

**CITY OF HAYWARD PLANNING COMMISSION
VESTING TENTATIVE TRACT MAP, SITE PLAN REVIEW & DENSITY BONUS
APPLICATION NO. TM-25-0006
EDEN RANCH - 29312 MISSION BOULEVARD
CONDITIONS OF APPROVAL**

General

Planning

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, Site Plan Review, and Density Bonus Application No. TM-25-0006 is hereby approved subject to the architectural, civil and landscape plans included in the June 25, 2026 Planning Commission staff report packet as Attachment IV, except as modified by the conditions listed below.
3. The Developer, property owner, or designated representative shall allow City staff to access the property for site inspections to confirm all approved conditions have been satisfied and all improvements are being maintained in compliance with all adopted city, state and federal laws and regulations.
4. The developer shall apply for and obtain all necessary permits from the City and/or outside agencies prior to commencing any site work.
5. 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 filed to construct the project.
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. A copy of these conditions of approval shall be scanned and included on a separate, full-sized sheet(s) in the grading permit and building permit plan check sets for the project.

8. Property addresses shall be assigned by the Development Services Department prior to issuance of building permits.
9. 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 developer shall pay Park Impact Fees. The Park Impact Fee rate charged shall be the rate that is in effect at the time of building permit issuance.
10. Within 60 days of following the issuance of a building permit and prior to construction, the applicant shall install one non-illuminated “Coming Soon” sign on the project site that includes a project rendering, a project summary, and developer contact information. The sign shall be constructed of wood or recyclable composite material, be placed in a location at least ten (10) feet back from the property line, and shall not impede pedestrian, bicycle, and vehicular visibility or circulation. The sign shall be maintained in accordance with Section 10-7-709 of the Hayward Municipal Code and may be up to thirty-two (32) square feet of sign area and shall not exceed ten (10) feet in height. Sign design, size and location shall be reviewed and approved by the Planning Division prior to placement.
11. The building colors and materials shown on the building permit plans shall match those shown on the architectural plans contained in Attachment IV to the June 25, 2026 Planning Commission staff report. 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 and/or prior to construction.
12. All light fixtures and standards shall incorporate a shield to allow for downward illumination. No spillover lighting onto adjacent properties is permitted and all exterior lighting on walls, patios, or balconies shall be recessed/shielded.
13. All vents, gutters, downspouts, flashings, electrical conduits, etc. shall be painted to match the color of the adjacent material unless designed as an architectural element.
14. All exterior and rooftop mechanical equipment shall be screened with parapets or landscaping or located outside of the public’s view. Mechanical and rooftop equipment includes, but is not limited to, electrical panels, transformers, air conditioning units, gas meters and backflow prevention devices. All mechanical equipment and its respective screening shall be shown on the project plans and be subject to final review and approval by City staff prior to the issuance of a Certificate of Occupancy and shall be compatible with respect to forms and materials used on the building.
15. Mailboxes shall be installed in accordance with Post Office policy and include locking mechanisms to minimize opportunities for theft.
16. If human remains, archaeological resources, prehistoric, paleontological or historic artifacts are discovered during construction or excavation, the following procedures shall be followed: Construction and/or excavation activities shall cease immediately and the Planning Division shall be notified. A qualified archaeologist shall be retained

to determine whether any such materials are significant prior to resuming groundbreaking construction activities. Standardized procedure for evaluation accidental finds and discovery of human remains shall be followed as prescribed in Section 15064.5 of the California Environmental Quality Act.

17. In the event that cultural resources of Native American origin are identified during construction, all earth-disturbing work within the vicinity of the find must be temporarily suspended or redirected until an archaeologist has evaluated the nature and significance of the find and an appropriate Native American representative, based on the nature of the find, is consulted. If the City determines that the resource is a tribal cultural resource and thus significant under CEQA, a mitigation plan shall be prepared and implemented in accordance with state guidelines and in consultation with Native American groups. The plan would include avoidance of the resource or, if avoidance of the resource is infeasible, the plan would outline the appropriate treatment of the resource in coordination with the archeologist and the appropriate Native American tribal representative.
18. The Homeowners Association (HOA) shall maintain all building exteriors, walls, lighting, drainage facilities, landscaping, driveways, and parking areas in good condition. The premises shall be kept clean and weed-free.
19. The HOA shall be responsible for graffiti-free maintenance of the property and shall remove any graffiti within 48 hours of occurrence or City notification.
20. This Vesting Tentative Tract Map approval shall align with the timeframe set forth in the Subdivision Map Act and all related automatic and developer-initiated extensions.
21. In accordance with HMC Sections 10-1.3055, the Site Plan Review approval shall expire 36 months after the approval date unless:
 - a. Prior to the expiration of the 36-month period, a building permit application has been submitted and accepted for processing by the Building Official or his/her designee. If a building permit is issued for construction of improvements authorized under this approval, said approval shall be void two (2) years after issuance of the building permit, or three (3) years after approval of the application, whichever is later, unless the construction authorized by the permit has been substantially completed or substantial sums have been expended in reliance on this approval; or
 - b. A time extension of the approval has been granted by the Development Services Director or his/her designee, which requires that a request for an extension of this approval must be submitted in writing to the Planning Division at least 15 days prior to the expiration date of this approval.

Housing

22. This development is subject to the requirements of the Affordable Housing Ordinance set forth in HMC Chapter 10, Article 17. The Developer shall comply with the affordable housing requirements as reflected in the attached final Affordable Housing Plan on file

with the Housing Division and included as Attachment V to the June 25, 2026 Planning Commission staff report and detailed per HMC Section 10-17.510.

23. The development shall be constructed in accordance with a Final Phasing Plan approved by the City. No building permits for any non-City restricted units within a building or phase shall be issued until building permits for all affordable units within that same building or phase have been obtained or obtained simultaneously. The issuance of certificates of occupancy shall follow the same phasing and timing requirements. A Preliminary Phasing Plan is included as Attachment V to the June 25, 2026 Planning Commission staff report.
24. Pursuant to HMC Sections 10-17.515 and 10-17.525, the Developer shall enter into and record against the property an Affordable Housing Agreement that includes all elements outlined in the Affordable Housing Ordinance and the final Affordable Housing Plan on file with the Housing Division and included as Attachment V to the June 25, 2026 Planning Commission staff report, before the approval of a final map or issuance of the first building permit, whichever occurs first. Additional rental or resale restrictions, deeds of trust, option agreements and other documents acceptable to the City Manager or designee shall be recorded.

Fire Safety

25. A fire flow shall be provided in accordance with the California Fire Code (CFC) Table B105.1 based on the construction type and building area where buildings exceed 3,600 square feet. The required fire flow for this site based on a medium density residential development is 3,000 gallons per minute (gpm) for 3 hours; however, the CFC requires 3,750 gpm for 3 hours based on the most hydraulically demanding building onsite. Infrastructure improvements to the site are required to achieve this demand.
26. The average spacing between hydrants shall be 300 feet. Any portion of a building or accessory structure shall be located within 400 feet of a fire hydrant.
27. All fire hydrant types shall be Modified Steamer Hydrant (Clow Valve Co. Model LB 614 with one 2.5-inch outlet and one 4.5-inch outlet) in single-family residential areas or Double Steamer Hydrant (Clow Valve Co. Model 865 with one 2.5-inch outlet and two [2] 4.5-inch outlets) in all other areas. Any fire hydrants installed as part of the fire sprinkler system service line shall be installed on the line so as to remain independently controlled and in operable condition when the fire sprinkler system is closed.
28. Blue reflective fire hydrant blue dot markers shall be installed on all roadways indicating the location of the fire hydrants.
29. Fire apparatus access roads shall not exceed 10 percent in grade unless approved by the Fire Department. Where roadways exceed 10 percent in grade, they shall be reinforced accordingly to the satisfaction of the Fire Department.
30. The minimum turning radii on all roadways shall be 17 feet inside and 45 feet outside.

31. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet, 6 inches. The minimum fire apparatus access road with a fire hydrant is 26 feet.
32. All driveways shall be designed and engineered to withstand 75,000 lbs. gross vehicle weight. This standard is also applicable to areas paved with pavers or decorative concrete. Design of public streets and private streets and courts shall meet Fire Department Standards.
33. Parking shall not be allowed to extend beyond driveways/parking stalls.
34. Fire apparatus access roads from 20 to 26 feet in width shall be posted on both sides of the road as a Fire Lane, while roads from 26 feet to 32 feet in width shall be posted on one side of the road as a Fire Lane. All "No Parking – Fire Lane" signs shall comply with Fire Department standards.
35. The buildings are located within the City of Hayward Wildland/Urban Interface Area, and shall meet the construction requirements (as reflected on the approved plans) as stated in the City of Hayward Hillside Design and Urban/Wildland Interface Guidelines, which includes Class A roofing materials and exterior non-combustible siding materials (stucco), and double-pane windows. Wood shake or treated wood shake roofs are prohibited. The building construction shall comply with the requirements contained in the California Wildland Urban Interface Code as adopted by the City of Hayward.
36. A minimum 4-inch self-illuminated address shall be installed on the front and rear of all dwelling units at a location visible from the street and/or alleys.
37. Building rooftops shall be provided with a minimum of two (2) ladders at the Developer's expense for Fire Department access. Said ladders shall be placed at locations acceptable to the Fire Department to serve rooftop operations and access to the mechanical units and proposed solar arrays.
38. Each proposed building shall be equipped with an overhead fire sprinkler system designed and installed in accordance with National Fire Protection Association (NFPA) 13/13D/13R when buildings are classified as R-2. A separate, deferred submittal by a state-licensed C16 is required for all fire sprinkler systems.
39. Per Hayward Public Works Department requirements, a static pressure of 80 lbs. per square inch (PSI) should be used in fire sprinkler system design when a water test data indicates a higher pressure. The residual pressure should be adjusted accordingly.
40. All underground fire service lines serving NFPA 13D sprinkler systems shall be installed in accordance with City of Hayward Standard Detail No. 216 (SD-216). Water meters shall be minimum one (1) inch in diameter when SD-216 is indicated.

41. All underground fire service lines serving NFPA 13 sprinkler systems shall be installed in accordance with Standard Detail No. 204 (SD-204). Water meters shall be minimum four (4) inches in diameter.
42. Fire sprinkler system monitoring shall be provided for all NFPA 13 sprinkler systems.
43. An audible alarm bell (device) shall be installed on the exterior of the fire sprinkler system riser room.
44. An interior audible alarm device shall be installed within all dwelling units in a location so as to be heard throughout the home with all bedroom doors closed, and shall activate upon any fire sprinkler system water flow activity.
45. Single station smoke detectors required in all bedrooms and hallway areas shall be equipped with smoke detectors, and hard-wired with battery backup. Installation shall conform to the California Building Code (CBC) and NFPA 72.
46. Single station carbon monoxide (CO) detectors shall be installed near all sleeping areas either on a wall approximately 5 feet above the floor or on the ceiling. Each floor in each dwelling unit shall have a separate CO detector.

Hazardous Materials

47. All known structures and their contents shall be removed or demolished under permit in an environmentally appropriate manner. Proper evaluation, analysis and disposal of all materials shall be done by a qualified environmental professional.
48. Any known wells, septic tank systems or other subsurface structures shall be removed properly under permit from all appropriate regulatory agencies when required.

Solid Waste

49. All multi-family properties must subscribe to at least weekly trash service with the City's franchised waste hauler, Waste Management Alameda County.
50. All multi-family properties must separate recyclables and arrange for weekly collection of mixed recyclables (e.g., paper, and food and beverage containers made of glass, metal and plastic).
51. All multi-family properties must separate organic waste materials (i.e., food waste, food-soiled paper, and plant debris) and arrange for weekly collection.
52. If carts or bins are placed curbside or street side for collection, such carts or bins shall not be placed earlier than 6:00 a.m. on the day before scheduled collection, and shall be retrieved and removed from public view by midnight on the day of collection.

Engineering

53. The subdivision shall comply with HMC Chapter 10 Article 3 (Subdivision Ordinance). Subdivision improvements required for public health, safety and welfare shall comply with the current applicable Standard Details of the City of Hayward and other agencies having jurisdiction. Such improvements include, but are not limited to, those needed for vehicular and pedestrian access, fire protection, street/safety lighting and signage, drainage collection and disposal, solid waste collection, and water, sewer, electricity, telecommunication, and natural gas services.
54. All required and conditioned improvements shall be complete as per plans approved by the City Engineer or the subdivider shall execute a Subdivision Improvement Agreement prior to Final Map Approval.
55. Unless otherwise stated, all necessary easements including, but not limited to, those shown on the vesting tentative tract map shall be dedicated and all improvements shall be designed and installed at no cost to the City of Hayward.
56. The final map shall show reservation of a passive open space easement over the rear portion of the property as shown on the project plans included as Attachment IV to the June 25, 2026 Planning Commission staff report restricting improvements to those allowed by the City Engineer or their designee, in consultation with the Hayward GHAD, and as may be further defined through the Hayward GHAD review process, if applicable.
57. A Homeowners Association (HOA) shall be formed, and its Covenants, Conditions and Restrictions (CC&Rs) documents shall be filed in the public records of Alameda County prior to the sale of any parcel. Said documents shall be submitted to the City for its review and approval before issuance of the first building permit and before submittal to the State Department of Real Estate (DRE) and filing in the County's public records. The CC&Rs shall include the following provisions:
 - a. The HOA shall be managed and maintained by a professional property management company and maintain updated registration information with the Secretary of State.
 - b. The HOA shall own and maintain in fully functional condition and good repair all areas, improvements, common area retaining wall systems, and facilities created for common use of the property owners within the project but not dedicated or accepted by the City for its maintenance.
 - c. The HOA shall be responsible for complying with the current and all future updates to the Community Preservation and Improvement Ordinance, Hayward Municipal Code Chapter 5, Article 7.
 - d. The HOA shall maintain the common area landscaping in a healthy, weed-free condition and maintain its irrigation system consistent with project development approvals.
 - e. The HOA shall be responsible for the maintenance and repair of the entire driveways, including the areas where the water meter boxes are located. Following any meter maintenance and repair, the City will restore the areas to a temporary, safe, and functional condition, and the HOA shall be responsible for permanent restoration of the driveway surfaces. The City is not responsible for damage to

- private improvements resulting from any necessary meter access, maintenance, repair, or replacement.
- f. The CC&Rs shall describe how the stormwater treatment and site-design measures associated with privately owned improvements and landscaping shall be maintained by the association.
 - g. 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.
 - h. Street sweeping of the private street and private parking stalls shall be conducted at least once a month.
58. Prior to final map recordation, the developer shall coordinate with the City, including the Hayward GHAD, regarding GHAD annexation and the potential incorporation of the passive open space easement area, which includes a fault-zone area, graded slopes, retaining walls, drainage facilities, and other related improvements, into a GHAD Plan of Control. The final determination regarding GHAD annexation, GHAD acceptance of responsibilities, and the scope of improvements to be included under GHAD responsibility shall be made by the City, in consultation with the Hayward GHAD. If GHAD annexation or GHAD acceptance of responsibilities is determined by the City to be infeasible or inappropriate, the developer's geotechnical engineer shall prepare a maintenance plan for the long-term monitoring, maintenance, repair and replacement of improvements in the passive open space easement and the project's CC&Rs shall state that the HOA shall be responsible for implementation of the maintenance plan in perpetuity.
59. A current title report prepared within the last six (6) months shall be submitted to identify current ownership and any existing easements or land use restrictions.

Transportation

60. Pursuant to City of Hayward Traffic Code Article 9, the HOA shall maintain adequate visibility and sight distance, as defined by City of Hayward Traffic Code, at all project driveways and access points.
61. The HOA shall maintain, in fully functional condition and good repair, all pavement markings and signage within the subject property. This shall include, but is not limited to, all pavement markings and signage on and along private drive aisles and streets and within the subject property's parking lots.

Prior to the Issuance of Building and/or Grading Permit

Planning

62. All outstanding fees owed to the City for processing this application shall be paid in full prior to the issuance of a building permit and/or consideration of any request for an approval extension.

63. A pre-construction nesting bird survey shall be completed prior to any tree removals or the start of any demolition, grading or construction activities if such activities are proposed to commence during the breeding season (February 1st through August 31st) in order to avoid impacts to nesting birds. The survey shall be completed by a qualified biologist or ornithologist no more than 14 days before any demolition/construction activities begin. The biologist or ornithologist shall inspect all trees and other possible nesting habitats in and within 250 feet of the project boundary. If an active nest is found in an area that would be disturbed by demolition and/or construction, the biologist or ornithologist shall designate an adequate buffer zone to be established around the nest, in consultation with the California Department of Fish and Wildlife (CDFW). The buffer must ensure that the nest shall not be disturbed until the young have fledged (left the nest), the nest is vacated, and there is no evidence of second nesting attempts. The developer shall submit a report indicating the results of the survey and any designated buffer zones to the Planning Division prior to the removal of any trees and issuance of a grading permit or demolition permit.
64. Crotch's Bumble Bee Avoidance & Minimization Efforts. (Note: Should Crotch's bumble bee no longer be a potential candidate for listing or listed under the California Endangered Species Act (CESA) at the time of start of construction, then no avoidance measures shall be required.)
- To avoid impacts on Crotch's bumble bee, initial vegetation clearing and ground disturbance in undisturbed areas capable of supporting Crotch's bumble bee (e.g., grasslands) shall occur outside the Colony Active Period (April 1st through August 31st) and the Overwintering Period (November 1st through February 15th), to the extent feasible. If initial vegetation clearing and ground disturbance outside the Colony Active Period is not feasible, then a qualified biologist/entomologist familiar with the species behavior and life history shall conduct a pre-construction survey no more than seven (7) days prior to the commencement of construction activities in Crotch's bumble bee habitat to determine whether there is bumble bee activity in the work area. The survey shall occur during the day (at least two hours after sunrise and at least three hours before sunset), when temperatures are above 60 degrees Fahrenheit, and not during wet conditions (e.g., dense fog, drizzle or rain). The biologist/entomologist shall take photographs of any bumble bees observed and any floral resources visited by bumble bees. If no Crotch's bumble bees are observed during the focused survey, no additional actions are required.
 - If Crotch's bumble bees are observed, any bumble bee nests shall be flagged for avoidance and a no-disturbance buffer (typically 50 feet) shall be established. The size and configuration of the buffer shall be based on the professional judgement of the biologist/entomologist. A no-disturbance buffer around a nest shall remain in place and monitored by the biologist/entomologist until the nest is no longer active. If the bees or their nests cannot be avoided such that take may occur during construction activities, the Developer shall consult with the California Department of Fish and Wildlife to obtain an Incidental Take Permit.

65. All exterior wood-stud wall assemblies shall consist of 7/8-inch exterior cement plaster or similar exterior finish over sheathing, 2x wood studs with batt insulation in the cavity, and one layer of gypsum board on the exterior.
66. All exterior glazed window and door assemblies shall be as shown in Table 2 with acoustical performance as specified in the Appendix of the Acoustical Façade Analysis conducted by Westside Acoustics on February 19, 2026, on file with the Planning Division.
67. All units in the development shall be furnished with central heating and air conditioning systems.

Building

68. The architect of record shall ensure that the project design complies with California Building Code (CBC) Chapter 11A for multi-family residential projects. The building permit drawings shall include all applicable information.
69. Please be advised that each Pacific Gas & Electric Company (PG&E) electrical meter shall have an address assigned to it by the City's Building Division.
70. Please note that each element on the site will need separate building permits for inspection purposes. For example, if the plans show two buildings and a detached trash enclosure, there will be three building permits. Light poles, gazebos, retaining walls, mailbox structures, meter pedestals and similar accessory elements all require separate permits.
71. Please be advised that any elements shown on the grading permit that also require a building permit must be submitted to the Building Division for review separately. For example, if the grading permit application shows a retaining wall and is approved by the Public Works Department, it does not mean the retaining wall was reviewed for CBC compliance. The location may be approved, but the technical aspects of the retaining wall's construction, which is an element that falls under the CBC, must be included in the building permit application and will be reviewed for structural compliance by the Building Division.

Hazardous Materials

72. The Developer shall provide clearance documentation from either the Regional Water Quality Control Board (RWQCB), the Department of Toxic Substance Control (DTSC), or the Alameda County Department of Environmental Health's Local Oversight Program (LOP) ensuring that the property meets residential investigation and cleanup standards. The LOP's director, Paresh Khatri, can be reached at 510-567-6700. Please contact Hugh Murphy, City of Hayward Hazardous Materials Program Manager, at 510-583-4924 prior to contacting the LOP. LOP clearance shall be submitted to the City's Hazardous Materials Office and Public Works Department-Engineering Division prior to issuance of any building and/or grading permits.

Solid Waste & Utilities

73. The City requires that all construction and demolition debris be recycled. Submittal of a waste management plan is required at the time of your building permit. Please visit Hayward's Green Halo webpage at <https://wastetracking.com/city/hayward/> and create a waste management plan online. You can also fill out the Debris Recycling Statement manually instead of filling out the waste management plan online. The Statement form can be found online at <http://www.hayward-ca.gov/services/city-services/construction-and-demolition-debris-disposal>.
74. The Developer is responsible for applicable water and sewer installation and connection fees at the current rates in effect at the time of application for water and/or sewer service and/or at building permit issuance. The current utility installation and connection fees are available on our website at www.hayward-ca.gov/water-service/connection-fees.
75. Each residential dwelling unit shall have an individual domestic water meter. The following configurations may be considered to serve the development for domestic and fire water services.
 - a. Separate Domestic and Fire Services: Each structure or building shall have its own fire service sized by the requirements of the Fire Department. Fire services shall have an above ground Double Check Valve Assembly, per City of Hayward Standard Detail 201 (SD-201) and 204 (SD-204).
 - b. Combined Domestic & Fire Services: The development may install combined residential domestic and fire services for each residence. A minimum 1-inch water meter is required for residential fire sprinklers. Residential combined domestic and fire services are allowed per City of Hayward Standard Detail 216 (SD-216). The configuration must have two separate water service lines on the back side of the water meter: one for domestic water service and one for fire water service, as shown on Figure 2B on SD-216.
76. Separate irrigation water meters and services shall be installed for the development's common landscaping. Also, for residential properties, any landscaping equal or greater than 5,000 sq ft, requires its own irrigation service line, meter, and RP device. The Developer shall install an above ground Reduced Pressure Backflow Prevention Assembly (RPBA) on each irrigation water meter, per City of Hayward Standard Detail 202 (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. The development shall dedicate a public Water Line Easement (WLE) including rights of ingress and egress for the purpose of construction, reconstruction, and maintenance of public water system facilities within the entire roadway/private street including areas where the public hydrants, water meters, and water boxes are located. The HOA shall be responsible for the maintenance and repair of driveways, including the areas where the water meter boxes are located. The final location and width of the easement shall be to the satisfaction of the City Engineer.

78. The development shall dedicate a public Sanitary Sewer Easement (SSE) including rights of ingress and egress for the purpose of construction, reconstruction, and maintenance of public sanitary sewer system facilities (sanitary sewer mains and manholes) within the entire roadway/private street. The final location and width of the easement shall be to the satisfaction of the City Engineer.
79. Facilities and improvements including, but not limited to, structures, stormwater retention/treatment facilities, deep rooted landscaping, and trees are not allowed within both Water Line Easements (WLE) and Sanitary Sewer Easements (SSE). The entire "air space" above-ground and over any WLEs and SSEs shall be kept clear of any facilities and improvements.
80. Water Services:
- a. All public water mains and appurtenances shall be constructed in accordance with the City of Hayward latest "Specifications for the Construction of Water Mains and Fire Hydrants," available on the City's website at www.hayward-ca.gov/your-government/departments/engineering-division.
 - b. Recycled backfill material is not allowed in the pipe zone and up to below subgrade of public potable water mains and services. Backfill shall be of virgin materials for water mains, services, and fire hydrant construction.
 - c. All connections to existing City of Hayward water mains shall be performed by City of Hayward Water Field Services at the Developer's expense.
 - d. Only City of Hayward Water Field Services shall operate valves on the City of Hayward Water System.
 - e. Any modifications to existing City of Hayward water services including but not limited to upsizing, downsizing, abandonment, relocation, and reconnection shall be performed by City of Hayward Water Field Services at the Developer's expense.
 - f. The water meter box lid shall be Nicor, Inc., and traffic-rated (H-20 minimum).
 - g. Ductile iron pipe shall be wrapped in V-Bio Enhanced Polyethylene Encasement.
 - h. Water mains shall be located at least ten (10) feet horizontally from and one (1) foot vertically above any parallel pipeline conveying untreated sewage, and at least four (4) feet from and one (1) foot vertically above any parallel pipeline conveying storm drainage, per the current California Code of Regulations Title 22 Division 4 Chapter 16 Article 4. The minimum horizontal separation distances can be reduced by using higher grade piping materials with approval by the City Engineer.
 - i. Existing Fire Hydrants shall be salvaged and returned to the City by the Contractor.
 - j. For sidewalks less than 6 feet in width, all fire hydrants shall be located at the property line and behind the sidewalk per City of Hayward Standard Detail 206 (SD-206). The WLE shall extend to include the fire hydrants.
 - k. Water meters and services are to be located a minimum of two feet from top of driveway flares as per City of Hayward Standard Detail 213 (SD-213) through 218 (SD-218).
 - l. All property owners shall maintain clear and unobstructed access to meters at all times. All meter boxes and lids shall be traffic-rated (H-20 minimum) and installed flush with the finished driveway surfaces. The HOA shall be responsible for the

maintenance and repair of the entire driveways, including the areas where the water meter boxes are located. Following any meter maintenance and repair, the City of Hayward will restore the areas to a temporary, safe, and functional condition, and the HOA shall be responsible for permanent restoration of the driveway surfaces. The City of Hayward is not responsible for damage to private improvements resulting from any necessary meter access, maintenance, repair, or replacement.

81. The development shall provide separate connections to the City's existing 8-inch and 12-inch water mains within Mission Boulevard as generally shown on the approved Vesting Tentative Tract Map's Utilities Plan and subject to City Engineer review and approval of the Improvement Plans. All associated improvements necessary to make the connections shall be at the Developer's expense and conform to City standards.
82. Sanitary Sewer Services:
 - a. All sanitary sewer mains and appurtenances shall be constructed in accordance with the City of Hayward latest "Specifications for the Construction of Sewer Mains and Appurtenances," available on the City's website at www.hayward-ca.gov/your-government/departments/engineering-division.
 - b. Backflow prevention valves for sanitary sewers shall be installed per City of Hayward Standard Detail 314 (SD-314) if the lowest fixture in any building is below the rim elevation of the nearest upstream manhole or riser.
 - c. Each townhome dwelling unit shall have its own sanitary sewer lateral, per City of Hayward Standard Detail 312 (SD-312) and 313 (SD-313).
 - d. Where two sewer lines converge that are both 6-inch diameter or greater, the connection shall be made at a manhole.

Engineering

83. Improvement Plans and related design documents prepared by or under the direction of State licensed and qualified professionals shall be submitted to the City Engineer for all public and private improvements shown on the Tentative Map and necessary to develop the project site. The Improvement Plans shall include all engineering studies and design documents and must be reviewed and approved by the City Engineer prior to Final Map approval.
84. No building permits shall be issued for new structures on proposed lots prior to issuance of the grading permit and recordation of the Final Map, except for model homes as allowed per the Subdivision Map Act Section 66499.30 (a).
85. The Developer shall obtain permits or approvals from all affected agencies or private parties. Copies of applicable permits/approvals shall be provided to the City Engineer.
86. All grading shall comply with HMC Chapter 10, Article 8 (Grading and Clearing Ordinance). A fine grading and drainage plan prepared by a State licensed civil engineer shall be submitted as part of the Improvement Plans for review and approval by the City Engineer

prior to the issuance of building permits. The Developer has the option to apply for a grading permit to rough grade the project site.

87. A soils report prepared by a licensed civil or geotechnical engineer subject to approval by the City Engineer shall be submitted to the Engineering Division, and the grading, retaining walls, surface and sub-surface drainage, lot drainage, and utility trench backfilling shall be designed in accordance with the recommendations of the soils report. Final grading and drainage plans for the grading permit shall be reviewed and signed by the geotechnical engineer certifying that the recommendations in the report have been followed. The geotechnical engineer shall submit a letter report to the City at completion of construction certifying that grading, drainage and backfill installation was performed in general compliance with recommendations in the soils report. All material testing reports shall be attached to the certification letter report.
88. A retaining wall permit from the Building Division is required for all earth retaining structures greater than four (4) feet in height (measured from top of wall to bottom of footing) or of any height supporting a surcharge. Structural calculations and details prepared by a licensed civil or structural engineer are required and shall be reviewed and approved by the Building Division.
89. The project shall not block runoff from, or augment runoff to, any adjacent properties. The Developer shall be required to mitigate augmented runoff to maintain post-development site discharge rates to less than or equal to pre-development discharge rates to the satisfaction of the City Engineer.
90. The Alameda County Flood Control and Water Conservation District's Hydrology and Hydraulics Criteria Summary shall be used to design the storm drain system. On-site surface drainage shall be collected and conveyed to a public drainage system as per plans approved by the City Engineer. The storm drainage system shall be designed to convey a 10-year storm event. Such conveyance may require extension or replacement of the public drainage system as determined necessary by the City Engineer.
91. If the project proposes to connect directly to a facility owned by the Alameda County Flood Control District (ACFCD), the Developer shall submit the improvement plans, including the proposed storm drainage system, to ACFCD for review and approval unless otherwise directed by ACFCD. ACFCD's approval of the improvement plans shall be obtained prior to the City's approval of the plans. In addition, the Developer shall obtain all permits required by ACFCD, including but not limited to encroachment permits, prior to performing any construction work that connects to or impacts ACFCD facilities.
92. Drainage plans shall include all proposed underground pipes, building drains, area drains and inlets. All building sites shall be graded to slope away from the building foundations per California Building Code, Chapter 18, Section 1804.3 Site Grading or as required by the Soils Engineer. On-site collector storm drains shall be sized to minimize potential for blockages. Storm drains shall be designed to prevent standing water.

93. The on-site storm conveyance and treatment systems shall be owned and maintained by the HOA.
94. Project runoff shall be treated for pollution prevention with bio-treatment measures in conformance with Alameda County Clean Water Program C.3 design guidance. The project's Stormwater Control Plan and updated Stormwater Requirements Checklist shall be submitted together with plans showing, at a minimum, drainage management areas, location and details of all treatment control and site design measures, and numeric sizing calculations.
95. The Developer shall submit a Notice of Intent and a Storm Water Pollution Prevention Plan (SWPPP) for controlling storm water discharges associated with construction activity to the State Water Resources Control Board. Copies of these documents including the WDID issued by the State Water Resources Control Board shall be submitted to the City prior to issuance of a grading permit. The SWPPP shall utilize the California Storm Water Best Management Practices Handbook for Construction Activities, the ABAG Manual of Standards for Erosion & Sediment Control Measures, the City's Grading and Erosion Control ordinances and other generally accepted engineering practices for erosion control.
96. All broken, cracked, or uplifted curb, gutter, and sidewalk shall be removed and replaced along the project frontage. The existing street section shall be removed and replaced with a 2-inch grind and 2-inch HMA overlay from the project frontage to the face of median curb on Mission Boulevard if the existing pavement is damaged or the structural section is determined by the City Engineer to be inadequate for the intended traffic. Alternatively, the City Engineer or their designee may request micro-surfacing of the street pavement across the project frontage to the centerline of Mission Blvd. Any unused driveways or portions thereof shall be removed and replaced with curb, gutter and sidewalk per applicable City Standards.
97. All private streets shall be constructed to the same standards as public streets per applicable City Standard Details.
98. All sidewalks shall comply with Americans with Disabilities Act (ADA) and Title 24 requirements for cross slope, including driveway approaches and curb ramps.
99. All sidewalks, driveway approaches, curb, and gutter fronting the project site shall be designed and constructed in accordance with the applicable City Standard Details and generally consistent with Sheet C3.0 of the Tentative Map. The final limits of curb, gutter, sidewalk, and driveway replacement shall be determined during improvement plan review to the satisfaction of the City Engineer or their designee. The City may require the limits of replacement to extend beyond the areas shown on Sheet C3.0, up to and including the entirety of the project frontage, as necessary to provide conforming frontage improvements.
100. The existing streetlight located within the project frontage shall be relocated to the north side of the proposed driveway, outside of the driveway approach serving

Assessor Parcel Number 078C-0455-001-07, as generally shown on Sheet C5.0 of the Vesting Tentative Tract Map plans. The relocation shall be shown on the improvement plans and completed to the satisfaction of the City Engineer or their designee.

101. Street lighting along the development frontage and on-site lighting shall comply with current City lighting standards and the City's Security Ordinance. On-site 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 the public right-of-way. Photometric analysis/studies shall be submitted for review and approval by the City Engineer.
102. All dry utility lines and associated equipment for serving the units shall be installed in underground conduits and vaults as per HMC Section 10-3.815. The City's preference is that transformers, switchgear and associated equipment be placed in underground vaults where consistent with Pacific Gas & Electric Company (PG&E) standards and guidelines, and where approved by PG&E. If PG&E requires or authorizes pad-mounted, above-ground transformers, switchgear, or cabinets, such equipment shall be clearly identified on the final Subdivision Improvement Plans, including both the utility and landscape plans. Above-ground equipment shall be sited and screened (e.g., with landscaping, decorative walls, or other design treatments acceptable to the City) to minimize visual and physical impacts. All dry utility equipment installations shall be coordinated with PG&E and are subject to City review and approval prior to approval of the joint trench plans.
103. The Developer shall provide and install the appropriate facilities, conduit, junction boxes, etc., to allow for installation of a fiber optic network within the development.

Transportation

104. The Developer shall prepare and submit an on-site and off-site (fronting City right-of-way) Signing and Striping Plan in accordance with current Caltrans Standard Plans (refer to Caltrans Standard Plans Sheet A90A for more information regarding marking disabled stalls). Signing and Striping plans shall be included in Improvement Plans and shall be prepared to the satisfaction of the Public Works Director or his/her designee.
105. The Developer shall install signage and striping prohibiting parking and stopping along the subject property's frontage on Mission Boulevard within an area beginning at the subject property's driveway and extending, at minimum, 25 feet in the southerly direction. This item shall be included in the Signing and Striping plans. The Public Works Director (or his/her designee) shall determine the final configuration and exact length of the restriction upon review of the Signing and Striping Plans. All improvements shall be designed, permitted, and installed at the Developer's expense to the satisfaction of the Public Works Director or his/her designee.
106. Driveway access along Mission Boulevard shall be "right-in, right-out" only. No left turns shall be permitted. The Developer shall install appropriate signage including, but not limited to, "Right-Turn Only" (CA MUTCD R3-5R) at the subject property's driveway

and supplemental “One Way” (CA MUTCD R6-1R) signage within the median on Mission Boulevard facing the driveway. These items shall be included in the Signing and Striping Plans.

107. The Developer shall prepare and submit an on-site and off-site Photometrics Plan. The Photometrics Plan shall conform to all applicable City Standard Details (<https://www.hayward-ca.gov/sites/default/files/documents/standard-details-updated-jan-2020.pdf>), including, but not limited, to SD-120, Design Criteria for Roadway Lighting, and shall be prepared to the satisfaction of the Public Works Director or his/her designee.
108. Pursuant to HMC 7-1.10, and if required by the Public Works Director upon review of the Photometrics Plan, the Developer shall install on-site and/or off-site lighting at all locations within the subject property or along the subject property’s frontage (including but not limited to city standard street lighting) deemed necessary by the Public Works Director in order to comply with Municipal Code and/or Standard Detail lighting specifications and requirements. All proposed lighting in the Photometrics Plans shall be included in the Improvement Plans, and shall be prepared to the satisfaction of the Public Works Director or his/her designee.
109. The Developer shall prepare and submit a Turning Analysis, which shall be prepared and stamped by a Professional Engineer (P.E.) or Traffic Engineer (T.E.) licensed by the State of California. The Turning Analysis shall be prepared using the AutoTURN software package and using the vehicle template determined by the Public Works Director or his/her designee as the largest vehicle expected on-site (generally not to exceed WB-50). The Turning Analysis shall not depict vehicles backing out into the public right-of-way, including but not limited to, sidewalks and general purpose vehicular travel lanes.

During Construction

Planning

110. The following general wildlife best management practices shall be required to be implemented during all demolition/grading/construction activities:
 - No pets or firearms shall be allowed at the Project Site during construction activities.
 - All trash that may attract predators must be properly contained and removed from the work site. All such waste shall be picked up daily and properly disposed of at an appropriate site.
 - All refueling, maintenance, and staging of equipment and vehicles should occur at least 100 feet from any wetland or stormwater catchment facility. A plan must be in place for prompt and effective response to any accidental spills prior to the commencement of work activities. All workers should be informed of the appropriate measures to take should an accidental spill occur.

- To control sedimentation during and after construction, appropriate erosion control best management practices (i.e., use of coir rolls, jute netting, etc.) should be implemented to control and prevent runoff from entering any drainage facilities. No plastic monofilament netting shall be utilized on-site.
 - All vehicles and equipment should be maintained in good working condition and free of leaks.
 - Work should be restricted to daylight hours to the maximum extent feasible.
111. In accordance with HMC Section 4-1.03-4, construction activities conducted between 7:00 a.m. and 7:00 p.m. Monday through Saturday or between 10:00 a.m. and 6:00 p.m. on Sundays or holidays shall not include any individual equipment that produces a noise level exceeding 83 dB measured at 25 feet from the source, nor shall activities produce a noise level outside the project property lines in excess of 86 dB. During all other hours, noise shall not exceed the limits defined in HMC Section 4-1.03.1 (70 dB daytime or 60 dB nighttime, measured at residential property lines.
112. The applicant shall implement the following measures to control dust and exhaust emissions during all grading and construction activities. These measures shall be noted on the construction documents prior to issuance of a grading or building permit:
- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered twice a day.
 - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
 - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
 - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
 - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
 - Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
 - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

Hazardous Materials

113. If any hazardous materials/wastes or their containers are discovered during grading and/or construction, the Hayward Fire Department shall be notified immediately at 510-583-4910.
114. If found on the property, underground structures and/or vessels shall be removed under an approved plan filed with the Hayward Fire Department, and appropriate samples shall be taken under the direction of a qualified environmental consultant to ensure that contamination has not occurred to soil or groundwater. A follow-up report prepared by the environmental consultant shall be required which documents all activities performed and conclusions reached. Specific requirements for each type of underground structure or vessel shall be as follows:
- Underground storage tanks and associated piping: A removal plan that includes appropriate soil and groundwater sampling shall be submitted with a removal permit application to the Hayward Fire Department for review and approval, and a follow-up report shall be submitted upon completion of the removal.
 - Oil/Water Separators: A plan that includes appropriate sampling shall be submitted to the Hayward Fire Department for review and approval, and a follow-up report shall be submitted upon completion of the removal.
 - Hydraulic Lifts: A plan that includes appropriate sampling shall be submitted to the Hayward Fire Department for review and approval, and a follow-up report shall be submitted upon completion of the removal.
115. All hazardous materials used at the site during grading and construction activities shall be properly stored, handled and disposed of in accordance with all applicable regulations.

Utilities

116. Any applicable water service and meter installation work shall be scheduled after the building permit is issued, and the Water & Sewer Service Application is submitted and approved. The water and sewer utility accounts shall be established at the time when water meters are installed.

Engineering

117. The Developer shall be responsible for preventing the discharge of pollutants (sediments) into the street and/or the public storm drain system from the project site during construction in accordance with HMC Section 11-5.19. Projects proposed for construction between October 1st and April 30th must have an erosion and sedimentation control program approved, and implemented to the maximum extent possible, prior to the start of any land disturbing activity. Trash and debris must be adequately contained at all times. Such measures shall be maintained during the project's construction period. Violations or other noncompliance with stormwater management measures may result in the project being shut down, including any building permit activity, until full compliance with stormwater management requirements is achieved.

118. The Developer shall be responsible for adjusting existing utility boxes/vaults to grade, and locating and protecting the existing communication conduits (fiber optic and copper) along the project frontage.
119. All required improvements leading and adjacent to units to be occupied shall be installed according to the approved plan, including completion of any punch list items. The public shall not be allowed to pass through areas of activity to reach occupied units.

Prior to Issuance of Certificate of Occupancy

Planning

120. Prior to issuance of a Certificate of Occupancy, the developer shall contact the Planning Division and be subject to a site inspection by the designated project planner to verify that all applicable mitigations and conditions of approval have been satisfied. The cost of inspection, including any subsequent inspections that are deemed necessary by the City, shall be paid by the Developer.

Utilities

121. Water services, meters, and backflow prevention devices shall be installed and connected to the satisfaction of the City of Hayward Utilities/Water Field Services prior to issuance of any final Certificates of Occupancy.

Engineering

122. All public improvements, including the complete installation of all street improvements, fencing, sanitary sewer, storm drainage, water system, underground utilities, streetlights, etc., shall be completed and accepted by the City Engineer before approval of occupancy of any unit in each phase of the subdivision. Where facilities of other agencies are involved, such installation shall be verified as having been completed and accepted by those agencies.
123. Prior to final inspection and issuance of any Certificates of Occupancy, all pertinent conditions of approval and all improvements shall be completed to the satisfaction of the Public Works Director and Development Services Director or his/her designees.
124. Prior to issuance of Certificates of Occupancy for any unit within the project, an exhibit showing the proposed phased closures/openings during construction shall be submitted to the Engineering Division. The exhibit shall detail the number and locations of units to be released and portion of public street and sidewalk to be opened/closed to the public at each phase. The exhibit shall also show access routes and include traffic control plans. Proper measures such as trap fencing, gates, and signs must be in place to separate adjacent construction activities from occupied units. These measures shall be reviewed and approved by the City Inspector prior to installation and occupancy of units.

125. The Developer or HOA 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.
126. The project Qualified SWPPP Practitioner (QSP) shall prepare and file a Final SWPPP Report with the City and Water Board.
127. Prior to the issuance of any Certificates of Occupancy, the Developer shall submit a confirming letter from the project geologic and/or geotechnical team confirming they have observed all grading activities and that those activities were performed in conformance with their recommendations.
128. Prior to the issuance of any Certificate of Occupancy, the Engineer of Record shall submit a confirming letter that all grading, drainage, and engineering components of the project have been performed in conformance with the approved plans and specifications.
129. As-built records of site grading and improvements completed by the Developer shall be provided to the City Engineer on electronic media in AutoCAD and .pdf formats.

-End of Conditions-