

CITY OF BRENTWOOD

STANDARD CONDITIONS OF APPROVAL FOR COMMERCIAL AND INDUSTRIAL PROJECTS

- Responsible Dept./Agency
- Engineering 1. _____ *The Following Shall be Completed Prior to the Issuance of Grading Permits:*
1. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications and the Engineering Procedures Manual of the City of Brentwood and all applicable State and local ordinances, standards and requirements. Should a conflict arise, the governing specification will be determined by the City Engineer.
- Building 2. _____ The developer shall pay all applicable fees per the current development fee schedule in place at the time of issuance of building permits, with the exception of the agricultural mitigation fee which shall be paid at the time of the grading permit issuance.
- Engineering 3. _____ The developer shall submit a grading plan to the City Engineer for approval which reflects the recommendations of a final Geologic and Geotechnical study, including construction procedures and/or design criteria. Construction plans submitted to the City Engineer shall conform to the City of Brentwood Engineering Design Standards and include specifications necessary to minimize potential impacts resulting from soil conditions on the project site. The City Engineer or his representative shall verify in the field that all conditions have been satisfied.
- Engineering 4. _____ The developer shall provide all necessary easements for streets, alleys, sewer, and water facilities, irrigation, fiber optics, district facilities, and other facilities as required by the City. Utility easements shall be a clear fifteen feet (15') for one utility and a clear twenty feet (20') for two or more utilities. Easements shall not be split between property lines or as otherwise determined by the City Engineer. The easement widths identified are minimums and in certain circumstances, additional easement widths may be required as determined by the City Engineer.
- Fire District 5. _____ The developer shall submit three (3) complete sets of plans and specifications of the subject project to the Fire District, including required built-in fire protection systems, for review and approval prior to construction to insure compliance with minimum requirements related to fire and life safety. Plan review fees will be assessed at that time.
- Fire District 6. _____ The developer shall provide an adequate and reliable water supply for fire protection with a minimum fire flow of 2,000 GPM. Required flow shall be delivered from not more than two (2) hydrants flowing simultaneously, while maintaining twenty pounds (20 lb.) residual pressure in the main.
- Fire District 7. _____ The developer shall provide 1 fire hydrant (Long Beach Iron Works Model 615 with a Long Beach Iron Works Model LB400 Break-off Check Valve)

unless modified by the Fire District. Hydrant locations will be determined by the Fire District upon submittal of three (3) copies of a site plan.

- | | | | |
|--------------|-------|-----|--|
| Engineering | _____ | 8. | Grading and drainage plans shall be submitted to the City for review and approval. Plans must be prepared by a civil engineer registered in the State of California. A deposit for plan checking charges per the current development fee schedule shall be required at the time of first submittal. Grading and drainage plans shall incorporate required berming along street frontage landscape areas. |
| Public Works | _____ | 9. | The applicant shall submit to the Solid Waste Division for review and approval, detailed copies of their solid waste enclosure plans, along with a completed and signed Solid Waste Plan Guide & Enclosure Standards. This can be located in the City of Brentwood Standard Plans and Specifications. Any changes must be re-approved by the Solid Waste Division. The enclosure location and design must be accessible to the automated trash service the City provides and the exterior materials of the enclosure shall be consistent with the exterior materials of the adjacent and/or surrounding buildings. |
| Engineering | _____ | 10. | Where the finished grade of the property is in excess of six inches (6") higher or lower than the abutting property or adjacent lots, a retaining wall or other suitable solution acceptable to the City Engineer shall be required, and any fence or wall shall be measured from the top of grade on the higher side of the retaining wall or slope. Retaining walls shall be shown on grading plans, shall be structurally engineered if over four (4) feet in height, including surcharge, and will require a separate building permit. |
| Engineering | _____ | 11. | A soils report for the project site soils and for any import soils with testing for corrosives and contaminants, especially agricultural pesticides, shall be submitted to the City Engineer and the Contra Costa County Department of Environmental Health. The grading plan shall not be approved unless Environmental Health's recommendations are followed in the grading and improvement plans. |
| Engineering | _____ | 12. | The developer shall coordinate all grading and improvements with adjacent property owners to the satisfaction of the City. Any grading or drainage onto adjacent properties shall require written approval of those property owners affected, with said approval provided to the City Engineer. |
| Engineering | _____ | 13. | The developer shall provide written confirmation from the East Contra Costa Irrigation District (ECCID) that said project is in compliance with all applicable requirements and adopted policies of the ECCID. Any required ECCID facilities shall be relocated by the developer, at the developer's expense, to the satisfaction of ECCID and the City Engineer. |
| Engineering | _____ | 14. | Regional and Sub-Regional drainage fees required by the Contra Costa County Flood Control & Water Conservation District and the City of Brentwood shall be paid prior to the issuance of grading permits. |

The Following Shall be Completed Prior to the Issuance of Building Permits:

- | | | | |
|---------------|-----|-----|---|
| Building | ___ | 15. | All building and fire codes shall be adhered to. |
| Engineering | ___ | 16. | All utility extensions shall be underground and any relocation of any existing utility facilities will be done at the developer's expense. |
| Engineering | ___ | 17. | Underground utilities shall be installed in conformance with existing City policy including without limitation Section 16.120.120 of the Subdivision and Land Development Ordinance. Acknowledgment to the City from utility companies that all arrangements have been made is required prior to issuance of a building permit. Fiber optic conduit shall run adjacent to telephone conduit and terminate in the same location within the building. |
| Fire District | ___ | 18. | A pro rata fee of \$0.10 (10 cents) per square foot shall be assessed to partially offset initial expenditures for additional necessary fire service resources. |
| Building | ___ | 19. | All buildings shall be protected with an approved automatic fire sprinkler system. Three (3) sets of plans shall be submitted to the Contra Costa County Fire Protection District office for review and approval prior to installation. |
| Parks | ___ | 20. | Detailed landscape and irrigation plans shall be submitted to the Parks & Recreation Department for their review and approval. The detailed landscape plan shall be revised to reflect any changes/additions contained in the project's conditions of approval. The developer shall be required to berm all landscape areas along street frontages with an acceptable height to be determined by the Planning Commission. All public and private landscaping and irrigation shall be designed to adhere to City standards unless modified by the Parks and Recreation and Community Development Directors. All trees within the public rights of way shall conform to the City's Urban Forest Guidelines. If required, irrigation systems for landscaping shall be designed to use the City's non-potable water system. |
| Planning | ___ | 21. | Building signs shall be approved by the Community Development Department subject to the standards of the Sign Ordinance, Chapter 17.640 of the Municipal Code, or an approved Master Sign Program. |
| Engineering | ___ | 22. | In addition to otherwise applicable development fees, if this property is located within an existing or a proposed Benefit District the Developer shall pay the Benefit District fee as set forth in the Engineers Report for the applicable Benefit District. The entire fees shall be charged and paid at the time of grading permit or building permit issuance, whichever occurs first. The fee may be adjusted over time by an amount equal to the annual rate of inflation set forth in the Engineering News Record Construction Cost Index. |
| Building | ___ | 23. | The Developer shall insure finished pad elevations are at a minimum one foot above the 100 year base flood elevation as shown on the latest Federal Emergency Management Agency (FEMA) floodplain maps for |

Contra Costa County, California. The developer shall be responsible for all necessary activities, applications, documentation and costs to amend floodplain maps for their development, [Letter of Map Amendment Revision (LOMAR)], and for obtaining a Floodplain Permit from the City of Brentwood Floodplain Administrator for all projects on parcels identified in Zone 'A' on the FEMA Flood Insurance Rate Maps for the City of Brentwood.

- Building _____ 24. The developer shall comply with the City of Brentwood Construction and Demolition Debris Recycling Ordinance and Waste Management Plan by diverting a minimum of 50% of job-site waste from landfills and shall apply for the necessary permits.
- Engineering _____ 25. Any subsurface water rights on the site of the proposed project shall be dedicated to the City of Brentwood.
- Engineering _____ 26. The developer shall execute any agreements identified in the Stormwater Control Plan which pertain to the transfer of ownership and/or long-term maintenance of stormwater treatment or hydrograph modification BMPs to the satisfaction of the Community Development Director and the City Engineer.
- Engineering _____ 27. The developer shall process a Stormwater BMP Operation and Maintenance Plan for review and approval to the satisfaction of the Community Development Director, Director of Public Works, and the City Engineer.

The Following Shall be Completed Prior to Occupancy:

- Building _____ 28. Approved building identification shall be provided. Such numbers shall contrast with their background and be readily visible from the street, day and night.
- Planning _____ 29. All parking stalls shall be striped with double-striping and said striping shall adhere to all City standards. The applicant must sign and provide the required number of handicap parking stalls. Said stalls must meet all State ADA and City of Brentwood handicap requirements.
- Planning _____ 30. Secured bicycle facilities shall be provided per the requirements of the Zoning Ordinance.
- Planning _____ 31. The developer shall submit an AutoCAD drawing (.dwg format) showing only the building footprint and the parking lot layout, both to scale, of the approved site design.
- Building _____ 32. A backflow preventor shall be installed in conjunction with the fire service at a location approved by the Community Development Department. An all-weather cover shall be placed over all backflow preventors in a manner acceptable to the Community Development Department. Backflow preventors shall be tested and certified by a City approved tester with

certification submitted to the City's Cross-connection Specialist.

- | | | | |
|---------------|-------|-----|---|
| Fire District | _____ | 33. | Prior to final acceptance by the City of any improvements, all hydrants shall be tested to ensure actual flows meet or exceed Fire District requirements. The developer shall provide written acceptance of these flows by the Fire Marshal. Access roads and hydrants shall be installed and in service prior to combustible construction. |
| Planning | _____ | 34. | All roof mounted mechanical equipment shall be recessed and/or screened from view. |
| Planning | _____ | 35. | Parking lot and exterior building lighting shall be installed to the approval of the Community Development and Police Departments. All lighting shall be shielded from abutting properties with cut-offs (shields) so as to produce no nuisance or annoyance. No lighting shall be of the type or in a location such that it constitutes a hazard to vehicular traffic, either on private property or on abutting streets. The spacing and height of the standards and luminars shall be to the approval of the City Engineer and Community Development Director. The height of light standards from the existing grade shall not exceed 20 feet. To prevent damage from automobiles, standards shall be mounted on reinforced concrete pedestals or otherwise protected. Under canopy lighting elements shall be recessed or concealed in such a manner as not to be directly visible from a public street. Lighting shall be installed around the perimeter of the building and be vandal resistant. The use of alternative standard and fixture design are encouraged. |
| Police | _____ | | |
| Engineering | _____ | | |
| Engineering | _____ | 36. | Any existing damage or damage incurred during construction to the curb, gutter and/or sidewalk shall be repaired and/or replaced to the approval of the City Engineer. |
| Parks | _____ | 37. | All landscaping shall be installed prior to occupancy and maintained as required by Chapter 17.630 of the Municipal Code in accordance with the approved landscape plan. |

Other Conditions Required:

- | | | | |
|-------------|-------|-----|---|
| Engineering | _____ | 38. | All approved driveway locations shall be constructed to City standards. |
| Police | _____ | 39. | The developer shall provide security measures acceptable to the City's Police Department. |
| Parks | _____ | 40. | All sound walls shall be constructed with a "graffiti proof/resistant" material with a final inspection by the Parks & Recreation Department. |
| Building | _____ | 41. | All metal roofs, including galvanized metal, shall be coated with a rust-inhibitive paint. |
| Engineering | _____ | 42. | The project plans shall include erosion control measures to prevent soil, dirt and debris from entering the storm drain system, in accordance with the regulations outlined in the Association of Bay Area Governments (ABAG) |

Erosion and Sediment Control Handbook.

- Engineering _____ 43. The improvement plans shall reflect that all storm drain inlets constructed or modified in conjunction with this project shall be labeled “No Dumping – Drains to Creek” using thermoplastic stencils to the satisfaction of the City Engineer.
- Engineering _____ 44. The improvement plans shall reflect proposed permanent storm water treatment controls to minimize the introduction of pollutants in discharges to the public storm drain system or to existing creeks. The applicant shall provide minimum maintenance requirements, including estimated annual maintenance costs, in conjunction with the permanent controls proposed.
- Engineering _____ 45. Developer is responsible for notifying all sub-contractors of the Best Management Practices (BMP’s) to be implemented. These may be shown in the SWPPP or, if warranted by site conditions, at the City’s direction. Developer is responsible for compliance by all sub-contractors. Failure to comply with the approved construction BMP’s will result in the issuance of verbal warnings, correction notices, administrative citations or a project stop work order. In the event of the issuance of a stop work notice on the project for engineering, public works or building violations, the developer shall be fined through additional fees/fines placed on the building permits or, when possible, by the reduction of any applicable development fee credits (collectively ‘fines’). Except in the event of an emergency, the City shall provide verbal and written notice of the violation to the applicable developer prior to the issuance of a stop work notice. Fines shall be \$500 for the first offense, \$2,000 for the second occurrence of the same offense (regardless of sub-contractor) and \$5,000 for each subsequent occurrence of the same offense.
- Parks _____ 46. The developer is responsible for maintaining all landscaping within the public right of way, for a period of 90 days prior to City acceptance of the landscaping improvements. One precondition to City acceptance is a 12-month guarantee for the plant materials. In the event of non-responsiveness from the developer within two weeks of notification by the Brentwood City Engineering or Parks & Recreation Departments, corrective measures may be taken by the City to correct and plant material deficiencies. The costs incurred by the City shall be provided to the City by the developer’s guarantee and may include funds available from any developer funds being held by the City, such as plan check deposits, right of way deposits, or other accounts. In the event that insufficient funds exist in accounts held by the City, building permits may be withheld until such time as the developer deposits sufficient funds to reimburse the City for completing the corrective measures.
- Police _____ 47. The developer shall submit a job site security plan to the Brentwood Police Department and obtain Police Department approval prior to issuance of a grading permit, encroachment permit or issuance of any building permits. The security plan shall include a list of 24 hour contact numbers and shall require either on-site job security during off hours, or all tools, equipment and materials shall be removed from the job site after the normal working hours,

or other measures acceptable to the Brentwood Chief of Police.

- | | | | |
|--------------|-----|-----|---|
| Engineering | ___ | 48. | The Developer shall form or annex into a street lighting and landscape maintenance district, or some alternative financing mechanism acceptable to the City, for maintenance of all street lights and landscaping within or adjacent to the site. |
| Engineering | ___ | 49. | The developer shall install cathodic protection measures for all buried metallic infrastructure per City standards and as approved by the City Engineer. |
| Engineering | ___ | 50. | If it is determined that the project will impact existing agricultural uses, the developer shall submit a master drainage plan showing enough detail to address the mitigation of impacts on these agricultural uses or to conclusively show that there will be no impacts to the satisfaction of the City Engineer. The mitigation of these impacts is the financial responsibility of the developer until the City formally accepts the improvements. Additionally, the developer shall bear the financial responsibility of, and shall dedicate to the City, agricultural runoff control easements, as needed. |
| Engineering | ___ | 51. | Detailed plans reflecting the design and construction of all public infrastructure improvements for street, sewer, water, fiber optics and storm drain, both on- and off-site, shall be as directed by the City Engineer. Developer shall have written approval from the City Engineer for any variations from the City's Master Plans prior to any final map or plan approval. |
| Engineering | ___ | 52. | The developer, in order to reduce the tracking of mud throughout the City, shall be responsible for cleaning up (or any expenses incurred by the City for cleaning up) mud, debris, etc. from City streets that is attributed to his project during construction. |
| Public Works | ___ | 53. | All industrial developers shall submit a completed wastewater pretreatment survey to the City Public Works Department which is intended to identify any potential discharges into the City of Brentwood sewer system that do not meet Federal, State or local discharge codes. |
| Planning | ___ | 54. | Shopping center developers with projects that are intended to open in phases shall meet with City staff to mutually develop a phasing plan that coordinates the construction of improvements with store openings to insure the safety of shopping center visitors and construction workers. Prior to occupancy of buildings by individual tenants, the City's Tenant Improvement Certificate of Occupancy shall have been "signed off" by all City Department and outside reviewing agencies. |
| Engineering | ___ | 55. | Prior to acceptance of improvements by the City, the developer shall perform roadway surface improvements, such as slurry seal or overlay as required by the City Engineer, and shall install any additional traffic signs, striping and pavement markings determined necessary by the City's Traffic Engineer, after inspection of the final physical improvement, to insure safe operation of all intersections and segments of streets before any building can be |

occupied.

- Engineering ___ 56. The developer shall participate in the current Community Facilities District to fund fire, police, open space, clean water and other City facilities and services.
- Engineering ___ 57. The developer shall remove all abandoned irrigation lines from proposed streets and building sites, backfill and properly compact the same to the approval of the City Engineer.
- Engineering ___ 58. An encroachment permit shall be required for any construction to be done in the public right of way, easements, or on lands to be dedicated to the City of Brentwood upon completion of the improvements. The encroachment permit shall be obtained prior to the start of said work. The permit fee will be determined per the current adopted fee schedule.
- Engineering ___ 59. The developer shall comply with all applicable NPDES requirements to the satisfaction of the City Engineer.
- City Attorney ___ 60. With respect to any claim, action, or proceeding against the City of Brentwood, its officials, employees or agents relating to the action or inaction of the City in reviewing, approving or denying the proposed project, the developer shall defend, indemnify and hold harmless the City, its officials, employees and agents from any claim, action or proceeding to attack, set aside, void or annul an approval by the City concerning the proposed project. With respect to all other claims, actions or proceedings relating to or arising from the proposed project, including without limitation those concerning environmental review, subsequent permit decisions, personal injury, death, property damage or inverse condemnation, the developer shall also defend, indemnify and hold harmless the City, its officials, employees and agents. The City retains the option to employ independent defense counsel at the developer's expense. The developer shall bear the litigation expenses of defense, including attorney's fees, whether incurred by the developer or the City's counsel, or awarded to any third party. The City must pre-approve any decision in the action, including settlement, in which the City's participation or performance is required.
- Police ___ 61. Prior to occupancy, the developer/tenant shall provide the City's Police Department with security plans outlining the details of occupancy of the building, as necessary. Said plans shall include, but not be limited to, providing motion detection lighting, digital surveillance cameras and/or "Hot Spot" antennas including the necessary easements to access and maintain these sites to the satisfaction of the Police Chief or designee.
- Engineering ___ 62. All applicable plans (i.e. building, site improvements, grading, landscaping, etc.) shall be consistent with the developer's approved Stormwater Control Plan and shall include drawings and specifications necessary to implement all clean water measures in the approved Stormwater Control Plan. The submittal of all applicable plans shall include a completed "Construction Plan C.3 Checklist" as described in the Stormwater C.3 Guidebook.

Engineering — 63. All conditions of approval for this project shall be written by the project developer on all building permit plan check sets submitted for review and approval. These conditions of approval shall be on, at all times, all grading and construction plans kept on the project site. It is the responsibility of the building developer to ensure that the project contractor is aware of, and abides by, all conditions of approval. Prior approval from the Planning Manager must be received before any changes are constituted in site design, grading, building design, building colors or materials, etc.

LAST UPDATED: MAY 2005