

**CITY OF HAYWARD PLANNING DIVISION
PLANNING COMMISSION
APPLICATION NO. 201700900
VESTING TENTATIVE TRACT MAP 8397 & SITE PLAN REVIEW
25000 MUIR STREET, APN 444-0051-116-00
DRAFT FINDINGS OF APPROVAL**

January 11, 2018

Proposed Vesting Tentative Tract Map 8397 and Site Plan Review for a five-lot subdivision and the construction of four new single-family homes at 25000 Muir Street (APN 444-0051-116-00). Application No. 201700900; Mohamed Genidy (Applicant) on behalf of Khoa Le (Owner).

VESTING TENTATIVE TRACT MAP FINDINGS

Pursuant to Section 10-3.150 of the Hayward Municipal Code (HMC), the Planning Commission may conditionally approve a Vesting Tentative Tract Map application when all the following findings are met:

A. The proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans;

The project is proposing a density of approximately 7.8 dwelling units per net acre, which is consistent with the *Hayward 2040 General Plan* land use designation of Low Density Residential (LDR), which allows for a density range of 4.3 to 8.7 dwelling units per acre. The LDR land use designation allows for the development of detached, single-family homes with anticipated future changes including additional residential development, building and landscaping improvements, and neighborhood enhancements that create more complete, walkable, and sustainable neighborhoods. The project is considered an in-fill development, which will increase the housing inventory for the City of Hayward and result in a more complete neighborhood. The project is also consistent with the following General Plan policies:

- H-3.1 Diversity of Housing Types: *The City shall implement land use policies that allow for a range of residential densities and housing types, prices, ownership, and size, including low-density single family uses, moderate-density townhomes, and higher-density apartments, condominiums, transit-oriented developments, live-work units, and units in mixed-use developments.*

The project will subdivide an existing parcel into five lots and allow for four new single-family homes, which provide additional single-family housing opportunities in the City.

- H-3.4 Residential Uses Close to Services: *The City shall encourage development of residential uses close to employment, recreational facilities, schools, neighborhood commercial areas, and transportation routes.*

The project is located in an established neighborhood near Downtown Hayward, which is the City's urban core, and Mission Boulevard, which is a major commercial corridor. Furthermore, recreational facilities such as the Eden Greenway and Hayward Community Gardens and educational facilities such as John Muir Elementary School are nearby.

- Land Use Policy LU-1.3 Growth and Infill Development: *The City shall direct local population and employment growth toward infill development sites within the city, especially the catalyst and opportunity sites identified in the Economic Development Strategic Plan.*

The project is surrounded by other single-family homes and is considered an in-fill project, which is appropriate for new housing development.

In addition, the project is not located within any specific plan area but is located within the Jackson Triangle Neighborhood Plan area and is consistent with those relevant policies. Therefore, the proposed subdivision is not in conflict with the General Plan and applicable specific plans and neighborhood plans.

B. The proposed subdivision meets the requirements of the City Zoning Ordinance; and

The proposed subdivision meets all the development standards of the RS (Single-Family Residential) District related to lot size, lot width, lot depth, and lot frontage. The subdivision will also allow for the construction of four new single-family residences, which is a permitted land use in the RS District.

C. No approval of variances or other exceptions are required for the approval of the subdivision.

As previously discussed, the proposed subdivision will meet the requirements of the Zoning Ordinance, including the development standards of the RS District and other applicable sections. The project will also meet the requirements of the Subdivision Ordinance. Therefore, the project does not require a variance or any other exceptions from the requirements of the HMC.

SITE PLAN REVIEW FINDINGS

Pursuant to Section 10-1.3025 of the HMC, the Planning Commission may conditionally approve a Site Plan Review application when all the following findings are met:

A. The development is compatible with on-site and surrounding structures and uses and is an attractive addition to the City.

The new single-family residences would be compatible with the existing single-family dwelling on-site and surrounding uses. The homes will be an attractive addition to the City and be designed to be consistent with the developmental pattern of the existing neighborhood, which consists of single-family residential lots of various sizes, including many small lots, which are similar in size to the lots proposed with subdivision.

The new homes would be similar in size and scale to other homes nearby and would be well-articulated to provide visual interest from all sides of the site, especially the front elevations, which incorporate recesses and projections through windows, front entry porches, and second-story balconies. The proposed design, materials, and color palette of the new homes are also compatible with the character of other homes in the neighborhood and will feature composition shingle roofs and a stucco exterior with stone veneer accents. Overall, the homes are attractively designed and compatible with the existing neighborhood character.

B. The development takes into consideration physical and environmental constraints.

The project takes into consideration physical and environmental constraints in that the scale and character of the new homes are harmonious with the surrounding neighborhood, which primarily consists of small single-family residential lots containing two-story homes. The architectural designs of the new two-story homes are compatible with the design of the existing homes nearby. Each of the new lots will contain between 5,000 and 6,000 square feet and will be consistent with the lot sizes of other parcels in the neighborhood. In addition, the project is an in-fill development with minimal impact on the existing development pattern and will not require the demolition of any structures. A new private street will provide access to the new homes to allow for safe and efficient vehicular circulation.

C. The development complies with the intent of City development policies and regulations.

As previously discussed, the project is consistent with the LDR, Low Density Residential land use designation in the *Hayward 2040 General Plan*. The LDR land use designation is primarily intended for detached single-family homes and the proposed density is within the allowable density range. The project is also consistent with the goals and policies of the *Hayward 2040 General Plan*, which encourage a diverse housing inventory and in-fill development. Furthermore, the project meets all the applicable regulations of the Zoning Ordinance, including the development standards of the RS District including setbacks, lot coverage, building height, and parking. Therefore, the project complies with the intent of City development policies and regulations.

D. The development will be operated in a manner determined to be acceptable and compatible with surrounding development.

The project will operate in a manner determined to be acceptable and compatible with surrounding development in that the project will comply with all applicable zoning regulations, building codes, and other regulations in the HMC. The proposed site improvements will also have to meet all City standards and details to the satisfaction of the Director of Public Works as shown on the final map and improvement plans. The project will also be subject to various conditions of approval intended to protect the surrounding neighborhood from any potentially harmful impacts. In addition, the project includes guest parking spaces and a private

street, which will minimize potential parking and traffic impacts on Muir Street after construction of the homes.

- E. The project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15332, Infill Development Projects. As conditioned, the project will have no significant impact on the environment, cumulative or otherwise.

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GENERAL

1. The permittee 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) 8397 and the Site Plan Review application are approved subject to the vesting tentative tract map and project plans date stamped November 2, 2017, except as modified by the conditions listed below.
3. In accordance with Hayward Municipal Code (HMC) Section 10-3.246, approval of this VTTM and 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. Any proposal for alterations to the conditionally approved VTTM and Site Plan Review application 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.
5. All permit charges accrued in the processing of VTTM 8280 and the Site Plan Review application shall be paid in full prior to consideration of a request for approval extensions and/or submittal of building permits for the development.
6. 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.

7. 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.

SUBDIVISION IMPROVEMENT PLANS AND FINAL MAP

8. The Developer shall provide for the City's review and approval the Final Map prepared substantially in compliance with the Conditionally Approved Tentative map, Hayward Municipal Code and the State Subdivision Map Act.
9. The Final Map shall clearly show exterior boundaries and dimensions of each proposed lot, public street right-of-way and public utilities easement dedications; easements to be vacated, retained and created; and other details required by the State Subdivision Map Act and Hayward Municipal Code Section 10-3.
10. The Developer shall provide all map calculations, copies of grant deeds, property ownership records, title report(s) and geo-technical study report(s).
11. The Final Map shall include a 28-foot wide public street right-of-way dedication across the Muir Street property frontage in compliance with the City's adopted plan and generally as shown on the Tentative Map.
12. The Final Map shall show all existing, vacated and newly created easements and rights-of-way.
13. Documents defining ownership rights, responsibilities and financial arrangements for needed repairs, maintenance, construction and reconstruction of common use area and common use improvements shall be submitted for the City Engineer's review and approval concurrently with the Final Map submittal.
14. The common use area improvements shall include but are not limited to the paved vehicular driveway to Muir Street, accessibility compliant walkway to each lot; lighting and landscape improvements; sanitary and storm sewer mains and laterals and storm water pollution prevention measures etc.
15. Before requesting the City Council approval of the Final Map, all improvements required by the condition of the Tentative Map approval shall be complete or the Developer must execute an improvement agreement with the City and post improvement securities in the amounts and format approved by the City Engineer.
16. The Final Map shall be filed in the County's public records after the City's approval concurrently with the ownership and maintenance documents for common use

areas and improvements as approved by the City.

17. The Final Map shall show that vehicular/driveway connections to the proposed private street will be made via a driveway cut.
18. The private street shall include appropriate private ingress-egress easements to allow for turnaround movements for passenger vehicles.
19. The PVC Sanitary Sewer within the proposed private street shall be maintained by the homeowner's association (HOA).
20. 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. Individual homeowners shall maintain in good repair the exterior elevations of their dwelling. The CC&Rs shall include provisions as to a reasonable time period that a unit shall be repainted, the limitations of work (modifications) allowed on the exterior of the building, and the right of the home owners 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 and free of debris at all times. Color change selections shall be compatible with the existing setting.
- 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 home owners 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 street and private parking stalls shall be conducted at least once a month.
- m. The association shall ensure that no less than 75 percent of the units shall be owner-occupied. The CC&Rs shall further provide that the leasing of units as a regular practice for business, speculative investment or other similar purpose is not permitted. However, to address special situations and avoid unusual hardship or special circumstances, such as a loss of job, job transfer, military transfer, change of school or illness or injury that, according to a doctor, prevents the owner from being employed, the CC&Rs may authorize

the governing body to grant its consent, which consent shall not be unreasonably withheld, to a unit owner who wishes to lease or otherwise assign occupancy rights to a specified lessee for a specified period.

PRIOR TO ISSUANCE OF BUILDING PERMITS

21. The lot configuration on the architectural plans shall match the final map of the building permit plans to show that the private street will extend all the way to Lots 3 and 4.
22. The building colors and materials shown on the building permit plans shall match those shown on the color/material exhibit and renderings date stamped December 13, 2017. 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.
23. Prior to final inspection, all pertinent conditions of approval and all other improvements shall be completed to the satisfaction of the Planning Director.
24. A copy of these conditions of approval shall be included on a full-size sheet in the building permit plan set.
25. 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.

Landscape

26. Park Dedication In-Lieu Fees shall be required for all new dwelling units. Fees shall be those in effect at the time of issuance of the building permit.
27. Detailed landscape and irrigation plans in full compliance with the City's Bay-Friendly Water Efficient Landscape Ordinance (California Building Code Title 23) prepared by a licensed landscape architect shall be submitted for review and approval. The plans shall be wet-stamped and wet-signed and shall include water budget calculations. Some of the key compliance requirements include, but not limited to, plumbing system supporting "laundry to landscape," minimum one fifty-gallon lidded rainwater harvesting barrel, no lawn area less than ten feet by ten feet unless subsurface irrigation on a separate valve is used, erosion control material on slopes equal or steeper than three to one (3:1), and installation of rain garden and rainwater retention within the property.
28. Prior to the approval of improvement plans or issuance of the first building permit, detailed landscape and irrigation plans shall be reviewed and approved by the City.

Copies of the approved and signed improvement plans shall be submitted as a part of the building permit submittal. The plans shall be prepared by a licensed landscape architect on an accurately surveyed base plan. The plans shall comply with the City's latest water efficient landscape ordinance (California Building Code Title 23). The plans shall also comply with other relevant sections in Municipal Codes. Dripline of the existing trees to be saved shall be shown on the plan.

29. Mylar of the approved landscape and irrigation improvement plans shall be submitted to the Engineering Department. Mylar shall be wet-signed and shall be provided with a bar scale. The size of Mylar shall be twenty-two (22) inches by thirty-four (34) 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 a signature line and a date line for City of Hayward, Landscape Architect. Upon completion of installation, As-built/Record Mylar shall be submitted to the Engineering Department by the developer.
30. Tree preservation bond in the amount that is equal to the approved appraised value of existing trees shall be submitted to the City prior to commencement of any work at this property.
31. Existing trees shall be protected in accordance with Tree Preservation Ordinance. Any damaged existing trees during construction shall be replaced to the approved appraised value. The landscaping plan shall be revised to upsize the proposed landscaping materials to mitigate the removal of the tree on-site. The revised landscape plan shall be reviewed and approved by the City's Landscape Architect prior to the issuance of any building permits.
32. Tree protection measures shall be included in the landscape plan.
33. Base information for landscape plans shall include all proposed underground utilities lateral lines, water meter, and sewer cleanout locations.
34. Fencing proposed shall be shown on the landscape plans to include location, layout deminsions and details. Fences shall be offset from building corners.
35. Minimum dimension for planting areas shall be five feet in all directions measured from back of all paved areas and structure to back of all paved areas and structure including property fence and building without exception.
36. Paving shall be reduced at the building entries at Lots 3 and 4, and planting areas shall be added between the entry paving and driveways.
37. The minimum required static water pressure (psi) shall be identified on the plans for each irrigation point of connection.
38. Show the location of the irrigation mainline.

39. An automatic irrigation controller shall be shown for each lot.

Development Review Services Engineering / Public Works Engineering

General

40. All lots shall be served with underground utilities for electrical, gas and telecommunication services, public sewer collection, public water supply and drainage collection and discharge to an existing public drainage system.
41. Muir Street right-of-way across the property frontage shall be improved with concrete curb, gutter and contiguous sidewalk and 18 feet wide roadway to the street center line with Traffic Index 5 capability and LED street light on a metal pole. All improvements shall be as per the City Standard Details SD-102 for a Residential Public Street with 56 feet right-of-way. The City Standard Details are available online at: https://www.hayward-ca.gov/sites/default/files/documents/ET_STANDARD%20DETAILS_V042117.pdf.
42. An encroachment permit shall be secured before starting any construction or traffic disrupting activity within the City street right-of-way. The permit application may be obtained and submitted at the Hayward City Hall Permit Center. The permit application submittal package should include plans detailing the work in the street right-of-way, traffic control, work schedule and fees.
43. Landscape improvements in the 5-foot wide Landscape Strip along the other side of the on-site Private Access Way shall include programmable irrigation system, ground cover, shrubs and small trees.
44. Permits for all on-site and public street improvements shall be secured before requesting any building permit.
45. Combustible material shall not be brought on-site until all-weather access for emergency service vehicles and fire protection required water supply is available.
46. All on-site and public street improvements shall be complete and approved by the City Engineer's Office before any building occupancy permit is requested.

Grading

47. A grading permit shall be secured before starting any grading operation. Grading shall be per plans prepared by a State licensed engineer and approved by the City Engineer and the project geotechnical engineer. Grading plans shall be submitted together with the related geotechnical and engineering reports and plans for soil erosion/sediment control.
48. A Construction Noise Management Plan shall be prepared and implemented. Such plan must be approved by the City Engineer prior to issuance of grading permits and shall contain, at minimum, a listing of hours of construction operations (which shall

be in accordance with the City's construction hours), use of mufflers on construction equipment, limitation of on-site speed limits, identification of haul routes to minimize travel through residential areas and identification of noise monitors. Specific noise management measures shall be included in appropriate contractor specifications.

49. Prior to the start of any construction or grading activity, including hauling of material from the project site, a mitigation plan approved by the Bay Area Air Quality Management District (BAAQMD) shall be required. The plan must be implemented throughout the duration of construction or grading activity. The dust mitigation plan must specify dust mitigation practices which are sufficient to ensure that no equipment or operation emits dust that is visible and crossing the property line.
50. Any land disturbing activity shall comply with plans approved by the City Engineer. The erosion and sediment control plans must be prepared by a licensed engineer, comply with the local and regional regulations and must include one or more provisions addressing each of the following topics:
 - a. Track-out prevention and control measures.
 - b. Control for traffic traveling on project site unpaved driveways, parking lots, and staging areas.
 - c. Control for earth moving activities.
 - d. Post construction stabilization of disturbed areas.
 - e. Frequency of reporting.
51. Grading plans shall include details for existing and finished lot grades, retaining walls, storm water pollution prevention measures and slope protection measures.

Drainage

52. A detailed grading and drainage plan with supporting calculations and a completed Drainage Review Checklist shall be reviewed and approved by the City Engineer.
53. The storm drain facilities shall be designed to comply with the Alameda Countywide Clean Water Program including the established provision C.3. Any natural or mechanical storm drain filtration and treatment systems shall be designed as part of the private storm drain systems.
54. The latest edition of the Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system.
55. The on-site storm drains and storm water treatment systems shall be owned and maintained by the owners collectively.

56. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the hydrology design shall clearly indicate all of area tributary to the project site. The developer is required to mitigate augmented runoffs with on-site improvements.
57. Drainage discharge from the project site shall not exceed the pre-development flow rate during any ten-year frequency and two-hour duration storm. Any increase in drainage flow rate will require extension of an 18" diameter storm drain pipe in Muir Street to the nearest public storm drain.
58. Drainage discharge shall not increase soil erosion potential.
59. The project shall not block runoff from, or augment runoff to, adjacent properties. The drainage area map developed for the project hydrology design shall clearly indicate all areas tributary to the project area. The developer is required to mitigate unavoidable augmented runoffs with offsite and/or on-site improvements.
60. All storm drain inlets must be labeled "No Dumping – Drains to Bay" using City approved methods.

Storm Water Quality Requirements

61. The following materials related to the Storm Water Pollution Prevention and treatment facility requirements shall be submitted with the grading permit application:
 - a. The owner shall complete the Storm Water Pollution Prevention Program required improvements on-site as per the plans approved by the City Engineer.
 - 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 is bound to the property in perpetuity.
 - c. The plans shall identify Best Management Practices (BMPs) appropriate to the uses conducted on-site to limit the entry of pollutants into storm water runoff to the maximum extent practicable.
 - d. The proposed BMPs and storm water pollution prevention measures shall be designed to comply with the hydraulic sizing criteria listed in Provision C.3 of the Alameda County Clean Water Program (ACCWP) NPDES permit (page 30). In addition, the California Stormwater Quality Association's Stormwater best Management Practice Handbook New Development and Redevelopment, Subsection 5.5 on pages 5-12 has a section titled "BMP Design Criteria for Flow and Volume". These materials are available on the internet at www.cabmphandbooks.com

- e. The following documents shall be completed and submitted with the improvement and/or grading plans:
 - i. Hydromodification Management Worksheet;
 - ii. Development and Building Application Information Impervious Surface Form;
 - iii. Updated Stormwater Requirements Checklist;
 - iv. Numeric Sizing Criteria used for stormwater treatment (Calculations).
- 62. The Developer shall submit conceptual a Storm Water Management Control Plan with the following information:
 - a. Show Drainage Management Area (DMA) boundaries on the plan.
 - b. Provide Stormwater Treatment Summary Table showing total drainage management area, size of bio-retention, pervious/impervious area, treatment area required/provided, ponding depth, treatment type and sizing method used.
 - c. Show drainage conveyance/piping system into the on-site bio-retention area and out of it to an existing drainage system.
- 63. When required, the Developer shall submit to the City Engineer an Information Request Form for Stormwater Treatment Maintenance Agreement and execute the agreement with the City of Hayward. The Maintenance Agreement will be recorded in the Alameda County Recorder's Office assuring future maintenance and upkeep of the stormwater pollution prevention measures implemented in the development project.
- 64. The Developer shall be responsible for ensuring that all contractors are aware of all storm water quality measures and implement such measures. Failure to comply with the approved construction BMPs will result in the issuance of correction notices, citations or a project stop order.

Utilities and Environmental Services

- 65. The building permit plans shall indicate the location on the private street each residence will place garbage, recycling, and organics carts for collection.
- 66. At the time of building permit submittal, the permittee shall submit the completed and signed "Applicant" section of the attached Construction and Demolition Debris Recycling Statement. The "Contractor" section shall be completed upon completion of the project and submitted to the Utilities and Environmental Services Department, along with all weigh tags, for final building inspection approval.
- 67. 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 easement shall be granted to the City.

68. 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 <http://user.govoutreach.com/hayward/faq.php?cid=11188>).
69. All water mains shall be looped. Dead end water mains will not be allowed. Water mains shall be connected to other water mains, through easements if necessary.
70. All connections to existing water mains shall be performed by City Water Distribution Personnel at the applicant's/developer's expense.
71. All water services from existing water mains shall be installed by City Water Distribution Personnel at the applicant's/developer's expense. The developer may only construct new services in conjunction with their construction of new water mains.
72. City records that the parcel has one 5/8" domestic water meter that serves the existing house. If the water service and/or meter will not be used for this development, it shall be abandoned by City Water Distribution personnel at the applicant/developer's expense.
73. Each single-family residence shall have an individual domestic water meter. Based on the water fixtures shown on the plans, each unit will require a minimum 3/4" water meter. Facilities fees for residential meters are calculated based on the domestic water demand for the home (excluding fire service demand). 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.
74. 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.
75. 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 inch (combined or not) and the maximum size for combined services is 2 inches. 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).

76. It is anticipated that one or more separate irrigation water meters and services shall be installed for development landscaping. The applicant/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.
77. All domestic and irrigation water meters shall be radio-read type.
78. Water meters and services shall be located a minimum of two feet from top of driveway flare as per SD-213 thru SD-218.
79. 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 on 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.

Fire Department

80. Residential buildings shall be required to install a fire sprinkler system in accordance with NFPA 13D.
81. Maximum 80 PSI water pressure design criteria shall be used when water data indicates a higher static pressure. Residual pressure shall be adjusted accordingly.
82. Underground fire service line serving NFPA 13D sprinkler system shall be installed in accordance with the Hayward Public Work Department SD-216. Water meter shall be a minimum one-inch in diameter.
83. An audible alarm bell (device) shall be installed on the fire sprinkler system riser.
84. 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.
85. All bedrooms and hallway areas shall be equipped with smoke detectors, hard-wired with battery backup.
86. Carbon monoxide detectors shall 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 shall have a separate detector.

87. 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.
88. Design of the public streets and private streets and courts shall meet City of Hayward Fire Department Standards.
89. All public and private streets and private courts shall be designed with an all-weather surface pavement.
90. Parking of vehicles is allowed one-side parking on 30-foot-wide road. No parking is allowed on 24-foot-wide road. Where there is no on-street parking, fire lane signage shall be installed in locations required by the Hayward Fire Department. "No Parking" sign shall meet the City of Hayward Fire Department fire lane requirements.
91. 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 standard is also applicable to pavers or decorative concrete.
92. 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. The design and layout of the hydrants shall be reviewed and approved by the Fire Department.
93. Blue reflective pavement markers shall be installed at fire hydrant locations. If fire hydrants are located to be subjected to vehicle impacts as determined by the Hayward Fire Department, crash posts shall be installed around the fire hydrant(s).
94. The water/fire flow test data information shall be on the building permit plans, including static pressure, residual pressure, pitot pressure, test flow, calculated available water flow at 20 PSI and test date. This information may be requested from the Hayward Public Works Department. The minimum fire flow of 1500 GPM shall be provided onsite.