The following conditions were approved by the Pleasant Hill Planning Commission to ensure the project is built and operated to the City’s high standards. These conditions may be appealed to the City Council within ten days of the mailing of the action letter (which usually occurs within two days of the meeting). Any specific questions should be addressed to the Public Works & Community Development Department.

**Conditions of Approval**

**Plans**

1.1. The project shall substantially conform to the approved project plans, project narrative, colors and materials board, all dated approved on March 1, 2018, on file with the Planning Division, except as modified by these conditions. Minor changes to the plans may be allowed subject to the approval of the Zoning Administrator if found to be in substantial conformance to the approved plans and exhibits.

1.2. Prior to building permit issuance, revised plans shall be provided for the trash enclosure to have solid six foot high walls, a solid metal door/gates and design features to the approval of the Engineering Division and the solid waste collection service provider. The trash enclosure shall be sized to accommodate all types of bins, including trash, recycling and organics. The trash bins shall be kept inside the enclosure except when being unloaded.

1.3. The drop-off space shall be configured to the approval of the City Engineer to allow adequate ingress and egress.

1.4. The applicant shall implement construction best management practices, including the following, to reduce construction noise:

   a. Locate stationary construction equipment as far from adjacent occupied buildings as possible.

   b. The property owner shall designate a noise disturbance coordinator who will be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site and shall be provided to the Zoning Administrator.

   c. Additional best management practices may be required by the Building Division and/or City Engineer. All additional best management practices shall be reviewed.
and approved by the Building Division and/or City Engineer, prior to implementation.

1.5. Any significant changes proposed to the exterior elevations prior to, or after issuance of a building permit shall be submitted to the Architectural Review Commission prior to building permit issuance or prior to building permit final.

1.6. A tree protection plan for preserved trees that are on-site and in close proximity of the project site shall be reviewed and approved prior to issuance of any permits and implemented during all construction activities. The tree protection plan shall be prepared by a certified/licensed arborist.

1.7. Construction and Grading hours shall be limited to 7:30 AM to 7:00 PM Monday through Friday. In addition, interior construction is allowed on Saturdays from 9:00 AM to 6:00 PM, with construction activity is prohibited on all Sundays and City holidays.

1.8. All construction plans, such as, but not limited to, the site plan, building elevations, landscaping and irrigation plans, grading plan, mechanical drawings, street improvement plans, and detailed drawings submitted to the Building Division for permits shall be coordinated for consistency by the applicant prior to issuance of any permits. Any change or modification to one particular plan shall require the corresponding revisions on all other applicable plans. The applicant shall be responsible for correcting any inconsistency that may occur through error or omission during plan preparation or construction.

1.9. Approval of this project shall not waive required compliance with all sections of the Pleasant Hill Municipal Code, General Plan, and applicable policy plans.

1.10. Prior to building permit final, the applicant/developer shall comply with the requirements of the City of Pleasant Hill Construction and Demolition Debris Ordinance (Chapter 14.40). Prior to building permit final a waste management plan shall be submitted and approved by the Building Division.

1.11. When submitting final revised plans for issuance of a building permit for any aspect of the project, the applicant must provide to the Zoning Administrator a copy of these conditions of project approval with a cover letter specifying how the plans address and comply with each of these conditions.

1.12. Prior to issuance of a building permit final (certificate of occupancy), the applicant shall submit to the Zoning Administrator an annotated list of conditions of approval demonstrating proof of compliance with a cover letter specifying how the project has addressed and complied with each of these conditions.

1.13. The owner/applicant shall comply with the requirements of all other agencies having jurisdiction over this project. This shall include, but not be limited to the Contra Costa County Fire Protection District, PG&E, Contra Costa Health Department, Central Contra
Costa County Sanitation District, Contra Costa County Flood Control District and Contra Costa Water District. Proof of approval from other agencies with jurisdiction over the project shall be provided to the Zoning Administrator prior to commencement of operations at the facility.

1.14. Owner/applicant shall comply with all federal, state, and local laws. The issuance of this development plan permit shall not constitute a waiver of the requirements of any federal, state or local law, including the requirements of the California Building Standards Code.

1.15. As required to comply with applicable laws and regulations, if site disturbance commences between February 1 and August 31, a pre-construction survey shall be conducted by a qualified wildlife biologist. If nests of either migratory birds or birds of prey are detected on or adjacent to the site, the applicant shall consult with the CDFW to determine the size of a suitable buffer in which no new site disturbance is permitted until August 31, or the qualified biologist determines that the young are foraging independently. If more than 15 days elapses between the survey and site disturbance, the survey shall be repeated.

1.16. As required to comply with applicable laws and regulations, during all grading, trenching or excavation activities, a professional archaeologist shall be present to observe the work and should archeological materials be uncovered during grading, trenching or excavation activities, all work shall be stopped until a professional archaeologist has had an opportunity to evaluate the significance of the material and develop appropriate measures. Recommendations made by the professional archeologist, as approved by the Planning Division, shall be implemented.

1.17. As required to comply with applicable laws and regulations, prior to issuance of grading, or building permits the project applicant shall submit to the Contra Costa Fire Protection District and the City a Phase I environmental site assessment report, (and a Phase II report if warranted by the Phase I report) for the project site. The reports shall make recommendations for remedial action, if appropriate, and should be signed by a Registered Environmental Assessor, Professional Geologist, or Professional Engineer. The project shall comply with the recommendations.

1.18. The owner/applicant shall defend, (with counsel acceptable to the City) at its sole cost and expense, indemnify, protect, release and hold harmless the City of Pleasant Hill and any agency or instrumentality thereof, including any of its agents, commissions, boards, officers, and employees (“indemnitees”) from any and all claims, actions, or proceedings arising out of or in any way related to the processing and/or approval of this Project and any environmental determination that accompanies it. This indemnification shall include, but not be limited to, suits, damages, judgments, costs, expenses, liens, levies, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties, and the indemnitees, arising out of or in connection with the processing and/or approval of this Project, except to the extent attributable to the sole negligence or willful misconduct of indemnitees.
2.0 Approval Time Limit

2.1 Architectural Review permit shall expire one (1) year from the effective approval date unless: a building permit is issued, substantial money is expended, and construction diligently pursued, or an occupancy permit is issued, or the Architectural Review Commission renews the approval. A renewal may be granted only if a written request is submitted by the applicant to the Zoning Administrator prior to expiration of the Architectural Review permit.

3.0 Related Conditions of Approval

3.1 Compliance with all conditions of approval of Development Plan Permit, Conditional Use Permit and Variance PLN 16-0380 shall be completed, otherwise approval of this Architectural Review Permit shall be null and void.

4.0 Building Design

4.1 Specific paint, siding, wall or roofing materials, finish textures, and windows or doors shall be in substantial compliance with Architectural Review Commission approved plans and conditions. Manufacturer specifications and samples of final color and materials selections may be required by the Zoning Administrator prior to issuance of building permits to verify compliance.

4.2 All building drainage gutters, down spouts, vents, and similar elements located on the exterior walls shall be shown on final building elevation drawings prior to building permit issuance and shall be completely concealed from view or shall be architecturally compatible with the exterior building design and color.

5.0 Landscaping

5.1 Stormwater water retention facilities shall be minimized to the greatest extent feasible to preserve existing mature trees at the eastern edge of the property.

5.2 Prior to building permit issuance, detailed plans shall be submitted to the Planning Division for review and approval.

5.3 All ground installed mechanical equipment shall be screened from views with methods to the approval of the Zoning Administrator.

5.4 The proposed landscaping shall comply with the City of Pleasant Hill Water-Efficient Landscape Ordinance. Compliance shall be documented prior to installation of any irrigation or landscaping and as noted in the ordinance (including funding for the peer review to ensure compliance).
5.5. The property owner shall enter into a Landscape Maintenance Agreement (LMA) with the City that includes a requirement for an annual report certifying that the project site is being maintained in compliance with the approved landscape plan. The report shall be prepared by a landscape professional and submitted annually to the Zoning Administrator commencing 12 months after initial building occupancy approval. The City will prepare the LMA upon request by the applicant. Lastly, upon review and approval by the City, the property owner shall record the LMA at the Contra Costa County Recorder’s office and provide a copy of the recorded LMA to the Zoning Administrator prior to issuance of a Final Certificate of Occupancy or final building inspection, whichever is applicable.

5.6. The site shall be subject to annual compliance reviews by the Zoning Administrator from the approval date of Architectural Review Permit PLN 16-0027. Any trees/shrubs that are determined to be dead or dying by the City shall be replaced to the satisfaction of the Zoning Administrator by April 1 of each year.

5.7. Prior to issuance of building permits, detailed final landscape and irrigation plans shall be submitted to the Zoning Administrator for review and approval in accordance with direction from the Architectural Review Commission. Such plans shall be prepared and stamped by a California licensed landscape architect or other equally educated and experienced professional qualified to the satisfaction of the Zoning Administrator.

5.8. Landscape plans shall be scaled to a minimum of 1" = 20' and shall specify the following:

a. The location and size of all plant materials and shall include a plant legend specifying species type (botanical and common name), container size, and quantity of all plant materials;

b. Spacing for all trees shrubs, and ground covers;

5.9. Locations of all pavements and hardscape (vehicular and pedestrian), walls, fencing, buildings, roof overhangs and other structures, utility equipment (air conditioners, transformers, backflow prevention valves, etc.), property lines, and other pertinent site plan features.

5.10. All landscaping shall be installed in accordance with the plan approved by the Architectural Review Commission. Plant materials shall comply with the following:

a. Plant materials shall consist of a mix of evergreen and deciduous trees, shrubs and ground covers to provide design interest and serve as a protective measure against disease and insect infestation. Low maintenance plants are encouraged;

b. Only live ground cover is allowed in high visibility and pedestrian areas. Exceptions may be approved by the zoning administrator to include, but not be limited to, decorative gravel beds, decomposed granite paths or pedestrian spaces and areas to be accented with shrubs;
c. All landscape planting areas shall be mulched or covered with bark chips or other similar material, unless growth of live ground covers would be impeded. Exposed soil is prohibited;

d. Drought tolerant species suitable for the Pleasant Hill area are encouraged;

e. Plant material selections must consider the climatic conditions of the Pleasant Hill area. Species particularly susceptible to, or potentially damaged by, disease, insects, winter freeze, summer heat, wind, and other climatic conditions are discouraged. Species exhibiting particular problems in the Pleasant Hill area may not be permitted and, as such, plant substitutions may be required by the Zoning Administrator.

5.11. Plant material size and spacing shall comply with the following:

a. Minimum tree size shall be a 50% mix of 24" box and 15 gallon. Minimum shrub size shall be 5 gallon. Smaller sized containers may be utilized for ground covers;

b. Where plant materials are placed in two (2) or more rows, planting rows shall be staggered;

c. Evergreen trees required for screening purposes shall not be less than six (6) feet in height at time of planting;

d. Large shrubs required for screening purposes shall not be less than thirty (30) inches in height at time of planting. Spacing shall be between four (4) and six (6) feet on-center, as determined by the zoning administrator.

e. Ground covers shall be spaced such that full coverage is achieved at the end of eighteen (18) months.

5.12. Planting and staking details shall comply with the following:

a. Final landscape plans shall include planting and staking details in text and/or drawing form to insure proper installation and establishment of proposed plant materials;

b. Soils shall be tested to identify existing soil conditions and necessary amendments. All planting pits shall be twice the diameter of the diameter of the root container;

c. All trees shall be double-staked, except that twenty-four (24) inch or larger box trees may require guy wires or triple-staking as determined by the zoning administrator. Guy wires are prohibited within pedestrian traffic areas. Trees shall be protected from contact with any wire used in staking;

d. Provide root deflectors for all trees planted within 8 feet of paved surfaces;

e. All planters in areas which have been compacted, such as adjacent to buildings and in parking lots, shall be de-compacted to the following depths: planters less than 3’ wide shall have compaction relieved to a minimum depth of 24” below subgrade; planters 3’ to 10’ wide shall have compaction relieved to a minimum depth of 18” below subgrade; planters more than 10’ wide shall have compaction relieved to a minimum depth of 12” below subgrade;
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f. Planters 10’ or less in width in locations that will not allow normal percolation of 24 to 36 hours maximum (such as adjacent to buildings) shall have drain pipes connected to the storm drain system or shall have dry wells installed as determined necessary by the zoning administrator;

g. The finished grade of planter islands or wells shall have a crown with a 2% slope down to surrounding grade or top of curb. Planters adjacent to buildings where a crown can not be installed will require subdrains if adequate surface drainage will not be provided;

5.13. All landscaped areas shall be serviced by an automatic irrigation system. Irrigation plans shall comply with the following standards:

a. Valves and circuits shall be separate based on water use;

b. Drip or bubbler irrigation systems are required for trees;

c. Sprinkler heads must have matched precipitation rates within each control valve circuit;

d. Serviceable check valves are required where elevation differential may cause low head drainage;

e. Sprinkler head spacing shall be designed for head-to-head coverage. The system should be designed to minimum runoff and overspraying onto non-irrigated areas;

f. All irrigation systems shall be equipped with a controller capable of dual or multiple programming. Controllers must have multiple-cycle start capacity and a flexible calendar program;

g. Plans shall include a water budget including:
   i. Estimated annual water use (in gallons) and the area (in square feet) irrigated.
   ii. Precipitation rates for each valve circuit.

5.14. Screening of all mechanical equipment, valves, transformers, air conditioning and heating units, or similar appurtenances shall be indicated on revised plans.

5.15. All parking lot landscape areas shall be protected from automobiles with a 6 inch high, poured in place, vertical concrete curb.

5.16. Berms shall be illustrated according to slope, width, height above surrounding grade, and landscaping. Landscape berms shall be coordinated for consistency with the grading plan.

5.17. All landscape areas shall be maintained in a healthy, thriving condition, free from weeds, trash, and debris.

5.18. During installation of landscaping and irrigation, and prior to the issuance of an occupancy permit, the landscape architect or design professional responsible for preparing the final landscaping plans, or his/her designee, shall monitor installation and visit the site prior to completion of the landscape work. He or she will thereafter submit to the zoning administrator a written statement confirming: compliance with approved
plans and conditions, and that the number of plants, their size and species installed on-site is in conformance with the plans.

6.0 **Parking and Access**

6.1 Any security gates or fences shall require details submitted to the Police Department, Contra Costa Fire Protection District, and Zoning Administrator for approval prior to issuance of building permits.