

Exhibit B

Conditions of Approval

[Attached behind this page]

ORDINANCE 641
EXHIBIT "B"
CONDITIONS OF APPROVAL

The Homes at Deer Hill
(GP01-15, RZ01-15 & TR9369)

Project-specific conditions of approval are shaded

These conditions are organized into the following categories in the table below.

- GENERAL
- SUBSEQUENT REVIEW
- LANDSCAPE
- ENGINEERING
- DRAINAGE
- GRADING
- FIRE
- SANITARY

No.	GENERAL	TIMING	STAFF USE
1.	<p>Approved Plans - The City approves the Project based on the Vesting Tentative Map dated July 16, 2015 as modified by these conditions. This approval is further based on the following plans illustrating schematic grading, site layout house plans and landscaping, as modified by these conditions.</p> <ul style="list-style-type: none"> ▪ Site plans, landscape plans, elevations, & details by David Gates & Associates dated June 8, 2015. ▪ Grading, drainage plans & details by BKF Engineers dated July 16, 2015. ▪ Architectural plans by KTG dated June 8, 2015 	Ongoing	
2.	<p>Applicant Defined – For the purposes of these conditions, O’Brien Land Company, LLC is the “Developer”, AMD Trust is the “Property Owners” and collectively the Developer and Property Owner are known as the “Applicant.”</p>	Ongoing	
3.	<p>Term of Approval - The Vesting Tentative Map approval will terminate two years after the date of approval of this application unless a Final Map is approved by the City, and the Final Map is recorded with the County Recorder’s Office within that time period. The Planning Commission may grant an extension upon request filed before the expiration date.</p>	Ongoing	
4.	<p>DA, MMRP and Conditions - In addition to these conditions of approval, the project shall comply with the mitigation measures contained in the Mitigation Monitoring and Reporting Program (MMRP) for the Homes at Deer Hill (Terraces of Lafayette Project Alternative) Supplemental EIR and the provisions of the Development Agreement (DA). Where there is an inconsistency between the DA, the Condition of Approval, or the MMRP, the strictest provision shall apply. The MMRP and DA are incorporated herein by reference.</p>	Ongoing	
5.	<p>Applicant Pays for Costs - It shall be the responsibility of the project applicant to reimburse the City for all expenses incurred in the implementation, monitoring and enforcement of these Conditions of Approval and the Mitigation Monitoring and Reporting Program. The initial estimate of City</p>		

	<p>monitoring costs for this project is \$50,000 which must be submitted to the City Planning Department and deposited into a separate account for this project prior to any work commencing on site. If actual costs are less than the deposit, the difference will be refunded to the applicant; and if the actual costs exceed the deposit, supplemental bill(s) will be submitted to the applicant for payment.</p>		
6.	<p>Underground Utilities - All on-site utility infrastructure shall be installed underground, including but not limited to pipes, wires, conduit, transformers, regulators and other equipment, with the exception of above ground water, gas and electric meters for the residences and public facilities. Conduit for cable television shall be installed at the applicant's expense.</p>	Ongoing	
7.	<p>Hours of Construction - Site improvement or construction work, including but not limited to set-up, backing vehicles with backup alarms, loading or unloading of materials or equipment, or the maintenance, refueling or tune-up of any equipment, either interior or exterior of the buildings, performed as part of the building of the project is restricted to the hours between 8:00 a.m. and 6:00 p.m. Monday through Saturday. Work is not permitted on federal holidays or Sundays. Violation of this condition may result in a Stop Work Order.</p> <p>Notwithstanding the above, on-site mass grading activities may occur between the hours of 8:00 a.m. and 7:00 p.m. Monday through Saturday. This condition represents a baseline condition, and other limitations on working hours specified in the Mitigation Monitoring and Reporting Program (MMRP), permits issued by the City or other regulatory agencies, or a Construction Management Plan approved by the City (as required by condition #43) shall supersede this baseline condition.</p>	Ongoing	
8.	<p>Noise Restrictions - Restrictions upon location of construction equipment and noise shall be as follows:</p> <ol style="list-style-type: none"> Stationary equipment (e.g. compressors or generators) shall not be located closer than 40 ft. to any property line or exceed 70 dBA at 50 ft. Non-stationary mobile equipment shall not exceed 83 dBA at 50 ft. Notwithstanding the above conditions, the noise level at the nearest affected property line shall not exceed 80 dBA. Notwithstanding the above, construction equipment must comply with the City's noise ordinance at all times. 	Ongoing	
9.	<p>County Title 9 - The subdivision shall conform to the provisions of the County Subdivision Ordinance (Title 9) as adopted by the City of Lafayette.</p>	Ongoing	
10.	<p>Cleanup and Repair of Streets - The developer shall be responsible for the prompt cleanup of any materials spilled or dropped on any abutting streets during construction. The developer shall repair any damage caused to these streets by construction vehicles associated with the project. The City Engineer may require the owner to post a cash deposit or other surety prior to the start of construction to ensure timely clean up and repair of streets.</p>	Ongoing	
11.	<p>Temporary Trailers - Temporary trailers shall be used only during the construction period and shall be removed upon completion of building.</p>	Ongoing	

12.	Violation of Conditions - If the City, either independently or as a result of complaints from the public, becomes aware that one or more of these conditions are being violated, and Planning Department staff is unable to obtain compliance or abatement, the City may issue a Stop Work Order and/or pursue administrative remedies pursuant to chapters 1-3 and 1-9 of the Lafayette Municipal Code. Administrative citations and fines may be issued for each day a violation occurs.	Ongoing	
13.	Defend, Indemnify & Hold Harmless - The applicant shall defend, indemnify and hold harmless the City, its agents, officers, officials, and employees from all claims, demands, lawsuits, writs of mandamus, and other actions or proceedings (collectively "Actions") brought against the City or its departments, commissions, agents, officers, officials, or employees to challenge, attack seek to modify, set aside, void or annul any City decision made in connection with this approval. In the event the City becomes aware of any such Actions, the City shall promptly notify the applicant and shall cooperate fully in the defense. It is expressly agreed that the City shall have the right to approve, which approval shall not be unreasonably withheld, the legal counsel providing the City's defense, and applicant shall reimburse City for any attorney's fees, costs and expenses, including any plaintiff's or other third party's attorneys' fees, costs and expenses, directly and necessarily incurred by the City in the course of the defense.	Ongoing	
14.	Solar Panels - The applicant shall include in the project flush roof mounted solar panels capable of off-setting a minimum of 80% of the projected electrical needs of the homes or an average of 1.5kW per home. Panels shall be shown and evaluated as part of the subsequent review of design development drawings as required by these conditions.	Prior to design development review	
15.	Proof of Utility Service - The applicant shall provide the City with proof that an agreement has been executed with each utility company and that all appropriate fees and/or bonds have been paid as required by the agreement.	Prior to filing the Final Map	
16.	Standard Impact Fees - Each home in the subdivision shall be subject to the following standard development impact fees in effect at the time of building permit issuance. <ul style="list-style-type: none"> ▪ Regional Traffic Mitigation fee ▪ Drainage Impact fee ▪ Drainage Impact Fee Program Administration fee. 	Prior to building permit	
17.	Open Space Easement - The applicant shall dedicate to the City an Open Space Easement over Parcels M and K as identified in the Vesting Tentative Map which will guarantee that these parcels remain in a natural, scenic, and open-space condition and preserve wildlife corridors, habitat, nesting areas, and watershed value that exist as of the date of this approval, and will preclude the parcels from further development or subdivision. The applicant shall survey, stake, and legally describe these parcels as "Open Space" and submit the legal description, map, and signed and notarized Open Space Easement Agreement, as prepared by the City, to be recorded against the property. The open space easement shall acknowledge and permit the improvements shown on the vesting tentative map and further approved by	Prior to grading or building permit	

	the Planning Commission through the subsequent review process, including but not limited to the proposed grading, retaining walls, bio-retention basins, trails, landscaping stairs, streets and sidewalks.		
18.	Trail Easement - The applicant shall grant an Access Easement to the City to allow public use of the pedestrian-bicycle bypass/multi-use pathway on Parcel M on the Vesting Tentative Map. The applicant shall survey, stake, and legally describe the Access Easement and submit the legal description, map, and signed and notarized Access Easement Agreement, as prepared by the City, to be recorded against the property.	Prior to grading or building permit	
19.	Not a Gated Community - The applicant shall include in the private Conditions, Covenants & Restrictions (CC&Rs) provisions to acknowledge and ensure that the Homes at Deer Hill is not a gated community nor that it otherwise restricts access for vehicles, pedestrians or cyclists to the common areas of the project. Private property within each 4,500 sq.ft. lot may be fenced or gated in accordance with the approved drawings, applicable codes, regulations, conditions and CC&Rs. The homeowners association may impose time limits or other parking restrictions within the residential component of the project to prevent the general public from inappropriately using dedicated guest parking spaces.	Prior to grading or building permit	
20.	MERV Filters, Air Quality Notice & Implementation - The applicant shall install high efficiency Minimum Efficiency Reporting Value (MERV) filters and provide notice to future owners/tenants as required in Mitigation Measure AIR-3. The CC&Rs shall include a provision that requires the HOA to purchase and distribute a MERV-10 filter to each unit at the manufacturers recommended replacement schedule to facilitate compliance with the Air Quality mitigation measures in the SEIR. A notice, with content and form acceptable to the City, shall accompany each filter delivered to inform the recipient why the filter is being provided and what to do with it.	Ongoing Review of notice prior to 42nd certificate of occupancy	
21.	Electric Vehicle Ready - The applicant shall include in the project plans infrastructure necessary to allow a future owner to install an electric vehicle charging station in the garage of each house.	Prior to building permit	
22.	Waste Management Plan - The project shall comply with LMC Chapter 5-6, Construction and Demolition Debris Recycling. The applicant shall submit a waste management plan to the Planning Department for review and approval. The approved plan shall be duplicated in the construction documents.	Prior to grading or building permit	
23.	Waste Management Summary - The applicant shall comply with Chapter 5-6, Construction and Demolition Debris Recycling, including submittal of a waste management summary report to the Planning Department. All construction and demolition debris generated by the project must be accounted for.	Prior to occupancy permit on last home	
24.	Recordation Before Sale or Occupancy - The Parcel/Final Map shall be recorded before the sale of any lot or a certificate of occupancy for the first house, whichever comes first.	Prior to sale or occupancy	
25.	Subdivision Improvements before Occupancy – All subdivision improvements shall be substantially completed before a certificate of occupancy is granted. No certificate of occupancy shall be granted prior to substantial completion of all subdivision improvements, including off-site public improvements.	Prior to occupancy	

26.	City Review of CC&Rs – The applicant shall submit draft covenants, conditions and restrictions (CC&Rs) to the City for review, revision as necessary, and approval to ensure that the provisions of the Development Agreement, conditions of approval, and MMRP are appropriately addressed. The CC&Rs, and any subsequent changes thereto shall be subject to the approval of the Planning Department and the City Attorney.	Prior to filing the Final Map	
NO.	SUBSEQUENT REVIEW	TIMING	STAFF USE
27.	Subsequent Review Procedure – Subsequent review of design development drawings for both the public and private portions of the project, consistent with standard practice for large projects in the city, shall be conducted by each Commission as a public meeting with advance notice to all property owners within 300-ft. of the Project, and interested parties who have requested such notification, a minimum of 10-days in advance of the meeting.	Prior to design development review	
28.	<p>Applicant Shall Submit for Subsequent Review - After approval of the General Plan Amendment, Zoning Amendment and Vesting Tentative Map, the applicant shall submit detailed design development drawings and detailed grading, drainage and street improvement plans and studies for all components of the project. These plans and documents shall be reviewed and approved by the city commissions and staff as described in these conditions, or as directed by the Planning & Building Director.</p> <p>The Planning Commission shall be the approval body, with recommendations from the Parks, Trails and Recreation, Design Review and Circulation Commission as appropriate. A decision of the Planning Commission can be appealed to the City Council as provided for in §6-233 of the Lafayette Municipal Code. Please see <i>Table 1. Hearing Bodies for Subsequent Review</i> at the end of these conditions.</p> <p>This subsequent review of the detailed plans for each component of the project may necessitate filing a revised Vesting Tentative Map for 44 units if the review results in the modification of elements that would necessitate lot lines being adjusted. Lighting, colors, materials and similar project details will be considered during the design development plan review.</p>	Prior to grading or building permit	
29.	Parks Facilities - The park facilities (dog park, sports field, playground, overlook, parking lot, pathways and associated improvements) shall be reviewed by the Parks, Trails and Recreation Commission. The Commission shall also develop a parking control policy for the parking lots serving the sports field, playground, and dog park.	Prior to grading or building permit	
30.	Circulation Facilities - Improvements within the public right-of way including traffic control measures, roadway design, and pedestrian and bicycle pathways shall be reviewed by the City Engineer and referred to the Circulation Commission at his discretion or as otherwise required by these conditions.	Prior to grading or building permit	
31.	Roundabout at Project Entrance - The detailed design of the roundabout at the project entrance shall be subject to a technical peer review by a third-party	Prior to grading or	

	<p>design consultant as well as a public design review by the Circulation Commission. Retention of the third-party design consultant shall be at the applicant's sole cost, selected by the applicant and to the satisfaction of the City Engineer. If the design of the roundabout shows that additional right-of-way is required to accommodate the facility, the developer shall secure and offer said right-of-way for dedication to the public.</p> <p>The results of the technical peer review and public design review shall be brought to the City Council for consideration and action. The City Council may re-examine the traffic control issue to decide on an alternative traffic control option analyzed in the Supplemental EIR. The applicant shall be responsible for the complete design and construction of the roundabout or the alternative as part of the Project.</p>	building permit	
32.	<p>Drop-Off, Pathway and Right-Turn Lane Extension –The applicant shall prepare and submit detailed designs for the circular drop-off at the sports field, the pathway to Springhill Road and extension of the southbound Pleasant Hill Road right-turn lane for consideration by the Circulation Commission and action by the City Council. If the right-turn lane extension is supported by the City Council, the applicant's nexus based contribution shall be calculated at that time.</p>	Prior to grading or building permit	
33.	<p>Design Review Commission - The design development plans for each component of the project including the residential component and all public facilities shall be submitted to the Design Review Commission for its review. The purpose of this review is to resolve outstanding design issues (such as those listed below) and ensure that the design intent and quality represented in the schematic plans are carried through to the design development plans, construction drawings and construction. Submittals for subsequent review will be processed in a timely manner; additional conditions may be imposed.</p> <ol style="list-style-type: none"> 1. Visibility from off-site locations. The landscape plan shall be first be reviewed by a subcommittee of the Design Review Commission and Planning Commission specifically looking at the site perimeter plantings for its conformance to the guidelines in <i>Trees for Lafayette</i>. 2. Visual impacts of retaining walls. Retaining wall designs and mitigations to screen the walls shall be reviewed. 3. Design of the sports field, toddler playground, park facilities, and dog park including but not limited to fencing, railings, seating, restrooms, colors, materials, lighting, etc. 4. Circulation facilities including the design and aesthetics of proposed vehicular, bicycle and pedestrian facilities. 	Prior to grading or building permit	
34.	<p>Residential Component - The Design Review Commission's review of the detailed design development plans for the residential component shall include but not be limited to:</p> <ol style="list-style-type: none"> 1. Massing of the houses, spacing between the houses, privacy, views, light and air. 2. Access from guest parking areas to the houses. 3. Deliveries, trash & recycling including pickup and where trash & 	Prior to grading or building permit	

	<p>recycling containers will be located between pickups.</p> <p>4. Design and use of the common garden courts and private vehicular lanes (alleys/mews).</p> <p>5. Design and location of the common areas and gathering spaces.</p> <p>6. Each home's exterior courtyard, including location, orientation, privacy, access, light and air, dimensions and use. The DRC shall have the right to enlarge the courtyard and make the house smaller if deemed necessary based on appropriate dimensions for given activities.</p>		
35.	<p>Design Guidelines & Standards - The applicant shall submit Design Guidelines & Standards for review by the Design Review Commission and approval by the Planning Commission. The Design Guidelines & Standards would guide future renovation, additions or modifications for the residential component of the project which might be sought by a future property owner, such as the desire to expand or modify the residences. The Design Guidelines & Standards shall become a component of the CC&Rs.</p>	Prior to grading or building permit	
36.	<p>Landscape Maintenance & Pruning Guidelines - The applicant shall submit Landscape Maintenance & Pruning Guidelines for review by the Design Review Commission and approval by the Planning Commission. The Landscape Maintenance & Pruning Guidelines shall be prepared for areas maintained by individual owners and the homeowners association. The guidelines are intended to address the potential for inappropriate pruning or removal of screening vegetation relied upon to substantially conceal the project. The Landscape Maintenance and Pruning Guidelines shall become a component of the CC&Rs.</p>	Prior to grading or building permit	
37.	<p>Final Action on Design Development Plans - The recommendations and comments on the design development plans for all project components from the Parks, Trails & Recreation, Circulation and Design Review Commissions shall be forwarded to the Planning Commission for review and approval, unless otherwise required by these conditions. The Planning Commission's determination may be appealed to the City Council.</p>	Prior to grading or building permit	
38.	<p>Design Review - After the approval of the design development plans, the applicant shall submit architectural and landscape plans for each new house to be reviewed and approved by the Design Review Commission. This review shall include architecture, siting, colors and materials, landscaping and irrigation plans, driveways, and other site improvements. This condition is not intended to require 44 separate applications for design review; rather to require submittal of plans for each home in one or more batched submittals.</p>	Prior to building permit for each house	
NO.	LANDSCAPE	TIMING	STAFF USE
39.	<p>Water Use Reduction Plan - The applicant shall submit a Water Use Reduction Plan for review and approval by the Design Review Commission and Planning Commission. The Plan shall reduce residential water use by a minimum of 33% as compared to the average daily water use for a single-family residence in the EBMUD service area from 2005-2015. The target goal shall be to reduce domestic</p>	Submittal with the design development plans	

	<p>water use by 50% against the same comparator.</p> <p>The Plan shall also include graywater capture to flush toilets or irrigate landscaping in common areas throughout the project (public and private). The project relies heavily on landscape screening for substantially concealment. Water supply for landscaping may be further restricted in light of the current or future drought and projections for diminishing snow pack. The goal is to establish an ongoing, reliable water supply for irrigating the project through graywater capture, reclaimed water or alternate means other than the potable water supply.</p>		
40.	<p>Soils Analysis & Recommendations – Vegetative screening is essential to the substantial concealment of the new structures on the site. The project site is a former quarry and the soils may not be suitable for the intended horticultural purpose. The applicant shall submit to the City for review and approval soils analyses and recommendations which shall include taking discreet soil samples from throughout the site, and independent analysis and recommendations from a qualified professional. Construction documents shall include specifications for horticulturally appropriate media in which to plant on site.</p>	<p>Prior to grading or building permit</p> <p>AND</p> <p>Prior to issuance of building permit</p>	
41.	<p>Tree Protection - All trees indicated for retention on the approved plan shall be protected during construction by the measures outlined in the City's Basic Tree Preservations Guidelines. Construction drawings shall show the locations and details for tree protection measures, particularly the grading plans. Tree protection measures shall be installed prior to commencing grading activities on the site, and shall remain in place throughout the course of construction.</p>	<p>Prior to grading or building permit</p>	
42.	<p>Water Conserving Landscaping - Landscaping on each residential lot, in common areas and on public property shall be designed and installed in accordance with City and EBMUD water conservation guidelines in effect at application for building permit.</p>	<p>Prior to building permit</p>	
43.	<p>Tree Replacement - Any of the trees indicated for retention, that die as a result of construction or grading, shall be replaced by new oak trees at a ratio of 3:1, of a size, species and location acceptable to the City; trees to be 15 gallon or larger.</p>	<p>Ongoing</p>	
44.	<p>Landscape Maintenance Agreement - The applicant shall enter into a landscape maintenance agreement with the City to install new and maintain existing landscaping, and preserve and protect the trees on the property as indicated on the plans for all areas maintained by the homeowners association. The agreement shall run with the property to ensure that future property owner(s) are aware of the requirement for ongoing maintenance of the existing and approved landscaping.</p>	<p>Prior to grading or building permit</p>	
45.	<p>Screening Vegetation - To achieve substantial concealment at project completion, the developer shall plant and irrigate the trees and vegetation intended to substantially screen the homes upon completion of mass grading in order to provide additional time for the vegetation to establish itself and put on additional growth while the homes are built.</p> <p>If severe drought conditions persist as project nears completion, the applicant shall work with the City to identify vegetation that is not critical to visual screening which could be deferred, at the discretion of the Planning & Building Director, until such time as the drought conditions abate.</p>	<p>Upon completion of mass grading</p>	

No.	ENGINEERING	TIMING	STAFF USE
46.	Construction Management Plan – The applicant shall submit to the City Engineer for review and approval a Construction Management Plan detailing how construction will physically and operationally take place, including but not limited to the hours of construction, provision of staging areas, construction vehicle point(s) of ingress/egress, traffic control, haul route, construction worker parking, etc.	Prior to grading or building permit	
47.	Encroachment Permit - The applicant shall obtain an Encroachment Permit and inspections from the Lafayette Engineering Services Division for any subdivision improvements within the public right-of-way.	Prior to grading or building permit	
48.	Grading Permit - The applicant shall obtain a Grading Permit and inspections from the Contra Costa County Building Inspection Department for any subdivision improvements on private property.	Prior to grading or building permit	
49.	Relocation of Utilities - Any cost of relocating utilities due to subdivision improvements shall be the responsibility of the subdivider.	Ongoing	
50.	Emergency Vehicle Access - During construction of the project, all public roads shall be kept open to emergency vehicles at all times. Any lane closures shall require traffic control to be approved in advance by the City Engineer.	Ongoing	
51.	Traffic / Parking Impact Mitigations & Recommendations - The applicant shall implement the mitigation measures contained in the Supplemental EIR; the applicant shall also implement the recommendations by TJKM in the Traffic Impact Analysis (Table 2 below) at the discretion of the City Engineer.	Prior to 42 nd certificate of occupancy	
52.	Private Maintenance Agreement – The developer shall implement a mechanism establishing all property owners in the residential portion of the Project are responsible for maintaining the private road, the private drainage system, retaining walls, and any other private infrastructure. This may take the form of a Road Maintenance Association, CC&Rs or another enforceable recorded document for all residential lots in the subdivision.	Prior to building permit	
53.	Final Improvement Plans - Prior to filing the Parcel/Final Map, improvement plans shall be submitted to the City Engineer showing all improvements including road, drainage, and utility improvements required by this approval. Plans shall be prepared by a registered civil engineer and shall be subject to review and approval by the City Engineer. All improvements shown on the approved tentative map shall be installed by or at the expense of the applicant.	Prior to filing the Final Map	
54.	Subdivision Agreement - The subdivider shall execute a Subdivision Agreement with the City prior to filing the Parcel /Final Map, agreeing to install all required improvements within two years of the map being filed. The agreement shall be backed by a bond or other security acceptable to the City.	Prior to filing the Final Map	
55.	Mylars & PDFs - Prior to filing the Parcel/Final Map, applicant shall provide City with a reproducible mylar copy of the approved subdivision improvement plans.	Prior to filing the Final Map	

	<p>Within 30 days after recording the Parcel/Final Map, the subdivider shall provide the City with (a) a reproducible mylar copy and (b) a scanned electronic file in PDF format, of the recorded Parcel/Final Map.</p> <p>Prior to release of the 42nd certificate of occupancy, applicant shall provide City with a reproducible mylar copy and a scanned electronic file in PDF format of the subdivision Improvement as-built Plans.</p>	<p>Within 30 days of Final Map</p> <p>Prior to 42nd certificate of occupancy</p>	
56.	<p>Roundabout at Brown Avenue and Deer Hill Road - As part of the project's public improvements, the applicant shall design and construct a roundabout at the Deer Hill Road/Brown Avenue intersection per the City's specifications. The City will reimburse applicant 75% of direct construction costs to the applicant upon completion of the roundabout and acceptance by the City. Applicant shall provide clear documentation of direct construction costs in the form of a construction work bid schedule, or schedule of values, or similar equivalent. No lump-sum item on such documentation shall exceed \$10,000. Reimbursement shall be for direct construction costs only, excluding project management and contract administration.</p> <p>Applicant shall additionally ensure that its contract to construct this roundabout incorporates and requires its contractor to comply with all applicable requirements of California Labor Code sections 1720 et seq. and 1770 et seq. ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Applicant shall require its contractor to defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws for the roundabout work.</p>	<p>Construction complete within 6 months of city signing-off on construction drawings</p>	
57.	<p>Pleasant Hill Road Parking Restriction - The developer shall file a request with the City requesting that the City Council rescind the "no parking" restriction on weekends along the west side of Pleasant Hill Road, between Deer Hill Road and the SR 24 on-ramp. In its place, the City will establish a parking time restriction able to accommodate special event parking needs in the area.</p>	<p>Prior to building permit</p>	
No.	DRAINAGE	TIMING	STAFF USE
58.	<p>Stormwater Control Plan - The applicant shall submit a Stormwater Control Plan, including required narrative and exhibits, to the City Engineer for review and approval as soon as reasonably possible after approval of the Tentative Map. The applicant must obtain approval of the Plan prior to submitting design development plans for the project. Applicant may be required to file a revised 44-unit Map if subsequent review results in changes requiring revision of the approved map.</p>	<p>As soon as reasonably possible after Tentative Map Approval</p>	
59.	<p>Stormwater Notice of Intent - The applicant shall submit to the City of Lafayette a copy of the Notice of Intent (NOI) sent to the State Water Resources Control Board and the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project, as required by the State's General Construction Activity Permit.</p>	<p>Prior to grading or building permit</p>	

	The SWPPP shall contain and the applicant shall implement, at a minimum, the measures contained in the City of Lafayette "Minimum Construction Site Management Practices". Additional information on the NOI process and application forms can be obtained through the State website: http://www.swrcb.ca.gov/stormwtr/docs/finalconstpermit120602.doc .		
60.	Stormwater Pollution Prevention Measures – Project construction drawings shall include stormwater pollution prevention measures for use during site development and building construction to mitigate impacts of this development.	Prior to grading or building permit	
61.	Stormwater O&M Agreements – Prior to filing the Parcel/Final Map, applicant shall submit to the City Engineer for review and approval a City of Lafayette Stormwater Management Facilities Operations and Maintenance Agreement and Right of Entry. A sample Agreement is available from the Planning Services Division or from www.lovelafayette.org > City Departments > Public Works > Appendix A – Stormwater Facilities Operations and Maintenance Agreement.	Prior to filing the final map	
62.	Stormwater Ownership/Maintenance Agreements – The applicant shall execute any agreements identified in the Stormwater Control Plan that pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs. Post construction stormwater pollution prevention guidelines, approved by the City, shall be given to new owners prior to the transfer of any property.	Prior to certificate of occupancy on first house.	
63.	Stormwater Facilities Inspection - All stormwater management facilities, including but not limited to, treatment BMPs, permanent source control BMPs, detention basins, and drop structures, shall be installed and shall be inspected and certified by the project design engineer.	Ongoing	
64.	Private Drainage Easements - Private drainage easements shall be shown on the final subdivision map as needed.	Ongoing	
65.	Annual Stormwater Utility Fee - Pursuant to California law, each lot will be subject to an annual stormwater utility fee as set by the City Council.	Ongoing	
No.	GRADING	TIMING	STAFF USE
66.	Grading April to October - Grading operations shall be scheduled only between April 15 and October 1 to avoid the Fall and Winter rains. At the applicant's risk, grading may begin as early as March 15 and continue past October 1, only if the stormwater pollution prevention measures (See GR2) have been installed and certified as operational by the Project Engineer and the Contra Costa County Grading Inspector.	Ongoing	
67.	Grading Permit for Earthwork - A Grading Permit will be required for the earthwork necessary to construct the project. Construction drawings shall and grading activities shall follow the recommendations in the soils report(s) prepared for the project. The project geotechnical engineer shall provide a letter with the construction drawings stating that he has reviewed the construction drawings and that they incorporate the recommendations in his report.	Prior to grading or building permit	

68.	Dust Control and Air Quality Monitoring Plan - The developer shall submit a Dust Control and Air Quality Monitoring Plan which shall include provision for "real time" monitoring of air quality during the grading operations on the site. Such real time monitoring will include telemetry (automated communications process by which measurements are made and data collected from monitoring stations and transmitted to receiving equipment for monitoring). The Plan shall include, but not be limited to, the location and height of wind breaks, watering, covering stockpiles, and procedures for work stoppage and resumption consistent with the Mitigation Monitoring and Reporting Program. The Plan shall be reviewed, revised as necessary, and approved by the Planning Commission prior to issuance of grading or building permits.	Prior to grading or building permit	
No.	FIRE	TIMING	STAFF USE
69.	Emergency Access - All 20-foot wide access roadways shall have signs posted at 50-foot intervals or curbs painted red with the words NO PARKING - FIRE LANE clearly identified on both sides of the roadways. (503.3) CFC All 28-foot wide access roadways shall have NO PARKING - FIRE LANE signs posted at 50-foot intervals, or curbs painted red with the words NO PARKING-FIRE LANE clearly marked, allowing for parking on one side only. (503.3) CFC	Ongoing	
70.	Reliable Water Supply - The applicant shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 1,000 GPM. Required flow shall be delivered from not more than one hydrant flowing for a duration of 120 minutes while maintaining 20 pounds residual pressure in the main. (507.1), (8105) CFC	Ongoing	
71.	Fire Hydrants - The developer shall provide hydrants such that all points on streets, access roads and driveways adjacent to buildings are within 250 feet of a hydrant (C103.1) CFC. In addition to the above requirement, a hydrant shall be located on the corner of Deer Hill Road and the entrance to the subdivision, as well as on the north side of Deer Hill Road between the entrances to the parking lot and the soccer field drop-off area.	Prior to building permit	
72.	Site Improvement Plans - The developer shall submit a minimum of two (2) copies of site improvement plans indicating all existing or proposed hydrant locations and fire apparatus access for review and approval prior to obtaining a building permit. Final placement of hydrants shall be determined by this office. (501.3) CFC	Prior to building permit	
73.	Building Permit Plans - The developer shall submit a minimum of two (2) complete sets of building plans and specifications of the restroom/storage buildings to the Fire District for review and approval prior to construction to ensure compliance with minimum requirements related to fire and life safety. Plan review and inspection fees shall be submitted at the time of plan review submittal. (105.4.1) CFC, (107) CBC	Prior to building permit	
74.	Prior to Combustible Construction - Emergency apparatus access roadways and hydrants shall be installed, in service, and inspected by the Fire District prior to construction or combustible storage on site. (501.4) CFC Note: The first lift of asphalt concrete paving shall be installed as the minimum	Prior to building permit	

	roadway material and must be engineered to support the designated gross vehicle weight of 37 tons.		
75.	Automatic Fire Sprinklers Required - All homes as proposed shall be protected with an approved automatic fire sprinkler system complying with the 2013 edition of NFPA 130 or Section R313.3 of the 2013 California Residential Code. Submit a minimum of two (2) sets of plans to this office for review and approval prior to installation. (903.2) CFC, (R313.3) CRC	Prior to building permit	
76.	Submission of CAD Files - The developer shall submit a computer-aided design (CAD) digital file copy of the subject site plan to the Fire District upon final approval of the site improvement plans or subdivision map. CAD file shall be saved in the latest AutoCAD® .DXF file format. (501) CFC	Prior to building permit	
77.	Premises Identification - Approved premises identification shall be provided. Such numbers shall contrast with their background and be readily visible from the street.	Prior to building permit	
78.	Minimum Class A Roof - The applicant shall provide roof coverings with a minimum Class A rating. Untreated wood shake or shingles are not allowed.	Prior to building permit	
No.	SANITARY	TIMING	STAFF USE
79.	Submission of Construction Drawings - The applicant shall submit construction drawings to the Central Contra Costa Sanitary District for review and approval.	Prior to building permit	
80.	Gravity Flow Sewers - The sanitary sewers shall be gravity flow unless it is determined by the Central Contra Costa Sanitary District that gravity flow is infeasible, in which case pumping may be permitted at the District's discretion.	Ongoing	
No.	VESTING TENTATIVE MAP REVISION	TIMING	STAFF USE
81.	Revise VTM at Grand Stairs - The applicant shall revise the vesting tentative map to adjust the property line between the residences and the sports field as discussed and illustrated at the August 10, 2015 City Council meeting. The revised map shall show the property line west of the sports field moved eastward to the back of the retaining walls/seating associated with the field and showing the grand stairs and paseo within the community park parcel (Parcel B).	Prior to filing Final Map.	

Table 1. Hearing Bodies for Subsequent Review

Item / Scope	Review By
Parks Facilities Design Development Drawings	PTR Commission → PC
Circulation Facilities Design Development Drawings (RAB at driveway, drop-off & right-turn lane extension)	Circulation Commission → DRC → PC Circulation Commission → DRC → PC → CC)
Design Guidelines & Development Standards	DRC → PC
Landscape Maintenance & Pruning Guidelines	DRC → PC
Soils Analysis & Recommendations	DRC → PC
Residential Design Development Drawings	DRC → PC
Water Use Reduction Strategy	DRC → PC
Dust Control and Air Quality Monitoring Plan	PC
Construction Management Plan	PC
Each item above may be considered by a Commission by itself or in combination with one or more other items.	
A decision of the Planning Commission can be appealed to the City Council as provided for in §6-233 LMC.	

Table 2. TJKM Recommendations Beyond Mitigation Measures

- Install signs and white painted curb around the circular Sports Field Drop-off drive on the project site (excluding the disabled access parking stalls) to implement “No Parking Anytime” and “Passenger Loading Only” restrictions with a recommended time limit of one minute. (TIA p. 44)
- Install “No Stopping Any Time” signs on both sides of Deer Hill Road near the Sports Field Drop-off driveway. (p. 44)
- Trim and maintain the existing trees along the north side of Deer Hill Road located in the line of sight for eastbound traffic within 516 feet west of the Homes-Dog Park driveway such that the canopy foliage is no less than ten feet above the closest adjacent curb elevation, or other dimensions as specified by the City Engineer. The line of sight is defined as the area between the north curb on Deer Hill Road, and a straight line connecting a point 10 feet behind the back of the sidewalk on the centerline of the Dog Park driveway and a point 516 feet to the west in the eastbound lane on Deer Hill Road where it intersects the south curb line, or as otherwise specified by the City Engineer. (p. 46)
- Work with the City and Caltrans to install pedestrian crossing warning signs and high-visibility pavement markings at the SR 24 freeway ramp crosswalks along the west side of Pleasant Hill Road. (p. 56)
- Reconstruct a short section of the median on Pleasant Hill Road opposite the Sports Field/Park parking lot driveway to safely and effectively obstruct left turns by the public but provide more direct emergency vehicle access to the parking lot, using beveled curbs or other designs that emergency vehicles can cross safely. (p. 62)
- To maintain adequate sight-distance on-site, all landscaping within 15 feet of on-site driveway intersections, including the proposed multiuse trail crossing west of the Pleasant Hill Road driveway, shall be limited to plants with foliage no more than 30 inches fully mature height above the closest adjacent curb elevation, or trees with canopy foliage no less than seven feet above the closest adjacent curb elevation, or other dimensions as specified by the City Engineer. (p. 63)
- At the central, four-way on-site intersection on the east-west collector roadway providing access to/from the residential units, install two-way stop sign control on the short local access roadways that comprise the north and south intersection legs. (p. 63)
- Extend the northbound left-turn storage lane on Pleasant Hill Road at the Deer Hill Road-Stanley Boulevard intersection to accommodate the estimated a.m. peak hour 95th-percentile queue length of 326 feet under Cumulative Year 2030 plus Project conditions. Extension of the existing storage lane by approximately 100 feet will adequately accommodate the estimated queue lengths at this intersection with and without traffic generated by the Project under Cumulative Year 2030 conditions. (p. 79)
- During the City’s design review process, revise the Project site plan for the recreation facility parking lots if needed to address potential minor discrepancies from the City’s off-street parking dimension requirements related to parking stall depth and vehicle front overhang provisions. (SEIR p. 4.9-80)

- end -

[As revised at 8/10/2015 City Council meeting]