

**CITY OF HAYWARD PLANNING DIVISION
PLANNING COMMISSION
APPLICATION NO. 201705535
VESTING TENTATIVE TRACT MAP 8546 AND SITE PLAN REVIEW
28538 HUNTWOOD AVENUE
DRAFT CONDITIONS OF APPROVAL**

March 28, 2019

Proposal to Subdivide a 1.21-Acre Site into 19 Parcels to Allow the Construct 14 Townhomes with Common Open Space Areas and Related Site Improvements at 28538 Huntwood Avenue (APN 465-0025-005-03) by Applicant: James Chao on behalf of Owner: Zhong Yin Liu, Requiring Approval of a Vesting Tentative Tract Map and Site Plan Review. Application No. 201705535.

General

1. The developer shall assume the defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
2. Vesting Tentative Tract Map (VTTM) 8546 and the Site Plan Review application are approved subject to the vesting tentative tract map and project plans date stamped February 14, 2019, except as modified by the conditions listed below. Any proposal for alterations to the conditionally approved site plan and/or design that does not require a variance to any zoning ordinance standard shall be subject to approval by the Development Services Director or his/her designee, prior to implementation. Alterations requiring a variance shall be subject to review and approval by the Planning Commission.
3. In accordance with Hayward Municipal Code (HMC) Section 10-3.246, approval of VTTM 8427 and the Site Plan Review application shall expire 36 months after the effective date of approval subject to statutory and discretionary extensions as allowed by the HMC and Subdivision Map Act.
4. The permittee, property owner or designated representative shall allow the City's staff to access the property for site inspection(s) to confirm all approved conditions have been completed and are being maintained in compliance with all adopted city, state and federal laws.
5. All outstanding fees owed to the City, including permit charges and staff time spent processing or associated with the development review of this application shall be paid in full prior to consideration of a request for approval extensions and/or issuance of a building permit.

6. If determined to be necessary for the protection of the public peace, safety and general welfare, the City of Hayward may impose additional conditions or restrictions on this permit. Violations of any approved land use conditions or requirements will result in further enforcement action by the Code Enforcement Division. Enforcement includes, but is not limited to, fines, fees/penalties, special assessment, liens, or any other legal remedy required to achieve compliance including the City of Hayward instituting a revocation hearing before the Planning Commission.
7. Prior to final inspection, all pertinent conditions of approval and all other improvements shall be completed to the satisfaction of the Planning Director.
8. Failure to comply with any of the conditions set forth in this approval, or as subsequently amended in writing by the City, may result in failure to obtain a building final and/or a Certificate of Occupancy until full compliance is reached. The City's requirement for full compliance may require minor corrections and/or complete demolition of a non-compliant improvement regardless of costs incurred where the project does not comply with design requirements and approvals that the applicant agreed to when permits were pulled to construct the project.
9. This development is subject to the requirements of the Affordable Housing Ordinance (AHO) set forth in HMC Chapter 10, Article 17. As indicated in the application for residential development and Pursuant to HMC Section 10-17.205(a), the Applicant shall comply with the affordable housing requirements by paying the affordable housing in-lieu fee. Applicant shall pay the applicable affordable housing in-lieu fees as set by resolution in effect at the time of payment. Pursuant to HMC Section 10-17.410, the developer shall pay the affordable housing in-lieu fees either prior to issuance of building permits, prior to approval of a final inspection, or issuance of an occupancy permit. No final inspect will be approved and no occupancy permit will be issued for any dwelling unit unless all the required affordable housing in-lieu fees have been paid in full.
10. This development is subject to the requirements of the Property Developers – Obligations for Parks and Recreation set forth in HMC Chapter 10, Article 16. Per HMC Section 10-16.10, the applicant shall pay in lieu fees for each residential unit. The in-lieu fees shall be those that are in effect at the time of building permit issuance.
11. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the building permit plan check set.
12. The Planning Director or designee may revoke this permit for failure to comply with, or complete all, conditions of approval or improvements indicated on the approved plans.

13. The owner shall maintain in good repair all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas. The premises shall be kept clean and weed-free.
14. The applicant shall be responsible for graffiti-free maintenance of the property and shall remove any graffiti within 48 hours of occurrence or City notification.
15. The applicant shall apply for and obtain all necessary permits from the City and/or outside agencies prior to any site work.
16. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft. Approved address numbers shall be at least four inches in height on a contrasting background. Font strokes shall be of sufficient width such that they are legible to the public from the street fronting the property.
17. Property addresses will be assigned by the Development Services Department prior to issuance of a building permit.
18. Lighting within the parking area(s) shall be provided and be maintained at a minimum of one foot-candle. Exterior lighting and parking lot lighting shall be provided in accordance with the Security Standards Ordinance (No. 90-26 C.S.) and be designed by a qualified lighting designer and erected and maintained so that light is confined to the property and will not cast direct light or glare upon adjacent properties or public rights-of-way. Such lighting shall also be designed such that it is decorative and in keeping with the design of the development.
19. Plans submitted for building permit shall include a photometric site lighting plan that includes fixtures, mounting heights, light wattage and that demonstrates adequate site lighting without excessive glare, off-site impacts or "hot spots." All lighting shall be reviewed and approved by the City Engineer, Planning Division and Hayward Police Department prior to Building Permit issuance.
20. All lighting fixtures shall incorporate a shield to allow for downward illumination. No spillover lighting to adjacent properties is permitted and all exterior lighting on walls, patios or balconies shall be recessed/shielded to minimize visual impacts.
21. The building colors and materials shown on the building permit plans shall match those shown on the color/material exhibit and renderings date stamped February 14, 2019. Any revision to the approved colors and materials shall be reviewed and approved by the Planning Division prior to the issuance of a building permit.
22. All vents gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of the adjacent material unless specifically designed as an architectural element.

23. All exterior and rooftop mechanical equipment shall be screened or located away from public view. Mechanical and rooftop equipment shall include, but is not limited to, electrical panels, pull boxes, air conditioning units, gas meters, and swimming pool equipment. All rooftop screening and mechanical equipment shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of an occupancy permit. All screening shall be compatible with respect to forms and materials used on the building.
24. Any above-ground structures that may be required to provide utilities for the project shall be compatible as to location, form, design, exterior materials, and noise generation. The applicant shall obtain staff approval prior to issuance of any permits.
25. This development is subject to the requirements of the Property Developers – Obligations for Parks and Recreation set forth in HMC Chapter 10, Article 16. Per HMC Section 10-16.10, the applicant shall pay in lieu fees for each residential unit. The in-lieu fees shall be those that are in effect at the time of building permit issuance.
26. The building permit plans shall include revised elevations that show the following improvements to the building architecture:
 - A. Any lines that are not breaks in the wall surfaces shall be removed. Any side and rear elevations without articulation shall be articulated with varied colors and materials and/or other architectural features.
 - B. Window shutters shall as wide as half the width of the window unless the window shutter would extend beyond the edge of the building as a result.
 - C. The window frame, trim, and sill details shall be differentiated between plan types to add visual interest.
27. The building permit plans shall show the common, private, and total open space calculations. The front and side yard setback areas do not count as common open space. The private rear yards of Lots 7 through 10 count as private open space. A minimum of 4,900 square feet of total open space is required, 1,400 square feet of which must be designated as common open space.
28. The building permit plans shall show the lot coverage calculation. The lot coverage cannot exceed 40 percent.

Building

29. Applicant shall apply for all necessary building permits and/or all other related permits from the Building Division. All structures shall be constructed and installed in accordance with the California Building Code, Uniform Mechanical and Plumbing

Code, National Electrical Code, and the California Fire Code as adopted by the City of Hayward.

30. The project falls under the mandatory "solar ready" requirements outlined in the 2016 California Energy Code section 110.10, and as such, each building shall have a minimum area of 250 square feet on the roof for future PV systems. For more information on the specific design requirements, you can reference the 2016 Residential Compliance Manual published by the Energy Commission. The document is available free online as a PDF.

Development Review Services Engineering / Public Works Engineering

31. **Homeowner's Association (HOA):** Prior to the sale of any parcel, or prior to the acceptance of site improvements, whichever occurs first, Conditions, Covenants and Restrictions (CC&R's), creating an HOA for the property, shall be reviewed and approved by the Planning Director and City Attorney and recorded. The CC&R's shall describe how the stormwater BMPs associated with privately owned improvements and landscaping shall be maintained by the association. The CC&Rs shall include the following provisions:
 - A. The CC&R's shall state that the City of Hayward has the right to abate public nuisance conditions in the common area if the association or corporation fails to do so, and to assess the cost to the association, corporation or individual unit owners. In order to accomplish this, the CC&Rs shall contain the following typical statements:
 - i. In the event the Board fails to maintain the exterior portions of the common area so that owners, lessees, and their guest suffer, or will suffer, substantial diminution in the enjoyment, use or property value of the project, thereby impairing the health, safety, and welfare of the residents in the project, the City of Hayward, by and through its duly authorized officers and employees, shall have the right to enter upon the real property described in Exhibit "A" and to commence and complete such work as is necessary to maintain said exterior portions of the common area. The City shall enter and repair only if, after giving the Board written notice of the Board's failure to maintain the premises, the Board does not commence correction of such conditions in no more than 30 days from delivery of the notice and proceed diligently to completion. The Board agrees to pay all expenses incurred by the City of Hayward within 30 days of written demand. Upon failure by the Board to pay within said 30 days, the City of Hayward shall have the right to impose a lien for the proportionate share of such costs against each condominium or community apartment in the project.
 - ii. It is understood that by the provisions hereof, the City of Hayward is not required to take any affirmative action, and any action undertaken

by the City of Hayward shall be that which, in its sole discretion, it deems reasonable to protect the public health, safety, and general welfare, and to enforce it and the regulations and ordinances and other laws.

- iii. It is understood that action or inaction by the City of Hayward, under the provisions hereof, shall not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations, and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
 - iv. It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law shall be cumulative and not exclusive, and the maintenance of any particular remedy shall not be a bar to the maintenance of any other remedy. In this connection, it is understood and agreed that the failure by the Board to maintain the exterior portion of the common area shall be deemed to be a public nuisance, and the City of Hayward shall have the right to abate said condition, assess the costs thereof and cause the collection of said assessments to be made on the tax roll in the manner provided by Chapter 4, Article 1, of the Hayward Municipal Code or any other applicable law.
 - v. The City Council of the City of Hayward may, at any time, relinquish its rights and interest in the project as herein set forth by appropriate resolution. Any such relinquishment by the City Council shall be effective on the date that the resolution is adopted and a copy thereof is placed in the United States mail, postage prepaid, addressed to the Board. The Board shall execute and record a declaration reflecting such relinquishment within 10 days of receipt of a copy of the resolution.
- B. Each owner shall automatically become a member of the association(s) and shall be subject to a proportionate share of maintenance expenses.
 - C. A reserve fund shall be maintained to cover the costs of improvements and landscaping to be maintained by the Association(s).
 - D. The HOA shall own and maintain the private access roads and on-site storm drain systems in the development, excluding those located within the public right-of-way.
 - E. A provision that the building exteriors and fences shall be maintained free of graffiti. The owner's representative shall inspect the premises on a weekly basis and any graffiti shall be removed within 48 hours of inspection or within 48 hours of notification by the City.
 - F. The HOA shall maintain the common area irrigation system and maintain the common area landscaping in a healthy, weed-free condition at all times. The

HOA representative(s) shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% die-back) shall be replaced within fifteen days of notification to the homeowner. Plants in the common areas shall be replaced within two weeks of the inspection. Trees shall not be severely pruned, topped or pollarded. Any trees that are pruned in this manner shall be replaced with a tree species selected and size determined by the City Landscape Architect, within the timeframe established by the City and pursuant to the Hayward Municipal Code.

- G. The HOA shall conduct at least semi-annual inspections to confirm that all residents are using their garages for parking their cars and not for storage. Residents shall make garages available for such inspections, as appropriate. An automatic garage door opening mechanism shall be provided for all garage doors.
 - H. The exterior elevations of the proposed building shall be maintained in good repair. The premises shall be kept clean and free of debris at all times. Color change selections shall be compatible with the existing setting. The CC&Rs shall include provisions to ensure that maintenance and repairs are completed within a timely manner.
 - I. The HOA shall maintain all fencing, parking surfaces, common landscaping, lighting, drainage facilities, project signs, exterior building elevations, etc. The CC&Rs shall include provisions as to a reasonable time period that the building shall be repainted, the limitations of work (modifications) allowed on the exterior of the buildings, and its power to review changes proposed on a building exterior and its color scheme, and the right of the homeowner's association to have necessary work done and to place a lien upon the property if maintenance and repair of the unit is not executed within a specified time frame. The premises shall be kept clean.
 - J. Any future major modification to the approved site plan shall require review and approval by the City.
 - K. On-site streetlights and pedestrian lighting shall be owned and maintained by the HOA and shall have a decorative design approved by the Planning Director and the City Engineer.
 - L. Street sweeping of the private driveway and private parking stalls shall be conducted at least once a month.
32. **Grading, Drainage, and Improvements:** A grading permit issued by the Public Works Department shall be required prior to the issuance of building permits. The grading permit application shall include engineered grading and drainage plans showing finish grades and site drainage along with improvement plans as part of the grading permit application. The grading and drainage plan shall include, but not be limited to, the following design & submittal requirements:
- A. All on-site storm drainage conveyance facilities and earth retaining structures 4' foot in height or less (top of wall to bottom of footing) shall be

reviewed and approved by Public Works. Earth retaining structures greater than 4-feet in height shall be reviewed and approved by the Building Division of the Development Services Department. The plans shall include all proposed underground pipes, building drains, area drains and inlets. The on-site storm drainage system (if applicable) shall be designed to convey a 10-year storm event.

- B. Because this project involves a land disturbance of one or more acres, the applicant is required to submit a Notice of Intent to the State Water Resources Control Board and to prepare a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity. Copies of these documents shall be submitted to the Director of Public Works prior to issuance of a grading permit.
 - C. A soils report shall be submitted to and accepted by the City prior to the issuance of a grading permit.
33. **Required Improvements:** Privately engineered studies and design documents shall be submitted to the City Engineer with the grading and drainage plan for review and approval prior to issuance of building permits. The engineered plans shall include, but not be limited to, the following design requirements:
- A. Remove and replace broken or uplifted curb, gutter, and sidewalk along project frontage.
 - B. Construct curb, gutter, and sidewalk along Huntwood Avenue frontage.
 - C. Close unused driveway cut(s).
 - D. Developer shall be responsible for adjusting existing utility boxes/vaults to grade, locating and protecting the existing communication conduits (fiber optic and copper) along the project frontage.
 - E. Dedication and improvement of the public streets to the satisfaction of the Director of Public Works.
 - F. Repair, overlay, or reconstruction of asphalt pavement shall be required. The existing pavement along project frontage will be evaluated with the street improvement plans and any necessary pavement restoration will be included as part of the final street improvement plans.
 - G. Huntwood Avenue excavations will require backfill and pavement replacement as per the 2017 or more recent City Standard Details. Excavation in a street pavement, resurfaced within the last three years, shall require pavement restoration as per the City Standard Details DWG. No. SD-126. Three or more excavations in close vicinity will require pavement restoration in a single patch over all excavations.
34. **Lighting:** On-site and street lighting fronting the development shall comply with the City's Security Ordinance. Lighting shall be designed by a qualified lighting designer

and erected and maintained so that light is confined to the property and will not cast a direct light or glare upon adjacent properties or rights-of-way.

35. **Stormwater Runoff Pollution Control Measures:** This project shall comply with the Alameda Countywide Cleanwater Program (ACCP) which requires the implementation of Best Management Practices (BMPs) including site design measures, source controls and numerically-sized Low Impact Development (LID) stormwater treatment measures to minimize stormwater pollutant discharges from the project site.
- A. The Preliminary Stormwater Control Plan and numeric sizing calculations have been reviewed and this project shall be in conformance the ACCP.
 - B. The property owner shall enter into the City's standard "Stormwater Treatment Measures Maintenance Agreement" as prepared by the City. The Maintenance Agreement shall be recorded with the Alameda County Recorder's Office to ensure that the maintenance responsibility for private treatment control and site design measures is bound to the property in perpetuity.
36. **Construction Damages:** The developer shall be responsible to remove and replace curb, gutter, sidewalks, driveways, signs, pavements raised pavement markers, thermoplastic pavement markings, etc. damaged during construction of the proposed project prior to issuance of the Final Construction Report by the City Engineer. The developer shall be responsible for documenting the existing conditions prior to the start of construction to serve as a baseline for this requirement.

Landscape

37. The landscape plan submitted with the building permit application shall demonstrate that the proposed tree mitigation complies with the provisions in Municipal Code Tree Preservation Ordinance (HMC Chapter 10, Article 15) as follows.
- A. Tree #ET22 Liquidambar is a non-native and not protected tree because the diameter of tree trunk is less than 8 inches.
 - B. Appraised value of each tree shall be provided in the tree mitigation summary chart including trees located in the adjacent property. The total value of removed protected tree shall be used to determine the total mitigation value; and the total value of trees for preservation shall be used to determine the tree preservation bond amount. Tree preservation bond will include the value of trees in the adjacent property.
 - C. Tree mitigation shall be provided above and beyond providing required trees such as street trees, front yard trees, parking shade trees and screening trees. When required trees would be upsized to meet the tree mitigation, the cost difference between the required and upsized tree would be applied toward

the tree mitigation. For instance, when a required tree in 24"-box size in the front setback area would be upsized to a 48"-box tree size, the cost difference between the 24"-box and 48"-box would apply toward meeting the mitigation goal. Installed cost for 24"-box tree is \$375 (base price used for tree value appraisal), 36"-box is \$725 and 48"-box is \$880 based on all the recent cost estimates that the City received. The plan shall show the revised calculation.

- D. Remaining mitigation to meet or exceed the value of removed trees shall be in the form of permeable pavers at the planting strip between back of curb and sidewalk and at the overflow parking. Permeable pavers at the planting strip shall be Castle Stone Sonoma Blend in herringbone pattern. Permeable pavers at the overflow parking spaces shall accommodate the traffic loads and movements. The layout pattern shall also be herringbone. Subbase shall conform to the manufacturer's and Geotech engineer's recommendations. Installation cost of the permeable pavers per square foot ranges from \$26 to \$28.
- 38. Municipal Code Article 12, Appendix B Water Efficient Landscape Worksheet for water budget calculation for Maximum Applied Water Allowance and Estimated Total Water Allowance shall be provided at the time of building permit submittal. The water budget calculation shall provide Eto for the City of Hayward, 44.2, and the calculation methodology used. Residential developments with more than five or more units shall be considered as providing "non-residential landscape" and shall use ET adjustment factor of 0.45, not 0.55.
 - 39. Municipal Code Article 12 (Bay-Friendly Water Efficient Landscape Ordinance) requires the following for single-family residential developments with usable yards: Section 10-12.14 requirement for installing basic "laundry to landscape" plumbing in each residence where usable private yard is available. This provision shall be included in the plumbing plan submitted with the building permit application. Contact Building Official Gary Nordahl at (510) 583-4153 for more information.
 - 40. The building permit plans shall show the following:
 - A. Picnic table in the group open space shall be compliant with American Disability Act.
 - B. Both sewer cleanout and water meter shall be located in the driveway to allow required private front yard tree planting. Otherwise proposed tree at Lot 9 and 13, and potential loss at Lot 10.
 - C. The minimum dimension for planting area shall be minimum 5 feet, measured from back of curb.
 - D. Plant material used within the exfiltration area shall comply with the C.3 Technical Guideline Appendix B, Plant List and Planting Guidance for Landscape Based Stormwater Measures.

- E. Trees shall be planted a minimum five feet from the exfiltration area.
 - F. The trees should be twenty feet from the corner, a minimum of five feet away from any underground utilities, a minimum of fifteen feet from a light pole, and a minimum thirty feet from the face of a traffic signal, or as otherwise specified by the city.
 - G. Root barrier shall be provided for all trees that are located within seven feet of paved edges or structure. There should never be a case where a lot does not have at least one street tree.
 - H. Trees shall be planted according to the City Standard Detail SD-122.
 - I. Mulch shall be organic recycled chipped wood in dark brown color, and the size of mulch shall not exceed 1-1/2-inch in diameter. Minimum three inches of mulch shall be installed all planting areas including bioretention areas, but except lawn and graveled areas.
 - J. Minimum twelve inches wide band of large size Noiya Cobblestone shall be provided around catch basins, overflow catch basin or bubble up basin.
 - K. All front yards and common open spaces shall be maintained by HOA; therefore, the areas shall be irrigated with the HOA irrigation water meter.
 - L. Each tree shall be irrigated with two tree bubblers. Flow rate for each tree bubbler device shall not exceed 0.25 gallon per minute. Bubblers for trees shall be places on a separate valve. Trees with different watering requirements shall be on separate valves.
 - M. Subsurface or driplines shall be buried below grades in accordance with the manufacturer's recommendations. Surface mount below the mulch layer shall not be accepted.
 - N. The irrigation for bio-retention area shall be provided on a separate valve.
 - O. Bio-treatment area, when wider than ten feet, shall be irrigated with matched precipitation rotator type, or as efficient overhead spray irrigation system that allows "cycle and soaking" program function. When the treatment area width is less than ten feet, efficient irrigation system that meets the current ordinance requirements shall be provided.
41. Prior to submitting the first building permit, detailed landscape and irrigation improvement plans shall be approved by the City. The plans shall comply with the City's water efficient landscape ordinance (California Building Code Title 23) and all relevant Municipal Codes. Once approved, Mylar of the approved improvement plans shall be submitted to the City for approval signature. Copies of the signed improvement plans shall be submitted as a part of the building permit submittal.
42. Mylar of the approved landscape and irrigation improvement plans shall be submitted to Department of Public Works Engineering. Mylar shall be wet-signed and shall be provided with a bar scale. The size of Mylar shall be twenty-four (24) inches by thirty-six (36) inches without an exception. A signing block shall be

provided in the low right side on each sheet of Mylar. The signing block shall contain two signature lines and two date lines for City of Hayward, Landscape Architect and City Engineer. Upon completion of installation, As-built/Record Mylar shall be submitted to the Engineering Department by the developer.

43. No building permit shall be issued prior to approval of landscape and irrigation improvement plans.
44. Park Dedication In-Lieu Fees are required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
45. For existing trees for preservation, a tree preservation bond equaling the total appraised value of the trees for preservation in the approved arborist report shall be submitted to City Landscape Architect prior to issuance of grading permit. The bond shall remain in effect throughout the construction period and until completion of the entire project improvements. If any trees that are designated as saved are removed or damaged during construction shall be replaced with trees of equal size and equal value.
46. Trees shall be preserved in accordance with the Tree Preservation Ordinance. Prior to the commencement of clearing and grading operations, tree protection measures in compliance with the project arborist's recommendation and the City codes shall be installed.
47. A separate tree removal permit shall be required for all trees that are to be removed in addition to demolition and grading permits from City Landscape Architect prior to removal of trees.
48. **Model Homes:** Per Municipal Code Article 12, Section 10-12.17 (Public Education), all model homes that are landscaped shall use signs and written information to demonstrate the principles of water efficient landscapes described in this Article.
 - A. Signs shall be used to identify the model as an example of a water efficient landscape featuring elements such as hydrozones, irrigation equipment, and others that contribute to the overall water efficient theme.
 - B. Information shall be provided about designing, installing, managing, and maintaining water efficient landscapes.
49. **Model Homes Inspections:** Landscape inspection shall be required prior to issuance of Temporary Certificate of Occupancy, and another inspection prior to issuance of Certificate of Occupancy at the time of converting the model for sale. The project landscape architect shall inspect and accept the installation prior to requesting an inspection from City Landscape Architect. The project landscape architect shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of

Completion Part 1 through Part 7 shall be faxed/e-mailed/turn in prior to requesting an inspection from the City Landscape Architect.

50. Prior to the issuance of Certificate of Occupancy, all landscape and irrigation shall be completed in accordance to the approved plan and accepted by the City Landscape Architect. Before requesting an inspection from the City Landscape Architect, the project landscape architect shall inspect and accept landscape improvements and shall complete Appendix C. Certificate of Completion in the City's Bay-Friendly Water Efficient Landscape Ordinance. The completed Certificate of Completion Part 1 through Part 7 or applicable parts shall be faxed, e-mailed, or submitted prior to requesting an inspection from the City Landscape Architect.
51. All common area landscaping, irrigation and other required improvements shall be installed in accordance with the approved improvement plans prior to acceptance of tract improvements, or occupancy of eighty-percent (80%) of the dwelling units, whichever first occurs. Certificate of Completion, as-built Mylar and an Irrigation Schedule shall be submitted upon acceptance of the landscape improvements for the Tract to the Department of Public Works Engineering by the developer.
52. Landscaping shall be maintained by the HOA and shall be in a healthy, weed-free condition at all times and shall maintain irrigation system to function as designed to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which contribute pollution to the Bay. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants (plants that exhibit over 30% dieback) shall be replaced within ten days of the inspection. Three inches deep mulch should be maintained in all planting areas. Mulch shall be organic recycled chipped wood in the shades of Dark Brown Color, and the depth shall be maintained at three inches deep. All nursery stakes shall be removed during tree installation and staking poles shall be removed when the tree is established or when the trunk diameter of the tree is equal or larger to the diameter of the staking pole. All trees planted as a part of the development as shown on the approved landscape plans shall be "Protected" and shall be subjected to Tree Preservation Ordinance. Tree removal and pruning shall require a tree pruning or removal permit prior to removal by City Landscape Architect. Any damaged or removed trees without a permit shall be replaced in accordance with Tree Preservation Ordinance or as determined by City Landscape Architect within the timeframe established by the City and pursuant to the Municipal Code. Routine shearing and hedging of shrubs and perennials shall not be permitted. All plants shall retain natural size and shape. Irrigation system shall be tested periodically to maintain uniform distribution of irrigation water; irrigation controller shall be programmed seasonally; irrigation system shall be shut off during winter season; and the whole irrigation system shall be flushed and cleaned when the system gets turn on in the spring.

Transportation

53. The applicant shall submit an on-site and off-site outdoor lighting plan at the time of building permit submittal.

- 54. The applicant shall submit an on-site and off-site signing and striping plan at the time of building permit submittal.
- 55. The building permit plans shall show that the southern lanes shall be entrance only and the northern lanes shall be exit only for both driveways off Huntwood Avenue.
- 56. The building permit plans shall show that the north driveway will be right turn only.
- 57. The building permit plans shall show that the sidewalk width along Huntwood Avenue will be a minimum of 5 feet. The landscape width shall be a minimum of 5 feet as well.

Utilities and Environmental Services

- 58. Each townhome shall have a 9' x 3' space to store waste containers when not set out for collection. The space shall be provided in the side yard and the containers shall be screened by a fence.
- 59. The permittee shall submit the Construction and Demolition Debris Recycling Statement at the time of your building permit submittal. The top "applicant" half of the form shall be submitted with the building permit submittal. The bottom half of the form shall be completed upon completion of the project to receive final building inspection approval. The form can be found online at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>. The permittee may also visit the City's [Green Halo webpage](#) and create a waste management plan instead of filling in the Debris Recycling Statement.
- 60. The development's proposed water main and valves shall be public, owned and maintained by the City. If the water mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide water line easement shall be granted to the City.
- 61. All public water mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Water Mains and Fire Hydrants," latest revision at the time of permit approval (available on the City's website at https://www.hayward.ca.gov/sites/default/files/fire/UES%20-%20Water%20Specs%202006.FS.R1_042717.pdf).
- 62. Where a public water main is in an unpaved easement or under decorative, stamped, or colored concrete (including turf-blocks), the water main shall be constructed of ductile iron. Shut-off valves shall be required where a water main transitions from a paved area to an unpaved easement.
- 63. All water mains shall be looped. Dead end water mains shall not be allowed. Water mains shall connect to other water mains.

64. All connections to existing water mains shall be performed by City Water Distribution Personnel at the developer's expense.
65. All water services from existing water mains shall be installed by City Water Distribution Personnel at the developer's expense. The developer may only construct new services in conjunction with their construction of new water mains.
66. Existing water services, if any, that cannot be reused for the proposed development shall be abandoned by City Water Distribution Personnel at the developer's expense. City records indicate that the property has an existing 5/8" domestic meter (account # 29659).
67. **Domestic & Fire Services**
 - A. Domestic: Each single-family residence (SFR) shall have an individual domestic water meter. Facilities fees for residential connections are based on the domestic demand for the home. A larger water meter may be installed if the service is combined with a private fire service. The developer is required to pay water facilities fees and installation charges for connections to water mains and work performed by City forces.
 - B. Fire: Each structure shall have its own fire service, sized per the requirements of the Fire Department. Fire services shall have an above ground Double Check Valve Assembly, per City Standards SD-201 and SD-204.
 - C. Combined Residential Services: The development could use combined residential domestic and fire services for each residence. Residential combined domestic and fire services are allowed, per City Standard SD-216. The minimum size for a residential fire service connection is 1" (combined or not) and the maximum size for combined services is 2". If the calculated fire demand exceeds 160 GPM, a separate fire service will be required. Note that, per CBC 2010 R313, flow-through or multipurpose systems may not require a backflow device (SD-216 is attached).
68. **Irrigation**: It is anticipated that one or more separate irrigation water meters and services shall be installed for development landscaping. The developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per SD-202. Backflow preventions assemblies shall be at least the size of the water meter or the water supply line on the property side of the meter, whichever is larger.
69. All water meters shall be radio-read type.

70. Water meters and services shall be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218. Water meter boxes in driveway aisle areas shall have steel H20 rated lids.
71. Water mains and services, including the meters, shall be located at least 10 feet horizontally from and one-foot vertically above any parallel pipeline conveying untreated sewage (including sanitary sewer laterals), and at least four feet from and one foot vertically above any parallel pipeline conveying storm drainage, per the current California Waterworks Standards, Title 22, Chapter 16, Section 64572. The minimum horizontal separation distances can be reduced by using higher grade (i.e., pressure) piping materials.
72. The development's sanitary sewer mains and manholes shall be public, owned and maintained by the City. If the sewer mains are located in a private roadway, either the entire roadway shall be a public utility easement or a minimum 10' wide sanitary sewer line easement shall be granted to the City.
73. All sewer mains and appurtenances shall be constructed in accordance to the City's "Specifications for the Construction of Sewer Mains and Appurtenances (12" Diameter or Less)," latest revision at the time of permit approval (available on the City's website at (https://www.hayward-ca.gov/sites/default/files/fire/UES%20-%20Sewer%20Specs%202006.FS. R0_042717.pdf)).
74. New sanitary sewer mains and appurtenances shall be installed, at the developer's expense, to accommodate this development. The new sanitary sewer main and appurtenances shall be installed in Huntwood Avenue and in Celia Street from the development's point of connection to the existing 8" sanitary sewer main in Celia Street.
75. Each SFR shall have an individual sanitary sewer lateral. Each sanitary sewer lateral shall have at least one cleanout and be constructed per SD-312.
76. The developer shall be responsible for payment of sewer connection fees at the current rates at the time the application for building permits are submitted.

Fire Department

77. Design of the public and private streets and courts shall meet all City of Hayward and the California Fire Code Standards.
78. All public and private streets and private courts shall be designed with an all-weather surface pavement.
79. No parking shall be allowed on the private street. Fire lane signage shall be installed in locations required by the Hayward Fire Department. "No Parking" signs shall meet the City of Hayward Fire Department requirements.

80. All public streets, private streets and private courts shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight of fire apparatus. Such standards shall also be applicable to pavers or decorative concrete.
81. Spacing and locations of fire hydrants shall be subject to review and approval by the Hayward Fire Department. The type of fire hydrant shall be Modified Steamer Hydrant (Clow Valve Co. Model LB 614 with one 2-1/2" outlet and one 4-1/2" outlet) in single-family residential area, capable of flowing 1,500 gallons per minute at 20 PSI. The design and layout of the hydrants shall be reviewed and approved by the Fire Department. **(a deferred plan submittal shall be provided for the installation of private fire hydrants)**
82. Blue reflective pavement markers shall be installed at fire hydrant locations. If fire hydrants are located so as to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s).
83. Buildings shall be required to install fire sprinkler systems in accordance with NFPA 13/13D Standards. A separate plan/permit shall be required prior to the installation of the overhead fire sprinkler system. **(deferred plan submittal required for the installation of the overhead fire sprinkler system)**
84. Maximum 80 PSI water pressure shall be used when water data indicates a higher static pressure. Residual pressure shall be adjusted accordingly.
85. Underground fire service line serving NFPA 13/13D sprinkler system shall be installed in accordance with NFPA 24 and the Hayward Public Work Department SD-216. Water meter shall be minimum one-inch in diameter for residential application or four-inch for a (NFPA 13) commercial grade system.
86. An audible alarm bell (device) shall be installed to sound on the exterior of each individual building. The device shall activate upon any fire sprinkler system waterflow activity.
87. An interior audible alarm device shall be installed within the dwelling in a location so as to be heard throughout the home. The device shall activate upon any fire sprinkler system waterflow activity.
88. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup. Installation shall conform to the California Building Code (CBC).
89. When a flow switch is not installed on the riser of a flow thru sprinkler system, smoke alarms shall be interconnected to sound an audible alarm in all sleeping areas within the dwelling unit.

90. CO detectors should be placed near the sleeping area on a wall about 5 feet above the floor. The detector may be placed on the ceiling. Each floor needs a separate detector.
91. An approved type spark arrestor shall be installed on any chimney cap.
92. A minimum 4" self-illuminated address shall be installed on the front of the dwelling in a location so as to be visible from the street. Otherwise, a minimum 6" address shall be installed on a contrasting background and shall be in a location approved by the Fire Department.
93. The applicant shall submit a phase 1 Environmental assessment and any other records regarding site contamination, investigation, remediation, or clearances from other regulatory agencies. Final clearance shall be obtained from either the California Regional Water Quality Control Board or Department of Toxic Substance Control to ensure that the property meets residential development investigation and cleanup standards. Allowance may be granted for some grading activities if necessary to ensure environmental clearances.
94. The Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials or associated structures are discovered during demolition or during grading. These shall include but shall not be limited to actual/suspected hazardous materials, underground tanks, or other vessels that may have contained hazardous materials.
95. If hazardous materials storage and/or use are to be a part of the facility's permanent operations, a Chemical Inventory Packet shall be prepared and submitted with building plans to the City of Hayward Fire Department at the time of application for construction permits.
96. **Prior to Grading:** Structures and their contents shall be removed or demolished under permit in an environmentally sensitive manner. Proper evaluation, analysis and disposal of materials shall be done by appropriate professional(s) to ensure hazards posed to development construction workers, the environment, future residents and other persons are mitigated.
97. Discovery of Potentially Hazardous Materials or Vessels/Containers shall be reported to the Hayward Fire Department's Hazardous Materials Office shall be notified immediately at (510) 583-4900 if hazardous materials are discovered during demolition or during grading. These shall include, but shall not be limited to, actual/suspected hazardous materials, underground tanks, vessels that contain or may have contained hazardous materials.

98. **Use of Hazardous Materials or Generation of Hazardous Waste:** During construction, hazardous materials used and hazardous waste generated shall be properly managed and disposed.