and establishment periods shall be in accordance with requirements of the regulatory agencies with jurisdiction over such areas.

160. Tree wells shall be designed so as to provide full coverage for maintenance vehicles around the tree well on a single pass.

161. Applicant shall overlay existing pavement on both sides of all utility cuts at least ten (10) feet in both directions on Crow Canyon Road, Deerwood Drive, Purdue Road, and Bollinger Canyon Road or as the case may be within the development of the Project. Overlay shall extend to the nearest lane lines. All disturbed pavement markings shall be re-established with thermoplastic as approved by the City Engineer.

162. All water, gas, sewer, underground electric power, cable television, telephone lines, fiber optics, and storm drain facilities shall be installed before any paving, curb, gutter, or sidewalk is installed, unless modified by the City Engineer in writing. Utility stub connections to property boundaries shall be required unless waived by the City Engineer in writing.

163. Applicant shall construct all underground facilities in conformance with PG&E's common trench details. Applicant shall install only subsurface transformers unless permitted otherwise by Planning Services Department.

164. Applicant shall install cathodic protection measures for all buried metallic infrastructure.

165. All un-built areas resulting from phasing of the Project shall be hydroseeded at least once yearly by October 1st prior to the start of the rain season (October 15). The area shall be kept free of weeds and other debris until such time as construction is begun for a new parking lot or building in this area. In the event that the area is hydroseeded, a method for providing temporary irrigation to the area shall be submitted for review and approval

by the City prior to the final occupancy of the first building permit. All hydroseeding must be in place by October 1st.

166. All damaged public improvements shall be repaired or replaced, as appropriate at Applicant's expense. This shall include any existing public improvement within the frontage of the Project or any other area Applicant is required to do work. Additionally, Applicant is required to comply with the most recent current requirements set forth by the Americans with Disabilities Act (ADA) or other Federal, State, and local requirements.

167. The use of recycled materials for improvements in the public right of way, including aggregates shall not be permitted without the approval of the City Engineer.

Prior to Building Permit Issuance

Planning Services Division

168. Final conditions of approval shall be printed on the cover page of the building permit plan submittal.

169. Prior to issuance of building permits for a particular phase of the Faria Preserve, a Final Landscape/Irrigation Plan, including an open space fencing plan, shall be reviewed and approved by the Planning/Community Development Director for consistency with the approved Development Plan. Such Final Landscape/Irrigation Plan shall address all plantable areas out to the curb and within common areas if required.

170. Landscaping shall meet the requirements of landscaping, irrigation and hydroseeding of the City's Zoning Ordinance, and the State Model Water Efficient Landscape Ordinance as applicable.

171. The final lighting plan and photometrics shall be reviewed and approved by San Ramon Police Services, Building & Safety Services, Engineering Services, and Planning Services Divisions. These plans shall conform to provisions of the City of San Ramon Zoning Ordinance and Security Ordinance. All lighting shall be shielded from abutting properties with cut-offs (shields) so as to produce no nuisance or annoyance. No lighting shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The spacing and height of the standards and luminars shall be approved by the City Engineer and Planning/Community Development Director. To prevent damage from automobiles, standards may be mounted on reinforced concrete pedestals or otherwise protected. Under canopy lighting elements shall be recessed or concealed in such a manner as not to be directly visible from a public street. Lighting shall be installed around the perimeter of the building and be vandal resistant.

172. Child Care Fees and City Beautification Fees shall be paid per City Council Resolution No. 13-034 which was in effect at the time the Vesting Tentative Map application was deemed complete, November 4, 2013.

173. At least ninety (90) days prior to submittals by the Applicant for building permit plan check for the first single-family residential buildings, the Applicant shall submit to the Planning Services Division for final Architecture Review Board review of the Project site plan, typical house model building elevations and floor plans, color and material boards, decorative paving and lighting details, walls and fencing, tot lot details, and final front and side yard landscape and irrigation plans.

174. Prior to building permit issuance, the Applicant shall provide decorative on-site pedestrian scale driveway lighting, walkway lighting, and building lighting, which shall be reviewed and approved by the Planning Services Division.

175. Prior to building permit issuance, the design and placement of decorative entry paving on public roadways shall be reviewed and approved by the Planning Services Division and Public Services Department.

176. Prior to building permit issuance, the design and placement of any Project fencing, shall be reviewed and approved by the Planning Services Division for substantial conformity to the approved development plan. Said fencing shall be of a high quality and compatible with quality building design.

177. The Applicant shall contact the County's Mosquito & Vector Control District to coordinate a plan for the purposes of rodent control during construction. A copy of the agreed plan shall be submitted to the Planning/Community Development Director prior to permit issuance of the first phase of site construction.

178. Trash and recycling enclosures (if applicable) shall be in compliance with City development standards which includes Stormwater Management. Design of trash enclosures shall be architecturally integrated with the Project and subject to review by Planning Services. The number of individual trash and recycling enclosures shall be determined based on need, pickup schedules and other requirements of the applicable service provider (i.e. Valley Waste Management, etc;).

179. Prior to building permit issuance, the design and placement of all Project retaining walls shall be reviewed and approved by the Planning Services Department.

180. Applicant shall provide opportunities for potential homebuyers to purchase dwelling units that contain design items that offer accessibility, depending on the homebuyer's special needs. Prior to building permit issuance, Applicant shall demonstrate to the Planning Services Division that Project sales information includes as an option features which are designed to provide handicapped/senior accessibility, as discussed in the City's "Accessible Housing Resource Guide", or similar document. Any features which are designed to provide handicapped/senior accessibility shall be installed only with the mutual consent of the Applicant and homebuyer.

Architectural Review

181. Prior to issuance of a building permit, the Applicant shall comply with the following Architectural Review Board (ARB) comments and recommendations made at ARB meetings held between February and August 2013.

General Site Plan, Architecture and Landscaping

1. *Evaluate wind exposure when siting homes, especially in the western Project Area where the multi-family parcels are located.*

2. *Incorporate maximum energy efficiency opportunities throughout the Project.*

3. *Evaluate opportunities to enhance the open space areas through landscaping to soften the slopes, especially to the north of Neighborhood IV and on both the north and south sides of Neighborhood III.*

4. *Use LED technology where possible.*

5. *The Board supported a 3-wire and metal post fence design that would be used around the mitigation areas. The Board suggested the post be cor-ten or black color.*

6. *It was recommended that stone-faced pilasters be used at fence-type transitions in locations that can be seen by the public.*

7. *Evaluate opportunities to add or extend the low stone wall feature on other portions of Faria Preserve Parkway such as within the neighborhood entryways adjacent to the round-a-bouts.*

8. *The Board recommended that the 6 foot high partial view fence be replaced with either a 6 foot high wire mesh view fence or by replacing the glass portion depicted on the partial view fence with wire mesh.*

9. *Use 6 x 6 posts and add a trim cap on the good neighbor fencing, making sure that there is consistent color between the posts and boards and that fence is lapped or louvered.*

10. *Use non-galvanized street light poles painted green or black as deened acceptable to City staff.*

11. *Detail on the plans the lighting at the community pool parking lot and the use of bollard lighting on the HOA-maintained pathways that will connect the neighborhood to the public streets.*

12. *An O & M manual shall be given to homeowners for street tree and front yard tree care and maintenance. When planting trees also take into consideration*

wind factors and location of utility meters; however, in general the Board supported the street tree palette and the variations.

13. *Look at opportunities to install a wood rail fence in the landscape area adjacent to Faria Preserve Parkway to create a transition between the plantings within the right of way to the open space beyond.*

14. *The Board recommended the removal of all interim irrigation systems.*

15. *On sheet L-38 showing the typical open space at windows and the plantings behind the sidewalks, it was recommended to use natural grasses to transition into the open spaces areas and looking for opportunities to replicate this at other typical open space window areas.*

16. *On street sections B and F, the Board recommended a higher retaining wall height to reduce the overall number of walls that would be needed. Instead of using a block CMU wall, use a faux rock material to create the appearance of a real rock wall.*

17. *The Board suggested adding top soil to all cut slopes to promote a "landscapeable" area to promote vegetation growth otherwise it will invite erosion. This is to be included on all cut slopes throughout the Faria Preserve development.*

18. *Include as a homebuyer option, some type of solar integration opportunities.*

19. *Provide enhanced elevations on exposed or corner lots including roof vents, siding material, pot shelves, or possible pop-outs along these enhanced elevations to provide articulation on these elevations; show control joints on the stucco to break up the two-story elevations; wrap siding and stone finishes on side elevations to where the side fence begins; and from a 360 degree point of view, integrate light fixtures to fit the architectural theme of each elevation.*

20. *On the enhanced corner side elevations, look at opportunities to add functional pop-outs on the second story of homes such as enhancements like bay windows, window seats, etc.*

21. *On the preliminary landscape plan, include fencing plan for neighborhoods to show how the fences relate to the slopes and between the public and private areas.*

22. *The Board requested the Applicant prepare a master landscape plant palette.*

23. *The Board recommended cheek walls to be installed at stairways throughout the Project.*

Neighborhood I

24. *Integrate color into the concrete driveways and front walkways.*

25. *Provide cut off walls with pier foundations to prevent water penetration under the house.*

26. *Make sure that tree canopies are sized appropriately, such as the Crape Myrtle, Dynamite variety. Include two evergreens in the plant palette such as Meyer Lemon or Satsuma Mandarin, Laurus, Rhapiolapesas, Tristania Laurina.*

27. *On the Plan 2 residences with a covered California Room, provide an elevation to show how this room will integrate with the roof pitch of the main house.*

Neighborhood II

28. *Integrate color into the concrete driveways and front walkways.*

29. *Provide cut off walls with pier foundations to prevent water penetration under the house.*

30. *Make sure that tree canopies are sized appropriately, such as the Crape Myrtle, Dynamite variety. Include two evergreens in the plant palette such as Meyer Lemon or Satsuma Mandarin, Laurus, Rhapiolapesas, Tristania Laurina.*

31. *Between lots 133 & 134, look for opportunities to include trees within the area that separates the two lots.*

32. *On Cottage elevations, use accent materials such as stone masonry or metal to draw similarities to the Cottage style in the Neighborhood I architecture.*

33. *On all plans, remove the 8-panel garage door option. Add outside lighting details on all elevations. On right and left elevations of all plans, consider adding a joint line or some relief detailing to break up the stucco and create more shadowing.*

34. *Look for opportunities on Plan 3 to pop out front elevation for more architectural relief. Add thicker sill and support structures on the pot shelves on the Bungalow and Cottage elevations.*

Neighborhood III

35. *If lots 197-200 are to be moved to the east, see if corner of water quality pond can be wrapped around corner of Faria Preserve Parkway.*

36. *Include large accent shrubs to landscape plan and avoid rangy shrubs. Avoid high water plants such as the Camellia. Add more drought tolerant plants and shrubs.*

37. *On Lot 236, if proposing a Plan 1 house plan, limit the building to two-stories.*

38. *Plan 1: Provide enhanced side elevations on the main entrance side to lots 235, 236, 251, and 253.*

Neighborhood IV, Townhomes:

39. *Add a trellis at the end of the alleyway between buildings 26 and 33.*

40. *On buildings abutting the apartment units to the south, consider creating a greater horizontal and/or vertical separation between the walkway and porch element.*

Neighborhood IV, Flats:

41. *Increase floor plates in lower floor of flats to 10' high.*

42. *Incorporate architectural details such as archways and siding found in the lower floors into the third floor elevations.*

43. *The Board recommended installing a gate or fence to restrict access into the 8' wide courtyard area separating the two opposing buildings.*

Affordable Housing

182. Prior to the issuance of the first building permit, the Applicants of the Faria Preserve shall have a fully executed Affordable Housing Agreement with the City providing for a total of 213 units of affordable housing on the Faria Preserve property (62 very low, 82 low, and 69 moderate income). Of the total 213 affordable units, a minimum of 15 affordable units shall be offered for-sale to very-low income households and 13 affordable units shall be offered for-sale to low income households. All affordable units must meet the State of California's Department of Housing and Community Development requirements and count towards the City's fair share housing production of very low, low, and moderate income units as assigned by the Association of Bay Area Governments (ABAG).

183. As part of the Affordable Housing Agreement, work with the City to establish a priority access system for the rental and/or sale of the affordable units to affordable households in-line with the goals of the City's Housing Element and meeting State housing law requirements.

184. Said Affordable Housing Agreement shall require that the very low income units shall be rented or sold to households whose annual documented income does not exceed 50% of the area median income adjusted for household size; low income units shall be rented or sold to households whose annual documented income does not exceed 80% of the area median income adjusted for household size; and the moderate income units shall be rented or sold to households whose annual documented income does not exceed 120% of the area median income adjusted for household size.

185. Rents for the very low income units shall not exceed 30% of 50% of the area median income; rents for low income units shall not exceed 30% of 80% of the area median income; and moderate income units shall not exceed 30% of 120% of the area median income as annually determined by the Department of Housing and Urban Development and the State of California Department of Housing and Community Development, less a utility allowance as annually determined and published by Contra Costa County.

186. All affordable rental units shall be required to remain affordable for a period of not less than 55 years following issuance of a certificate of occupancy. All affordable ownership units shall be required to remain affordable for a period of not less than 50 years following initial close of escrow. The affordability covenants on the 213 affordable units shall be made enforceable by recorded deed covenants or restrictions on all of the affordable unit parcels in the Official Records of Contra Costa County, California.

187. The affordability controls and minimum periods of affordability shall be binding upon the initial purchaser and subsequent purchasers of the affordable units.

188. As part of the Affordable Housing Agreement, develop a compliance monitoring system with cost of the monitoring borne by the Applicant to ensure that affordable units are rented and/or sold to income-qualified households.

189. A marketing plan for lease up of the affordable rental and ownership units shall be submitted by the Applicant for approval by the City.

190. Prior to the issuance of the 200th building permit, the Applicant shall secure Development Plan approval of Neighborhood V. As part of the Affordable Housing Agreement, Neighborhood V shall include a minimum of 185 affordable units with affordability levels in accordance with the conditions of approval herein.

191. Prior to the issuance of the 400th building permit, building permits for the construction of the Neighborhood V affordable units shall be secured and actual construction diligently commenced thereon.

Engineering Department

192. All Engineering Services permits including, but not limited to, a Grading Permit and a Site Development Permit shall be issued for the associated Project phase.

193. The Applicant shall pay a creek study fee and a drainage mitigation fee to the City of San Ramon per the current fee schedule, upon approval of these conditions of approval by the Planning Commission.

194. Prior to issuance of permits for building, site improvements, or landscaping, the permit application shall be consistent with the Applicant's approved Stormwater Control Plan and shall include drawings and specifications necessary to implement all measures in the approved Plan. The permit application shall include a completed "Construction Plan C.3 Checklist" as described in the Stormwater C.3 Guidebook.

Parks and Community Services Department

195. In-lieu of payment of park development fees and parkland dedication, the Applicant shall be required to improve the Faria Preserve Park site to incorporate an approximate 12.7 acre neighborhood park substantially as shown in the conceptual park design as presented by the Applicant to the Parks and Community Services Commission (PCSC) and approved by the PCSC on September 11, 2013 which includes natural and synthetic sports fields, sports field lighting, tennis court, bocce courts, playground equipment, restrooms with drinking fountain and dog fountain attachment, passive and active turf area, basketball court, gazebo and picnic area, trellis, parking lot, walkways, fire/maintenance access, in addition to landscaping, fencing and necessary gates into the park site. The San Ramon Parks and Community Services Commission shall be presented with a final master plan for the site which must be reviewed along with the following list of conditions of approval prior to Project development commencing:

    (a) Develop and have significant construction completed on a minimum 12.7 acre neighborhood park on parcel G and minimum 0.5 acre rose garden on parcel H, built to City specifications prior to issuance of the 300th building permit. The park and rose garden will be offered for dedication to the City upon completion and acceptance.

    (b) Park in-lieu fees would be waived pursuant to the Quimby Act and City Ordinance as the application of these fees will be towards the construction and development of the Faria Preserve Park. Per the Northwest Specific Plan, Faria Preserve Park site shall be improved per city standards and specifications as a mitigation and fulfillment of the City requirement for parkland dedication.

    (c) Develop and dedicate three tot lots within neighborhoods I through IV of the residential development (per the revised development plan dated September 26, 2013). The tot lots shall be built prior to final occupancy of each phase in which the tot lot is located, dedicated to and maintained by the Homeowners Association, and built to City specifications.

(d) In coordination with the East Bay Regional Park District (EBRPD), develop and install regional trail connections (extension of the Calaveras Ridge Trail), and offer the improvements for dedication to the Geologic Hazard Abatement District (GHAD) or EBRPD with appropriate approvals prior to final occupancy. Install improvements to the satisfaction of the EBRBD and/or the City The Calaveras Ridge Trail connection shall be made from the northern project boundary through to Bollinger Canyon Road as far south as possible in conjunction with project construction.

Building and Safety Services Division

The following information is required for the permit application process for individual projects based on the current adopted California Building Code, California Residential Code, California Mechanical Code, California Plumbing Code, California Electrical Code, California Green Building Standards Code and other related codes as referenced in the City of San Ramon's Municipal Building Ordinances.

196. Submit plans to the service districts, i.e. San Ramon Valley Fire Protection District and provide written confirmation to the Building & Safety Services Division.

197. Submit following documentation for review and approval:

(a) Provide five (4) complete sets of plans, to include civil, plot plans, architectural, landscape, structural, electrical, mechanical and plumbing plans. All plans shall be stamped and signed by the responsible design individual with wet signature on two (2) of the five (5) copies.

(b) Provide two complete sets of calculations (i.e., structural, energy). All calculations shall be stamped and signed by the responsible design individual, as well as the tenant or owner.

(c) Provide two copies of preliminary soils investigation report and final report for the proposed Project site. The report needs to include the recommendations on the foundation, retaining wall design and ground preparations for expansive soil.

(d) The soils engineer must review the finalized building foundation plan and shall certify the foundation plan is in compliance with his recommendations.

198. Provide the following information on cover sheet plans related to the type of construction, occupancy group, square footage, height of building and sprinkler criteria.

199. The design must adhere to wind load computations using Exposure B, as referenced in Standards, ASCE 7-10.

200. The design must conform to the City of San Ramon Security Ordinance, No. 227, Section C2-1 through C2-20 for the Building & Safety Services Division.

201. A Certificate of Occupancy will be issued upon final inspection and approval by the San Ramon Valley Fire Protection District, Planning Services Division, Engineering Services Department and Building & Safety Services Division.

202. Work hours for this Project shall be as specified in City Ordinance No. 73 for emission or creation of noise beyond certain levels, or as modified herein (see also Condition No. 7).

Police Services Department

203. Prior to building permit issuance, the Applicant shall submit to the Building Official and the Crime Prevention Specialist a detailed lighting plan for review and approval. This plan shall indicate the location, design, and/or construction details and illumination levels of these fixtures. Light sources shall be required at all exterior doors to each home, and in all alleys, walkways, and private roads. Lighting for alleys should be mounted on each home at the rear. The minimum surface illumination recommendations provided by the Illuminating Engineering Society of North America are 5 foot-candles for pedestrian walkways and 5-8 foot-candles for building entrances and exits. Enough lighting shall be provided that an individual may be identified from a distance of 25 feet away.

Transportation Services Division

204. Traffic Impact Fees including the Citywide, Southern Contra Costa JEPA, Southern Contra Costa Regional, and Tri-Valley Transportation Development fees shall be paid per City Council Resolution No. 13-034 which was in effect at the time the Vesting Tentative Map application was deemed complete, November 4, 2013.

San Ramon Valley Fire Protection District

205. NOTE ON FIELD PLAN: Fire apparatus roadways (public or private streets or roads used for vehicle access) shall be installed and fire hydrants in service prior to commencement of framing: PRIOR TO COMMENCEMENT OF FRAMING, CONTACT THE SAN RAMON VALLEY FIRE PROTECTION DISTRICT TO SCHEDULE AN INSPECTION OF ROADWAYS AND FIRE HYDRANTS.

206. Prior to vertical building construction, the Applicant shall provide telecommunications radio infrastructure to the satisfaction of the San Ramon Police Department and San Ramon Valley Fire Protection District to meet the prescribed design standards of the East Bay Regional Communication System Joint Powers Authority (EBRCS JPA). This may include but is not limited to, tower, vault, HVAC, antennas, microwave, cabling, power, transmit and receive modules, emergency power (battery and generator), access and other resources to provide an effective emergency radio communications system, that can be sustained by the EBRCS JPA.

San Ramon Valley Unified School District

207. Residential projects developed within the boundaries of the San Ramon Valley Unified School District (SRVUSD) will be subjected to development impact fees. The Applicant shall pay the per square foot residential fee in effect at the time the building permit is issued for the residential unit(s). Prior to building permit issuance, the Applicant shall provide proof of payment of impact fee.

<u>Prior to Building Occupancy</u>

Planning Services Division

208. Prior to building occupancy for any particular portion of the Faria Preserve, landscaping/irrigation that is required to be completed pursuant to the Master Phased Development Plan shall have been installed.

209. Prior to building occupancy, the Applicant shall confer with local postal authorities to determine the type of mail receptacles that are to be utilized for this Project. Design of mail receptacles shall be submitted for Planning Services Division's review. Mail receptacles are to be placed on private or HOA property and are not allowed within the public right of way or publicly owned property.

210. If occupancy is requested to occur in phases, then all physical improvements shall be in place prior to occupancy per the approved Master Phased Development Plan. No individual unit shall be occupied until the adjoining area is finished, safe, accessible, provided with all reasonable expected services and amenities, and completely separated from remaining construction activity areas. The Planning/Community Development Director may approve an appropriate bond to be posted by the Applicant to cover the costs of improvements still underway and therefore allow final occupancy of initial Project phases.

211. After written verification by a certified landscape architect has been provided to Planning Services Division, the Applicant shall request inspection of the final Landscape and Irrigation installation from Planning Services Division at least 72 hours prior to building occupancy inspection.

212. Prior to final inspection of the Landscape and Irrigation Plan, the Applicant shall submit to the Planning Services Division for review a Certificate of Completion as required by the State Model Water Efficient Landscape Ordinance.

Engineering Department

213. The Applicant shall be responsible for the design and construction of capacity improvements at the San Ramon Valley Boulevard / Fostoria Way-Deerwood Road intersection. Capacity improvements include the lengthening and installation of dual left turn lanes on northbound San Ramon Valley Boulevard to provide 155 feet of storage plus an appropriate deceleration distance to accommodate the projected northbound left turn 95th percentile queue and lengthening the existing eastbound left turn lane on Deerwood Road to provide at least 325 feet of storage plus an appropriate deceleration distance to accommodate the projected eastbound left turn 95th percentile queue. The design shall be reviewed and subject to approval by the City. Applicant shall also be responsible for any street modifications along San Ramon Valley Boulevard and Fostoria Way-Deerwood Road and traffic signal modifications at the San Ramon Valley Boulevard / Fostoria Way-Deerwood Road intersection in conjunction with the implementation of the capacity improvements. The City shall remove any on-street parking necessary for the capacity improvements along San Ramon Valley Boulevard. The capacity improvements shall be completed and operational prior to occupancy of any residential units in the development unless approved otherwise by the City Traffic Engineer.

214. Applicant shall install new streetlights or retrofit/relocate existing possibly non-functioning streetlights along the Project frontages and within the Project including the roadway. The location and extent of the retrofit shall conform to City requirements and conversion to a City-owned system and when applicable, coordinated and approved through Pacific Gas & Electric (PG&E). All new and retrofitted streetlights shall be LED.

215. The estimated cost for the design and construction of the traffic signal at the Deerwood Road / Omega Road-Old Crow Canyon Road intersection shall be funded by the Applicant and deposited into the City CIP Program prior to occupancy of any residential units in the development, unless approved otherwise by the Traffic Engineer. If it is determined that a traffic signal is not warranted, any Applicant contributed funds for the signal may be refunded to the Applicant.

216. The City shall receive a letter describing the transfer of maintenance of HOA areas from the Applicant to the HOA. Signed acknowledgement of HOA area transfer shall be executed by both parties prior to City's acceptance of any public improvements.

217. Applicant shall resurface (minimum 2" overlay) and re-stripe/re-sign Purdue Road from San Ramon Valley Boulevard to Omega Road (including the intersection of Omega Road) per City Standards and as approved by the City Engineer. The timing of this work shall be in conjunction with the opening of the Purdue Road extension for public use/access to the development.

218. If the City has recently (within the last 5 years) resurfaced any roadway (slurry seal, overlay/inlay, etc.) in which the Utility Agency or Applicant is requesting trench work (including emergency repair work), then the requester (Utility Agency or Applicant) will

restore the roadway by slurry seal, pavement inlay/overlay, or pay "in-lieu" fees as directed by the City Engineer.

219. In addition to what may be shown on approved plans, to ensure safe operation of all intersections and segments of streets before any building is occupied and all roadway improvements are completed and accepted by the City, the Applicant shall perform roadway surface improvements, such as slurry seal or overlay as required by the City Engineer, and shall install any additional traffic signs, striping and pavement markings determined necessary for safety or operational improvement by the City Engineer, after inspection of the final physical improvement prior to the acceptance of public improvements by the City.

220. Site improvements shall be completed for access areas which are impacted by occupancy. These improvements include paved roads and walkways, storm drains, street lighting, and traffic signals.

221. The Applicant shall be responsible for Bollinger Canyon Road street improvements on between Crow Canyon Road and the Faria Preserve Parkway. Improvements shall include frontage improvements where necessary, including an extension of the existing sidewalk on the easterly side of the roadway. The roadway improvements shall include Class II bike lanes on each side, two travel lanes, and left-turn lanes at each intersection as warranted. The improvements may also include potential retaining wall construction to minimize impacts to property owners. There shall be no parking lanes constructed as part of the roadway improvements. In the event that the west side developments are not implemented prior to occupancy, the Applicant shall be responsible for minor widening on the west side of Bollinger Canyon Road to assist left turn lane movements to the Project. Final roadway design configuration will be determined by the City Traffic Engineer, factoring in roadway constraints and traffic warrants.

222. The Applicant shall be responsible for the design and construction of a new traffic signal at the Purdue Road/San Ramon Valley Boulevard intersection. The design shall be reviewed and subject to approval by the City. Applicant shall also be responsible for any street modifications on Purdue Road and along San Ramon Valley Boulevard in conjunction with the implementation of the new signal. The interconnection of the signal communication system shall be extended from the new signal to the existing traffic signal at the San Ramon Valley Boulevard/Fostoria Way/Deerwood Road intersection. Applicant shall complete all required modifications to the San Ramon Valley Boulevard southbound turn pocket onto Purdue Road which include extension of the left turn pocket to 160 feet to accommodate the northbound left turn queue length. All costs shall be paid by the Applicant.

223. Applicant's Traffic Engineer shall provide a letter verifying any approved changes that were made affecting the sight distance triangles within the Project development and that all traffic signal and roadway improvements/ striping are complete and fully functioning.

224. The Applicant shall provide a letter from the Project geotechnical engineer attesting that grading and foundations were constructed in accordance with their recommendations for the Project.

225. Applicant shall submit record drawings to the City with each page stamped as such including traffic signal plans.

226. Prior to first building permit final and issuance of a Certificate of Occupancy, the Applicant shall submit, for the review and approval of the City, a Stormwater BMP Operation and Maintenance Plan in accordance with City guidelines and execute any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs.

Transportation Services Division

227. Prior to occupancy of the first residence, implement the following Transportation Demand Management requirement:

    (a) Coordinate with City and local transit provider to situate transit stops along Faria Preserve Parkway and at locations convenient for public transit users.

    (b) Coordinate with Transportation Services Division and local transit provider to develop and/or support existing local public transit service.

    (c) Coordinate with Transportation Services Division to identify and install transit shelter(s) and transit shelter amenities to support local public transit service.

    (d) Encourage and assist Homeowners Association(s) and non-residential sites to reduce the number of single-occupant vehicles by participating in the City's Transportation Demand Management (TDM) program.

    (e) Distribute City TDM Commuter program information to homeowners, Homeowners Association(s), and non-residential sites.

Police Services Department

228. Prior to accepting applications for building occupancy of the multi-family apartment rental property, the apartment community shall participate in the Crime Free Multi Housing Program.

229. Prior to the first building occupancy, the Applicant shall install a telecommunications radio tower to the satisfaction of the San Ramon Police Department and the San Ramon Valley Fire Protection District to facilitate first responder radio communication within the Project area. The tower shall be design to include capacity for co-location of telecommunication facilities and associated equipment to facilitate telecommunication in and surrounding the Project area.

San Ramon Valley Fire Protection District

230. Prior to the issuance of a building permit, submit (3) full sets of building plans to the San Ramon Valley Fire Protection District for review and approval.

231. Approved numbers or addresses shall be placed on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Said numbers shall contrast with their background. Individual suite numbers shall be permanently posted on the main entrance doors of tenant spaces. If rear, outside doors to tenant spaces is installed, they shall include the installation of numerical address numbers corresponding to front addressing.

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
				Action	Date Completed
Air Quality					
3.3-1a	**Implement BAAQMD Basic and Additional Construction Control Measures.** *BAAQMD recommends that all projects, regardless of significance, implement the Basic Construction Control Measures during construction. Because the proposed project would also exceed the threshold of significance for NO_X, additional measures are recommended to reduce NO_X emissions. The Applicant and its construction contractor shall implement the following Basic Construction Control Measures during all construction activities:* • *All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.* • *All haul trucks transporting soil, sand, or other loose material off-site shall be covered.* • *All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.* • *All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.* • *Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure, Title 13, Section 2485 of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.* • *All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.* • *A publicly visible sign shall be posted at the soil transfer site within the BAAQMD, with the telephone number and person to contact at the City of San Ramon regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number also shall be*				

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
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	visible, to ensure compliance with applicable regulations. *Because the proposed project would exceed the NO_X threshold of significance, would include a substantial amount of cut/fill operations, and would be located approximately 0.5 mile from the nearest sensitive receptor, additional mitigation measures are prescribed to reduce emissions and avoid exposing nearby receptors to substantial construction emissions. BAAQMD has developed Additional Construction Mitigation Measures for those projects that either will include extensive earth-moving activities or will be located near sensitive receptors. The following measures from BAAQMD's Additional Construction Measures also shall be implemented during construction:* • *All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12%. Moisture content can be verified by lab samples or moisture probe.* • *All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour.* • *Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks shall have at maximum 50% air porosity.* • *Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and shall be watered appropriately until vegetation is established.* • *The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.* • *All trucks and equipment, including their tires, shall be washed off before leaving the site.* • *Site accesses to a distance of 100 feet from the paved road shall be treated*				

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	with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel. • *Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1%.* • *The idling time of diesel-powered construction equipment shall be minimized to 2 minutes.* • *Low–volatile organic compounds (i.e., ROG [reactive organic gases]) coatings shall be used, beyond local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).* • *All contractors shall be required to use equipment that meets ARB's most recent certification standard for off-road heavy duty diesel engines.*				
3.3-1b	**Use BAAQMD CMP or Another Verifiable Offset Program to Offset Regional Off-Site Emissions.** *The Applicant shall use BAAQMD's CMP or another verifiable program to offset the proposed project's NO_X emissions that exceed the BAAQMD 2010 threshold after implementation of Mitigation Measure 3.3-1a, above. The Applicant may achieve the required offset through payment to BAAQMD on a per ton of NO_X amount (i.e., dollars per ton of NO_X to offset) for emission reduction projects that will be funded by BAAQMD. The price of NO_X emission offsets shall be determined by BAAQMD on an annual basis and shall be paid prior to construction grading permits issuance. The types of projects that would be funded by BAAQMD could include:* • *Projects within the City of San Ramon, Contra Costa County, and/or the SFBAAB that are eligible for funding under the CMP guidelines that are real, surplus, quantifiable, and enforceable* • *Projects to replace older, high-emitting construction equipment operating in the City of San Ramon, Contra Costa County, and/or the SFBAAB with newer, cleaner, retrofitted, or more efficient equipment* *The proposed project's construction activities are anticipated to last approximately*				

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	1,140 workdays, which equates to approximately 30.78 tons of NO_X as a threshold (i.e., 54 pounds per day over 1,140 work days). The proposed project would generate approximately 44.42 total tons of NO_X during construction after implementation of Mitigation Measure 3.3-1a. Therefore, the Applicant shall be required to offset approximately 13.64 tons of NO_X as described above.				
Biological Resources					
3.4-1	**Develop Mitigation Plan and Implement Strategies to Avoid or Mitigate Impacts on Congdon's Tarplant.** *To mitigate impacts on a population of Congdon's tarplant in the project construction area, the Applicant shall develop a Congdon's tarplant mitigation plan for review and approval by the City prior to site development permit issuance. This plan shall outline the implementation of one or more of the following mitigation strategies:* • *Development plans for the proposed project shall be modified or redesigned to avoid all development within a 100-foot buffer surrounding the population of Congdon's tarplant located on the project site. This buffer area shall be flagged or fenced during construction and designated as a construction exclusion area. This buffer shall only be enforced within the Faria Preserve property.* • *The Applicant shall purchase mitigation credits for Congdon's tarplant or a habitat type at a preserve currently supporting Congdon's tarplant at an off-site location equivalent to approximately 50 plants or 0.35 acre.* • *The Applicant shall purchase property at an off-site location containing Congdon's tarplant to be preserved in perpetuity through a*				

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
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	conservation easement or other similar arrangement. • *The Applicant shall develop a strategy to reestablish Congdon's tarplant on the project site after completion of the project. In order for this option to be adopted, the Applicant shall collect seed from the population to be removed or from other populations in the San Ramon Valley. Success criteria shall be established to monitor and ensure the reestablishment of this population over a period of time after construction that will be determined in consultation with the City. Should the population not become reestablished, the Applicant shall seek to mitigate the loss through other means, including Options 2 and 3, above.*				

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
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3.4-2	**Mitigation Measure 3.4-2: Conduct a Preconstruction Nesting Bird Survey and Implement Protective Actions if Active Nest Detected.** *A preconstruction survey shall be conducted by a qualified biologist for nesting raptors and other special-status bird species a maximum of 2 weeks before any new construction activities (i.e., ground clearing and grading, staging of equipment, ground disturbance) during the breeding season (February 1–August 31) to ensure that there are no nesting migratory birds within or adjacent to the construction area. Should active nests be found during the preconstruction survey, a no-disturbance buffer zone shall be created around active nests during the breeding season or until a qualified biologist has determined that the young have fledged. The no-disturbance buffer zone shall be a minimum of 250 feet from active raptor nests, 100 feet from special-status species, and 50 feet from non-special-status nesting bird species until chicks have fledged. Reductions in the size of the buffer zones and or allowances of limited types of construction activities within the buffer zone shall be determined by a qualified biologist through coordination with CDFW and shall be based on existing noise and human disturbance levels at the project site and observed evidence of disturbance to birds.*				
3.4-3	**Mitigation Measure 3.4-3: Complete Compensatory Mitigation Plans Pursuant to the State and Federal Endangered Species Acts and Comply with Conservation Measures.** *The Applicant shall complete the ESA Section 7 or Section 10 consultation process with USFWS and the State's 2081 Incidental Take Permit process for the Alameda whipsnake. The Applicant shall comply with the conservation measures identified by USFWS and the CDFW to mitigate impacts on critical habitat and avoid impacts on Alameda whipsnake during construction. At a minimum, compensatory*				

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	mitigation for loss of Alameda whipsnake shall include permanent preservation and management of suitable habitat in the Open Space Preserve and other available sites within the critical habitat designated by the USFWS. A long-term resource management plan shall be prepared to specify the management activities to protect the habitat for Alameda whipsnake. Avoidance and minimization measures shall be included in the resource management plan and subject to the approval of the USFWS and CDFW. These measures shall address, but not be limited to: • *work periods and hours* • *qualifications and responsibilities of monitoring biologists* • *pre-construction training and environmental awareness programs* • *pre-construction surveys* • *exclusion fencing to prevent entry during construction* • *actions to avoid animal entrapment* • *actions for encounters with the listed species* • *actions and communication protocols for accidental kill or injury of the listed species*				
3.4-4	**Mitigation Measure 3.4-4: Preserve, Restore, and Create Adjacent Riparian and Wetland Features.** *Through the CWA Section 404/401 permitting processes with USACE and the San Francisco Bay Regional Water Quality Control Board, as well as the Lake and Streambed Alteration Agreement with CDFW, the Applicant shall mitigate the fill or loss of wetlands and riparian corridors within the construction area. At a minimum, 2,120 linear feet of new ephemeral drainage channel shall be restored or created, 1,115 linear feet of existing drainage channel habitat shall be*				

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	enhanced, and 0.81 acre of seasonal wetlands shall be created. In addition, 2.18 acres of existing seasonal wetland habitat and 3.60 acres of ephemeral drainage habitat that currently occur within the project site shall be preserved. In consultation with USACE, the San Francisco Bay Regional Water Quality Control Board, and CDFW, the Applicant shall develop and comply with mitigation measures, permit conditions, and conservation measures identified in the permits, including the creation or restoration of wetlands at an appropriate ratio within the Faria project. Prior to site development permit issuance, the Applicant shall provide to the City all permits issued by the USACE, the San Francisco Bay Regional Water Quality Control Board, and CDFW as evidence of the agencies' acceptance of the mitigation plans by the permitting agencies. The permits may modify and would supersede the mitigation linear feet and acreages identified above. Securing the permits and compliance with permit conditions and measures stipulated by the permits shall be conditions of the City's project approval.				
3.4-5	**Mitigation Measure 3.4-5: Prepare and Implement Tree Mitigation and Replacement Plan.** *The Applicant shall prepare a tree mitigation and replacement plan in accordance with Division D5, "Resource Management," of the City of San Ramon Zoning Ordinance. The plan shall include all of the following elements:* *(1) An inventory of trees planned for removal and any work planned within the dripline of protected trees* *(2) Replacement of trees at a ratio agreed upon with the City of San Ramon and in accordance with the tree protection ordinance* *(3) The specific locations of the tree planting, (including a map and*				

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	planting plan) *(4) Schedules and methodologies for maintaining and monitoring the success of the plan* *(5) Performance standards* *This plan shall be reviewed and approved by the City prior to site development permit issuance, and the plan shall be implemented throughout construction.*				
Cultural Resources					
3.5-1	**Mitigation Measure 3.5-1: Implement Measures to Protect Subsurface Cultural Resources** *The City of San Ramon shall require implementation of a monitoring and response procedure during construction of the proposed project in order to avoid adverse effects on potentially significant archaeological resources. Specific steps in the procedure are as follows:* • *Prior to construction, the construction contractor and subcontractors shall be informed of the legal and regulatory consequences of knowingly destroying cultural resources or removing artifacts, human remains, bottles, and other significant cultural materials from the site. Significant cultural materials include but are not limited to aboriginal human remains; chipped stone; groundstone; shell and bone artifacts (both human and animal); concentrations of fire-cracked rock; bottle glass; ceramics; ash and charcoal; and historic features such as privies or building foundations/remains.*				

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	• *If an inadvertent discovery of cultural materials is made during construction activities, ground disturbances in the area of the find shall be halted and a qualified professional archaeologist shall be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per the California Register of Historical Resources and develop appropriate mitigation. The Applicant shall comply with the mitigation requirements identified by the archaeologist and approved by the City.* • *All artifacts or samples collected as part of the initial discovery, monitoring, or mitigation shall be properly preserved, catalogued, analyzed, evaluated, and curated along with the associated documentation in a professional manner consistent with current archaeological standards.* • *If human remains are uncovered during construction, the construction contractors shall stop potentially damaging work, assess the significance of the find, and pursue appropriate management. California law recognizes the need to protect interred human remains, particularly Native American burials and associated items of patrimony, from vandalism and inadvertent destruction. The procedures for the treatment of discovered human remains are contained in California Health and Safety Code Sections 7050.5 and 7052 and California Public Resources Code Section 5097.* *In accordance with the California Health and Safety Code, if human remains are uncovered during ground-disturbing activities, all such activities in the vicinity of the find shall be halted immediately and the City's designated representative shall be notified. The City shall*				

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
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	immediately notify the Contra Costa County coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code, Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within 24 hours of making that determination (Health and Safety Code, Section 7050[c]). The responsibilities of the City for acting upon notification of a discovery of Native American human remains are identified in detail in California Public Resources Code Section 5097.9. The City or its appointed representative and the professional archaeologist shall consult with a Most Likely Descendent (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity. *Assuming an agreement can be reached between the MLD and the City or their representative with the assistance of the archaeologist, these steps would result in minimizing or eliminating adverse impacts on the uncovered human remains.*				
3.5-2	**Mitigation Measure 3.5-2: Implement Measures to Protect Unique Paleontological Resources** *To minimize potential adverse impacts on previously unknown potentially unique, scientifically important paleontological resources during earth-moving activities at the project site, the Applicant shall do the following:*				

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	• *Before the start of any earth-moving activities at the project site, the Applicant shall retain a paleontologist to train all construction personnel involved with earth-moving activities, including the project superintendent, regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures should fossils be encountered.* • *If paleontological resources are discovered during earth-moving activities, the construction crew shall immediately cease work in the vicinity of the find and notify a qualified paleontologist and the City of San Ramon Planning Services Division. The paleontologist shall evaluate the resource and prepare a recovery plan in accordance with Society of Vertebrate Paleontology guidelines (1996). The recovery plan may include, but shall not be limited to, an intensive field survey in the vicinity of the find, sampling and data recovery, museum storage coordination for any specimen recovered, and a report of findings. All feasible recommendations contained in the recovery plan shall be implemented before construction activities can resume at the site where the paleontological resources were discovered.*				
Geology and Soils					
3.6-1	**Mitigation Measure 3.6-1: Update Fault Setback Zone.** *A licensed geotechnical engineer hired by the Applicant shall extend the western limit of the Calaveras fault setback zone to coincide with the eastern ends of exploratory trenches T7 and T9 (as mapped by ENGEO, 2012:Figure 2).* *The Applicant shall retain a licensed geologist to precisely map the western splay*				

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	of the Calaveras Fault during grading operations and, if necessary, conduct exploratory excavations to precisely locate the trace of the western splay on the as-built plans. The Applicant shall implement a minimum 25-foot setback separating all habitable structures from the western splay of the Calaveras Fault. The setback distance may be more than 25 feet, as determined by the geologist following grading and mapping, after the exact details of the fault geology have been established.				
3.6-2	**Mitigation Measure 3.6-2: Incorporate Structural Setbacks in Design Plan.** *The Applicant shall ensure that a 50-foot setback separating all habitable structures from the known Calaveras Fault zone is incorporated in the final development plan.*				
3.6-3	**Mitigation Measure 3.6-3: Use Protective Design for Infrastructure That Crosses Fault Lines.** *The Applicant shall design utilities and road facilities that cross the Calaveras Fault to include additional protective features to reduce damage associated with fault rupture, as directed by a geotechnical or civil engineer. Protective features include but are not limited to:* • *using welded steel pipe with butt electric arc welded joints;* • *designing pipeline geometry so the pipe will go into tension if the fault moves;* • *installing pipe with a coating/covering to minimize soil pipe friction, allowing the pipe to easily slide through the ground;* • *avoiding use of "anchors" (e.g., valves, sharp bends), thereby allowing the*				

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	pipe to move so that pipe stresses can be distributed along the pipe; and • *designing the backfill to allow the pipe to move laterally in the trench if required to accommodate the fault movement.* *Utility lines shall also be equipped with shutoff valves on each side where the lines cross faults.*				
3.6-4	**Mitigation Measure 3.6-4: Conduct Geological Monitoring during Grading.** *The Applicant shall retain a licensed geologist to be present during all on-site grading activities. As grading activities progress, the licensed geologist shall map the landslide deposits along the western edge of the Calaveras Fault setback zone to more precisely locate the disturbed deposits and to assess the character of the shearing logged in the exploratory trenches. These features shall be shown on the as-built plans. Any changes in the nature of the shearing that might indicate they are related to active features of the Calaveras Fault shall be addressed by the licensed geologist. Any changes made during grading to the precise location of active fault–related features, the accompanying setback zone, or the location of the residential units shall be updated in the final development plan.*				
3.6-5	**Mitigation Measure 3.6-5: Implement Seismic Design Standards for Structures.** *The Applicant shall implement seismic design standards of the CBC that are in force at the time improvement plans and/or tentative subdivision maps are submitted to the City to reduce damage to structures and injury to people associated with ground shaking. Structures shall be designed to accommodate seismic vibrations. Design and construction of all roads, infrastructure (such as bridges), and buildings shall be in accordance with the CBC. All project designs and proposed earthwork shall be reviewed by the City of San Ramon to verify*				

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	compliance with the CBC.				
3.6-6	**Mitigation Measure 3.6-6: Implement Recommendations Contained in Geotechnical Reports.** *The Applicant shall ensure that construction is performed in strict accordance with approved plans and details, and according to all recommendations contained in the geologic and geotechnical investigations. A licensed civil or geotechnical engineer shall be on-site during all grading activities to ensure that earthwork is performed in compliance with the plans.*				
3.6-7	**Mitigation Measure 3.6-7: Replace Holocene Alluvium with Compacted Fill.** *The Applicant shall remove all areas of colluvium and Holocene-age alluvium on the project site and replace them with engineered, compacted fill material. The full extent of the actual locations and amounts to be removed shall be determined by a licensed geotechnical engineer based on the review of 40-scale grading plans, as well as observations made in the field during grading.*				
3.6-8	**Mitigation Measure 3.6-8: Remove Landslide Deposits.** *Areas of landslide deposits on the project site shall be removed. Deep-seated landslide areas that involve displaced blocks of bedrock may be left in place if the landslide would be buttressed by engineered fill. It is also anticipated that portions of some landslide areas that extend upslope of the development area may be left in place where appropriate buttresses fills and debris catchment areas would be designed and constructed. The extent of the actual removals shall be determined by a licensed geotechnical engineer based on the review of 40-scale grading*				

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	plans, as well as observations made in the field during grading.				
3.6-9	**Mitigation Measure 3.6-9: Implement Recommended Slope Stabilization Techniques.** *The Applicant shall implement specific stabilization techniques to address landslide potential as recommended by a licensed geotechnical engineer. These techniques include but are not limited to:* • *buttressing or encapsulating landslides using engineered, compacted fill material;* • *performing corrective grading and recompaction with engineered fill in shallow cut or natural areas of the project site;* • *installing catchment basins and berms to contain potential debris flows that might occur on the steep areas upslope from planned development (berms may be up to 15 feet tall);* • *installing additional buttress fill at the toe of the large deep-seated landslide in the northwestern portion of the project site; and* • *installing drainage mechanisms, such as subdrains, concrete-lined channels, finger drains, hydroaugers, or gallery drains, within the slopes to move shallow subsurface water away from unstable slopes.*				
3.6-10	**Mitigation Measure 3.6-10: Construct Retaining Structures or Use Other Means to Secure Bedrock Slopes.** *To address rock slide hazards associated with unfavorably oriented bedrock dip slopes (which are prone to landslides), the Applicant shall construct retaining structures or use other means to hold bedrock slopes in place as recommended by*				

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	a civil or structural engineer and indicated on the final grading plans. Retaining structures could include retaining walls. Slopes also could be secured using rock bolts and/or soil nailing.				
3.6-11	**Mitigation Measure 3.6-11: Implement Grading and Erosion Control Plan.** *Before grading permits are issued, the Applicant shall retain a California Registered Civil Engineer to prepare a grading and erosion control plan. The grading and erosion control plan shall be submitted to the City of San Ramon for review and approval before issuance of grading permits for all new development. The plan shall be consistent with the City's Grading Ordinance and the state's National Pollutant Discharge Elimination System permit and shall include the site-specific grading associated with development for all project phases.* *The plans referenced above shall identify the location, implementation schedule, and maintenance schedule of all erosion and sediment control measures; describe measures designed to control dust and stabilize the construction-site road and entrance; and identify the location and methods of storage and disposal of construction materials. Erosion and sediment control measures could include the use of detention basins, berms, swales, wattles, and silt fencing, and the covering or watering of stockpiled soils to reduce wind erosion. Stabilization measures on steep slopes could include construction of retaining walls. Stabilization of construction entrances to minimize trackout (control dust) is commonly achieved by installing filter fabric and crushed rock to a depth of approximately 1 foot. The Applicant shall ensure that the construction contractor is responsible for securing a source of transportation and deposition of excavated materials.* *After construction activities are completed, bare steep slopes shall be reseeded*				

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	with vegetation and/or planted with shrubs and trees. Because the existing bedrock is relatively nutrient-poor, it may be difficult for vegetation to become properly established, resulting in a potential for slope erosion. Revegetation of graded slopes can be aided by retaining the topsoil and spreading these materials in a thin layer (approximately 6 inches thick) on the graded slopes before the winter rains and following rough grading. When this method is used, hydroseeding can sometimes be avoided. All landscaped slopes shall be maintained in a vegetated state after project completion. The use of drought-tolerant vegetation requiring infrequent drip irrigation during summer is recommended. No pressurized irrigation lines shall be placed on or near the tops of graded slopes.				
3.6-12	**Mitigation Measure 3.6-12: Implement Geotechnical Recommendations to Stabilize Soils.** *The Applicant shall implement all recommendations contained in the geotechnical engineering reports that have been conducted for the project site (e.g., ENGEO, 2012) to reduce hazards from construction in unstable soils. These recommendations include but are not limited to the following:* • *Reduce settlement of native soil deposit by removing the potentially compressible soils (colluvial, alluvial, and landslide deposits) down to bedrock and replacing it with compacted fill.* • *Reduce hydro-consolidation and seismically induced settlement by including higher compaction effort and higher moisture content at the time of placement, conducting contour grading of the underlying ground surface, and stiffening foundations to accommodate the anticipated settlements.* • *Reduce differential settlement through contour grading and use of*				

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	support structures on stiffened foundation systems that can withstand differential settlement (e.g., slab foundation, a post-tensioned mat foundation with stiffener ribs, or a stiffened foundation with underpinning piers). • *Remove landslide areas in the deeper fill areas (more than 50–60 feet deep) to reduce potential settlement.* • *Install subsurface drainage systems in all keyways and in swales or natural drainage ways that are to be filled. The approximate locations of the recommended subdrains shall be determined by a licensed civil or geotechnical engineer and shown on the final 40-scale grading plans.* • *Provide drainage courses that are to be filled with adequate subsurface drainage before placement of any fill. Swales shall be cleaned to a firm soil or rock base before subdrains are installed.* • *Remove desiccated, cracked surface clays and slumping soils located along the swale areas, and bench the slopes before the fill is placed. Actual limits of subexcavation shall be determined in the field at the time of grading by the civil or geotechnical engineer.* • *Add subdrains where seepage or wet conditions are encountered during excavation. Subdrain systems shall consist of a minimum 6-inch-diameter perforated pipe encased in an 18-inch minimum thickness of Caltrans Class 2 permeable material or coarse rock wrapped in geotextile filter fabric (or as determined otherwise by a licensed geotechnical or civil engineer). All subdrains on the project site shall ultimately drain into the storm drainage system.* • *Construct a drained, buttressed debris bench for all cut or natural*				

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	slopes that are immediately adjacent to the development as directed by a licensed geotechnical engineer. The drained, buttressed debris bench shall consist of a drained keyway excavated into firm bedrock and engineered fill with a debris bench. The outboard side of the debris bench shall be provided with a concrete v-ditch discharging into an approved outlet.				
3.6-13	**Mitigation Measure 3.6-13: Implement Geotechnical Recommendations for Expansive Soils.** *The Applicant shall implement all recommendations contained in the geotechnical engineering reports that have been conducted for the project site (e.g., ENGEO, 2012) to reduce hazards from construction in expansive soils. These recommendations include but are not limited to:* • *removing expansive soil and replacing it with engineered fill;* • *conducting engineered preparation of building and roadway subgrades, including using lime treatment of expansive deposits, where deemed necessary by the geotechnical engineer;* • *installing drainage systems;* • *strengthening shallow foundation systems (i.e., using post-tensioned slab) to resist the movements associated with the volume changes; and/or* • *installing deep foundation systems to support structures below the zones of severe moisture change (e.g., pier and grade beam, waffle slab, and thick mat slab foundations).*				

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Greenhouse Gas Emissions					
3.7-1	**Mitigation Measure 3.7-1: Implement Sustainability Measures.** *To reduce the long-term operational emissions associated with the proposed land uses, the Applicant and its construction contractor shall implement the following sustainability measures, which are consistent with the strategies identified in the San Ramon Climate Action Plan to reduce GHG emissions, prior to building occupancy:* • *All buildings shall be built to achieve energy efficiency of at least 15% above 2008 Title 24 Standards.* • *Solid waste generation from the proposed project shall divert at least 15% in volume away from landfills from average 2008 disposal rates by year 2020. Diversion can be obtained from recycling, composting, and waste reduction.* • *Outdoor water consumption for landscaping shall be reduced by 20% from baseline consumption rates (e.g., LEED's Outdoor Water Demand Calculator or other baseline calculators prescribed by the City) by year 2020.*				
Hazards and Hazardous Materials					
3.8-1	**Mitigation Measure 3.8-1: Develop and implement a San Ramon Valley Fire Protection District–approved Open Space Management Plan.** *The Applicant shall develop an open space management plan, for submittal to and approval by the San Ramon Valley Fire Protection District before approval of the updated Faria Preserve Community Final Map. The plan will include specific*				

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	measures to be implemented during project construction to reduce potential fire hazards, including construction of buffers between the homes, and regular maintenance and disking of property lines.				
Hydrology and Water Quality					
3.9-1	**Mitigation Measure 3.9-1: Prepare and Implement a Site-Specific SWPPP in compliance with the NPDES Permit.** *During project construction, the Applicant or its consultant shall prepare a site-specific SWPPP for coverage under the "General Permit for Discharges Related to Construction Activity" (Construction General Permit), for submittal to the San Francisco Bay RWQCB before any construction, demolition, or grading activities begin. For the proposed project, the SWPPP will cover pre- and post-construction activities and describe site-specific and construction phase-specific activities detailing the following:* • *activities that may cause pollutant discharge (including sediment);* • *BMPs, consistent with the requirements of the NPDES permit, to reduce the potential for contaminated runoff, such as limiting ground-disturbing activities during the winter rainfall period, minimizing exposure of disturbed areas and soil stockpiles to rainfall, and minimizing construction activities near or within drainage facilities;* • *erosion and sedimentation control measures to be implemented, such as soil stabilization, mulching, silt fencing, or temporary desilting basins; good housekeeping practices, such as road sweeping and dust control; and diversion measures, such as use of berms to prevent clear*				

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	runoff from contacting disturbed areas; and • *hazardous materials spill prevention and response measure requirements, including lists of materials proposed for use, handling, and storage practices, identification of spill response equipment, spill containment and cleanup procedures, and identification of regulatory notification protocols and contact phone numbers to be used in the event of a spill.* *The Applicant shall implement the SWPPP, monitoring all BMPs and the parties responsible for them, in conformance with the guidelines set forth in the SWRCB's Construction General Permit.*				
3.9-2	**Mitigation Measure 3.9-2: Update and Implement the Stormwater Control Plan and Obtain a C.3 Stormwater Permit for Neighborhood V, Educational Facility Site, and House of Worship Site.** *The Applicant or its consultant shall update the site-specific Stormwater Control Plan for final project design of Neighborhood V, educational facility site, and house of worship site and for application for coverage under Provision C.3 of the NPDES permit for submittal to the City of San Ramon planning staff before any project construction, demolition, or grading activities begin. The plan will include calculations of stormwater flow volumes and velocities, sizing of permanent stormwater quality control facilities, water quality source controls and treatment, and guidelines for monitoring and maintenance of stormwater systems. The plan will be prepared in accordance with Contra Costa County's Clean Water Program Stormwater C.3 Guidebook: Stormwater Quality Requirements for Development Applications.*				

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Mit. No.	Mitigation Measure	Timing/ Schedule	Implementation Responsibility	Verification	
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3.9-3	**Mitigation Measure 3.9-3: Prepare and Implement Provisions for Dewatering.** *The Applicant or its consultant shall prepare and implement provisions for dewatering during construction, in accordance with local and San Francisco Bay RWQCB requirements, to minimize adverse water quality impacts on surface water and groundwater. Provisions may include preparation of a dewatering plan that details procedures for removing groundwater, methods of temporary water treatment/retention facility, and water disposal procedures.*				
3.9-4	**Mitigation Measure 3.9-4: Update Drainage Plans and Conduct Detailed Hydraulic Analyses for Neighborhood V, Educational Facility Site, and House of Worship Site.** *Before final map approval for Neighborhood V, the education facility site, and the house of worship site by the City, the Applicant or its consultant shall retain a professional civil engineer to update and submit for approval a Stormwater Control Plan, grading and drainage plans, and detailed hydraulic analyses that include the following components:* • *a grading and drainage system plans, in accordance with City standards;* • *a drainage system map, including subwatershed boundaries and the property's location within the larger watershed, pre-development and post-development terrain at 1-foot contour intervals, and the location of all existing and proposed drainage features;* • *a plan showing applicable proposed revisions to surface drainage flows before and after development;* • *stormwater calculations by a professional civil engineer that include*				

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	sizing for retention basins, pipe sizing for storm drains, and overland flow path design; • *an evaluation of potential for increased erosion on properties adjacent to the project site from drainage and floodplain modifications; and* • *determination of the base flood elevation before and after construction.* *Additional studies will be used to finalize project design to demonstrate the following:* • *Grading activities within the 100-year floodplain will not result in any increase in the base flood elevation.* • *Floodplain alterations will not raise the base flood water surface elevation along Bollinger Canyon Road.* • *Substantial erosion or scouring will not occur on the project site or adjacent properties as a result of floodplain alterations or changes in existing drainage.* • *Floodplain alterations will not raise the elevation of the base flood water surface by more than 0.10 foot, as measured at the property lines of the parcel being developed.* • *The detention pond will not create an uncertified levee from the standpoint of the FEMA flood zone.* *or* • *The volume of floodplain that will be filled below the base flood elevation will be compensated for and balanced by a hydraulically*				

Table 1 Mitigation Monitoring and Reporting Plan for the San Ramon Faria Preserve Community					
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	equivalent volume of excavation, taken from below the base flood elevation. *or* • *The City floodplain administrator will agree that floodplain and drainage alterations clearly are of no concern.* *Updated information will be incorporated into the SWPPP and Stormwater Control Plan for the project site.*				
3.9-5	**Mitigation Measure 3.9-5: Monitor and/or Close Water Wells that Would No Longer Be Used.** *During project construction, the Applicant or its consultant shall monitor wells on the project site in the vicinity of observed corrugated metal casings and cattle watering stations. If wells are identified, the applicant shall properly destroy or close water wells that are no longer being used as a result of the proposed project. Proper destruction of water wells will be performed in accordance with Contra Costa County's regulations and permits, and following the recommendations of a qualified geotechnical engineer and/or a certified C-57 driller. Proposed activities will be pre-approved by the Contra Costa County Environmental Health Department.*				
Noise					
3.12-1	**Mitigation Measure 3.12-1: Implement Best Management Practices to Control Construction Noise.**				

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	To reduce impacts associated with noise generated during construction activities, the Applicant shall conform to the following requirements during construction: • *Fixed/stationary equipment (e.g., generators, compressors, cement mixers) will be located as far as possible from noise-sensitive receptors. All impact tools will be shrouded or shielded, and all intake and exhaust ports on powered construction equipment will be muffled or shielded.* • *All construction equipment will be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds will be closed during equipment operation.* • *All motorized construction equipment will be shut down when not in use, to prevent excessive idling noise.* • *Written notification of heavy construction activities (heavy earth-moving) will be provided to all noise-sensitive receptors located adjacent to the project site and heavy construction operations, or within 500 feet of such operations. Notification will include anticipated dates and hours during which construction activities are anticipated to occur and contact information, including a daytime telephone number, for the project representative to be contacted in the event that noise levels are deemed excessive. Recommendations to assist noise-sensitive land uses in reducing interior noise levels (e.g., closing windows and doors) will be included in the notification.* • *Temporary property line barriers (e.g., sound blankets) will be installed to reduce construction-generated noise levels at affected*				

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	noise-sensitive land uses. The barriers will be designed to obstruct the line of sight between the noise-sensitive land use (adjacent, ground level backyards receptors) and on-site construction equipment within 100 feet of the property line. When installed properly, these barriers will be expected to reduce construction noise levels by no less than 5 dB.				
Transportation-Traffic					
3.16-1	**Mitigation Measure 3.16-1: Provide Dual Left-Turn lanes along the Northbound Approach and Increase the Length of Storage at both the Northbound and Eastbound Left-Turn Lanes at the San Ramon Valley Boulevard / Deerwood Road Intersection** *To reduce the significant impact at the intersection of San Ramon Valley Boulevard and Deerwood Road, the Applicant shall pay for the following improvements before initial occupancy of a residential unit:* • *Add an additional northbound left-turn lane creating dual left-turn lanes on San Ramon Valley Boulevard. In addition, extend each northbound left-turn lane to provide 155 feet of storage plus an appropriate deceleration distance to accommodate the projected northbound left-turn 95th percentile queue. The southbound left-turn lane into the In-N-Out restaurant would not need to be removed. This additional storage length accommodates both the AM and PM peak periods.* • *Extend the eastbound left-turn lane to provide 325 feet of storage plus*				

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	an appropriate deceleration distance to accommodate the projected northbound left-turn 95th percentile queue. This additional storage length accommodates both the AM and PM peak periods.				
3.16-2	**Mitigation Measure 3.16-2: Install a Traffic Signal at Deerwood Road/Omega Road Intersection** *To reduce significant cumulative at the intersection of Deerwood Road and Omega Road, the Applicant shall pay to install a traffic signal at this intersection, before initial occupancy of a residential unit. Permitted phasing[1] should be applied to the northbound and southbound approaches, and protected phasing[2] should be applied to the eastbound and westbound approaches. This improvement is included in the City's Capital Improvement Program, and the improvement work will be funded and installed by the Applicant.*				
3.16-3	**Mitigation Measure 3.16-3: Improve the Purdue Road/San Ramon Valley Boulevard Intersection** *The Applicant shall pay the full share for the following mitigation measure before initial occupancy of a residential unit:* • *This intersection would meet the MUTCD peak hour signal warrant during the PM peak hour and should, therefore, be considered for signalization. It should be noted that this improvement is included in*				

[1] Permitted phasing requires left-turning drivers to yield to the conflicting vehicle and pedestrian traffic streams before completing the turn. In the permissive mode, the left-turn movement is served concurrently with the adjacent through movement.

[2] Protected phasing assigns the right-of-way to drivers turning left at the intersection and allows turns to be made only on a green arrow display.

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	the City's Capital Improvement Program, and this work shall be funded and installed by the Applicant. • *The left turn storage length for northbound San Ramon Valley Boulevard at Purdue Road will be extended to 160 feet to accommodate the northbound left turn queue length.*				

CONDITIONS OF APPROVAL
VESTING TENTATIVE MAP MJ 12-900-002 (VTM 9342), DEVELOPMENT PLAN AMENDMENT DPA 12-310-003, ARCHITECTURAL REVIEW AR 12-200-046 and INITIAL STUDY IS 12-250-004
(APNs: 208-240-005, -007, -008, -052 to -055, -057, -058, 208-260-046, and 208-250-011)

THE FARIA PRESERVE COMMUNITY (REVISED)
Vesting Date November 4, 2013

City Council Special Conditions

232. Within 60 days of Project approval, the Applicant shall submit an updated tentative map for Planning staff review which incorporates the Neighborhood 2 lotting and rear yard enhancements as shown on the plan labeled "Neighborhood 2 46' x 70' Lots" dated July 23, 2014.

233. Within 60 days of Project approval, the Applicant shall submit an updated tentative map for Planning staff review which incorporates the relocation of the Neighborhood 4 tot lot and the addition of the neighborhood open space parcel as shown on the plan labeled "Added Open Space Area Neighborhood 4" dated July 28, 2014.

234. Coordinate the implementation of Residential Traffic Calming with the Transportation Services Division by locating, purchasing and installing two Radar Speed Display Signs along Bollinger Canyon Road, west of San Ramon Valley Boulevard. Exact locations to be determined prior to issuance of site development permit and installation to take place prior to first occupancy.

235. The City of San Ramon accepts the Applicant's offer to contribute to the City's open space fund for the preservation of open space in the amount of $500,000 at the time of building permit issuance for the 100th housing unit and another $500,000 at the time of building permit issuance for the 300th housing unit.

EXHIBIT 2