

**CITY COUNCIL RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRENTWOOD DENYING AN APPEAL FILED BY WCHB, LLC OF THE PLANNING COMMISSION'S APPROVAL OF DESIGN REVIEW (DR 22-022) FOR THE DEVELOPMENT OF A 154,852-SQUARE-FOOT COSTCO WAREHOUSE, 5,368-SQUARE-FOOT ENTRANCE CANOPY, GAS STATION FUELING AREA WITH 11,500 SQUARE FOOT CANOPY, AND ASSOCIATED PARKING LOT, LANDSCAPING, AND CIRCULATION IMPROVEMENTS LOCATED SOUTH OF LONE TREE PLAZA DRIVE AND EAST OF HEIDORN RANCH ROAD (APNs 019-020-073 AND 019-020-073) AND MAKING CEQA FINDINGS OF EXEMPTION PURSUANT TO STATE CEQA GUIDELINES SECTION 15183.**

**WHEREAS**, Arcadia Development Co (the "Applicant") submitted an application to the City of Brentwood, requesting approval of a design review application (DR 22-002) for the development of a 154,852-square-foot Costco retail warehouse with a 5,368-square-foot entrance canopy on Parcel A, and a fueling facility with a 11,500 square foot canopy over 16 fueling dispensers, which allows for 32 fueling positions situated on Parcel B. Associated parking lot, landscaping, and access and circulation improvements will also be included on the two lots. The project generally located south of Lone Tree Plaza Drive and east of Heidorn Ranch Road (APNs 016-170-032, 016-170-034, and 016-170-035); and

**WHEREAS**, the Applicant concurrently submitted requests for a tentative parcel map (MS 351-11), conditional use permit (CUP 22-001) for fueling facility use, and a master sign program (MSP 22-001) for the Costco signage within the project; and

**WHEREAS**, collectively, MS 351-22, CUP 22-001, DR 22-002, and MSP 22-001 constitute the "Project;" and

**WHEREAS**, the City referred the Project to various departments and agencies for review and recommendations; and

**WHEREAS**, on November 13, 2018, the City Council adopted the PA-1 Specific Plan and certified the associated PA-1 Specific Plan EIR (State Clearinghouse (SCH) #2018042064) in accordance with the California Environmental Quality Act ("CEQA"), codified at Public Resources Code §§ 15000, *et seq.*, and as further governed by the State CEQA Guidelines, found at 14 CCR 21000, *et seq.* Cumulative impacts associated with full development and buildout of the Specific Plan Area, including the proposed project site, were fully addressed in the PA-1 Specific Plan EIR; and

**WHEREAS**, on October 11, 2022 the City Council approved an Addendum to the PA-1 Specific Plan EIR to amend the PA-1 Specific Plan and completed additional environmental review; and

**WHEREAS**, the Project is consistent with the PA-1 Specific Plan EIR (EIR) and subsequent Addendum and would not result in any Project-specific significant effects to the environment, and is therefore determined to be exempt per California Environmental Quality Act Section 15183 ('Consistent with Community Plan, General Plan, and Zoning Code'); and

**WHEREAS**, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood Press on June 9, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe for the June 20, 2023 Planning Commission hearing; and

**WHEREAS**, on June 20, 2023, the Planning Commission held a public hearing, reviewed said design review request, studied the compatibility of this request with adjacent land uses, and considered this request in accordance with the design review criteria established in Chapter 17.820 of the Brentwood Municipal Code, as well as considered the staff report, all accompanying information, and testimony received from the Applicant and other interested parties; and

**WHEREAS**, on June 20, 2023, the Planning Commission approved the requested design review application (DR 22-002) for the Costco project, by Planning Commission Resolution No. 23-022; and

**WHEREAS**, on June 28, 2023, WCHB, LLC filed a timely appeal of the Planning Commission's decision to approve the Tentative Parcel Map MS 351-22, Conditional Use Permit CUP 22-001, Design Review DR 22-002, and Master Sign Program MSP 22-001 for the Costco project; and

**WHEREAS**, the City distributed a Notice of Public Hearing to all property owners of record within 300 feet of the Project Site and published it in the Brentwood Press on July 21, 2023, in accordance with City policies and Government Code Section 65090, and a public hearing notice sign was posted on the site during this same timeframe; and

**WHEREAS**, the City Council considered an appeal of the Project at its regular meeting of July 25, 2023, and considered the staff report, all accompanying information, and testimony received from the Permittee and other interested parties.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Brentwood:

- A. Hereby finds that, in accordance with California Public Resources Code Section 21083.3 and CEQA Guidelines Section 15183, and based on the entirety of the record of proceedings, including the Environmental Checklist for Streamlined Review prepared for this project, that the Project is consistent with the land use designation and densities established by the PA-1 Specific Plan, for which an EIR was certified. In particular, the Project would not result in any significant impacts that:

(1) are peculiar to the project or project site; (2) were not identified as significant project-level, cumulative, or off-site effects in the PA-1 Specific Plan EIR; or (3) were previously identified significant effects, which as a result of substantial new information that was not known at the time that the PA-1 Specific Plan EIR was certified, are determined to have a more severe adverse impact than discussed in the PA-1 Specific Plan EIR. In addition, the Project would also be subject to all applicable requirements, including mitigation measures, identified under the PA-1 Specific Plan EIR (State Clearinghouse (SCH) #2018042064) and the City's General Plan, have been listed in Exhibit "B," attached hereto and made a part of this resolution, and all City standards applicable to this Project. As a result, the Project is exempt from further environmental review under CEQA. The City Council directs staff to file a Notice of Exemption for this Project with the County Clerk within five working days of the project approval.

B. Hereby finds that:

With respect to the design review findings pursuant to Brentwood Municipal Code Section 17.820.007:

- i. The proposed development shall create a well-composed urban design, harmoniously related to other facilities in the immediate area and to the total setting as seen from key vantage points in the community.*

The proposed Project site is designed in a manner that is sensitive to nearby developments in that the development is surrounded by commercial uses or land designated for commercial uses to the north, south, and west, and positioned deep into the site away from the more sensitive residential receptors across Heidorn Ranch Road, and landscaping and screening will be installed along the perimeter of the site. The proposed building and fueling facility is an acceptable design with approaches identified in the City's Commercial and Industrial Design Guidelines and has an architectural theme (elevations, materials, building form, and color) that is compatible with adjacent developments consistent in height, massing, and design, and Brentwood's community character as envisioned in the Specific Plan. Finally, the buildings and parking lot improvements maintain substantial setbacks from property lines, thereby accommodating significant common open space and landscape screening through the depth of the site.

- ii. Elements of design which have significant relationship to the exterior appearance of structures and facilities shall be given special consideration; these elements include but are not limited to height, arrangement on the site, texture, lighting, material, color, landscaping, size, bulk and scale, and appurtenances.*

The proposed buildings are designed to reach a maximum height of 36 feet 6 inches, which is below the maximum 45-foot height allowed for development within the PA-1- Regional Commercial zone in which the Project is located. The finish materials on the proposed building are of a quality design, including split face stone and metal panel elements to reduce massing and a parapet roof design that includes varying heights wrapped with a parapet cap for visual depth, which is consistent with the Specific Plan guidelines. The combination of decorative features and varied parapet roof forms also complement the designs of other buildings in the vicinity. The Project is subject to the PA-1 Specific Plan lighting and design guidelines. Implementation of the lighting and design standards in the Specific Plan would ensure that Project lighting features do not result in light spillage onto adjacent properties and do not significantly impact views of the night sky. As noted in finding viii below, the size, bulk, and scale of the proposed Project is within the building parameters permitted under the zoning, with a 154,852-square-foot Costco retail warehouse (including a 5,368-square-foot entrance canopy) on Parcel A, and a fueling facility with an 11,500 square foot canopy over 16 fueling dispensers (allowing for 32 fueling positions) on Parcel B.

- iii. The proposed development shall be of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area.*

Development of the Project represents a significant investment in the property which has the potential of establishing 250-300 new job opportunities. Related improvements along the right-of-way are designed to ensure the proper flow of traffic while minimizing the impact that the Project will have on existing infrastructure and adjacent properties. The quality of the building designs is reflective of and appropriate to the commercial developments within nearby centers and neighborhoods.

- iv. Where the proposed development is located in an area for which a specific plan, planned development, neighborhood plan or precise plan has been adopted by the city council, the design of the development shall conform in all significant respects with such plans.*

The Project site is located within PA-1 which was established with the intent of establishment of an employment center that will assist the City towards achieving its goal of a healthy jobs-to-housing balance, reducing commute times for residents, and establishing new opportunities for economic growth and employment within the city. The proposed commercial development adheres to the intent

of the zone in that it is proposed within an area designated for commercial uses and where the retail warehouse and fueling station are listed as both permitted and conditionally permitted. For findings relative to height and setback conformance, see item viii. below.

- v. *The proposed development shall conform with all requirements for landscaping, screening, parking, usable open space and off-street loading as set forth in this title.*

The Project, as designed and conditioned, incorporates all required landscape areas along the project boundaries. Additionally, the landscape design incorporates trees and screening along the Lone Tree Plaza Drive and Highway 4 frontages, and the site plan is designed to insulate the visual effects of the development from the public street. Parking spaces and loading areas on the site are provided in accordance with the City's Municipal Code requirements.

- vi. *The site development criteria set forth in Section 17.820.008.*

The siting and internal arrangement of all structures and circulation, parking and loading, lighting, access, landscape, hardscape, signing, and utility facilities on the site are conducive to an orderly, attractive, efficient, and harmonious development. Additionally, as designed, the proposed development will not have an adverse environmental effect on adjacent developments, existing or potential, by reason of conflicts in land use in that the proposed development adheres to the PA-1 Specific Plan land use designation and as established in the General Plan. Conflicts relating to topography are avoided, given the flat topography of both the subject site, as well as adjacent properties. Finally, traffic conflicts are avoided in that the primary access points are directly from Lone Tree Plaza Drive and are designed to serve the proposed development.

- vii. *"The City of Brentwood Design Guidelines" Draft, dated February 1, 2001, and any other applicable specific design criteria or standards set out in this title or other city ordinance.*

The City's Commercial and Industrial Design Guidelines site planning guidelines are addressed by the provision of interesting and attractive street edges and varied building planes providing visual continuity along the street frontage, pedestrian connections between the street frontage and the building entrance, substantial areas for landscaping along street edges is provided, and screening landscaping are designed to minimize impacts on the adjacent streets and other existing uses in the vicinity.

Building design guidelines are addressed in that the design includes a combination varied height parapet roof forms; the selected materials provide continuity between the various facades of the buildings; blank walls are avoided; and durable finish materials are employed in the form of split face stone and varied materials.

- viii. All applicable regulations of the zoning ordinance and other city ordinances, policies or resolutions.*

The project is consistent with the zoning and the design meets all applicable commercial development standards found in the PA-1 Specific Plan. Since the TV/MU parcels are not proposed to be developed at this time, their development standards are not include in the discussion below. The project including both the retail warehouse and the fueling facility are consistent with the PA-1 Regional Commercial district, as summarized with the following table:

<b>PA-1, Regional Commercial Development Standards</b>			
	Requirement- Regional Commercial	Proposed Retail Building	Proposed Fueling Facility
Floor Area Ratio	0.6 maximum	~ 0.2	
Building Lot Coverage	40%	~20%	
Maximum Building Height	45 feet	36 feet, 6 inches	18 feet 6 inches
Minimum Front Yard setback	10 feet to the western entry drive	~530 feet	10 feet
Minimum Street Side Yard setback	10 feet to Lone Tree Plaza Drive	~74 feet	~115 feet
Minimum Side Yard setback	0 feet to Mokelumne Trail	~395 feet	~325 feet
Minimum Rear Yard setback	0 feet to Highway 4	~40 feet	~ 718 feet
Vehicle Parking	4 spaces/1,000 square feet for the tail warehouse and 3 for the fueling station	5.39 spaces/1,000	
Bicycle Parking	5% of total vehicle parking	5%	

In sum, the proposed project, as conditioned, is consistent with the City General Plan and City Zoning Ordinance, the PA-1 Regional Commercial district, and other City regulations, as it consists of a Costco Warehouse and Fuel Facility, on the project site designated for such uses. In regard to parking regulations, the applicant is providing parking in excess of what is required within the Specific Plan.

- C. Hereby approves Design Review No. 22-002, subject to the conditions of approval listed in Exhibit "A," attached hereto and made a part of this resolution, and all City standards applicable to this Project.
- D. The documents and materials associated with this Resolution that constitute the record of proceedings on which these findings are based are located at 150 City Park Way in Brentwood, California. Planning Manager Erik Nolthenius is the custodian of records for the record of proceedings.

This permit shall terminate on July 25, 2025, unless actual construction has begun prior to that date. However, such period of time may be extended by the Planning Commission upon application filed at any time before said date.

**ADOPTED** by the City Council of the City of Brentwood at its regular meeting of July 25, 2023, by the following vote:

AYES:  
NOES:  
ABSENT:  
RECUSE:

APPROVED

\_\_\_\_\_  
Joel R. Bryant  
Mayor

ATTEST:

\_\_\_\_\_  
Margaret Wimberly, MMC  
City Clerk

**EXHIBIT "A" TO  
CITY COUNCIL RESOLUTION NO.  
DR 22-002 – DESIGN REVIEW APPROVAL FOR COSTCO  
CONDITIONS OF APPROVAL**

1. The Permittee and Applicant, including all successors in interest (collectively, "Permittee") shall comply with each and every condition set forth in the Permit. Design Review No. 22-002 (the "Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed. The Permittee shall develop the site in accordance with the approved attachments and as modified by these Conditions of Approval.
2. The Permittee shall comply with all applicable Standard Conditions of Approval for Commercial and Industrial Projects, dated May 2005, hereby incorporated by reference, unless modified by any of the conditions below. Public Works and Engineering Standard Conditions of Approval shall be completed to the satisfaction of the City Engineer.
3. This project is approved subject to the design-level plans drawn by Kimley Horn and MG2, dated "Received June 8, 2023," except as amended by any conditions contained herein. The subsequent construction-level plans shall match in all aspects, except for minor deviations that may be allowed by staff during its review of said plans. Other deviations will be subject to Planning Commission review.
4. The building construction drawings shall indicate that the top of all rooftop equipment is below the height of the parapet roofs to the satisfaction of the Community Development Director prior to building permit issuance. No rooftop equipment shall extend above the rooflines of the buildings.
5. The Permittee shall obtain conditional use permit approval for the fuel facility uses for Costco prior to commencement of operation of such use.
6. All proposed uses shall be in conformance with uses permitted by the PA-1 Specific Plan. In the event a use is proposed that is not included as a permitted use per the use regulations of the PA-1 Specific Plan, the Permittee shall be required to seek and obtain all necessary approvals for such use.
7. The Permittee shall indemnify, defend with counsel of the City's reasonable choosing, and hold harmless City and its City Council, its boards and commissions, officials, officers, employees, and agents (the "Indemnified Parties") from and against any third party claim, action, or proceeding against City and/or the Indemnified Parties to attack, review, set aside, void, or annul the City's approval of the project approved herein, including adoption of DR 22-002, and any environmental determination made with regard thereto. This indemnification shall include, but not be limited to, damages awarded against

the City, if any, costs of suit, reasonable attorneys' fees, and other reasonable expenses incurred in connection with such claim, action, causes of action, suit or proceeding. The Permittee shall pay to the City upon demand or, as applicable, on a monthly basis to counsel of City's reasonable choosing, amounts owed pursuant to the indemnification requirements prescribed in this condition. City shall promptly notify the Permittee of any claim, action, or proceeding and shall engage in reasonable efforts to cooperate in the defense.

8. The Permittee shall submit an application for any future signage proposed for the project, which shall require approval of an administrative sign permit by the Community Development Department which shall be in conformance with the master sign program (MSP 22-001) approved by the Planning Commission and shall also be in accordance with the City's Municipal Code.
9. The building construction drawings shall be submitted for the review and approval by the Community Development Director prior to building permit issuance.
10. The Permittee shall schedule a pre-construction meeting to include the project planner, as well as the building inspector and engineering construction inspector assigned to the project, and a representative from Parks and Recreation, if judged to be necessary, prior to the start of building construction.
11. Final landscape plans and application must be submitted for review and approved by the Community Development Director, City Engineer, and the Director of Parks and Recreation prior to installation of any landscape or irrigation materials and prior to approval of improvement plans. Further, the landscape plans must include all water use calculations necessary to determine compliance with the City's Water Efficient Landscape Ordinance and any further regulations enacted by the State of California prior to landscape plan approval.
12. The Project site shall be annexed into the most current Community Facilities District and Lighting and Landscape Assessment District (street lights and landscaping), or provide and execute an alternative funding mechanism acceptable to the City for the maintenance of City improvements to the satisfaction of the Director of Parks and Recreation.
13. Project shall enter into a Revocable License Landscape Maintenance Agreement with the City for all private landscaping maintained with the project that is located between the back of sidewalk and public right-of-way line to the satisfaction of the Director of Parks and Recreation.
14. All parking lot fixtures, as well as any building-mounted fixtures, must be submitted in conjunction with the photometric plan for the review and approval of the Community Development Director. All fixtures must be of a cut-off or

full cut-off classification and cut-sheets allowing verification of the design must be submitted.

15. The Permittee shall perform or cause to be undertaken all applicable mitigation measures within the 2018 PA-1 Specific Plan EIR (SCH #2018042064) and the General Plan as listed in Exhibit B of this resolution.
16. The Permittee shall perform or cause to be undertaken all applicable goals and policies within the PA-1 Specific Plan including "Policy C-1.11" to require new development projects that would generate more than 50 employees to implement Transportation Demand Management (TDM) programs.
17. Video surveillance cameras must be placed to adequately monitor both the exterior of the Project Site and the interior of the buildings. These cameras shall be installed to the satisfaction of the Community Development Director and Chief of Police prior to occupancy of the buildings. The security cameras, within the building interiors, on building exteriors, and within the parking lot may be a camera system of the building owners/tenant's choice subject to review and approval by the Chief of Police prior to installation.
18. The development shall include the purchase of four (4) Vigilant cameras with LPR (license plate reader) capabilities, to include power/communications, box/cables and mounting brackets. These cameras will be installed, accessed and maintained by the City of Brentwood. The cameras will be installed by City of Brentwood personnel on the closest major thoroughfare to the project site which is owned and maintained by the City of Brentwood (Sand Creek Rd East of Heidorn Ranch Rd).
19. The Permittee shall maintain the area surrounding the development, including but not limited to, the buildings, the walkways surrounding the buildings, and the associated landscaping in a clean and orderly manner at all times to the satisfaction of the Community Development Director.
20. Prior to issuance of a building permit, the Permittee shall record an access easement, reciprocal parking agreement, and a maintenance agreement between all four of the affected parcels identified in MS 351-22 to the satisfaction of the City Engineer.
21. The Permittee shall pay the Agricultural Mitigation Fee, if not previously paid, in effect at the time of improvement plan approval to the satisfaction of the City Engineer.
22. The Project shall be consistent with all applicable City's General Plan Policies.
23. Permittee shall monitor and enforce on-site truck circulation compliance with signage.

24. All on-site storm drainage facilities including, but not limited to, storm mains, inlets, swales, and bioretention facilities are private and maintained by the property owner(s).
25. All improvements shall be designed and constructed; all permits issued; all fees paid; and all securities submitted pursuant to applicable Federal and state laws, state and regulatory agencies, the Subdivision Map Act, the Brentwood Municipal Code, the City Engineering Department's Standard Plans and Specifications, and the City Engineering Department's Engineering Procedures Manual.
25. Permittee and all construction plans and maps shall comply with Brentwood Municipal Code Title 8 "Health and Safety," Title 9 "Public Peace and Welfare," Title 12 "Streets, Sidewalks and Public Places," Title 13 "Sewers," Title 14 "Water," Title 15 "Building and Construction," and Title 16 "Subdivision and Land Development." In particular:
  - a. Solid waste service shall comply with Brentwood Municipal Code Chapter 8.16 "Solid Waste."
  - b. Construction and demolition work shall comply with Brentwood Municipal Code Chapter 8.40 "Construction and Demolition Debris Recycling."
  - c. Permittee shall comply with Brentwood Municipal Code Chapter 9.32 "Noise Regulations."
  - d. Permittee shall comply with the encroachment permit requirements pursuant to Brentwood Municipal Code Chapter 12.08 "Street Encroachments."
  - e. Sewer backflow prevention, interceptors, and other health and safety requirements shall be incorporated into the project pursuant to Brentwood Municipal Code Chapter 13.04 "Sewer System - Rules and Regulations."
  - f. Brine-discharging self-regenerating water softener systems are prohibited pursuant to Brentwood Municipal Code Section 13.04.022.B.
  - g. Water service shall comply with Brentwood Municipal Code Chapters 14.01 "Municipal Water System" and Chapter 14.10 "Cross-Connection Control." In addition and to comply with both health and safety requirements as well as the City's Engineering Design Standards, all projects serving more than 25 units shall design and construct at least two independent points of potable water supply to the Project.
  - h. Contractors requiring construction water shall obtain a temporary water permit and shall only take water metered at a location specified by the

City Engineer pursuant to Brentwood Municipal Code Section 14.01.340 "Contractors."

- i. Permittee shall comply with the Federal Clean Water Act, the Municipal Regional NPDES Permit, and Brentwood Municipal Code Chapter 14.20 "Stormwater Management and Discharge Control."
- j. Fire access and aerial apparatus access shall comply with the requirements of the Fire District and Brentwood Municipal Code Chapter 15.06 "Fire Code."
- k. Grading shall comply with Brentwood Municipal Code Chapter 15.52 "Grading, Erosion and Sediment Control."
- l. All grading and noise generating activities shall be limited to the days and hours defined in Brentwood Municipal Code Section 15.52.060 "Grading Regulations."
- m. In addition to the indemnification obligation set forth above, Permittee shall indemnify the City pursuant to Brentwood Municipal Code Section 15.52.160 "City Held Harmless."
- n. Permittee shall obtain all required permits including, but are not limited to: buildings; sewer connections; encroachment; grading; use; business license; water connection; Army Corps of Engineers; Contra Costa County Flood Control; California Department of Fish and Wildlife pursuant to Brentwood Municipal Code Section 16.120.050 "Procedures."
- o. All public facilities shall be constructed and any existing deficiencies shall be corrected. This includes both required on- and off-site public facilities and any deficiencies on-site, abutting the parcel or parcels involved or required off-site to provide service to the proposed development or for the continued safety, health and well-being of the public upon completion of the development pursuant to Brentwood Municipal Code Section 16.120.090 "Public Facilities Installation."
- p. Utilities shall be installed underground pursuant to Brentwood Municipal Code Section 16.120.120 "Undergrounding - Electric, Communication, Street Lighting and Advanced Technology Systems."
- q. All landscaping installed by the project shall be from trees and plants selected from the City Approved Drought Tolerant and Native Plant List and Appendix B of the Contra Costa Clean Water Program C.3 Guidelines for bioretention facilities to the satisfaction of the Director of Parks and Recreation and City Engineer.

26. Prior to issuance of a grading permit:

- a. Permittee shall coordinate the review of grading plans and obtain approval from PG&E for all proposed grading within the PG&E easement.
  - b. The height and location of all proposed retaining walls, including deepened curbs and bioretention walls, shall be shown on the Grading Plans. Retaining walls over three feet in height shall be structurally engineered, and shall require separate building permits.
  - c. Construction Plans shall demonstrate with plans, analysis, or other documentation signed and stamped by a licensed Civil Engineer that there is adequate overland drainage release to an adequate public drainage facility to the satisfaction of the City Engineer. Permittee shall acquire drainage easements, if necessary.
  - d. Permittee shall provide approved hydrology and hydraulic calculations signed by a licensed engineer demonstrating that the Project will adequately collect and convey all runoff within the Project as well as the entire developed watershed upstream of the Project pursuant to Brentwood Municipal Code 16.120.080C.
27. Prior to issuance of an encroachment permit or approval of Improvement Plans:
- a. Permittee shall coordinate the review of construction plans and obtain approval from PG&E for all proposed improvements within the PG&E easement.
  - b. Construction Plans shall include all utilities, including, but not limited to, meters, hydrants, poles, signs, clean-outs and boxes to be located clear of all trails, sidewalks and driveways or as determined by the City Engineer.
  - c. Construction Plans shall include all utilities with seismic considerations to the satisfaction of the City Engineer.
  - d. Construction Plans shall note that construction all gravity utilities (i.e. storm drain, sewer) to always commence at the downstream connection and proceed to the upstream terminus.
  - e. Construction Plans shall include cathodic protection measures for all buried metallic infrastructure pursuant to City Standards or as approved by the City Engineer.
  - f. Construction Plans shall include all proposed storm drain inlets to include and update existing storm drain inlets along the project frontage with "No Dumping - Drains to Creek" thermoplastic stencils to the satisfaction of the City Engineer.

- g. Permittee shall obtain approval from the City Engineer on the Project Operation and Maintenance Manual for all stormwater control systems. Said Manual shall comply with all applicable Municipal Regional NPDES Permit requirements including, but not limited to, maintenance, sediment removal, weed and trash abatement, and the use of chemicals.
  - h. Construction Plans shall include all landscaping with adequate root barriers to protect all City facilities, including but not limited to sidewalks, utilities, meters, ramps, and driveways.
  - i. Permittee shall have a licensed Land Surveyor locate all existing survey monuments on or adjacent to the project, and show said monuments as protected on all construction plans.
  - j. Construction Plans shall include a Traffic Control Plan in conformance with the latest edition of the Manual of Uniform Traffic Control Devices issued by Caltrans and as required by the City Engineer.
  - k. Construction Plans shall include Emergency Vehicle Access areas to comply with the requirements of the Fire District, and that ingress and egress is provided to all neighboring properties during construction.
  - l. Construction Plans shall incorporate roadways and driveways that provide adequate sight distance pursuant to City and Caltrans design requirements. All landscape areas required to have restrictions to comply with sight distance requirements shall be shown on applicable Construction and Plot Plans.
  - m. Construction Plans shall incorporate all-weather vehicular access from a public road to all proposed and existing public storm drain, sewer, water, and non-potable water mains, appurtenances, and easements subject to approval of the City Engineer.
  - n. Permittee shall provide approved hydrology and hydraulic calculations signed by a licensed engineer demonstrating that the Project will adequately collect and convey all runoff within the Project as well as the entire developed watershed upstream of the Project pursuant to Brentwood Municipal Code 16.120.080C.
28. Prior to approving Parcel Map:
- a. Parcel Map shall comply with the current Subdivision Map Act.
  - b. The Project shall annex into the most current City Community Facilities District, and annex into, or form a street lighting and landscape maintenance assessment district, or provide and execute an alternative

funding mechanism acceptable to the City for the maintenance of City improvements.

- c. The Project shall annex into the most current Emergency Medical and Fire Protection Service Funding Community Facilities District as required by the Contra Costa County Fire Protection District.
- d. All applicable City fees shall be paid including, but not limited to, the Agricultural Mitigation Fee, the Contra Costa Flood Control and Water Conservation District Fee.

29. Prior to issuance of any Building Permits:

- a. Permittee shall provide adequate emergency vehicle access from between the public right of way and around building footprint(s) to the satisfaction of the City Engineer.
- b. Permittee shall provide an approval signed and sealed by a geotechnical or structural engineer of the location, nature and proximity of stormwater features near or adjacent to buildings as determined by the City Engineer. Locations and design of any mitigating structural design feature (i.e. foundations) shall be shown on the appropriate construction plans.
- c. Permittee shall pay all Development Impact Fees pursuant to, or otherwise comply with the latest City of Brentwood Development Impact Fee Program.
- d. Permittee shall provide documents signed by a licensed engineer on building pad elevation, compaction, and appropriate remediation from unsuitable soils.
- e. Permittee shall demonstrate that all acoustic mitigations have been incorporated into applicable plans.

30. Prior to issuance of Certificate of Occupancy, Permittee shall construct a fence along the eastern property line of Parcel A of MS 351-22. Said fence shall conform with all requirements of the PA-1 Specific Plan Private Realm Development Design Guidelines.

**EXHIBIT "B" TO  
CITY COUNCIL RESOLUTION NO.  
DR 22-002 – DESIGN REVIEW APPROVAL FOR COSTCO  
PROJECT REQUIREMENT(S) ASSOCIATED WITH  
2018 PA-1 SPECIFIC PLAN EIR (SCH #2018042064)**

**Requirement AG-1:** Implement PA-1 Specific Plan EIR Mitigation Measure 3.2-1:

As future development projects within the PA-1 Specific Plan Area are approved by the City, the Project applicant(s) must preserve agricultural lands by one of the following mechanisms, consistent with Chapter 17.730 of the Brentwood Municipal Code (Ord. 877 § 2, 2010):

1. Granting an agricultural conservation easement to or for the benefit of the city and/or a qualified land trust approved by the city on agricultural land deemed acceptable by the city. The easement shall encumber the exact acreage of the proposed entitlement, including any land used for park and recreation purposes and may encumber land acquired by the city and/or qualified land trust in fee; or
2. Payment of an in-lieu fee established by city council resolution. The fee may be adjusted annually but may not be increased by more than ten percent during any twelve-month period.

**Requirement AQ-1:** Implement General Plan Policy COS 8-5:

Continue to require all construction projects and ground disturbing activities to implement BAAQMD dust control and abatement measures.

**Requirement AQ-2:** Implement and comply with BAAQMD district rules and regulations including but not limited to: Regulation II: Permits; Regulation III: Fees; Regulation VI: Particulate Matter; Rule 6: Visible Particles; Regulation VIII: Organic Compounds, Rule 3: Architectural Coatings; Rule 7: Gasoline Dispensing Facilities; Rule 15: Emulsified and Liquid Asphalts.

**Requirement AQ-3:** Compliance with the California Air Resources Control Board Vapor Recovery Program requirements for fuel dispensing facilities.

**Requirement BIO-1:** Compliance with the East Contra Costa County HCP/NCCP and preconstruction survey requirements.

**Requirement BIO-2:** Compliance with the following PA-1 Specific Plan Mitigation Measures:

- Mitigation Measure 3.4-1
- Mitigation Measure 3.4-2

- Mitigation Measure 3.4-3
- Mitigation Measure 3.4-4
- Mitigation Measure 3.4-5
- Mitigation Measure 3.4-6
- Mitigation Measure 3.4-7
- Mitigation Measure 3.4-8
- Mitigation Measure 3.4-9
- Mitigation Measure 3.4-10
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**Mitigation Measure 3.4-1:** Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts on special-status species:

- Preconstruction surveys for Alameda whipsnake, giant garter snake, San Joaquin coachwhip, and western pond turtle shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 24 hours before project disturbance.
- If Alameda whipsnake or San Joaquin coachwhip are found during preconstruction surveys, activities within 200 feet of the find shall cease until appropriate corrective measures have been completed or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the species will not be harmed by the continuation of activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.
- If giant garter snake is found during preconstruction surveys, activities within 200 feet of the find shall cease until appropriate corrective measures have been completed or it is determined by the qualified biologist and City staff, in coordination with USFWS and CDFW, that the giant garter snake will not be harmed by the continuation of activities. Any sightings or incidental take shall be reported to USFWS and CDFW immediately.
- If western pond turtles are found during preconstruction surveys, a qualified biologist, with approval from CDFW, shall move the turtles to the nearest suitable habitat outside the area subject to project disturbance. The construction area shall be reinspected whenever a lapse in construction activity of 2 weeks or more has occurred.
- Construction personnel performing activities within aquatic habitats and adjacent suitable uplands to be disturbed by project activities shall receive worker environmental awareness training from a qualified biologist to instruct workers to recognize western pond turtle, their habitats, and measures being implemented for its protection.

- Construction personnel shall observe a 15-miles-per-hour speed limit on unpaved roads.

**Mitigation Measure 3.4-2:** Prior to any ground disturbance, a preconstruction survey of the parcel(s) to be developed shall be completed for burrowing owl in accordance with CDFW survey guidelines (California Department of Fish and Game 1995). On the parcel where the activity is proposed, the biologist shall survey the proposed disturbance footprint and a 500-foot radius from the perimeter of the proposed footprint to identify burrows and owls. Adjacent parcels under different land ownership need not be surveyed. Surveys shall take place near sunrise or sunset in accordance with CDFW guidelines. All burrows or burrowing owls shall be identified and mapped. Surveys shall take place no earlier than 30 days prior to construction. During the breeding season (February 1 to August 31), surveys shall document whether burrowing owls are nesting in or directly adjacent to disturbance areas. During the nonbreeding season (September 1 to January 31), surveys shall document whether burrowing owls are using habitat in or directly adjacent to any disturbance area. Survey results shall be valid only for the season (breeding or nonbreeding) during which the survey is conducted. If burrowing owls and/or suitable burrows are not discovered, then further mitigation is not necessary. If burrowing owls and/or burrows are identified in the survey area, Mitigation Measure 3.4-3 shall be implemented.

**Mitigation Measure 3.4-3:** If burrowing owls are found during the breeding season (February 1 to August 31), the project proponent(s) shall avoid all nest sites that could be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young. Avoidance shall include establishment of a non-disturbance buffer zone (described below). Construction may occur during the breeding season if a qualified biologist monitors the nest and determines that the birds have not begun egg-laying and incubation or that the juveniles from the occupied burrows have fledged. During the nonbreeding season (September 1 to January 31), the project proponent(s) shall avoid the owls and the burrows they are using, if possible. Avoidance shall include the establishment of a buffer zone (described below). During the breeding season, buffer zones of at least 250 feet in which no construction activities can occur shall be established around each occupied burrow (nest site). Buffer zones of 160 feet shall be established around each burrow being used during the nonbreeding season. The buffers shall be delineated by highly visible, temporary construction fencing.

If occupied burrows for burrowing owls cannot be avoided, passive relocation shall be implemented. Owls shall be excluded from burrows in the immediate impact zone and within a 160-foot buffer zone by installing one-way doors in burrow entrances. These doors shall be in place for 48 hours prior to excavation. The project area shall be monitored daily for 1 week to confirm that the owl has abandoned the burrow. Whenever possible, burrows shall be excavated using hand tools and refilled to prevent reoccupation (California Department of Fish and Game 1995). Plastic tubing

or a similar structure shall be inserted in the tunnels during excavation to maintain an escape route for any owls inside the burrow.

**Mitigation Measure 3.4-4:** Prior to any ground disturbance conducted during the Swainson's hawk nesting season (March 15 to September 15), a USFWS/CDFW-approved biologist shall conduct a preconstruction survey for Swainson's hawk no earlier than 30 days prior to construction in order to establish whether occupied Swainson's hawk nests are located within 1,000 feet of the parcel(s) to be developed. If any potentially-occupied nests within 1,000 feet are off the project site, then their occupancy shall be determined by observation from public roads or by observations of Swainson's hawk activity (e.g. foraging) near the project site. A written summary of the survey results shall be submitted to the City of Brentwood Community Development Department. If occupied nests occur on-site or within 1,000 feet of the project site, then Mitigation Measure 3.4-5 shall be implemented. If occupied nests are not found, further mitigation is not necessary.

**Mitigation Measure 3.4-5:** During the Swainson's hawk nesting season (March 15 to September 15), construction activities within 1,000 feet of occupied nests or nests under construction shall be prohibited to prevent nest abandonment. If site-specific conditions, or the nature of the covered activity (e.g., steep topography, dense vegetation, and limited activities) indicate that a smaller buffer could be used, the City of Brentwood may coordinate with CDFW/USFWS to determine the appropriate buffer size. If young fledge prior to September 15, construction activities could proceed normally. If the active nest site is shielded from view and noise from the project site by other development, topography, or other features, the project applicant can apply to the City of Brentwood for a waiver of this avoidance measure. Any waiver must also be approved by USFWS and CDFW. While nest is occupied, activities outside the buffer can take place.

All active nest trees shall be preserved on site, if feasible. Feasibility shall be determined in conjunction with the City of Brentwood. Nest trees, including non-native trees, lost to construction activities shall be mitigated by the project proponent according to the requirements of Mitigation Measure 3.4-6.

**Mitigation Measure 3.4-6:** The loss of non-riparian Swainson's hawk nest trees shall be mitigated by the project proponent(s) by:

- Planting 15 saplings onsite for every tree lost with the objective of having at least 5 mature trees established for every tree lost according to the requirements below. The project proponent shall plant, maintain, and monitor 15 saplings for every tree lost at a site to be approved by the City of Brentwood, according to the requirements listed below. If onsite planting is not feasible, the applicant shall work with the City of Brentwood to provide a combination of on- and off-site plantings.

The following requirements shall be met for all planting options:

- Tree survival shall be monitored at least annually for 5 years, then every other year until year 12. All trees lost during the first 5 years shall be replaced. Success shall be reached at the end of 12 years if at least 5 trees per tree lost survive without supplemental irrigation or protection from herbivory. Trees must also survive for at least 3 years without irrigation.
- As determined by an arborist, irrigation and fencing to protect from deer and other herbivores may be needed for the first several years to ensure maximum tree survival.
- Native trees suitable for this site shall be planted. When site conditions permit, a variety of native trees shall be planted for each tree lost to provide trees with different growth rates, maturation, and life span, and to provide a variety of tree canopy structures for Swainson's hawk. This variety will help to ensure that nest trees will be available in the short term (5 to 10 years for cottonwoods and willows) and in the long term (e.g., Valley oak, sycamore). This will also minimize the temporal loss of nest trees.
- Riparian woodland restoration conducted as a result of construction activities (i.e., loss of riparian woodland) can be used to offset the nest tree planting requirement above, if the nest trees are riparian species, with City approval.
- As determined by the City, whenever feasible and when site conditions permit, trees shall be planted in clumps together or with existing trees to provide larger areas of suitable nesting habitat and to create a natural buffer between nest trees and adjacent development (if plantings occur on the development site).
- As determined by the City, whenever feasible, plantings on the site shall occur closest to suitable foraging habitat outside the Urban Development Area (UDA).
- Trees planted in the HCP/NCCP preserves or other approved offsite location shall occur within the known range of Swainson's hawk in the inventory area and as close as possible to high-quality foraging habitat.

**Mitigation Measure 3.4-7:** Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measure to avoid or minimize impacts to California horned lark, grasshopper sparrow, tricolored blackbird, and white-tailed kite that may occur on the site:

- Preconstruction surveys for active nests of California horned lark, grasshopper sparrow, tricolored blackbird, and white-tailed kite shall be conducted by a qualified biologist in all areas of suitable habitat within 500 feet of project disturbance. Surveys shall be conducted within 14 days before commencement of any construction activities that occur during the nesting season (February 15 to August 31) in a given area.
- If any active nests, or behaviors indicating that active nests are present, are observed, appropriate buffers around the nest sites shall be determined by a qualified biologist to avoid nest failure resulting from project activities. The size of the buffer shall depend on the species, nest location, nest stage, and specific construction activities to be performed while the nest is active. The buffers may be adjusted if a qualified biologist determines it would not be likely to adversely affect the nest. If buffers are adjusted, monitoring will be conducted to confirm that project activity is not resulting in detectable adverse effects on nesting birds or their young. No project activity shall commence within the buffer areas until a qualified biologist has determined that the young have fledged or the nest site is otherwise no longer in use.

**Mitigation Measure 3.4-8:** Prior to any ground disturbance related to construction activities, a biologist shall conduct a preconstruction survey in areas which may support suitable breeding or denning habitat for San Joaquin kit fox. The survey shall establish the presence or absence of San Joaquin kit fox and/or suitable dens and evaluate use by kit foxes in accordance with USFWS survey guidelines (USFWS, 1999). Preconstruction surveys shall be conducted not earlier than 30 days from commencing ground disturbance. On the parcel where activity is proposed, the biologist shall survey the proposed disturbance footprint and a 250-foot radius from the perimeter of the proposed footprint to identify San Joaquin kit fox and/or suitable dens. Adjacent parcels under different land ownership need not be surveyed. The status of all dens shall be determined and mapped. Written result of preconstruction surveys shall be submitted to the USFWS within 5 working days after survey completion and before start of ground disturbance. Concurrence by the USFWS is not required prior to initiation of construction activities. If San Joaquin kit fox and/or suitable dens are not discovered, then further mitigation is not necessary. If San Joaquin kit fox and/or suitable dens are identified in the survey area, Mitigation Measure 3.4-9 shall be implemented.

**Mitigation Measure 3.4-9:** If a San Joaquin kit fox den is discovered in the proposed development footprint, the den shall be monitored for 3 days by a CDFW/USFWS-approved biologist using a tracking medium or an infrared beam camera to determine if the den is currently being used. Unoccupied dens shall be destroyed immediately to prevent subsequent use. If a natal or pupping den is found,

the USFWS and CDFW shall be notified immediately. The den shall not be destroyed until the pups and adults have vacated and then only after further consultation with USFWS and CDFW. If kit fox activity is observed at the den during the initial monitoring period, the den shall be monitored for an additional 5 consecutive days from the time of the first observation to allow any resident animals to move to another den while den use is actively discouraged. For dens other than natal or pupping dens, use of the den can be discouraged by partially plugging the entrance with soil such that any resident animal can easily escape. Once the den is determined to be unoccupied, it may be excavated under the direction of the biologist. Alternatively, if the animal is still present after 5 or more consecutive days of plugging and monitoring, the den may have to be excavated when, in the judgement of a biologist, it is temporarily vacant (i.e., during the animal's normal foraging activities).

**Mitigation Measure 3.4-10:** Future project proponent(s) of development projects within the Specific Plan Area shall implement the following measures to avoid or minimize impacts on bats:

- If removal of suitable roosting areas (i.e. buildings, trees, shrubs, bridges, etc.) must occur during the bat pupping season (April 1 through July 31), surveys for active maternity roosts shall be conducted by a qualified biologist. The surveys shall be conducted from dusk until dark.
- If a special-status bat maternity roost is located, appropriate buffers around the roost sites shall be determined by a qualified biologist and implemented to avoid destruction or abandonment of the roost resulting from habitat removal or other project activities. The size of the buffer shall depend on the species, roost location, and specific construction activities to be performed in the vicinity. No project activity shall commence within the buffer areas until the end of the pupping season (August 1) or until a qualified biologist conforms the maternity roost is no longer active.

**Requirement CUL-1:** Implement PA-1 Specific Plan MM 3.5-1 and 3.5-3

**Mitigation Measure 3.5-1:** All construction workers shall receive a sensitivity training session before they begin site work within the Plan Area. The sensitivity training shall inform the workers of their responsibility to identify and protect any cultural resources, including prehistoric or historic artifacts, or other indications of archaeological resources, within the project site. The sensitivity training shall cover laws pertaining to cultural resources, examples of cultural resources that may be discovered in the project site, and what to do if a cultural resource, or anything that may be a cultural resource, is discovered.

If any subsurface historic remains, prehistoric or historic artifacts, paleontological resources, other indications of archaeological resources, or cultural and/or tribal resources are found during grading and construction activities, all work within 100 feet of the find shall cease, the City of Brentwood shall be notified, and the applicant

shall retain an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, to evaluate the find(s). If tribal resources are found during grading and construction activities, the applicant shall notify the Native American Heritage Commission. If paleontological resources are found during grading and construction activities, a qualified paleontologist shall be retained to determine the significance of the discovery.

The archaeologist and/or paleontologist shall define the physical extent and the nature of any built features or artifact-bearing deposits. The investigation shall proceed immediately into a formal evaluation to determine the eligibility of the feature(s) for inclusion in the California Register of Historical Resources. The formal evaluation shall include, at a minimum, additional exposure of the feature(s), photo-documentation and recordation, and analysis of the artifact assemblage(s). If the evaluation determines that the feature(s) and artifact(s) do not have sufficient data potential to be eligible for the California Register, additional work shall not be required. However, if data potential exists (e.g., an intact feature is identified with a large and varied artifact assemblage), further mitigation would be necessary, which might include avoidance of further disturbance to the resource(s) through project redesign. If avoidance is determined to be infeasible, additional data recovery excavations shall be conducted for the resource(s), to collect enough information to exhaust the data potential of those resources.

Pursuant to CEQA Guidelines Section 15126.4(b)(3)(C), a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the resource, shall be prepared and adopted prior to any excavation being undertaken. Such studies shall be deposited with the California Historical Resources Regional Information Center. Data recovery efforts can range from rapid photographic documentation to extensive excavation depending upon the physical nature of the resource. The degree of effort shall be determined at the discretion of a qualified archaeologist and should be sufficient to recover data considered important to the area's history and/or prehistory. Significance determinations for tribal cultural resources shall be measured in terms of criteria for inclusion on the California Register of Historical Resources (Title 14 CCR, §4852[a]), and the definition of tribal cultural resources set forth in Public Resources Code Section 21074 and 5020.1 (k). The evaluation of the tribal cultural resource(s) shall include culturally appropriate temporary and permanent treatment, which may include avoidance of tribal cultural resources, in-place preservation, and/or re-burial on project property so the resource(s) are not subject to further disturbance in perpetuity. Any re-burial shall occur at a location predetermined between the landowner and the Native American Heritage Commission. The landowner shall relinquish ownership of all sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Native American Heritage Commission for

proper treatment and disposition. If an artifact must be removed during project excavation or testing, curation may be an appropriate mitigation.

The language of this mitigation measure shall be included on any future grading plans, utility plans, and subdivision improvement drawings approved by the City for the future development of the Plan Area.

**Mitigation Measure 3.5-3:** Pursuant to CEQA Guidelines Section 15.64.5(e) if human remains are discovered during the course of construction, work shall be halted at the site and any nearby area reasonably suspected to overlie adjacent human remains until the Contra Costa County Coroner has been informed and has determined that no investigation of the cause of death is required.

If the Contra Costa County Coroner determines that the remains are of Native American origin, either of the following steps shall be taken:

- The Coroner shall contact the Native American Heritage Commission within 24 hours in order to identify the person or persons the Commission believes to be the most likely descended from the deceased individual. The most likely descendent shall make a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98, which may include obtaining a qualified archaeologist or team of archaeologists to properly excavate the human remains.
- The landowner shall retain a Native American monitor, and an archaeologist, if recommended by the Native American monitor, and rebury the Native American human remains and any associated grave goods, with appropriate dignity, on the property and in a location that is not subject to further subsurface disturbance when any of the following conditions occurs:
  - The Native American Heritage Commission is unable to identify a most likely descendent;
  - The descendant identified fails to make a recommendation within 24 hours after being notified by the Commission; or
  - The City of Brentwood or its authorized representative rejects the recommendation of the descendant, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner.

**Requirement GEO-1:** Implement recommendations presented in the Geotechnical Study Prepared by Kleinfelder during the project design and construction.

**Requirement GEO-2:** Implement PA-1 Specific Plan MM 3.5-2

**Mitigation Measure 3.5-2:** If paleontological resources are discovered during the course of construction, work shall be halted immediately within 50 meters (165 feet) of the discovery, the City of Brentwood shall be notified, and a qualified paleontologist shall be retained to determine the significance of the discovery. If the paleontological resource is considered significant, it should be excavated by a qualified paleontologist and given to a local agency, State University, or other applicable institution, where they could be curated and displayed for public education purposes.

**Requirement HAZ-1:** Prepare and file a Hazardous Materials Business Plan (HMBP).

**Project Requirement Hydro-1:** The project applicant shall prepare a Storm Water Pollution Prevention Plan (SWPPP) that includes specific types and sources of stormwater pollutants, determine the location and nature of potential impacts, and specify appropriate control measures to eliminate impacts on receiving water quality from stormwater runoff. The SWPPP shall require treatment BMPs that incorporate, at a minimum, the required hydraulic sizing design criteria for volume and flow to treat projected stormwater runoff. The SWPPP shall comply with the most current standards established by the RWQCB, and the Contra Costa Clean Water program. Best Management Practices shall be subject to approval by the City Engineer and RWQCB.

**Project Requirement Hydro 2:** Prior to approval of the building permit, the project applicant shall submit a detailed Stormwater Control Plan that meets the criteria in the most recent version of the Contra Costa Clean Water Program Stormwater C.3. Guidebook. The project's storm drainage infrastructure plans must demonstrate adequate infrastructure capacity to collect and direct all stormwater generated on the project site within the on-site retention facility to the City's existing stormwater conveyance system and demonstrate that the project would not result in on- or off-site drainage impacts.

**Project Requirement N-1:** The following requirements shall be implemented during all construction phases of the project: In compliance with General Plan Action N-1e, the Project would be required to control construction noise with standard best practice controls. The General Plan's suggested best practices for control of construction noise include:

1. Construction period shall be less than 12 months;
2. Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and between 8:00 a.m. and 5:00 p.m. on Saturdays. No construction shall occur on Sundays or City holidays;

3. All equipment drive by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment;
4. The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists;
5. At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences;
6. Unnecessary idling of internal combustion engines shall be prohibited;
7. Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction activities, to the extent feasible;
8. The required construction-related noise mitigation plan shall also specify that haul truck deliveries are subject to the same hours specified for construction equipment;
9. Neighbors adjacent to the construction site shall be notified of the construction schedule in writing;
10. The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

**Requirement UTIL-1:** Compliance with the Brentwood, Municipal Code Title 14 Chapter 14.20 (Stormwater Management and Discharge Control).