

**RESOLUTION NO. 17-xx**

**A RESOLUTION OF THE PLANNING COMMISSION  
OF THE CITY OF DUBLIN**

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**APPROVING VESTING TENTATIVE MAPS 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367,  
AND 8368 TO CREATE INDIVIDUAL NEIGHBORHOODS AND PARCELS ON  
APPROXIMATELY 54.5 ACRES IN PHASES 2 AND 3 OF THE BOULEVARD PROJECT  
AREA AND APPROVAL OF MINOR MODIFICATIONS TO THE BOULEVARD (DUBLIN  
CROSSING) LANDSCAPE MASTER PLAN  
(APN 986-0001-001-20 AND A PORTION OF APN 986-0001-001-15)  
PLPA-2016-00057**

**WHEREAS**, the Applicant, Dublin Crossing LLC, is requesting approval of Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 to create individual neighborhoods and parcels on 54.5 acres within Phases 2 and 3 of the Boulevard (Dublin Crossing) project area, and approval of minor modifications to the Landscape Master Plan for the overall Boulevard project area; and

**WHEREAS**, the Applicant is also requesting approval to construct twelve new neighborhoods in the Boulevard (Dublin Crossing) project area ("Project Site"), which includes the construction of 791 townhomes, condominiums, and detached small-lot single family homes, landscape improvements, and street improvements for Phases 2 and 3 (out of five phases of development); and

**WHEREAS**, the project site is located within the Dublin Crossing Specific Plan and the Dublin Crossing Zoning District; and

**WHEREAS**, Master Vesting Tentative 8150 was approved via Resolution 14-14 that divided the 189-acre Boulevard (Dublin Crossing) project area into five master parcels to coincide with the five anticipated phases development; and

**WHEREAS**, Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 will further divide the five master parcels into smaller parcels for the purposes of development in compliance with the Dublin Crossing Specific Plan, which was approved by the City Council via Resolution 187-13; and

**WHEREAS**, the Vesting Tentative Map application, Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368, included in the Project Plan Set that is attached as Exhibit A to the separate SDR Resolution 17-xx, and the Boulevard Landscape Master Plan, attached as Exhibit A to this Resolution, collectively defines this "Project" and is available and on file in the Community Development Department; and

**WHEREAS**, Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 illustrates the lotting plans, proposed roadway improvements (roadway widths, bike and pedestrian, and bus stops), utility plans (water, sewer, and wastewater), grading plans, stormwater treatment plans, and also includes the Dublin Crossing Landscape Master Plan (Exhibit A) as a separately-bound document; and

**WHEREAS**, multiple future Final Maps map be filed; and

**WHEREAS**, Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are in conformance with the Dublin Crossing Specific Plan and General Plan; and

**WHEREAS**, in accordance with the California Environmental Quality Act certain projects are required to be reviewed for environmental impacts and when applicable, environmental documents prepared; and

**WHEREAS**, the project is located within the Dublin Crossing Specific Plan area (Specific Plan), which was the subject of an Environmental Impact Report (EIR) (SCH# 2012062009) prepared in accordance with the California Environmental Quality Act (CEQA) and certified by the City Council on November 5, 2013 (Resolution 186-13). Subdivision maps were included as part of the project entitlements listed in the EIR. The EIR provides the CEQA environmental review for those future entitlements to implement the Specific Plan, unless the standards for subsequent or supplemental environmental review under CEQA are met. Pursuant to CEQA, the Vesting Tentative Map approval for this project is within the scope of the project analyzed in the EIR and no further CEQA review or document is required; and

**WHEREAS**, the Planning Commission held two study sessions on April 11, 2017 and April 25, 2017 to review the proposed project and provide feedback to the Applicant; and

**WHEREAS**, a Staff Report was submitted recommending that the Planning Commission approve Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368; and

**WHEREAS**, the Planning Commission did hold a public hearing on said application on May 9, 2017, at which time all interested parties had the opportunity to be heard; and

**WHEREAS**, proper notice of said public hearing was given in all respects as required by law; and

**WHEREAS**, a Staff Report was submitted recommending that the Planning Commission approve Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368; and

**WHEREAS**, the Planning Commission did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

**NOW, THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Dublin does hereby make the following findings and determinations regarding Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 for the Boulevard (Dublin Crossing) Project in conformance with Chapter 9 (Subdivisions) of the Dublin Municipal Code:

- A. Proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368, together with the provisions for its design and improvement, are consistent with the Dublin General Plan and the Dublin Crossing Specific Plan, *as they relate to the subject property in that they are subdivisions for implementation that are generally consistent with the design guidelines and development standards of the policy documents.*

- B. The subdivision site is physically suitable for the type and proposed density of development because *the project design, architecture, and concept have been integrated with topography of the project site created by Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 to incorporate habitat preservation, install water quality measures, and minimize overgrading and extensive use of retaining walls. Therefore, the proposed subdivisions are physically suitable for the type and intensity of development proposed.*
- C. Proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are consistent with the intent of applicable subdivision design or improvements of the tentative tract map are consistent with the Dublin General Plan and the Dublin Crossing Specific Plan.
- D. The design of Proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 and proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because *all mitigations required by the Dublin Crossing Specific Plan related to biological resources have been complied with.*
- E. The design of the subdivision or type of improvements will not cause serious public health concerns.
- F. The design of proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision; or alternate easements are provided. *The City Engineer has reviewed the maps and title reports and has not found any conflicting easements of this nature.*
- G. The design or improvements of proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are consistent with the Dublin General Plan and the Dublin Crossing Specific Plan because *the project design, architecture, and concept have been integrated with topography of the project site created by Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 to incorporate habitat preservation, install water quality measures, and minimize overgrading and extensive use of retaining walls. Therefore, the proposed subdivisions are physically suitable for the type and intensity of development proposed.*
- H. Proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are designed to provide for future passive or natural heating or cooling opportunities in that, *where feasible, building orientation and spacing has been taken into account when plotting the building locations on the development sites, and passive/natural heating and cooling opportunities have not been precluded;*
- I. Proposed Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368, including design and improvement, shall comply with all the applicable provisions and requirements of the zoning ordinance, the latest municipal stormwater permit issued to the city by the Regional Water Quality Control Board, this title, any other ordinance of the city, and the Subdivision Map Act *as required by the Dublin Crossing EIR and project-specific conditions of approval noted herein.*

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Dublin does hereby make the following findings and determinations under CEQA regarding Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 for the Boulevard

(Dublin Crossing) Project. These findings are based on information contained in the EIR, the Planning Commission Staff Report, and all other information contained in the entire record for the Project. These findings constitute a summary of the information contained in the entire record. Other facts and information in the record that constitute substantial evidence to support each finding that is not specifically included below are incorporated herein by reference:

- A. Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are within the scope of the project analyzed in the EIR. The environmental impacts of Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 are analyzed in the EIR and no further environmental review is required under CEQA for Vesting Tentative Maps 8306, 8307, 8308, and 8309 under Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163.
- B. Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 do not constitute a substantial change to the project analyzed in the EIR that will require major revisions to the EIR due to new significant environmental effects or a substantial increase in severity of previously identified significant effects. Vesting Tentative Maps 8306, 8307, 8308, and 8309 are consistent with the Project analyzed in the EIR and do not propose any change to the Project.
- C. There are no substantial changes that have occurred with respect to the circumstances under which the Project will be undertaken that will require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in severity of significant effects identified in the EIR. The EIR was certified in 2013 and no substantial changes to circumstances affecting the Project have occurred within that period of time.
- D. There is no new information of substantial importance, which was not known or could not have been known with the exercise of reasonable diligence at the time the EIR was certified in 2013 that show any of the conditions in CEQA Guidelines section 15162(a)(3)(A) – (D).
- E. The mitigation measures in the Mitigation Monitoring and Reporting Program adopted by the City Council on November 5, 2013 apply to Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 as applicable.

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Dublin hereby approves Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 for 791 residential units in twelve neighborhoods subject to the conditions included below.

**CONDITIONS OF APPROVAL – Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368:**

Unless stated otherwise, all Conditions of Approval shall be complied with prior to the issuance of building permits or establishment of use, and shall be subject to Planning Department review and approval. The following codes represent those departments/agencies responsible for monitoring compliance of the conditions of approval. [PL.] Planning, [B] Building, [PO] Police, [PW] Public Works [P&CS] Parks & Community Services, [ADM] Administration/City Attorney,

[FIN] Finance, [F] Alameda County Fire Department, [DSR] Dublin San Ramon Services District, [CO] Alameda County Department of Environmental Health, [Z7] Zone 7.

COA #	Condition Text	Resp. Agency	Required Prior to:
<b>PLANNING DIVISION</b>			
1.	<b>Approval.</b> Vesting Tentative Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 establish twelve residential neighborhoods for Phases 2 and 3 and the associated Landscape Master Plan contains landscape design concepts for the whole Boulevard (Dublin Crossing Specific Plan) Area. Unless modified by the Conditions of Approval contained herein Development pursuant to this Vesting Tentative Map approval generally shall conform to the civil drawings prepared by RJA dated received May 2, 2017 (attached to the SDR Resolution 17-xx as <u>Exhibit A</u> ) and the revised Boulevard (Dublin Crossing) Landscape Master Plan (LSMP) prepared by Gates and Associates dated April 2017 (attached to this Resolution as <u>Exhibit A</u> ), both of which are on file in the Community Development Department. Approval of this Landscape Master Plan amends the previous Landscape Master Plan approval (PC Resolution 16-11).	PL	Ongoing
2.	<b>VTM 8150.</b> All Conditions of Approval in PC Resolution 14-14 that do not relate to the Landscape Master Plan remain in full force and effect.	PL	Ongoing
3.	<b>Effective Date.</b> This VTM approval becomes effective 10 days after action by the Planning Commission unless otherwise appealed to the City Council.	PL	Ongoing
4.	<b>Expiration.</b> The Vesting Tentative Maps, of which the Landscape Master Plan is a part, shall have that life determined by the Subdivision Map Act, including but not limited to Section 66452.6	PL	Ongoing
5.	<b>Compliance.</b> The Applicant/Property Owner shall operate this use in compliance with the Conditions of Approval of this VTM approval, the approved plans and the regulations established in the Zoning Ordinance. Any violation of the terms or conditions specified may be subject to enforcement action.	PL	Ongoing
6.	<b>Revocation of Permit.</b> The VTM approval shall be revocable for cause in accordance with Chapter 9 of the Dublin Municipal Code and the State Subdivision Map Act. Any violation of the terms or conditions of this permit shall be subject to citation.	PL	Ongoing
7.	<b>Requirements and Standard Conditions.</b> The Applicant/ Developer shall comply with applicable City of Dublin Fire Prevention Bureau, Dublin Public Works Department, Dublin Building Department, Dublin Police Services, Alameda County Flood Control District Zone 7, Livermore Amador Valley Transit Authority, Alameda County Public and Environmental Health, Dublin San Ramon Services District and the California Department of Health Services requirements and standard conditions except where superseded by the Development Agreement. Prior to issuance of building permits or the installation of any improvements related to this project, the Developer shall supply written statements from each such agency or department to the Planning Department, indicating that all applicable conditions required have been or will be met.	Various	Building Permit Issuance
8.	<b>Required Permits.</b> Developer shall obtain all permits required by other agencies including, but not limited to Zone 7 Water Agency, California Department of Fish and Wildlife, Army Corps of Engineers, Regional Water Quality Control Board, Caltrans and provide copies of the permits to the Public Works Department.	PW	Building Permit Issuance
9.	<b>Fees.</b> Applicant/Developer shall pay all applicable fees in effect at the	Various	Building Permit

COA #	Condition Text	Resp. Agency	Required Prior to:
	time of building permit issuance, including, but not limited to, Planning fees, Building fees, Traffic Impact Fees, TVTC fees, Dublin San Ramon Services District fees, Public Facilities fees, Dublin Unified School District School Impact fees, Fire Facilities Impact fees, Alameda County Flood and Water Conservation District (Zone 7) Drainage and Water Connection fees; or any other fee that may be adopted and applicable except where superseded by the Development Agreement.		Issuance
10.	<b>Indemnification.</b> The Developer shall defend, indemnify, and hold harmless the City of Dublin and its agents, officers, and employees from any claim, action, or proceeding against the City of Dublin or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Dublin or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director, Zoning Administrator, or any other department, committee, or agency of the City to the extent such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however, that the Developer's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying the Developer of any said claim, action, or proceeding and the City's full cooperation in the defense of such actions or proceedings.	ADM	Ongoing
11.	<b>Clarification of Conditions.</b> In the event that there needs to be clarification to the Conditions of Approval, the Director of Community Development and the City Engineer have the authority to clarify the intent of these Conditions of Approval to the Developer without going to a public hearing. The Director of Community Development and the City Engineer also have the authority to make minor modifications to these conditions without going to a public hearing in order for the Developer to fulfill needed improvements or mitigations resulting from impacts to this project.	PL, PW	Ongoing
12.	<b>Archaeology.</b> Should any prehistoric, cultural, or historic artifacts be exposed during excavation and construction operations, the Community Development Department shall be notified and work shall cease immediately until an archaeologist, who is certified by the Society of California Archaeology (SCA) or the Society of Professional Archaeology (SOPA), is consulted to evaluate the significance of the find and suggest appropriate mitigation measures, if deemed necessary, prior to resuming ground breaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Sections 15064.5 and 15126.4 of the California Environmental Quality Act Guidelines. Compliance with this condition required throughout construction.	PL	During Construction
13.	<b>Mitigation Monitoring Program.</b> The Applicant/Developer shall comply with the Dublin Crossing Final Environmental Impact Report (EIR) certified by City Council Resolution 186-13, including all mitigation measures, action programs, and implementation measures contained therein. The EIR is on file with the Community Development Department.	PL	Ongoing
<b>PUBLIC WORKS</b>			
14.	<b>General Conditions of Approval.</b> Developer shall comply with the following General Conditions of Approval for the Neighborhood Vesting Tentative Tract Maps 8360, 8361, 8362, 8363, 8364, 8365, 8366, 8367, and 8368 (Boulevard Phases 2 and 3).	PW	Ongoing
15.	<b>VTM 8150.</b> All Conditions of Approval in PC Resolution 14-14 that do not relate to the Landscape Master Plan remain in full force and effect.	PW	On going

COA #	Condition Text	Resp. Agency	Required Prior to:
16.	<b>Community Facilities District No. 2015-1 (Dublin Crossing) (“CFD 2015-1”)</b> . The Owner shall either submit a Request and Unanimous Approval for Annexation and Landowner-Voter Ballot Form (“Form”) requesting the property be annexed into CFD No. 2015-1 or, if the Owner chooses not to annex into CFD 2015-1, the Owner shall provide a one-time, lump sum payment, as determined by the City, for the cost of CFD No. 2015-1 infrastructure improvements attributable to the Owner’s land. If submitting the Form, the Owner shall also provide an Annexation Map for CFD 2015-1. The Form and Annexation Map shall be subject to City Engineer review and approval.	PW	First Final Map for any of the neighborhoods
17.	<b>Community Facilities District No. 2017-1 (Dublin Crossing – Public Services) (“CFD 2017-1”)</b> . The Owner shall submit a Request and Unanimous Approval for Annexation and Landowner-Voter Ballot Form (“Form”) requesting the property be annexed into CFD No. 2017-1 or, the Owner chooses not to annex into CFD 2017-1, the Owner shall provide a one-time, lump sum endowment, as determined by the City, for the cost of CFD No. 2017-1 services attributable to the Owner’s land. If submitting the Form, the Owner shall also provide an Annexation Map for CFD 2017-1. The Form and Annexation Map shall be subject to City Engineer review and approval.	PW	First Final Map for any of the neighborhoods
18.	<b>Ownership and Maintenance of Improvements.</b> Ownership and maintenance of street right-of-ways, common area parcels and open space areas and improvements shall be by the City of Dublin, the Boulevard Master Homeowner’s Association or Zone 7 as shown on the Boulevard Phases 2 and 3 Site Development Review Maintenance Responsibility Plans, except as modified by these Conditions of Approval.	PW	Final map and On going
19.	<b>Landscape Features within Public Right of way.</b> The Developer shall enter into an “Agreement for Long Term Encroachments” with the City to allow the Boulevard Master Homeowner’s Association or individual neighborhood Homeowner’s Associations to maintain the landscape and decorative features within public Right of Way including frontage landscaping, decorative pavements and special features (i.e., walls, portals, benches, etc.) as generally shown in the Site Development Review exhibits. The Agreement shall identify the ownership of the special features and maintenance responsibilities. The Homeowner’s Association will be responsible for maintaining the surface of all decorative pavements including restoration required as the result of utility repairs.	PW	Final Map
20.	<b>Covenants, Conditions and Restrictions (CC&amp;Rs).</b> A Homeowners Association(s) shall be formed by recordation of a declaration of Covenants, Conditions, and Restrictions to govern use and maintenance of the signage, landscape, decorative pavement and other features and structures within the public right of way contained in the Agreement for Long Term Encroachments; box culvert maintenance, wing wall, headwall, and debris clearing, all open space and common area landscaping; and all stormwater treatment and hydromodification measures including those on private parcels. Said declaration shall set forth the Association name, bylaws, rules and regulations. The CC&Rs shall also contain a provision that prohibits the amendment of those provisions of the CC&Rs without the City’s approval. The CC&Rs shall ensure that there is adequate provision for the maintenance, in good repair and on a regular basis, the landscaping & irrigation, decorative	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	pavements, median islands, fences, walls, drainage, lighting, signs and other related improvements. The Developer shall submit a copy of the CC&R document to the City for review and approval relative to these conditions of approval. Any amendments to the CC&Rs require review and approval by the City.		
21.	<p><b>Covenants, Conditions and Restrictions (CC&amp;Rs).</b> At a minimum the following statements or similar shall be included in the CC&amp;Rs:</p> <ul style="list-style-type: none"> <li>• Stormwater Management Maintenance Agreement. The Development is subject to the Stormwater Management Maintenance Agreement dated _____, _____ and recorded on _____, _____ as Document No. _____ in the records of Alameda County, CA. It is intended that Stormwater Management Maintenance Agreements will be entered into by and between Declarant and the City for each Map which is recorded and such agreements shall collectively be Stormwater Management Maintenance Agreements as defined in this Section.</li> <li>• Under the Stormwater Management Maintenance Agreement, this Development is responsible for ensuring that the installed stormwater management measures remain in effective operating condition in perpetuity. Commencing on the date the Homeowners Association begins operation, the Association assumes the rights and duties of the Property Owner as defined in the Stormwater Management Maintenance Agreement. The Board shall have full right, power and authority to act on behalf of the Association, its Members and the homeowners under the Stormwater Management Maintenance Agreement.</li> <li>• <b>On-lot bioretention areas:</b> The Homeowner's Association shall be responsible for the maintenance of all stormwater management measures, including the bioretention areas on private lots. The private, on-lot bioretention areas shall be maintained in accordance with the Stormwater Management Maintenance Agreement and shall not be modified without written approval from the City of Dublin.</li> <li>• <b>Stormwater Management Measure Maintenance:</b> The stormwater management measures shall be inspected and maintained as detailed in the Stormwater Management Maintenance Agreement. The Association shall maintain an inspection and maintenance record on file made available to the City upon request. In addition, all on-site storm drains shall be cleaned at least annually before commencement of the rainy season (by October 1) of each year.</li> <li>• <b>Storm Drainage Restrictions:</b> As part of the original construction of the Development, stormwater management measures were installed within the Development in connection with the Development's drainage system. Neither the Association nor any Owner shall do any work, construct any improvement, place any landscaping or otherwise perform any action whatsoever which alters or interferes with the drainage pattern for any Lot or any portion of the Common Areas, except to the extent such alteration in drainage pattern is approved in writing by the City of Dublin.</li> <li>• <b>Stormwater Management Maintenance Measures:</b> No objects may be placed in or around any stormwater management measure which may impact functionality of the stormwater management measure.</li> </ul>	PW	Final Map



COA #	Condition Text	Resp. Agency	Required Prior to:
	<ul style="list-style-type: none"> <li>• <b>Good Housekeeping:</b> The Homeowner's Association shall be responsible for litter control and sweeping of all paved surfaces within the development. All private storm drain systems are to be cleaned immediately before the commencement of the rainy season (October 15).</li> <li>• <b>Landscape Maintenance:</b> Landscaping shall be designed with an efficient irrigation system to reduce runoff and promote surface infiltration. Landscaping shall also be designed and maintained to minimize the use of fertilizers, herbicides and pesticides. Each Owner, and the Association, is encouraged to use integrated pest management practices (less toxic pest management) as a first step in maintaining landscaping. Chemical pesticides and fertilizers should be employed as a last step in managing weeds and other pests, and shall not be applied prior to forecast rain.</li> </ul>		
22.	<p><b>Phased Improvements.</b> Right-of-way dedication and installation of tract improvements may be done in phases as indicated on the Tentative Map subject to the review and approval of the City Engineer. With each phased Final Map, the City Engineer shall identify all improvements necessary to serve and access the phased lots created. All rights-of-way and improvements identified by the City Engineer for construction within the boundaries of each phase of the development shall be required with the Final Map for that phase. In addition, the City Engineer may require the Developer to perform off-site grading in order to conform site grading to the adjacent grade outside of the phase proposed for development.</p>	PW	First Final Map and Ongoing
23.	<p><b>Pedestrian Access and Sidewalk Easements.</b> Five foot by five foot (5'x5') "turnaround" areas shall be provided at intervals of no less than two hundred feet (200') along sidewalks with a width of less than five feet to meet current accessibility requirements. Pedestrian Access and Sidewalk Easements shall be dedicated over those areas of sidewalk located outside of the common area lots needed to provide the required "turnaround" areas.</p>	PW	Final Map and Improvement Plans
24.	<p><b>Stormwater Management.</b> If the neighborhood tracts are developed in phases, suitable stormwater treatment and hydromodification measures shall be installed with each phase such that the stormwater runoff from the impervious areas created or replaced within the boundaries of each phase shall be properly treated and metered with stormwater treatment and hydromodification measures constructed with that phase or in previous phases.</p>	PW	First Final Map and Ongoing
25.	<p><b>Storm Water Treatment Measures Maintenance Agreement.</b> Developer shall enter into an Agreement with the City of Dublin that guarantees the property owner's perpetual maintenance obligation for all stormwater treatment measures and trash capture devices installed as part of the project. Said Agreement is required pursuant to the Municipal Regional Stormwater NPDES Permit, Order No. R2-20015-0049. Said permit requires the City to provide verification and assurance that all treatment devices will be properly operated and maintained. The Agreement shall be recorded against the property and shall run with the land. Said agreement shall include an additional exhibit detailing that certain private lots include stormwater treatment measures and purchasers of those lots or purchasers of condominium units on those lots must sign the acknowledgement during escrow.</p>	PW	Final Map
26.	<p><b>Geotechnical Investigation.</b> The Developer shall submit a design level geotechnical investigation report for each phase defining and delineating any seismic hazard. The report shall be prepared in</p>	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	accordance with guidelines published by the State of California. The report is subject to review and approval by a City selected peer review consultant prior to the acceptance of the first Final map for each phase. The applicant shall pay all costs related to the required peer review. The recommendations of those geotechnical reports shall be incorporated into the project phases subject to the approval of the City Engineer.		
27.	<b>Private street and common area subdivision improvements.</b> Common area improvements, private streets, private alleys and all other subdivision improvements owned or maintained by the homeowners' association are subject to review and approval by the City Engineer prior to Final Map approval and shall be included in the Tract Improvement Agreement for each respective tract. Such improvements include, but are not limited to: curb & gutter, pavement areas, sidewalks, access ramps & driveways; enhanced street paving; box culvert structure; parking spaces; street lights (wired underground) and appurtenances; drainage facilities; utilities; landscape and irrigation facilities; open space landscaping; stormwater treatment and hydromodification facilities; striping and signage; and fire hydrants.	PW	Final Map
28.	<b>Private Street Easements.</b> Public Utility Easements (PUE), Sanitary Sewer Easements (SSE) and Water Line Easements (WLE) shall be established over the entire private street right-of-ways within all subdivisions. The PUE, SSE and WLE dedication statements on each Final Map are to recite that the easements are available for, but not limited to, the installation, access and maintenance of sanitary and storm sewers, water, electrical and communication facilities. Project entry monument signs and walls shall not be located within these easements	PW	Final Map
29.	<b>Private Street Easements.</b> The Developer shall dedicate Emergency Vehicle Access Easements (EVAE) over the clear pavement width of all private streets and alleys. Easement geometry shall be subject to the approval of the City Engineer and Fire Marshall.	PW	Final Map
30.	<b>Monuments.</b> Final Maps shall include private street monuments to be set in all private streets. Private street monuments shall be set at all intersections and as determined by the City Engineer.	PW	Final Map
31.	<b>Landscape Plans.</b> Developer shall submit design development Landscape Plans with the first or second plan check for the street improvement plans and final map for each respective tract. The Landscape Plans shall show details, sections and supplemental information as necessary for design coordination of the various civil design features and elements including utility location to the satisfaction of the City Engineer. Complete Landscape Plans shall be concurrently approved with the Tract Improvement Agreement and Final Map.	PW	Final Map
32.	<b>Street Light and Joint Trench Plans.</b> Streetlight Plans and Joint Trench Plans shall be submitted with the first or second plan check for the street improvement plans and final map for each respective tract. Joint trenches for public facilities shall be separated from private joint trenches, and to the extent possible, street lights shall not be placed inside bio-retention areas. The final streetlight plan and joint trench plan shall be completed prior to Final Map approval for each respective subdivision.	PW	Final Map
<b>TRACT 8360 (Neighborhoods 7 and 8)</b>			
33.	<b>Private Streets (Parcels B, G, H, I, J, and K).</b> The Developer shall establish private street right-of-way and install complete street improvements, including landscaping, for the proposed private streets,	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	Streets A thru Street F and Courts A thru Court E, within the development as shown on the Vesting Tentative Map Tract 8360 and the Site Development Review package.		
34.	<b>Parcel A (Canal 2).</b> Parcel A (Drainage parcel) shall be reserved for conveyance to Alameda County Zone 7 Flood Control District.	PW	Final Map
35.	<b>Parcels C, D, E, F, and L.</b> These parcels shall be private common area parcels to be owned and maintained by the Homeowner's Association.	PW	Final Map
36.	<b>Parcel M.</b> Parcel M to be owned and maintained by the Homeowner's Association as a pedestrian access parcel with a storm drainage easement to the City over the Hydromodification storm drain pipes.	PW	Final Map
37.	<b>Canal 2 Trail and Maintenance Easement.</b> The Pedestrian Access Easement (PAE) and Zone 7 Maintenance Easement shown in the approved Vesting Tentative map shall be granted to the City and Zone 7 respectively. The 12' trail, 20' access easement, and maintenance staging areas shall be maintained by the Homeowners Association (HOA).	PW	Final Map
38.	<b>Storm Drain Easement.</b> The Storm Drain Easement shown in the approved Tentative Map for conveying storm water from Canal 2 to the public storm drain system shall be granted to the City. The headwall, 60" diameter pipe, and auxiliary structures making up the system shall be maintained by the Homeowners Association (HOA) up to the existing connection at Iron Horse Parkway..	PW	Final Map
39.	<b>Existing Public Service Easement (PSE).</b> Existing 10' PSE along Dublin Boulevard between Arnold Boulevard and Iron Horse Parkway shall be quitclaimed as shown on the Vesting Tentative Map Tract 8360 and the Site Development Review package, this easement will be replaced with a standard 6' PSE where required.	PW	Final Map
40.	<b>Maintenance of Canal 2, Headwall and 60" SD Line.</b> If the Developer is unsuccessful in reaching an agreement with Zone 7 or other public agency to maintain the Canal 2 channel including but not limited to riparian landscaping, headwall, and 60" diameter storm drain line up to the connection at Iron Horse Parkway, the Developer shall enter into a "Maintenance Agreement" with the City to allow the Boulevard Master Homeowner's Association to maintain the open channel, storm drain pipes and headwall along the Canal 2 alignment. The Agreement shall identify ownership of the channel, maintenance responsibilities and minimum maintenance requirements and shall be subject to approval of the City Engineer. Maintenance responsibilities of the Homeowner's Association shall include, but shall not limited to hydraulic performance of open channel, 60" diameter storm drain line; headwall; dredging of channel; landscaping; slope stability; and removal of debris.	PW	Final Map
41.	<b>Dublin Boulevard and Iron Horse Parkway Trails.</b> The proposed 10' wide trails on Dublin Boulevard and Iron Horse Parkway shall be maintained by the Homeowners Association (HOA).	PW	Final Map
<b>TRACT 8361 (Neighborhood 9)</b>			
42.	<b>Private Streets.</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcel A, as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
43.	<b>Parcel B and C.</b> Parcel B and C shall be a private common area parcels to be owned and maintained by the Homeowner's Association.	PW	Final Map
44.	<b>Parcel D of Tract 8309.</b> Parcel D (Interim Horizon Parkway) in Tract 8309 shall be quitclaimed and vacated prior to the approval of Tract 8361. Parcel D will be re-mapped as part of Tract 8361 final map or a lot	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	line adjustment shall be submitted to the City for review and approval.		
45.	<b>Parcel F.</b> Parcel F (Drainage parcel) to be reserved for conveyance to Alameda County Zone 7 Flood Control District.	PW	Final Map
46.	<b>Maintenance of Arnold Road Channel.</b> If the Developer is unsuccessful in reaching an agreement with Zone 7 or other public agency to maintain the enhanced Arnold Road channel, the Developer shall enter into a "Maintenance Agreement" with the City to allow the Boulevard Master Homeowner's Association to maintain the open channel and/or box culvert sections of the channel alignment along the project's Arnold Road frontage. The Agreement shall identify ownership of the channel, maintenance responsibilities and minimum maintenance requirements and shall be subject to approval of the City Engineer. Maintenance responsibilities of the Homeowner's Association shall include, but shall not be limited to hydraulic performance of open channel and/or box culvert sections; box culvert structure; dredging of channel; landscaping; slope stability; and removal of debris.	PW	Final Map
47.	<b>Arnold Road Trails.</b> The proposed 12' wide Trail along Arnold Road frontage shall be maintained by the Homeowners Association (HOA).	PW	Final Map
<b>TRACT 8362 (Neighborhood 16)</b>			
48.	<b>Private Streets.</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcel D within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
49.	<b>Parcel E.</b> Parcel E shall be a private common area parcels to be owned and maintained by the Homeowner's Association.	PW	Final Map
50.	<b>Parcel G.</b> Parcel G (Drainage parcel) to be reserved for conveyance to Alameda County Zone 7 Flood Control District.	PW	Final Map
51.	<b>Maintenance of Arnold Road Channel.</b> If the Developer is unsuccessful in reaching an agreement with Zone 7 or other public agency to maintain the enhanced Arnold Road channel, the Developer shall enter into a "Maintenance Agreement" with the City to allow the Boulevard Master Homeowner's Association to maintain the open channel and/or box culvert sections of the channel alignment along the project's Arnold Road frontage. The Agreement shall identify ownership of the channel, maintenance responsibilities and minimum maintenance requirements and shall be subject to approval of the City Engineer. Maintenance responsibilities of the Homeowner's Association shall include, but shall not limited to hydraulic performance of open channel and/or box culvert sections; box culvert structure; dredging of channel; landscaping; slope stability; and removal of debris.	PW	Final Map
52.	<b>Arnold Road Trails.</b> The proposed 12' wide Trail along Arnold Road frontage shall be maintained by the Homeowners Association (HOA).	PW	Final Map
<b>TRACT 8363 (Neighborhood 10)</b>			
53.	<b>Private Streets.</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcels A, C & D, within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
54.	<b>Parcel B.</b> Parcel B shall be a private common area parcel to be owned and maintained by the Homeowner's Association.	PW	Final Map
55.	<b>Parcel A.</b> Parcel A (Recreation Center) shall be a private common area parcel to be owned and maintained by the Homeowners Association (HOA).	PW	Final Map
<b>TRACT 8364 (Neighborhoods 11 and 12)</b>			
56.	<b>Private Streets (Parcels A, B, C, D, E, and F).</b> The Developer shall	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	establish private street right-of-way and install complete street improvements for the proposed private streets on Parcels A, B, C, D, E, and F within the development as shown on the Tentative Map and the Site Development Review package.		
57.	<b>Parcels G, H, I, J, and K.</b> Parcel G, H, I, J, and K shall be a private common area parcel to be owned and maintained by the Homeowner's Association. Parcels J and K shall be mapped with Tract 8365 (NH18) final map.	PW	Final Map
58.	<b>Existing Interim 30" SD.</b> The existing Interim 30" SD pipe installed as part of Tract 8309 for Neighborhoods 5 and 6 shall be removed and relocated prior to recordation of Small Lot Final Map. The Developer shall secure the dedication of any and all easements from the United States Army necessary for the installation of the permanent storm drain system serving TR8309 such that service will not be interrupted. The permanent storm drain system shall be operational prior to the removal and relocation of the existing 30" SD line.	PW	Small lot Final Map and Improvement Plans
59.	<b>Private Yard Easement (Lots 1-49).</b> Private Yard Easement for Lots 1-49 shall be defined in the Conditions, Covenants, and Restrictions (CC&Rs).	PW	Final Map and CC&Rs
<b>TRACT 8365 (Neighborhood 18)</b>			
60.	<b>Private Streets (Parcels L, M, N, and O).</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcels L, M, N, and O within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
61.	<b>Parcels P and Q.</b> Parcels P and Q shall be a private common area parcel to be owned and maintained by the Homeowner's Association.	PW	Final Map
62.	<b>Existing Interim 8" SS.</b> The existing Interim 8" SS pipe installed as part of Tract 8309 for Neighborhoods 5 and 6 shall be removed and relocated, and the existing Sanitary Sewer Easement (SSE) Drain Easement shall be vacated prior to recordation of Small Lot Final Map. Developer shall also secure the dedication of any and all easements by the United States Army required by Dublin San Ramon Services District (DSRSD) for the installation of the permanent sanitary sewer system serving TR8309 such that service will not be interrupted. The permanent sanitary sewer system shall be operational prior to the removal and relocation of the existing interim 8" SS line.	PW	Small Lot Final Map and Approval pf Improvement Plans
<b>TRACT 8366 (Neighborhood 13)</b>			
63.	<b>Private Streets (Parcels A, B, C, F and G).</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcels A, B, C, F and G within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
64.	<b>Parcels E and D.</b> Parcel E shall be a private common area parcel to be owned and maintained by the Homeowner's Association.	PW	Final Map
<b>TRACT 8367 (Neighborhoods 14 and 15)</b>			
65.	<b>Private Streets (Parcels A, B, C, D and E).</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcels A, B, C, D and E within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
66.	<b>Parcel F.</b> Parcel F shall be a private common area parcel to be owned and maintained by the Homeowner's Association.	PW	Final Map
67.	<b>Parcel G.</b> Parcel G (Drainage parcel) to be reserved for conveyance to	PW	Final Map

COA #	Condition Text	Resp. Agency	Required Prior to:
	Alameda County Zone 7 Flood Control District.		
68.	<b>Maintenance of Arnold Road Channel.</b> If the Developer is unsuccessful in reaching an agreement with Zone 7 or other public agency to maintain the enhanced Arnold Road channel, the Developer shall enter into a "Maintenance Agreement" with the City to allow the Boulevard Master Homeowner's Association to maintain the open channel and/or box culvert sections of the channel alignment along the project's Arnold Road frontage. The Agreement shall identify ownership of the channel, maintenance responsibilities and minimum maintenance requirements and shall be subject to approval of the City Engineer. Maintenance responsibilities of the Homeowner's Association shall include, but shall not be limited to hydraulic performance of open channel and/or box culvert sections; box culvert structure; dredging of channel; landscaping; slope stability; and removal of debris.	PW	Final Map
<b>TRACT 8368 (Neighborhood 17)</b>			
69.	<b>Private Streets (Parcel D).</b> The Developer shall establish private street right-of-way and install complete street improvements for the proposed private streets on Parcel D within the development as shown on the Tentative Map and the Site Development Review package.	PW	Final Map
70.	<b>Parcels A, B, C, E and F.</b> Parcels A, B, C, E and F shall be a private common area parcel to be owned and maintained by the Homeowner's Association.	PW	Final Map
71.	<b>Private Yard Easement (Lots 1-37).</b> Private Yard Easement for Lots 1-37 shall be defined in the Conditions, Covenants, and Restrictions (CC&Rs).	PW	Final Map and CC&Rs
<b>PUBLIC WORKS STANDARD CONDITIONS: GENERAL</b>			
72.	Developer shall comply with the City of Dublin Public Works Standard Conditions of Approval contained below ("Standard Condition") unless specifically modified by Project Specific Conditions of Approval above.	PW	Ongoing
73.	The Developer shall comply with the Subdivision Map Act, the City of Dublin Subdivision, and Grading Ordinances, the City of Dublin Public Works Standards and Policies, the most current requirements of the State Code Title 24 and the Americans with Disabilities Act with regard to accessibility, and all building and fire codes and ordinances in effect at the time of building permit. All public improvements constructed by Developer and to be dedicated to the City are hereby identified as "public works" under Labor Code section 1771. Accordingly, Developer, in constructing such improvements, shall comply with the Prevailing Wage Law (Labor Code. Sects. 1720 and following).	PW	Ongoing
74.	The Developer shall defend, indemnify, and hold harmless the City of Dublin and its agents, officers, and employees from any claim, action, or proceeding against the City of Dublin or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City of Dublin or its advisory agency, appeal board, Planning Commission, City Council, Community Development Director, Zoning Administrator, or any other department, committee, or agency of the City to the extent such actions are brought within the time period required by Government Code Section 66499.37 or other applicable law; provided, however, that The Developer's duty to so defend, indemnify, and hold harmless shall be subject to the City's promptly notifying The Developer of any said claim, action, or proceeding and the City's full cooperation in the defense of such actions or proceedings.	PW	Ongoing
75.	In the event that there needs to be clarification to these Conditions of Approval, the Director of Community Development and the City	PW	On going

COA #	Condition Text	Resp. Agency	Required Prior to:
	Engineer have the authority to clarify the intent of these Conditions of Approval to the Developer without going to a public hearing. The Director of Community Development and the City Engineer also have the authority to make minor modifications to these conditions without going to a public hearing in order for the Developer to fulfill needed improvements or mitigations resulting from impacts of this project.		
76.	If there are conflicts between the Vesting Tentative Map approval and the SDR approval pertaining to mapping or public improvements the Tentative Map shall take precedent.	PW	On going
<b>Agreement and Bonds</b>			
77.	The Developer shall enter into a Tract Improvement Agreement with the City for all public improvements including any required offsite storm drainage or roadway improvements that are needed to serve the Tract that have not been bonded with another Tract Improvement Agreement.	PW	First Final Map and Successive Maps
78.	The Developer shall provide performance (100%), and labor & material (100%) securities to guarantee the tract improvements, approved by the City Engineer, prior to execution of the Tract Improvement Agreement and approval of the Final Map. (Note: Upon acceptance of the improvements, the performance security may be replaced with a maintenance bond that is 25% of the value of the performance security.)	PW	First Final Map and Successive Maps
<b>Fees</b>			
79.	The Developer shall pay all applicable fees in effect at the time of building permit issuance including, but not limited to, Planning fees, Building fees, Dublin San Ramon Services District fees, Public Facilities fees, Dublin Unified School District School Impact fees, Public Works Traffic Impact fees, Alameda County Fire Services fees, Noise Mitigation fees, Inclusionary Housing In-Lieu fees, Alameda County Flood and Water Conservation District (Zone 7) Drainage and Water Connection fees and any other fees as noted in the Development Agreement.	PW	Zone 7 and Parkland In-Lieu Fees due prior to filing each Final Map, other fees required with issuance of building permits
<b>Submittals</b>			
80.	All submittals of plans and Final Maps shall comply with the requirements of the "City of Dublin Public Works Department Improvement Plan Submittal Requirements", and the "City of Dublin Improvement Plan Review Check List".	PW	Prior to Approval of Improvement Plans or Final Map
81.	The Developer will be responsible for submittals and reviews to obtain the approvals of all participating non-City agencies. The Alameda County Fire Department and the Dublin San Ramon Services District shall approve and sign the Improvement Plans.	PW	Approval of Improvement Plans or Final Map
82.	Developer shall submit a Geotechnical Report, which includes street pavement sections and grading recommendations.	PW	Approval of Improvement Plans, Grading Plans or Final Map
<b>Final Map</b>			
83.	All Final Maps shall be substantially in accordance with the Tentative Maps approved with this application, unless otherwise modified by these conditions. Multiple final maps may be filed in phases, provided that each phase is consistent with the tentative map, that phasing progresses in an orderly and logical manner and adequate infrastructure is installed with each phase to serve that phase as a stand-alone project that is not dependent upon future phasing for infrastructure.	PW	Approval of Final Map
84.	All rights-of-way and easement dedications required by the Tentative Map shall be shown on the Final Map.	PW	Approval of Final Map

<b>COA #</b>	<b>Condition Text</b>	<b>Resp. Agency</b>	<b>Required Prior to:</b>
85.	Any phasing of the final mapping or improvements of a Tentative Map is subject to the approval and conditions of the City Engineer.	PW	Approval of Final Map
86.	Street names shall be assigned to each public/private street pursuant to Municipal Code Chapter 7.08. The approved street names shall be indicated on the Final Map and Improvement Plans.	PW	Approval of Final Map
87.	All Final Maps shall include street monuments to be set in all public and private streets.	PW	Monuments to be shown on final map and installed prior to acceptance of improvements
<b>Easements</b>			
88.	The Developer shall obtain abandonment from all applicable public agencies of existing easements and right of ways that will no longer be used.	PW	Approval of improvement plans or appropriate final map
89.	The Developer shall acquire easements, and/or obtain rights-of-entry from the adjacent property owners for any improvements on their property. The easements and/or rights-of-entry shall be in writing and copies furnished to the City Engineer.	PW	Approval of improvement plans or appropriate final map

**PASSED, APPROVED AND ADOPTED** this 9<sup>th</sup> day of May 2017 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAIN:**

\_\_\_\_\_  
 Planning Commission Chair

ATTEST:

\_\_\_\_\_  
 Assistant Community Development Director