

PLANNED DEVELOPMENT STANDARDS

Planned Development – Industrial (PD-I) 01-003

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Planning Commission Recommendation: September 16, 2014
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Effective Date: December 10, 2014

Purpose: The purpose of establishing this Planned Development-Industrial (PD-I 01-003) District is to regulate the development of 178± acres of land located southwest of the intersection of Jack London Boulevard and Isabel Avenue, as shown in the attached figure (Figure 1). The intent of this District is to accomplish the following:

1. PD-I 01-003 is intended to provide an environment exclusively for and conducive to the development and protection of modern professional and administrative facilities, research institutions, manufacturing operations and related uses, all of a non-nuisance type.
2. The District is intended to provide for an aesthetically attractive working environment with park- and/or campus-like grounds, attractive buildings, employee parking, and other amenities appropriate to a mix of office and industrial uses.
3. The District is intended to establish development standards and regulations consistent with the intent of the Low Intensity Industrial General Plan designation.
4. Development shall be in conformance with the requirements of the Livermore Development Code as it exists now or may be amended in the future except as modified by the following regulations:

A. Principal Permitted Uses:

The following are the principal permitted uses:

1. Research and development facilities
2. Professional and administrative offices
3. Experimental and testing laboratories
4. Manufacture of electric and electronic circuits, instruments and devices
5. Manufacture of pharmaceutical products

6. Restaurants, except fast food
7. Warehousing and distribution facilities
8. Vocational schools, music, dance, gymnastics and martial arts schools. Where these uses generate noise as part of operational activities, they shall be required to operate with doors and windows closed.
9. Manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials such as, but not limited to, cloth, plastic, paper, leather, and precious or semi-precious metals or stones, but not including the following:
 - A. Operations such as saw and planing mills, any manufacturing uses involving primary production of wood, metal, or chemical products from raw materials, and similar uses
 - B. Uses manufacturing, processing, storing or packaging chemicals, petroleum, heavy agricultural products or other hazardous materials
 - C. Vehicle dismantling yards, scrap and waste yards
10. The uses identified in Section. A.10.A below, provided they comply with the restrictions outlined in Section A.10.B.
 - A. Permitted Uses:
 - 1) Sales and showrooms for heavy equipment and construction related vehicles and equipment, including associated repair, service and parts distribution facilities
 - 2) Public Transportation Center and associated vehicle maintenance and storage
 - B. Requirements:
 - 1) Uses shall be designed and integrated into the site in a manner that maintains the corporate and professional character of the Oaks Business Park.
 - 2) Uses shall be located a distance of at least 500 feet from Isabel Avenue and Jack London Boulevard.
 - 3) Outdoor service and storage yards shall be screened from public view by landscape screening and a solid wall with a minimum height of 6 feet and a maximum height of 8 feet.

B. Accessory Uses

The following are the accessory uses permitted:

1. Signs complying with the regulations established through PD-I 01-003 (See Section G, below).
2. Accessory uses and buildings customarily appurtenant to a permitted use.
3. Living quarters determined by the zoning administrator to be necessary for surveillance purposes.
4. Off-street parking and loading spaces in accordance with Chapter 4.04 of the Livermore Development Code, as it exists now or may be amended in the future.
5. Fuel stations subject to the requirements of Section 6.03.160 of the Livermore Development Code, as it exists now or is amended in the future.

C. Conditional Uses

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in PD 01-003.

1. Public and quasi-public uses.
2. Motels, fast-food businesses, banks, personal services, or goods reasonably required for the convenience and support of occupants of uses in the surrounding district(s).
3. Contractor's storage yards and open storage uses (not including vehicle dismantling yards, scrap, or waste yards), and only when located a distance of at least 500 feet from Isabel Avenue and 500 feet from W. Jack London Boulevard. Such uses shall be completely screened by a solid masonry wall having a minimum height of 6 feet.
4. Any land use that utilizes hazardous materials shall be subject to the regulations of Section 6.02.040 of the Livermore Development Code (Hazardous Materials), as it exists now or is amended in the future. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Section 6.02.040 of the Livermore Development Code.
5. Pursuant to subsection D.5, a Conditional Use Permit may be requested to increase building height (to the tops of building structures and appurtenances including but not limited to parapets, roof deck, equipment, and screening) to not more than 55 feet, if proposed with a Site Plan Design Review application for site development or modification and found to be in scale with proposed development and surroundings and contributing to, and not detracting from, a cohesive and attractive overall building design.

D. Site Development Regulations

The following minimum requirements shall be observed, except where increased for conditional uses:

1. Lot Area: Twenty thousand square feet
2. Lot Width: One hundred feet
 - A. Yards: Yard requirements are established below. Buildings shall not be permitted within required yards
 - B. Front or Street Side: 40-feet on Isabel Avenue, 35-five feet on Jack London Boulevard, and 30-feet on frontage roads and interior streets, except as required by subsection D.5.
3. Rear and Side: None
4. Uses of Yard Areas: The following uses shall be made of yard areas and then only if such uses are otherwise permissible pursuant to the provisions of this chapter:
 - A. Landscaping shall be regulated by the following requirements:
 - 1) All required yards adjacent to streets shall be landscaped, except for driveways and sidewalks found to be necessary for the efficient use of the property.
 - 2) In the case of a parking lot being located between the building and the street, the landscaped strip adjacent to the street may be reduced by up to 10 feet, provided a landscaped strip equal to the amount of reduction is added to a landscaped planter adjacent to the street side of the building.
 - 3) A landscaped strip of land, at least 25 feet wide, shall be maintained along any property line where a PD-I District abuts an R District or an OS District designated for future residential use in the General Plan.
 - 4) All landscaping shall be carried out in accordance with the landscaping plan approved by the City, and such landscaping shall be installed and maintained in such a manner so as to prevent the viewing of outdoor storage, and loading areas.
 - 5) In any case where the building frontage is visible from a public or private street, a minimum 5-foot landscaped strip abutting the foundation shall be included, allowing for necessary entrances.
 - 6) No more than ten parking spaces shall be located in a row without a landscaped planter strip provided parallel to the parked vehicles. The

landscape planter strip shall provide minimum dimensions of 5 feet by 19 feet. Parking lot landscaping shall include a minimum of one tree for every six parking spaces for double-loaded stalls and one tree for every three spaces for single-loaded stalls.

- B. Exterior Storage: Exterior storage shall be regulated as follows for all uses:
- 1) Exterior storage shall not be allowed directly adjacent to a public street (except under Section C.3.).
 - 2) Exterior storage shall be completely screened from the public view by a masonry fence, wall or berm not exceeding 15 feet in height, with all stored material kept below the top of such screen.
 - 3) Exterior storage areas exceeding 10 percent of the building area shall be considered an open storage use subject to a Conditional Use Permit, under Section C.4. above.
5. Height Regulations: The height of all on-site structures, including roof-top mechanical equipment) is limited to 35 feet plus an additional foot of height for every additional foot of setback above that required, not to exceed a maximum of 40 feet of height, except that upon providing a minimum 40-foot setback from street rights-of-way, a Conditional Use Permit may be requested to increase height per subsection C.5. The height of pole-and building-mounted lights may be approved up to 28 feet by an administrative site plan and design review if found necessary for the health and safety of a site designed for truck or other large vehicle maneuvering and documented by a light study to not cause glare off-site.
6. Lot Coverage: The building coverage maximum shall be 45 percent.
7. Floor Area Ratio: The allowable floor area shall be based on the type of land use and the Average Daily Vehicle Trips (ADT) allocated to each parcel (see Vehicle Trip Monitoring Requirements (Section E) below).
8. Parking: Parking requirements for the subject site shall comply with the requirements of Chapter 4.04 of the Livermore Development Code, as it exists now or may be amended in the future, with the following exceptions:
- A. Parking spaces for office, manufacturing, warehouse, research, industrial, heavy equipment operations, transportation centers, and other similar office or industrial uses shall have a width of not less than 9 feet or the minimum width specified by the Development Code, whichever is less.
 - B. Parking spaces for restaurants, motels, banks, retail, commercial and personal service uses shall have a width of not less than 9 feet or the minimum width specified by the Development Code, whichever is less.

- C. The Planning Commission may authorize up to a maximum of a 10 percent reduction in the required parking standards for office and industrial uses only, as part of a parking cash-out program upon issuance of a conditional use permit, where all of the conditions outlined below are met. This provision precludes uses within the Oaks Business Park from utilizing other use specific parking reductions as covered in Chapter 4.04 of the Livermore Development Code.
- 1) Employers are required to provide transit and/or ridesharing subsidies to non-driver employees in amounts equivalent to the value of subsidized parking, thereby encouraging those who would normally drive alone to consider a commute alternative.
 - 2) The amount of the subsidy provided shall be based on an analysis of the value of the subsidized parking and shall, at a minimum, be consistent with amounts provided in similar programs throughout the Bay Area. The subsidy amount, once established, shall be adjusted yearly based on increases in the Bay Area Consumer Price Index.
 - 3) The parking reduction shall be found to not adversely affect other businesses or uses on the same property or within the boundaries of the project.

E. Vehicle Trip Monitoring Requirements

1. The City, through this PD-I 01-003 zoning, provides to the Oaks Business Park an allocation of 15,686 Average Daily Vehicle Trips (ADT). As part of this overall allocation, each parcel shall receive a baseline allocation of 82 ADT per acre, with all remaining ADT available to the developer to distribute to individual parcels. ADT allocations for parcels containing public facilities, such as parks, shall be based on use specific ADT allocations approved by the City of Livermore. Detention basin areas shall receive no ADT allocation.
2. Once two northbound through lanes and two southbound through lanes have been constructed and opened for operation at the Isabel Avenue/Discovery Drive intersection, the project developer shall receive an allocation of an additional 1,743 ADT, which may be allocated by the developer among any of the parcels located on-site.
3. The ADT allocated to a parcel shall be used to determine the maximum gross square footage of development permitted on the parcel.
4. The maximum allowable building square footage per parcel shall be calculated based on the following ADT generation rates:

<u>Office:</u>	1 ADT = 123.3 square feet of Office; or
	1,000 square feet of Office = 8.11 ADT

Industrial: 1 ADT = 261.7 square feet of Industrial; or
1,000 square feet of Industrial = 3.82 ADT

Other Uses: The applicable ADT generation rates for other uses shall be determined by the City of Livermore based on a calculation of Average Daily Vehicle Trips for the subject land use.

Where a single building or tenant space contains more than one use, the applicable ADT generation rates shall be calculated based on the gross square footage of each use within the building.

5. All ADT granted to each parcel under E.1 above, shall be recorded on the deed for the parcel.
 - A. Prior to recording the grant deed for each parcel sold by the developer, the developer shall transmit to the City of Livermore Planning Division the proposed allocation of ADT for the parcel. The developer shall provide this information in written spreadsheet format, which shall include the baseline ADT granted to the parcel, the proposed allocation of any additional ADT to the parcel granted by the Master Developer, the baseline ADT granted to all other parcels, the previous additional allocations of ADT provided per parcel for each parcel within the Oaks Business Park, and the balance remaining in the ADT pool.
 - B. Upon recording the grant deed on the property, the developer shall provide the City with a copy of the recorded grant deed.
6. Once the ADT has been allocated to each parcel by the master developer it shall be locked in place and may not be transferred to other parcels within the Oaks Business Park. In the case of a Lot Line Adjustment or a Subdivision of land, the originally allocated ADT shall be transferred with the land based on a calculation of ADT per square foot and shall be recorded on the deed for each new or modified parcel.
7. Any submittal of improvement plans, whether for new building construction or tenant improvements, shall include the following:
 - A. The APN number and address of the parcel
 - B. Parcel square footage
 - C. The total ADT allocated to the parcel, as shown on the deed
 - D. A calculation of the total ADT required for all existing and proposed on-site uses
 - E. A calculation of any remaining unused ADT available to the parcel.
 - F. Where a building contains more than one use, the gross square footage of each use shall be clearly identified on submitted plans, with the applicable ADT calculation shown for each use within the building.

F. Other Required Conditions

The following additional conditions shall apply to the PD-I 01-003 District:

1. Site plan and design review approval are required prior to the development of any site, including the construction of any buildings or the establishment of any open use. Site plan approval may include development conditions not limited to building design and arrangement; architectural standards; storage facilities; phasing of improvements; circulation; access; lighting; fencing; landscaping and screening; buffers; hours of operation; regulations of noise, vibration and odors; and property maintenance.
2. The following performance standards will be required in the District:
 - A. Air Pollution. All uses shall comply with regulations of the San Francisco Bay Area Air Pollution Control District.
 - B. Noise. No use shall be permitted which creates an ambient noise level greater than 75 decibels (dBA) beyond the boundaries of the site, nor greater than 60 decibels at the boundary of an R District. Construction contractors shall limit high noise-producing activities within 1,500 feet of a residential use to 7:00 am to 6:00 pm, Monday through Friday, with no work on weekends and City observed Holidays.
 - C. Vibration, Heat, Glare, Electrical Disturbance. No use shall be permitted which creates vibrations, heat, glare or electrical disturbances beyond the boundaries of the site. Lighting used to illuminate buildings, structures, uses, or parking and loading areas shall not be directed toward any public right-of-way.
 - D. Fire, Explosion. All uses shall provide adequate safety devices and adequate fire fighting and fire suppression equipment to protect against fire, explosion, and other hazards.
 - E. Solid and Liquid Wastes. No solid or liquid waste discharges, other than permitted discharges into a public sewage disposal system, shall be permitted. The chemical composition and volume of industrial effluent discharged shall be subject to the wastewater permit requirements established by LMC Title 13, Division II. (Ord. 442 § 14.80).
3. The exercise of the rights granted by this Planned Development Permit (01-003) shall expire unless the Tentative Tract Map (7300) is finalized within the time periods set forth in the Subdivision Map Act.
4. Within 90 days following the date of approval of PD 01-003, the permittee shall cause to be filed with the County Recorder, 1) a recorded description of the subject property in conformance with the Livermore Planning and Zoning Code noting that the property is regulated by a Planned Development District, and 2) a statement of agreement to the conditions imposed by this permit.

5. A variance from the zoning standards established by this Planned Development Industrial (PD-I 01-003) District may be approved by the Planning Commission, subject to Chapter 4-15 (Variance Permits) of the Livermore Planning and Zoning Code, as it exists now or may be amended in the future.
6. The developer shall establish CC&Rs for the project site, subject to approval by the City, which shall establish responsibility for the maintenance of buildings, signs, walls, landscaping, benches, and other improvements throughout the site. Final delineation of the maintenance areas shall be subject to approval by the Engineering Division. The CC&Rs shall require compliance with the Oaks Business Park Design Guidelines. The CC&Rs shall also include provisions for the on-going implementation of the Transportation Demand Management (TDM) program for the project site required by section F.7, below. The CC&Rs shall identify the provisions included in the CC&Rs that were required by the City and shall include a provision that any amendment to such a provision also requires City approval.
7. A TDM program shall be approved for the project site by the City (as required to implement EIR Mitigation Measure 3.3-10) and implemented by all property owner(s) within the boundaries of PD-I 01-003.
 - A. The Oaks Business Park Transportation Demand Management Program, dated 1/28/2003, provided as Attachment A to PD 01-003, as amended by applicable conditions of approval, shall be implemented in conformance with this requirement. This TDM program may be modified or amended by the City, as necessary, to meet the requirements of EIR Mitigation Measure 3.3-10, without requiring future amendments to PD 01-003.
8. All future applicants for Site Plan Approval within PD-I 01-003 shall submit a letter from the subject property owner, as part of the Site Plan Approval application, agreeing to implement the provisions of the TDM program adopted for the Oaks Business Park.
9. Design Guidelines shall be approved for the development of the Oaks Business Park project and all development within PD-01-003 shall comply with the approved Design Guidelines.
 - A. The Design Guidelines, dated 11/10/2003, provided as Attachment B to PD 01-003, as amended by applicable conditions of approval, shall be implemented in conformance with this requirement. These Design Guidelines may be modified or amended, as necessary, to meet the requirements of EIR Mitigation Measure 3.3-10, without requiring future amendments to PD 01-003.
10. The project applicant shall install and maintain landscaping, trail and sidewalk improvements along the frontages of Isabel Avenue, West Jack London Boulevard, within Parcel 38, and along the western edge of the lots backing the drainage basin on parcel 38, as described in the Master Landscape Plan and required through Phase 1 of Vesting Tentative Tract Map 7300. These improvements once installed shall be maintained in good condition. The on-going maintenance of these improvements shall

be provided for by the Oaks Business Park Property Owner's Association, through a Lighting and Landscaping District or through another appropriate funding mechanism, as approved by the City of Livermore.

G. Sign Requirements

Signs shall be subject to the requirements identified below and shall comply with the Design Guidelines approved for the Oaks Business Park. Where not otherwise specified below, signs shall comply with the sign requirements established by the Chapter 3-45 LPZC, as it exists now or is amended in the future.

1. Building mounted/wall signs are permitted, as described below:

A. Parcel: The maximum aggregate sign area per parcel for all building mounted/wall signs is calculated as follows:

- 1) 32 square feet plus one square foot for each 2 feet of building frontage in excess of 50 feet, up to a maximum total of 100 square feet for the parcel
- 2) In addition, if more than one use exists on a parcel, there is allowed 12 additional square feet for each use. This additional square footage does not apply to tenants or users that must access their suite(s) through an interior lobby. Signs shall be of wall type and must be located immediately adjacent to (above or along side) the main building entry.
- 3) In addition, for secondary building frontage, where a parcel fronts on more than one street, additional sign area shall be permitted as follows: 10 square feet for each parcel, plus one square foot for each two lineal feet of building frontage, to a maximum of 32 square feet.

2. Monument signs are permitted, as described below:

A. In addition to the wall sign square footage provided above, 45 square feet of monument sign area shall be provided in the case of a multi-building project (three or more buildings) with a minimum parcel size of 2.5 acres, and a minimum total floor area of 50,000 square feet.

- 1) The monument sign shall be allowed a project name, project logo and address.

B. Where a project does not meet the criteria noted in G.2.A, above, a monument sign shall be permitted, provided the total monument sign area is deducted from the maximum aggregate sign area for all building mounted wall signs allowed in section G.1, above.

C. Monument signs shall comply with the following criteria:

- 1) 45 square feet maximum sign area per face per sign

- 2) 4-foot maximum average height from immediate adjacent grade
- 3) 12-foot maximum length
- 4) Signs shall be limited to the project name and logo, the name of the primary user(s) (limit 3) and the street address.
- 5) Monument signs shall be located a minimum of 10 feet back from street frontage property lines and site access driveways.
- 6) Business Park Identification signage, in addition to other signage permitted by this PD, shall be permitted on opposite corners of Discovery Drive at (1) Discovery Drive's intersection with Isabel Avenue (State Route 84) and (2) at Discovery Drive's intersection with East London Boulevard. Messaging shall be non-commercial and limited to identifying the business park. On each corner, dimensional standards are that sign text must fit within a 3 foot vertical by 50 foot horizontal area; the structure on which text is affixed, as well as the top of text, is limited to 5 feet in height; a limited footprint (e.g., up to 40 square feet in area) decorative architectural element is permitted up to 15 feet in height; and the heights may be measured from the top of a berm. Dimensional standards are maximums subject to a Site Plan Design Review to ensure a proposal is found to be in scale with proposed development and surroundings, is architecturally compatible with the Oaks Business Park design aesthetic, and contributes to, and does not detract from, a cohesive and attractive overall Business Park identity.

3. Signs for Retail and Food Service Uses

- A. Signs shall comply with the sign requirements identified for the Commercial Service (CS) Zoning District, as specified in Section 3-45-230 of the Livermore Planning and Zoning Code, as it exists now or may be amended in the future.
4. Directional Site Signs, as listed below, may be permitted in addition to the wall and monument signs permitted above.
 - A. Directional signs shall include:
 - 1) Non-building mounted address signs
 - 2) Entrance direction
 - 3) Directional maps and listings
 - 4) Directional signs, both pedestrian and vehicular
 - 5) Parking and traffic control signs

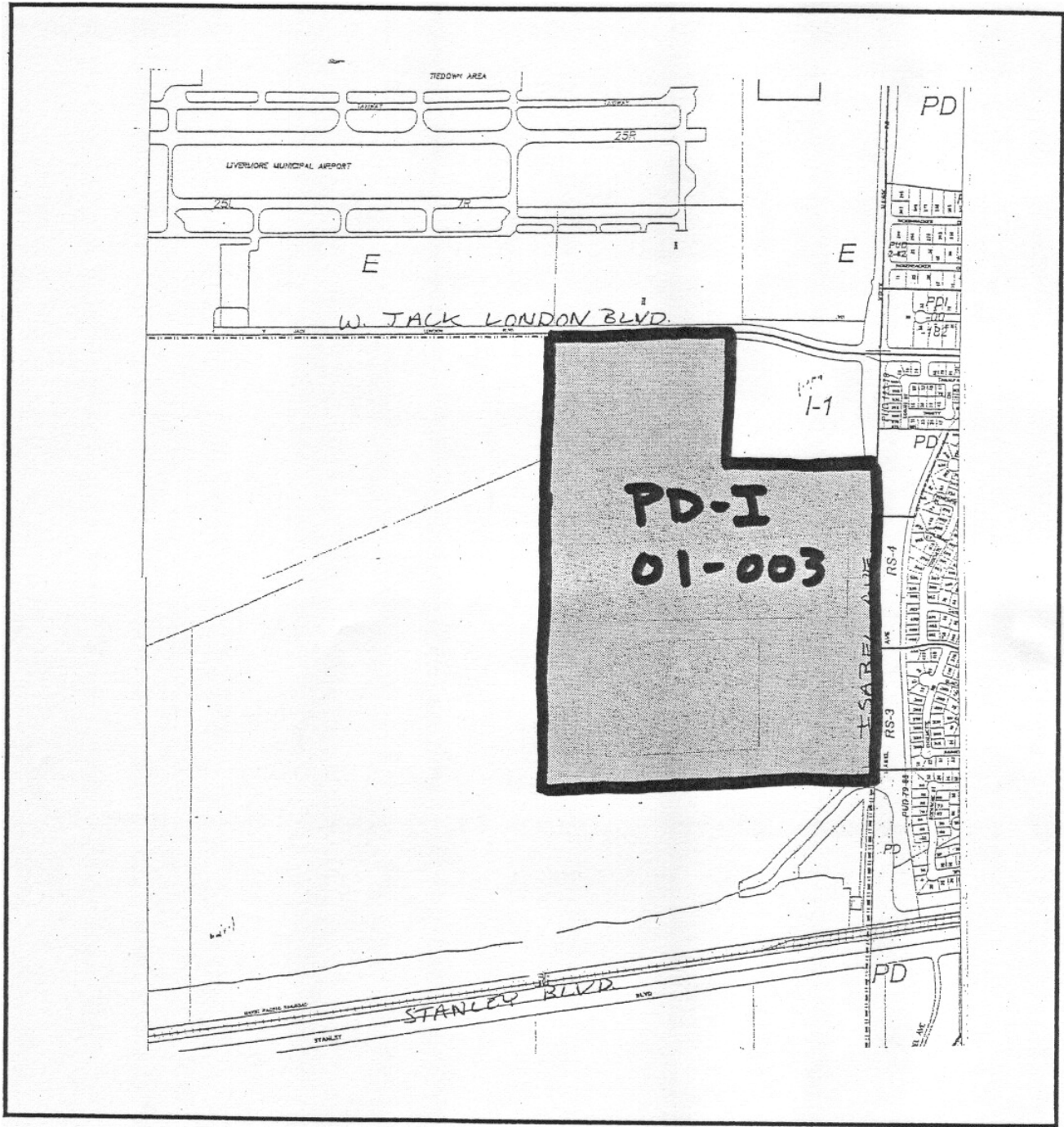
- B. Directional signs shall be ground-mounted and may be front lit or internally illuminated.
- C. Directional signs shall meet the following dimensional criteria, unless otherwise required by City or State Code:
 - 1) 5-foot maximum height
 - 2) 1-foot maximum width for restrictive signs (no parking, handicapped)
 - 3) 3-foot maximum width for directional signs (visitor parking, deliveries, etc.)
 - 4) 4-foot maximum width for tenant directories, site locations, etc.
 - 5) Maximum size of 6 square feet
- 5. All Sign Permit submittals within PD 01-003 shall include a calculation of the maximum allowable permanent sign area per parcel, as well as the square footage of all existing and proposed signs on-site.
- 6. Temporary real estate signs shall be permitted in addition to the signs listed above and shall comply with the following requirements:
 - A. Signs shall comply with the following dimensional requirements based on sign type:

Sign Type	Maximum Height	Maximum Width	Maximum Sign Square Footage
A	12 ft	8 ft.	72 sq. ft.
B	9 ft.	6 ft.	45 sq. ft.
C	6 ft.	4 ft.	18 sq. ft.

- B. For parcels less than one acre in size:
 - 1) Each parcel shall be allowed one temporary real estate sign. Signs shall be of size B or C for advertising any of the following: future facilities, construction activities, and initial real estate marketing or leasing (during the first 6 months after construction). Signs for subsequent real estate marketing or leasing (more than six months after completion of initial construction) shall be of size C.
- C. For parcels one acre or more in size:
 - 1) Each parcel shall be allowed one temporary real estate sign. Signs shall be of size A, B, or C for advertising any of the following: future facilities, construction activities and initial real estate marketing or leasing (during the first 6 months after construction). Signs for subsequent real estate

marketing or leasing (more than six months after completion of initial construction) shall be of size C.

- D. Temporary real estate signs, for the uses noted above, may be permitted for a period of six months. Permits may be renewed after 6 months for additional six-month periods, provided the sign meets all applicable requirements and has been maintained in good condition. Signs shall be removed upon completion of the purpose for which the permit was granted.
- E. Temporary real estate signs, as established above, shall comply with the dimensional and design criteria established by the Oaks Business Park Design Guidelines, in addition to the following requirements:
 - 1) Flags, banners, or other attachments are not permitted.
 - 2) Temporary signs shall be non-illuminated.
 - 3) Signs may be double- or single-faced, shall be placed either parallel or perpendicular to the roadway, and must be set back a minimum of 10 feet from the property line.
 - 4) Only one sign per parcel is allowed.
- F. Temporary signs for purposes other than future facilities, construction activities or real estate marketing or leasing shall comply with the temporary sign requirements established by the City of Livermore Planning and Zoning Code, as it exists now or may be amended in the future.



North

EXHIBIT B⁴