COUNCILMEMBERS
Melissa Hernandez, Mayor
Jean Josey, Vice Mayor
Shawn Kumagai, Councilmember
Dr. Sherry Hu, Councilmember
Michael McCorriston, Councilmember

CELEBRATING 40 YEARS 1982 – 2022
DUBLIN CALIFORNIA

City Council Chamber
Dublin Civic Center
100 Civic Plaza
Dublin, CA 94568
www.dublin.ca.gov

Regular Meeting of the
DUBLIN CITY COUNCIL

Tuesday, November 15, 2022

Location: City Council Chamber
100 Civic Plaza
Dublin, CA 94568

CLOSED SESSION 6:30 PM
REGULAR MEETING 7:00 PM

Pursuant to AB 361, the City is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public, without making available any physical location for the public.

Additional Meeting Procedures Available During the COVID-19 Pandemic

This City Council meeting will be broadcast live on Comcast T.V. channel 28 beginning at 7:00 p.m. This meeting will also be livestreamed at www.tv30.org and on the City's website at: https://dublin.ca.gov/ccmeetings

Members of the public who wish to participate in the meeting electronically have the option of giving public comment via Zoom, subject to the following procedures:

• Fill out an online speaker slip available at www.dublin.ca.gov. The speaker slip will be made available at 10:00 a.m. on Tuesday, November 15, 2022. Upon submission, you will receive Zoom link information from the City Clerk. Speakers slips will be accepted until the public comment period ends, or until the public comment period on non-agenda items is closed.

• Once connected to the Zoom platform using the Zoom link information from the City Clerk, the public speaker will be added to the Zoom webinar as an attendee and muted. The speaker will be able to observe the meeting from the Zoom platform.

• When the agenda item upon which the individual would like to comment is addressed, the City Clerk will announce the speaker in the meeting when it is their time to give public comment. The speaker will then be unmuted to give public comment via Zoom.

CLOSED SESSION 6:30 PM

I. CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: 1 case.

REGULAR MEETING 7:00 PM

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. REPORT ON CLOSED SESSION

3. ORAL COMMUNICATIONS

3.1 Recognition of 2022 Inside Dublin Participants

The City Council will recognize the 2022 Inside Dublin participants.

STAFF RECOMMENDATION:

Recognize the 2022 Inside Dublin Participants

Staff Report

3.2 Public Comment

At this time, the public is permitted to address the City Council on non-agendized items. Please step to the podium and clearly state your name for the record. COMMENTS SHOULD NOT EXCEED THREE (3) MINUTES. In accordance with State Law, no action or discussion may take place on any item not appearing on the posted agenda. The Council may respond to statements made or questions asked, or may request Staff to report back at a future meeting concerning the matter. Any member of the public may contact the City Clerk's Office related to the proper procedure to place an item on a future City Council agenda. The exceptions under which the City Council MAY discuss and/or take action on items not appearing on the agenda are contained in Government Code Section 54954.2(b)(1)(2)(3).

4. CONSENT CALENDAR

Consent Calendar items are typically non-controversial in nature and are considered for approval by the City Council with one single action. Members of the audience, Staff or the City Council who would like an item removed from the Consent Calendar for purposes of public input may request the Mayor to remove the item.

4.1 Approval of the November 1, 2022 Regular City Council Meeting Minutes

The City Council will consider approval of the minutes of the November 1, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the November 1, 2022 Regular City Council Meeting.

Staff Report

Attachment 1 - November 1, 2022 Regular City Council Meeting Minutes

4.2 Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000

The City Council will consider approving contract payments to World Cup Soccer Camps & Clinics in excess of $45,000.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000.

Staff Report

Attachment 1 - Resolution Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000

Attachment 2 - Exhibit A to the Resolution - Agreement for Contract Instructor Services with World Cup Soccer Camps & Clinics

4.3 Authorization to Purchase Two Marked Police Vehicles

The City Council will consider authorizing the purchase of two replacement vehicles for Police Services from Dublin Chevrolet using pricing through the current Alameda County General Services Agency contract for vehicle purchases.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing the Purchase of Two Marked Police Vehicles From Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property.

Staff Report

Attachment 1 - Resolution Authorizing the Purchase of Two Marked Police Vehicles From Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property

Attachment 2 - Dublin Chevrolet Quote for two 2023 Chevrolet Tahoe Patrol Vehicles

Attachment 3 - Alameda County General Services Agency Contract for Vehicle Purchasing

4.4 Authorizing Remote Meetings of City Council and City Commissions Due to Increase in COVID-19 Cases

From March 2020 through September 2021, the City conducted meetings of its legislative bodies remotely pursuant to various executive orders that suspended certain Brown Act provisions. In October 2021, the City returned to in-person meetings and the Brown Act was amended to allow for teleconferencing during a state of emergency. Under the new law, AB 361, the City can continue to conduct virtual meetings where the Governor has proclaimed a State of Emergency, or state or local health officials have imposed or recommended social distancing, if the City Council makes certain required findings. From January 11 – February 10, 2022, and since May 3, 2022, the City Council has operated under a resolution pursuant to AB 361 authorizing teleconferenced meetings for at least 30 days. The City Council will consider adopting a resolution that would allow for virtual attendance for the next 30 days.

STAFF RECOMMENDATION:

Adopt the **Resolution** Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361.

Staff Report

Attachment 1 - Resolution Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency

4.5 Payment Issuance Report and Electronic Funds Transfers

The City Council will receive a listing of payments issued from October 1, 2022 - October 31, 2022 totaling $7,745,223.20.

STAFF RECOMMENDATION:

Receive the report.

Staff Report

Attachment 1 - Payment Issuance Report for October 2022

4.6 City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022

The City Council will receive an informational report of the City's investments through the quarter ending September 30, 2022 including a monthly transaction ledger. The City's investment portfolio for this period totaled $363,439,614 (market value) with an average market yield of 3.66%. As required by the Policy, the City Treasurer (Administrative Services Director) affirms that the City is able to meet its expenditure requirements for the next six months.

STAFF RECOMMENDATION:

Receive the City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022.

Staff Report

Attachment 1 - City of Dublin Investment Report for Period Ending September 30, 2022

Attachment 2 - Transaction Ledger - July through September 2022

4.7 Acceptance of Work – Project No. PK0215, Dublin Heritage Park Cemetery Improvements Project

The City Council will consider the acceptance of the Dublin Heritage Park Cemetery Improvements. The project improved the courtyard, pathways, landscape, irrigation, parking lot, street frontage, lighting, memorial program elements, site furniture, and upgraded IT infrastructure.

STAFF RECOMMENDATION:

Adopt the **Resolution** Accepting the Dublin Heritage Park Cemetery Improvements Project, CIP No. PK0215.

Staff Report

Attachment 1 - Resolution Accepting the Dublin Heritage Park Cemetery Improvements, CIP No. PK0215

4.8 Establishing Rules for the Selection of Vice Mayor

The City Council will consider amending the rules for the selection of the Vice Mayor to reflect the change to using Rosenberg's Rules of Order.

STAFF RECOMMENDATION:

Approve the **Resolution** Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20.

Staff Report

Attachment 1 - Resolution Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20
Attachment 2 - Resolution No. 120-20

5. WRITTEN COMMUNICATION – None.

6. PUBLIC HEARING

6.1 2023 – 2031 Housing Element and Related Amendments to the General Plan, Eastern Dublin Specific Plan and Downtown Dublin Specific Plan, and Planned Development Zoning for Dublin Transit Center Sites D-2 and E-2 and Hacienda Crossings Shopping Center (PLPA-2022-00036)

The City Council will consider the proposed 2023 – 2031 Housing Element and related amendments to implement the Housing Element. This includes amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and amendments to the Planned Development Zoning for Sites D-2 and E-2 at the Dublin Transit Center and Hacienda Crossings shopping center. Additionally, the City Council will consider an Initial Study/Negative Declaration.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and: 1) adopt the Resolution Adopting an Initial Study/Negative Declaration; Approving the 2023 – 2031 Housing Element, Associated Amendments to the General Plan, Including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element, and Associated Amendments to the Eastern Dublin Specific Plan; and Authorizing Staff to submit the Housing Element to the California Department of Housing and Community Development for Certification; 2) adopt the Resolution Amending the Downtown Dublin Specific Plan to Specify Residential Units on Three Housing Element Sites are Allowed by Right and Not Subject to the Development Pool or Community Benefit Program; 3) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center; and 4) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center.

Staff Report
Attachment 1 - Resolution Approving an Initial Study/Negative Declaration, and Approving the 2023-2031 Housing Element, Associated Amendments to the General Plan, and Associated Amendments to the Eastern Dublin Specific Plan
Attachment 2 - Exhibit 1 to the Resolution - 2023-2031 Housing Element
Attachment 3 - Exhibit 2 to the Resolution- Seismic Safety and Safety Element Amendments
Attachment 4 - Resolution Amending the Downtown Dublin Specific Plan
Attachment 5 - Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center
Attachment 6 - Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center
Attachment 7 - Environmental Justice Memo

Attachment 8 - HCD's Comments
Attachment 9 - Initial Study/Negative Declaration
Attachment 10 - Planning Commission Resolution No. 22-14 (without exhibits)
Attachment 11 - Public Comments
Item 6.1 PowerPoint
Item 6.1 - SB 343.pdf

6.2 SCS Dublin (PLPA-2022-00005)

The City Council will consider the SCS Dublin project which includes development of up to 650 residential units and up to 265,000 square feet of retail commercial development on a 76.9-acre parcel. The SCS Dublin project is the first step in implementing the Preferred Vision for the SCS Property approved by the City Council on February 15, 2022. Requested approvals include General Plan and Eastern Dublin Specific Plan Amendments, a Planned Development Rezone with Stage 1 and Stage 2 Development Plans, and a Development Agreement. The City Council will also consider certification of a Final Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and take the following actions: 1) adopt the **Resolution** Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project; 2) adopt the **Resolution** Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project; 3) waive the reading and INTRODUCE the Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project; and 4) waive the reading and INTRODUCE the Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project.

Staff Report
Attachment 1 - Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project
Attachment 2 - Exhibit A to the Resolution - Draft Environmental Impact Report
Attachment 3 - Exhibit B to the Resolution - Final Environmental Impact Report
Attachment 4 - Exhibit C to the Resolution - Findings Concerning Significant Impacts and Mitigation Measures
Attachment 5 - Exhibit D to the Resolution - Findings Concerning Infeasibility of Alternatives and Potential Additional Mitigation Measures
Attachment 6 - Exhibit E to the Resolution - Statement of Overriding Considerations
Attachment 7 - Exhibit F to the Resolution - Mitigation Monitoring and Reporting Program
Attachment 8 - Resolution Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project
Attachment 9 - Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project

Attachment 10 - Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project
Attachment 11 - Exhibit A to the Ordinance - Development Agreement
Attachment 12 - Fiscal Analysis
Attachment 13 - Local Transportation Analysis
Attachment 14 - Planning Commission Resolution No 22-13
Item 6.2 PowerPoint
Item 6.2 - SB 343.pdf

6.3 Updates to the City's Construction and Fire Codes in Accordance with Requirements of State Law

The City Council will consider adopting an Ordinance repealing the 2019 California Building Standards Code and adopting the 2022 California Building Code. In connection with this action, the City Council will be asked to approve findings relating to the City's local amendments to the California Building Standards Code. The 2022 Edition of the California Building Standards Code was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an Ordinance incorporating the updated provisions to ensure accuracy and alignment with state law. On November 1, 2022, the City Council waived the first reading and introduced the ordinance and the City Council is now being asked to adopt the Ordinance.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and: 1) Adopt the **Resolution** Approving Findings Regarding the Need for Local Amendments to Provisions in the California Building Standards Code as Adopted by the State of California, in the California Code of Regulations, Title 24, to be Adopted by Reference in the Dublin Municipal Code; and 2) Waive the second reading and adopt the **Ordinance** Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Building Regulation Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter 7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations) and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal Code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.45 (Swimming Pool and Spa Code) to the Dublin Municipal Code in Order to Adopt by Reference and Amend Provisions of the 2021 Edition of the International Swimming Pool and Spa Code.

Staff Report
Attachment 1 - Resolution Approving Findings Regarding the California Building Standards Code
Attachment 2 - Exhibit A to the Resolution - 2022 California Building Standards Code Findings
Attachment 3 - Ordinance Amending Sections of the California Building Standards Code
Attachment 4 - Exhibit A to the Ordinance - DMC Chapter 5.08 Fire Code
Attachment 5 - Exhibit B to the Ordinance - DMC Chapter 7.24 Floodplain Management Regulations

Attachment 6 - Exhibit C to the Ordinance - DMC Chapter 7.28 Building Regulation Administration Code
Attachment 7 - Exhibit D to the Ordinance - DMC Chapter 7.32 Building Code
Attachment 8 - Exhibit E to the Ordinance - DMC Chapter 7.34 Residential Code
Attachment 9 - Exhibit F to the Ordinance - DMC Chapter 7.36 Electrical Code
Attachment 10 - Exhibit G to the Ordinance - DMC Chapter 7.40 Plumbing Code
Attachment 11 - Exhibit H to the Ordinance - DMC Chapter 7.44 Mechanical Code
Attachment 12 - Exhibit I to the Ordinance - DMC Chapter 7.45 Swimming Pool and Spa Code
Attachment 13 - Exhibit J to the Ordinance - DMC Chapter 7.46 Existing Building Code
Attachment 14 - Exhibit K to the Ordinance - DMC Chapter 7.48 Building Maintenance Code
Attachment 15 - Exhibit L to the Ordinance - DMC Chapter 7.94 Green Building Code
Attachment 16 - City Council Staff Report dated November 1, 2022 without attachments
Item 6.3 PowerPoint

7. **UNFINISHED BUSINESS – None.**

8. **NEW BUSINESS – None.**

9. **OTHER BUSINESS**
Brief information only reports from City Council and/or Staff, including committee reports and reports by City Council related to meetings attended at City expense (AB1234).

10. **ADJOURNMENT**

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

If requested, pursuant to Government Code Section 54953.2, this agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132), and the federal rules and regulations adopted in implementation thereof. To make a request for disability-related modification or accommodation, please contact the City Clerk's Office (925) 833-6650 at least 72 hours in advance of the meeting.

Mission

The City of Dublin promotes and supports a high quality of life, ensures a safe and secure environment, fosters new opportunities, provides equity across all programs, and champions a culture of diversity and inclusion.

Agenda Item 3.1

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Recognition of 2022 Inside Dublin Participants
Prepared by: Cierra Fabrigas, Executive Aide

EXECUTIVE SUMMARY:

The City Council will recognize the 2022 Inside Dublin participants.

STAFF RECOMMENDATION:

Recognize the 2022 Inside Dublin participants.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Inside Dublin was designed to inform participants about the issues facing the community and to encourage community involvement at all levels. This year's program included presentations on the City's history and governance, public safety, development and capital projects, and local agency partnerships.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

None.

Agenda Item 4.1

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Approval of the November 1, 2022 Regular City Council Meeting Minutes
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider approval of the minutes of the November 1, 2022 Regular City Council Meeting.

STAFF RECOMMENDATION:

Approve the minutes of the November 1, 2022 Regular City Council Meeting.

FINANCIAL IMPACT:

None.

DESCRIPTION:

The City Council will consider approval of the minutes of the November 1, 2022 Regular City Council Meeting.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) November 1, 2022 Regular City Council Meeting Minutes

MINUTES OF THE CITY COUNCIL OF THE CITY OF DUBLIN

Regular Meeting: November 1, 2022

The following are minutes of the actions taken by the City of Dublin City Council. A full video recording of the meeting with the agenda items indexed and time stamped is available on the City's website at: https://dublin.ca.gov/ccmeetings

REGULAR MEETING 7:00 PM

A Regular Meeting of the Dublin City Council was held on **Tuesday, November 1, 2022**, in the City Council Chamber. The meeting was called to order at 7:00 PM, by Mayor Hernandez.

1) CALL TO ORDER

Attendee Name	Status
Melissa Hernandez, Mayor	Present
Jean Josey, Vice Mayor	Present
Shawn Kumagai, Councilmember	Present
Michael McCorriston, Councilmember	Present
Dr. Sherry Hu, Councilmember	Present

2) PLEDGE OF ALLEGIANCE

3) ORAL COMMUNICATIONS

3.1) Employee Introduction

New City of Dublin Staff member, Darlynn Haas, Management Analyst II with the Administrative Services Department, was introduced.

3.2) Public Comment

Tom Evans provided public comment.

Jeanine Gillengerten provided public comment.

4) CONSENT CALENDAR

4.1) Approved the October 18, 2022 Regular City Council Meeting Minutes.

DRAFT

4.2) Waived the first reading and introduced the Ordinance Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Building Regulation Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter 7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal Code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.45 (Swimming Pool and Spa Code) to the Dublin Municipal Code in Order to Adopt by Reference and Amend Provisions of the 2021 Edition of the International Swimming Pool and Spa Code; and set the public hearing for November 15, 2022, to waive the second reading and adopt said Ordinance and adopt the Resolution Approving the Finding of Necessity for Amendments to the 2022 California Building Standards Code.

4.3) Adopted Resolution No. 125-22 titled, "Approving an Amendment to the Consulting Services Agreement Between the City of Dublin and Keyser Marston Associates, Inc. for On-Call Real Estate and Development Consulting Services."

4.4) Waived the reading and adopted Ordinance No. 11-22 titled, "Amending Chapter 2.24 of the Dublin Municipal Code Relating to the City's Conflict of Interest Code."

4.5) Adopted Resolution No. 126-22 titled, "Approving the Purchase of Traffic Signal, Communication, and Streetlight Equipment Purchases from JAM Services, Inc."

4.6) Selected the name Wallis Ranch Community Park for the new community park near the Wallis Ranch residential neighborhood.

4.7) The City Council received a status update on the City's Two-Year Strategic Plan.

4.8) Waived the reading and adopted Ordinance No. 12-22 titled, "Approving an Amendment to Planned Development Zoning Ordinance No. 03-19 for Kaiser Commercial Project."

This item was pulled from the Consent Calendar by Councilmember Michael McCorriston who asked for a separate vote on the item.

4.9) Adopted Resolution No. 127-22 titled, "Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361."

On a motion by Councilmember Kumagai, seconded by Vice Mayor Josey, and by unanimous vote, the City Council adopted the Consent Calendar items, except item 4.8.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVED BY:	Shawn Kumagai, Councilmember
SECOND:	Jean Josey, Vice Mayor
AYES:	Hernandez, Josey, Kumagai, McCorriston, Hu

On a motion by Councilmember Kumagai, seconded by Councilmember Hu, and by four-to-one vote, the City Council adopted Consent Calendar item 4.8, waiving the reading and adopting Ordinance No. 12-22 titled, "Approving an Amendment to Planned Development Zoning Ordinance No. 03-19 for Kaiser Commercial Project."

RESULT:	**ADOPTED [UNANIMOUS]**
MOVED BY:	Shawn Kumagai, Councilmember
SECOND:	Dr. Sherry Hu, Councilmember
AYES:	Hernandez, Josey, Kumagai, Hu
NOES:	McCorriston

5) WRITTEN COMMUNICATION – None.

6) PUBLIC HEARING – None.

7) UNFINISHED BUSINESS

7.1) Informational Item on Voluntary Special Needs Registry

The City Council received a report on voluntary special needs registries, which function as channels for parents or guardians of community members with special needs to provide the police with information regarding any assistance those persons may require during an interaction with first responders.

The City Council asked clarifying questions and shared their thoughts on the program.

8) NEW BUSINESS – None.

9) OTHER BUSINESS

The City Council and Staff provided brief information-only reports, including committee reports and reports by City Council related to meetings attended at City expense (AB1234).

By consensus, the City Council directed Staff to report back on options for the use and programming of additional available space at the library, and look into restarting the Sister City program.

10) ADJOURNMENT

Mayor Hernandez adjourned the meeting at 7:48 p.m.

_____
Mayor

ATTEST:

_____
City Clerk

Agenda Item 4.2

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000
Prepared by: Jennifer Mendez, Management Analyst I

EXECUTIVE SUMMARY:

The City Council will consider approving contract payments to World Cup Soccer Camps & Clinics in excess of $45,000.

STAFF RECOMMENDATION:

Adopt the **Resolution** Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000.

FINANCIAL IMPACT:

Under the agreement, the City retains 40% of fee revenue from soccer camps and clinics held at City facilities, and passes the remainder to the contractor.

DESCRIPTION:

The Parks and Community Services Department regularly engages independent contractors to deliver recreational activities and programs to the community. Upon acceptance of a proposal, Staff works with the contractor to determine the specifics of the activity, facility availability, participant minimums and maximums, and participant age ranges. All contractors set their prices and schedules for their activities or programs.

World Cup Soccer Camps & Clinics has a contract instructor services agreement with the City to provide instruction of soccer fundamentals. In addition to the classes and activities traditionally provided, World Cup Soccer added more sessions during the summer and fall seasons to meet demand. With the increased enrollments, the revenue share with World Cup Soccer will exceed the City Manager's spending authority of $45,000 and therefore requires City Council approval.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving Contract Payments to World Cup Soccer Camps & Clinics in Excess of $45,000
2) Exhibit A to the Resolution - Agreement for Contract Instructor Services with World Cup Soccer Camps & Clinics for Recreation Services

RESOLUTION NO. xxx – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING CONTRACT PAYMENTS TO WORLD CUP SOCCER CAMPS & CLINICS IN EXCESS OF $45,000

WHEREAS, on January 1, 2022, the City of Dublin (hereinafter referred to as "City") and World Cup Soccer Camps & Clinics ("Instructor") entered into an Agreement for Contract Instructor Services ("Agreement"); and

WHEREAS, the existing Agreement provides for a payment structure where the City pays the Instructor a percentage of the participant rate received, and expires on June 30, 2023; and

WHEREAS, in 2022, the Instructor conducted more sessions and increased staffing levels to accommodate more age groups and participants; and

WHEREAS, the additional classes will increase the payments to the Instructor in excess of the City Manager's spending authority threshold of $45,000 and therefore requires City Council approval.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Dublin does hereby approve payments to Instructor, in amounts above the City Manager's $45,000 spending threshold, pursuant to the existing Contract Instructor Services Agreement, attached hereto as **Exhibit A** to this Resolution.

BE IT FURTHER RESOLVED that the City Manager or designee is authorized to make minor amendments to the Agreement to carry out the intent of this Resolution.

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

AGREEMENT FOR CONTRACT INSTRUCTOR SERVICES

This Agreement for Contract Instructor Services ("Agreement") is made and entered into as of the 1st day of January 2022 by and between the City of Dublin, a municipal corporation of the State of California ("City") and World Cup Soccer Camps & Clinics ("Contractor"), a Corporation in the State of California (collectively, the "Parties"). In consideration of their mutual covenants, the Parties hereto agree as follows:

1. Scope of Work. The Parties acknowledge that Contractor possesses experience and knowledge of value to the City and, as such, enter into this Agreement for specialized services. Subject to the terms and conditions of this Agreement, the Contractor shall provide the following ("Services"):

[SEE "EXHIBIT A" FOR DESCRIPTION OF SERVICES]

2. Performance of Services. Contractor has the right and power to control how the Services provided under this Agreement will be performed by the Contractor and its employees, agents, or representatives. Contractor shall direct the means, manner, and method by which the Services under this Agreement will be performed, without interference from the City as to the mode of accomplishing or effectuating the performance of Services. Contractor may, at its own expense, retain the services of third-parties in performing the Services under this Agreement, unless doing so would result in a material breach of any provision contained herein.

3. Payment Terms. For the services described in Section 1 above, the City agrees to pay Contractor 60% of the resident rate for each participant, or 70% of the resident rate for offsite/virtual participant which amount shall include all expenses. Except as specifically authorized by City, Contractor shall not bill City for duplicate services performed by more than one person (reasonable quality control and assurance work as generally recognized as an acceptable practice in this field is expected). Contractor understands that any time a participant requests a refund or credit, that amount will be reduced from the gross revenue on which Contractor's payment is calculated. Contractor understands and agrees that Contractor will complete and submit a Contract Contractor Course Proposal Form for each session that courses will be offered. Submitting a proposal does not guarantee that the course, program or activity will be added to the City's public recreation offerings. Session dates may be altered from time to time at the City's discretion. City, at its sole discretion, will accept or reject Contractor's proposal and collaborate with Contractor in finalizing a session schedule. When each session schedule is finalized, the City will produce a Schedule Summary. Final Schedule Summaries will be incorporated herein by this reference as if set forth in full.

At the end of each session, the City shall pay Contractor for services rendered. The City will issue payment to Contractor within 30 business days after services are complete. Prior to City processing payment, Contractor shall submit course attendance sheets and completed evaluation forms, if applicable, to the Parks and Community Services Department within five working days upon completion of service.

4. Location of Work. Due to the nature of work and subject to the terms and conditions of this Agreement, the City and Contractor agree that Contractor will provide services and/or class instruction (check all that apply):

☐ **Offsite:** At his/her/their own facility, located off-premises from any City-owned facility located at _____.
(Street, City, Zip Code)

X **Onsite:** At a City-owned facility.

☐ **Other:** _____.
(Please Describe)

5. Expenses. Except as otherwise specified in this Agreement or mutually agreed upon by the Parties, the Contractor shall be responsible for all the necessary costs and expenses incurred in connection with the performance of the Services under this Agreement. This may include, but is not limited to, supplies, software, subscriptions, working spaces, equipment, operating costs, business costs, licenses, registrations, employment costs, taxes, Social Security contributions / payments, disability insurance, unemployment taxes, and any other cost that is made in connection with the Services provided Contractor.

6. Term. Contractor's engagement with the City, and the terms and conditions of this Agreement, shall be effective as of 1/1/2022 ("Effective Date") and shall terminate on 6/30/2023.

7. Termination. This Agreement may be terminated by either Party upon sixty (60) days of prior written notice, or as mutually agreed upon in writing by both Parties. At the time of termination, Contractor agrees to return all the City property in Contractor's possession including, but not limited to, any documents, materials, and other proprietary information belonging to the City, in both physical and electronic form. The City shall issue a final payment to Contractor for all Services provided and due as of the date of termination.

If either Party materially breaches any term of this Agreement, in addition to any other remedies at law or equity, the other Party may terminate the Agreement if such breach is not cured within ten (10) days after written notice of such breach is given.

In addition, if the Contractor is convicted of any crime or offense, fails or refuses to comply with the written policies or reasonable directive of City, is guilty of serious misconduct in connection with performance hereunder, or materially breaches provisions of this Agreement, City at any time may terminate the engagement of the Contractor immediately and without written notice to the Contractor.

By signing this Agreement, Contractor agrees it may be subject to civil penalties for the filing of false claims as set forth in the California False Claims Act, Government Code sections 12650, et seq.

8. Relationship of Parties. It is understood by the Parties that, under the code of the Internal Revenue Service (IRS) and applicable law, the Contractor is an independent contractor with respect to the City. Therefore, the Parties agree and acknowledge that neither the Contractor, or any of its employees, subcontractors, volunteers, or agents (collectively, "Representatives") are employed by the City. Furthermore, at all times during the term of this Agreement, the Contractor and its Representatives shall have no authority, express or implied, to bind the City to any obligation whatsoever. Notwithstanding any other state or federal law to the contrary, the Contractor and its Representatives shall not qualify for, or become entitled to any compensation, benefit, except as specified in this Agreement, or any incident of employment with the City. In its capacity as an independent contractor, Contractor agrees and represents that:

(i) Contractor has the right to control and direct the means, manner, and method by which the Services required by this Agreement will be performed;
(ii) Contractor maintains all necessary licenses, registrations, permits, and certifications required to perform the Services under this Agreement;
(iii) Contractor sets its own hours and maintains a business location that is separate from the business or work location of the City;
(iv) Contractor is customarily engaged in an independently established business providing the same or similar services as provided by this Agreement;
(v) Contractor has the ability to contract with other businesses to provide the same or similar services as provided by this Agreement, without restriction from the City;
(vi) Contractor holds itself out to the public as available to provide the same or similar services;
(vii) Contractor provides its own tools, equipment, software, programs, and any other supplies necessary to perform the Services;
(viii) Contractor can negotiate its own rates;
(ix) Contractor has the right to hire assistants, retain subcontractors, or utilize employees to provide the services required under this Agreement;

(x) Contractor shall be solely responsible for the payment of payroll taxes and any unemployment compensation on behalf of their employees and personnel;

(xi) Contractor shall be responsible for providing all workers' compensation insurance on behalf of their employees and, if Contractor hires employees to perform any work under this Agreement, Contractor agrees to grant workers' compensation coverage to the extent required by law.

By initialing below, Contractor agrees and acknowledges that Contractor has reviewed the enumerated list contained in Section 8. Contractor further agrees and acknowledges that everything listed in subsections (i) through (xi) above is true and accurate.

DS

RG

_____

Initial

9. Non-Exclusivity. It is contemplated that the relationship between the Contractor and the City shall be a non-exclusive one. Contractor has the right and ability to perform services for other business entities, organizations, and/or individuals, without restriction from the City, except where matters may arise as to confidentiality and conflicts of interest.

10. Indemnification. Contractor will defend and indemnify the City and its officers, directors, managers, employees, agents, and representatives ("Affiliates") against any and all claims, deductibles, self-insured retentions, demands, liability, judgments, awards, fines, mechanics' liens, or other liens, labor disputes, losses, damages, expenses, charges or costs, of any kind or character, including attorneys' fees and court costs (collectively, "Claims"), which arise out of or are in any way connected to this Agreement or Contractor's activities pursuant to this Agreement, including without limitation, Claims related to sexual abuse or molestation, and Claims caused by the concurrent negligent act, error, or omission, whether active or passive, of the City and its Affiliates.

11. Insurance. Where necessary to perform the Services under this Agreement, Contractor, at its sole cost and expense, shall procure and maintain for the duration of the Agreement the types and amounts of insurance listed below against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor and its Representatives. Contractor will obtain and maintain policies of commercial general liability insurance and automobile liability insurance, and worker's compensation insurance and/or sexual abuse and molestation liability insurance, if applicable, from an insurance company authorized to transact the business of insurance in the State of California. The insurance requirements are as follows:

(i) Commercial General Liability: Insurance plan, at least as broad as Insurance Services Office Form CG 0001 (most recent edition), with an "occurrence" basis, including property damage, bodily injury, personal & advertising injury, and sexual abuse and molestation with limits no less than $1,000,000 per occurrence.

(ii) Automobile Liability: Contractor shall maintain a current and valid Automobile Insurance Policy at or above the minimum level required by the State of California for any and all vehicles used to perform the Services under this Agreement.

(iii) Workers' Compensation: Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with a limit of no less than $1,000,000 per accident for bodily injury or disease. Proof of workers' compensation insurance is applicable if Contractor has employees other than self. If Contractor does not have employees other than self, Contractor shall submit a completed "No Employees Declaration Form" provided by the City.

(iv) Sexual Abuse or Molestation (SAM) Liability: If the Commercial General Liability policy referenced above is not endorsed to include affirmative coverage for sexual abuse or

molestation, Contractor shall obtain and maintain a policy covering Sexual Abuse and Molestation with a limit no less than $1,000,000 per occurrence.

The insurance will be in force during the life of this Agreement and will not be canceled without thirty (30) days prior written notice to the City by certified mail. All insurance required by this section is to be placed with insurers with a Bests' rating of no less than A-:VII. The City of Dublin and its elected officials, officers, employees, agents, and volunteers must be named as additional insureds on commercial general liability insurance, automobile liability insurance, and sexual abuse or molestation liability insurance, if applicable. Contractor's insurance coverage will be primary insurance with respect to City and its elected officials, officers, employees, agents, and volunteers. The insurance policies must include a waiver of all rights of subrogation against the City, its elected or appointed officers, officials, agents, and employees for losses paid under the terms of any policy which arise from work performed by the Contractor for the City (including workers' compensation insurance, if applicable). Any insurance or self-insurance maintained by the City will be in excess of Contractor's insurance and not contributory with it. Contractor will furnish certificates of insurance and endorsements to City prior to City's execution of this Agreement. This Agreement is expressly contingent upon the insurance requirements being met, and this Agreement shall not be complete and no work may commence until Contractor has provided adequate proof of insurance. If the City does not receive the required insurance documents prior to the Contractor beginning work, it shall not waive the Contractor's obligation to provide them. The City reserves the right to modify these requirements, and reserves the right to require complete copies of all required insurance policies at any time.

11. **Nondiscrimination and Equal Opportunity**. The Parties shall not discriminate, on the basis of a person's race, sex, gender, religion (including religious dress and grooming practices), national origin, ancestry, physical or mental disability, medical condition (including cancer and genetic characteristics), marital status, age, sexual orientation, color, creed, pregnancy, genetic information, gender identity or expression, political affiliation or belief, military/veteran status, or any other classification protected by applicable local, state, or federal laws (each a "Protected Characteristic"), against any employee, applicant for employment, subcontractor, bidder for a subcontract, or applicant for any services or programs provided under this Agreement.

12. **Mandated Reporting**. Contractor recognizes and acknowledges that persons under the age of 18 may participate in classes/activities to be conducted by Contractor pursuant to this Agreement. Contractor further recognizes and acknowledges that if any person under the age of 18 does, in fact, participate in said classes/activities, then Contractor is deemed to be a "Mandated Reporter" pursuant to the California Child Abuse and Neglect Reporting Act (Penal Code §§ 11164-11174.3) ("CANRA"). Concurrently with the execution of this Agreement and pursuant to Penal Code section 11166.5, Contractor has been provided with, and has executed, an Acknowledgement of Mandated Requirements, Receipt of Training, and Receipt of Penal Code Statutes, which acknowledgement shall be maintained by the City during the term of this Agreement.

If the Contractor has employees, subcontractors, volunteers, and agents, and those employees, subcontractors, volunteers, and agents will come into contact with minors on a regular basis, those employees must also follow the Mandated Reporter requirements. Contractors who have employees will be required to execute an Acknowledgement and Release of Information, which acknowledgement shall be maintained by the City during the term of this Agreement.

13. **TB Test Requirements**. If the Services include contact with minors, Contractor shall produce a certificate, issued by a licensed physician or other authorized agency, showing that within the last two years the Contractor has been examined and has been found to be free of communicable tuberculosis (TB). If the Contractor has employees, those employees must also follow the TB requirements set forth in this Agreement. Contractors who have employees, subcontractors, volunteers, and agents will be required to execute an Acknowledgement and Release of Information, which acknowledgement shall be maintained by the City during the term of this Agreement.

14. **Fingerprint Requirements**. If class/program is open to youth under the age of 18 years, Contractor and any of its employees, subcontractors, volunteers, and agents of the Contractor agrees to fulfill all fingerprint/background checks prior to the first class. Contractor and the Contractor's employees, subcontractors, volunteers, and agents, if any, are not eligible to work until the clearance is received from the Department of Justice and Contractor has been notified by a Parks & Community Services Department representative.

15. **Transporting Participants**. Contractor or any of its employees, subcontractors, volunteers, and agents shall not transport any participant in his/her own vehicle. Transportation is the responsibility of the program participant.

16. **Mutual Representations and Warranties.** Both the City and Contractor represent and warrant that each Party has full power, authority and right to execute and deliver this Agreement, has full power and authority to perform its obligations under this Agreement, and has taken all necessary action to authorize the execution and delivery of this Agreement. No other consents are necessary to enter into or perform this Agreement.

17. **No Implied Waiver of Breach.** The waiver of performance or any breach of a specific provision of this Agreement does not constitute a waiver of any other breach of that term or any other term of this Agreement.

18. **Notice.** Any notice or other communication given or made to either Party under this Agreement shall be in writing and delivered by hand, sent by certified or registered mail, return receipt requested, to the addresses provided below or to another address as that Party may subsequently designate by notice, and shall be deemed given on the date of delivery.

City	Contractor
Linda Smith City Manager 100 Civic Plaza Dublin, CA 94568 (925) 556-4500	World Cup Soccer Camps & Clinics Ruedi Graf, Founder & CEO 3141 Stevens Creek Blvd. #300 San Jose, CA 95117 (408) 354-9449

19. **Severability.** If any term or portion of this Agreement is held to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions of this Agreement shall continue in full force and effect.

20. **Disputes.** All disputes arising out of this agreement shall be submitted to final and binding arbitration in accordance with the rules of the American Arbitration Association. The dispute shall be submitted to arbitration in accordance with the laws of the State of California. The arbitrator's award shall be final, and judgment may be entered upon it by any court having jurisdiction thereof.

21. **Governing Law and Venue.** In the event that either Party brings any action against the other under this Agreement, the Parties agree that trial of such action will be vested exclusively in the state courts of California in the County of Alameda or in the United States District Court for the Northern District of California. The laws of the State of California will govern this Agreement.

22. **Integration and Amendments.** This Agreement represents the entire and integrated agreement between the City and the Contractor and supersedes all prior negotiations, representations, or agreements, either written or oral as of the Effective Date. The Parties may amend this Agreement if mutually agreed upon in writing.

SIGNATURES ON THE FOLLOWING PAG

IN WITNESS WHEREOF, this Agreement has been executed and delivered as of the Effective Date.

CITY OF DUBLIN:

BY: DocuSigned by: Linda Smith E33836CFFC044E0... _____
SIGNATURE

Linda Smith
NAME

DATE: 1/4/2022

CONTRACTOR:

BY: DocuSigned by: Ruedi Graf 2389535FDE7045B... _____
SIGNATURE

Ruedi Graf
NAME

DATE: 12/30/2021

3552376.1

EXHIBIT A

[Description of Services]

World Cup Soccer Camps and Clinics provides soccer camps, clinics, after-school classes, team training and personal soccer training for children of all ages and abilities. Founder and CEO Ruedi Graf is a professional soccer player from Switzerland and has earned a Professional United States Soccer Federation “A” Level Coaching License and has many years of coaching experience for Highschool and college teams. World Cup Soccer has maintained the highest standards of professional coaching and instruction, earning a reputation as one of the best and most instructional camp operations in the USA. All classes focus on individual player’s skills using touches on the ball, improving dribbling, passing, receiving and shooting. All players receive a World Cup Soccer T-shirt with their registration.

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Authorization to Purchase Two Marked Police Vehicles
Prepared by: Raelyn Miranda, Administrative Aide, Dublin Police Services

EXECUTIVE SUMMARY:

The City Council will consider authorizing the purchase of two replacement vehicles for Police Services from Dublin Chevrolet using pricing through the current Alameda County General Services Agency contract for vehicle purchases.

STAFF RECOMMENDATION:

Adopt the **Resolution** Authorizing the Purchase of Two Marked Police Vehicles From Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property.

FINANCIAL IMPACT:

This purchase will be covered by the Fiscal Year 2022-23 Internal Service Fund Budget. Any revenue generated from the auction of the retired vehicles is also deposited into the fund to offset future replacement costs.

DESCRIPTION:

The City currently has 26 marked police vehicles which are used by the Dublin Police Services Patrol Unit, Crime Prevention Unit, and School Resource Officers. In order to ensure reliability and to minimize repair expenses, the City reviews replacement of these vehicles after three years of service and/or 75,000 miles.

Based upon general vehicle condition and the age of the units currently in the fleet, Staff has identified two Ford Explorer patrol vehicles with over 90,000 miles for replacement during Fiscal Year 2022-23.

Staff conducted research and found Dublin Chevrolet is currently manufacturing two pursuit-

rated, 2023 Chevrolet Tahoe vehicles for patrol purposes. The City currently has several Chevrolet Tahoe patrol vehicles in the fleet which have met the current needs of Dublin Police Services. Dublin Chevrolet currently has two 2023 Chevrolet Tahoe pursuit-rated vehicles in production, which will be partially equipped with emergency equipment. The procurement of these vehicles would expedite the replacement process by eliminating the time for manufacturing, delivery, and full equipment install.

Dublin Municipal Code Section 2.36.100(B)(9) provides an exemption to the competitive bidding process "when another public agency has administered a competitive bidding process and has a current valid agreement for the same or substantially similar consultant or professional services, general services, supplies or equipment." On September 23, 2021, Alameda County General Services Agency approved a contract identifying Dublin Chevrolet as an approved vehicle vendor for Alameda County. The contract has an expiration date of September 30, 2024.

Utilizing Alameda County's contract, Staff has obtained the following pricing from Dublin Chevrolet:

- Two 2023 Chevrolet Tahoe Patrol Vehicles: **$96,776.00**

Staff is also requesting that the City Council authorize the disposal of the replaced vehicles by transferring them to a professional auction company for sale. Any revenue generated from the auction of the retired vehicles will be deposited into the fund to offset future replacement costs.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Authorizing the Purchase of Two Marked Police Vehicles from Dublin Chevrolet and Declaring Replaced Vehicles as Surplus Property
2) Dublin Chevrolet Quote for two 2023 Chevrolet Tahoe Patrol Vehicles
3) Alameda County General Services Agency Contract for Vehicle Purchasing

RESOLUTION NO. xx – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AUTHORIZING THE PURCHASE OF TWO MARKED POLICE VEHICLES FROM DUBLIN CHEVROLET AND DECLARING REPLACED VEHICLES AS SURPLUS PROPERTY

WHEREAS, the City requires marked vehicles for Dublin Police Services patrol operations; and

WHEREAS, the City periodically replaces marked police vehicles based upon the age and condition of the vehicles; and

WHEREAS, the Fiscal Year 2022-23 Internal Service Fund Budget includes funding for the replacement of two marked vehicles; and

WHEREAS, Dublin Municipal Code Section 2.36.100(B)(9) provides an exemption to the competitive bidding process "when another public agency has administered a competitive bidding process and has a current valid agreement for the same or substantially similar consultant or professional services, general services, supplies or equipment"; and

WHEREAS, on October 01, 2021, Alameda County General Services Agency approved a contract identifying Dublin Chevrolet as an approved vehicle purchasing vendor for Alameda County with an expiration date of September 30, 2024; and

WHEREAS, utilizing the Alameda County General Services Agency contract, Staff has obtained pricing from Dublin Chevrolet for two 2023 Chevrolet Tahoe vehicles for patrol purposes marked for a total amount of $96,776.00.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin hereby authorizes the City Manager, as Purchasing Agent, to procure two replacement marked police vehicles from Dublin Chevrolet as described to the City Council on November 15, 2022.

BE IT FURTHER RESOLVED that upon placing the new vehicles in service, the replaced vehicles are declared surplus property to be sold at auction.

BE IT FURTHER RESOLVED that the City Manager and/or her designee shall be authorized to arrange for the auction of surplus City property in accordance with state and local laws and regulations.

{Signatures on the following page}

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

10/12/2022

DUBLIN AUTOMOTIVE RETAILING GROUP
DBA DUBLIN CHEVROLET
GM FLEET & COMMERCIAL
PRICE QUOTE

2 - 2023 CHEVROLET TAHOE PPV 2WD

STOCK ORDER BASED ON MASTER CONTRACT NO. 901979 COUNTY OF ALAMEDA

PREPARED FOR: COUNTY OF ALAMEDA / JASON FLEET SERVICES

DEALER RETAIL (MSRP)		**$52,920.00**
YOUR SPECIAL FLEET PRICE		**$43,854.20**
TAX AT 10.25%	$4,495.05	
License exempt	$0.00	
FILING FEE, AND TIRE FEE	$38.75	
TOTAL DUE INCLUDING TAX AND LICENSE FEES	$48,388.00	

TOTAL FOR TWO IS $96,776.00

TOTAL NET DUE **$96,776.00**

COMMERCIAL FINANCING AVALIABLE, WELLS, ALLY, GM FINANCIAL
MAKE CASH PAYMENT TO: DUBLIN CHEVROLET

QUOTED BY, Richard Slade DIRECTOR OF FLEET & COMMERCIAL SALES
925-570-1353 CELL. Direct Line 925-479-3514 EMAIL: richardms@CACARGROUP.COM

KIMBERLY GASAWAY, Interim Director
1401 LAKESIDE DRIVE, OAKLAND, CALIFORNIA 94612 510 208 9700 FAX 510 208 9711 WWW.ACGOV.ORG/GSA/

September 21, 2021

To: Kimberly Gasaway, Interim Director, General Services Agency

From: Bee Srey, Procurement & Contracts Specialist

Via: Detra Dillon, Procurement Administrator, General Services Agency

Subject: AWARD VEHICLE PURCHASE; REQUEST FOR QUOTATION NO. 901979; AMOUNT: $9,000,000

RECOMMENDATION:

Award and execute Master Contract No. 901979 to provide vehicle purchase to the General Services Agency-Motor Vehicle Division, Public Works Agency, and Zone 7 Water Agency for the term of 10/1/2021 – 09/30/2024, in the pooled amount of $9,000,000, with the following vendors:

A. California Automotive Retailing Group, Inc. DBA Dublin Chevrolet (Principal: Richard Slade; Location: Dublin); Procurement Contract No. 22889; and

B. The Ford Store San Leandro (Principal: Ming Yeung; Location: San Leandro); Procurement Contract No. 22888.

DISCUSSION/SUMMARY:

Alameda County intends to establish a contract for the purchase and delivery of various current model year automobiles to replace or supplement its existing fleet of vehicles. These vehicles will be used on a daily basis by various Alameda County Agencies and Departments to conduct routine business throughout the County. All vehicles shall be new, unused and delivered with the manufacturer's standard warranty.

Contractors' pricing are the dollar amount over triple-net dealer invoice. The triple-net pricing reveals a truer dealer cost by deducting hidden markups from the dealer invoice sent by the manufacturer. Hidden markups in the dealer invoice can include dealer holdback (a percentage of the manufacture's suggested retail price that is paid back to the dealer by the manufacturer), fleet discounts, regional advertising fee, and manufacturer to dealer incentives. The bid amount reflects the total markup over triple-net pricing that contractors will lock in for County over the term of this contract. This pricing strategy reduces the procurement cost for the County.

SELECTION CRITERIA/PROCESS:

The General Services Agency-Motor Vehicle Division (GSA-MVD), Public Works Agency (PWA) and Zone 7 Water Agency (Zone 7) have determined that Alameda County does not currently have the resources to provide vehicle purchases.

GSA-MVD, PWA and Zone 7 worked with GSA-Procurement to develop a Request for Quotation (RFQ), which was issued on June 16, 2021, posted on the website for 42 days, sent to the E-Gov Goods and Services – Current Contract Opportunities mailing service, and emailed to the Chambers of Commerce e-mail group. The RFQ was also advertised in the Inter-City Express and San Francisco Daily Journal on June 18, 2021. A vendor outreach was conducted on June 16, 2021 followed by one networking/bidders conference on June 23, 2021 and was attended by three vendors.

On July 27, 2021, two bidders submitted responses to the RFQ. All responses were evaluated by GSA-Procurement and GSA-MVD based on triple net price for certain type of vehicles. As stated in the RFQ, contracts will be awarded to a pool of bidders. The two bidders are being recommended for award.

The Ford Store San Leandro is a certified Small Local Emerging Business (SLEB) (Certified Small: 10-00118; Expiration: 3/31/2022). California Automotive Retailing Group, Inc. DBA Dublin Chevrolet is not a certified SLEB. There were no subcontracting opportunities available as vehicles can only be purchased from authorized vehicle dealerships. The Office of Acquisition Policy has issued SLEB Waiver No. 7737 (Expiring: September 30, 2024).

The following is the evaluation summary:

EVALUATION SUMMARY

Vendor	*Location*	*Local*	*SLEB*	*Triple Net Price*
California Automotive Retailing Group, Inc. DBA Dublin Chevrolet	*Dublin, CA*	*Y*	*N*	*$475*
The Ford Store San Leandro	*San Leandro, CA*	*Y*	*Y*	*$1,800*

FINANCING:

Funds for the vehicle purchases are available in each Agency's and Department's Fiscal Year 2021-22 Approved Budgets. No additional appropriations are required, and there will be no increase in net County cost.

Recommended By:

Procurement & Contracts Specialist Up to $10,000	DocuSigned by: Bu Srey Signature E431A2223781454...	9/21/2021 Date

Approved By:

Contract Compliance Officer	DocuSigned by: Ratha Chuon Signature B75A041A61214DA...	9/21/2021 Date
Procurement & Contracts Supervisor Up to $10,001 - $25,000	DocuSigned by: Evelyn Benzon Signature 9B71A5C9EFA3472...	9/23/2021 Date
Procurement Administrator Over $100,000	DocuSigned by: Debra Dillon Signature DE9C0172C941490...	9/23/2021 Date
Interim Director, GSA Over $100,000	DocuSigned by: Kimberly Gasaway Signature 8B3D9AF6ACCD422...	9/23/2021 Date

DS CW

Agenda Item 4.4

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Authorizing Remote Meetings of City Council and City Commissions Due to Increase in COVID-19 Cases
Prepared by: John Bakker, City Attorney

EXECUTIVE SUMMARY:

From March 2020 through September 2021, the City conducted meetings of its legislative bodies remotely pursuant to various executive orders that suspended certain Brown Act provisions. In October 2021, the City returned to in-person meetings and the Brown Act was amended to allow for teleconferencing during a state of emergency. Under the new law, AB 361, the City can continue to conduct virtual meetings where the Governor has proclaimed a State of Emergency, or state or local health officials have imposed or recommended social distancing, if the City Council makes certain required findings. From January 11 – February 10, 2022, and since May 3, 2022, the City Council has operated under a resolution pursuant to AB 361 authorizing teleconferenced meetings for at least 30 days. The City Council will consider adopting a resolution that would allow for virtual attendance for the next 30 days.

STAFF RECOMMENDATION:

Adopt the **Resolution** Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361.

FINANCIAL IMPACT:

None.

DESCRIPTION:

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State address the broader spread of COVID-19.

On March 18, 2020, the City Council adopted a resolution ratifying the proclamation of a local state of emergency by the Director of Emergency Services due to COVID-19.

On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20, which suspended certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means. Additionally, the State implemented a shelter-in-place order, requiring all non-essential personnel to work from home.

At that time and through September 2021, the City's legislative bodies met by teleconference. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which among other things, rescinded certain clauses of Executive Order N-29-20 after September 30, 2021, including clauses that suspended certain provisions of the Brown Act. Thus, effective October 1, 2021, agencies would have had to transition back to public meetings held in full compliance with the Brown Act. The City of Dublin began meeting in person beginning in October 2021.

Since the Governor issued Executive Order N-08-21, the highly contagious Delta variant has emerged, causing a spike in cases throughout the state and within the Alameda County. Additionally, since then, the Omicron variants have emerged and been designed as a variant of concern by the United States, and the number of cases in the City have increased over the last month.

On September 16, 2021, the Governor signed AB 361 (2021) which allows for local legislative and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the Council make specified findings. AB 361 took effect immediately.

AB 361 allows local legislative bodies to continue to meet remotely after the expiration of the clauses of Executive Order N-29-20. Under AB 361, the City and its legislative bodies may meet remotely when:

- The local agency holds a meeting during a declared state of emergency;
- State or local health officials have imposed or recommended measures to promote social distancing;
- Legislative bodies declare the need to meet remotely due to present imminent risks to the health or safety of attendees.

On January 11, 2022, the City Council adopted a resolution authorizing remote teleconferenced meetings for a period of 30 days pursuant to AB 361. That resolution expired on February 10, 2022.

At its April 19, 2022 meeting, the City Council directed Staff to bring a resolution to the May 3, 2022 meeting to allow the City Council and the City's legislative bodies to meet virtually, including hybrid meetings, pursuant to AB 361. At its May 3, May 17, June 7, June 21, July 19, August 16, September 6, 2022, October 18, 2022, and November 1, 2022 meetings, the City Council adopted Resolution Nos. 39-22, 48-22, 65-22, 84-22, 92-22, 101-22, 104-22, 120-22, and 127-22 respectively, that included the necessary findings pursuant to AB 361 to allow the City Council and the City's legislative bodies to meet remotely or in a hybrid format for 30 days.

The City meets the requirements to hold meetings remotely in order to ensure the health and safety of the public:

- The Governor has declared a State of Emergency, and the City Council has ratified the proclamation of a local emergency by the Director of Emergency Services;
- The CDC recommends social distancing of at least six feet due to COVID-19;
- There continues to be COVID-19 cases within the state and throughout Alameda County;
- Meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies, and staff.

The proposed resolution includes the necessary findings pursuant to AB 361 to allow the City Council and the City's legislative bodies to meet remotely or in a hybrid format for the next 30 days. The City Council would need to adopt a subsequent resolution declaring the need to continue to meet remotely to allow for such meetings after that 30-day period.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Finding That There is a Proclaimed State of Emergency; Finding That Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees as a Result of the State of Emergency; and Authorizing Remote Teleconferenced Meetings of the Legislative Bodies of the City of Dublin Pursuant to AB 361

RESOLUTION NO. xx-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

FINDING THAT THERE IS A PROCLAIMED STATE OF EMERGENCY; FINDING THAT MEETING IN PERSON WOULD PRESENT IMMINENT RISKS TO THE HEALTH OR SAFETY OF ATTENDEES AS A RESULT OF THE STATE OF EMERGENCY; AND AUTHORIZING REMOTE TELECONFERENCED MEETINGS OF THE LEGISLATIVE BODIES OF THE CITY OF DUBLIN PURSUANT TO AB 361

WHEREAS, all meetings of the City of Dublin's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code sections 54950 – 54963), so that any member of the public may attend, participate, and watch the City's legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for a broader spread of the novel coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 18, 2020, the City Council adopted a resolution ratifying the proclamation of a local emergency by the Director of Emergency Services due to COVID-19; and

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of the COVID-19 pandemic, and pursuant to Executive Order N-29-20 and its successors, the City Council met primarily virtually through September 2021; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, ended the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021) which allows for local legislative bodies and advisory bodies to conduct meetings via teleconferencing under specified conditions and includes a requirement that the City Council make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, under AB 361 (2021), an agency meeting virtually requires that the Governor declare a State of Emergency pursuant to Government Code section 8625; and

WHEREAS, AB 361 (2021) further requires that state or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the City, specifically, Governor Newsom has

declared a State of Emergency due to COVID-19; and

WHEREAS, since the issuance of Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and Alameda County; and

WHEREAS, on November 30, 2021, the Omicron variant was designated as a variant of concern by the United States; and

WHEREAS, cases of the highly contagious Omicron variant, including a subvariant called BA.2, continue to occur in Alameda County and require quarantine periods for exposure; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside of the household; and

WHEREAS, because of the ongoing existence COVID-19 cases due in part to the highly contagious Omicron variants of COVID-19, the City is concerned about the health and safety of all individuals who intend to attend City Council and meetings of the City's other legislative bodies; and

WHEREAS, the City Council finds that the imminent risks of the City's legislative bodies holding in person meetings to the health or safety of attendees exists due in part to the Omicron variants of COVID-19; and

WHEREAS, the City Council finds, acting as a legislative body pursuant to Government Code section 54952(a) and for the benefit of all legislative bodies created by the City Council pursuant to Government Code section 54952(b), that the presence of COVID-19 and the Delta and Omicron variants would present imminent risks to the health or safety of attendees, staff, and members; and

WHEREAS, teleconference meetings may include hybrid meetings, in which all or some members of the legislative body meet in person while others attend by teleconference, and members of the public are either allowed to participate only by teleconference or both in person and by teleconference ("hybrid meetings"). The purpose of hybrid meetings is to allow for multiple modes of attending meetings while reducing the risks of COVID-19, including the Delta and Omicron variants; and

WHEREAS, the City shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Dublin as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the City Council makes the following findings:

   a) The City Council has considered the circumstances of the state of emergency; and

   b) The state of emergency, as declared by the Governor and City Council, and as specifically related to cases apparently resulting from the Omicron variant, directly

impacts the ability of the City Council and the City's legislative bodies, as well as staff and members of the public, to meet safely in person; and

c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.

3. City staff is directed to facilitate any teleconference meetings, including hybrid meetings, of the City Council and City's legislative bodies in compliance with AB 361, in order to better ensure the health and safety of the public for a period of thirty days following the adoption of this resolution.

PASSED, APPROVED, AND ADOPTED this 15th day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____

Mayor

ATTEST:

_____

City Clerk

Agenda Item 4.5

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Payment Issuance Report and Electronic Funds Transfers
Prepared by: Veronica Briggs, Senior Finance Technician

EXECUTIVE SUMMARY:

The City Council will receive a listing of payments issued from October 1, 2022 – October 31, 2022 totaling $7,745,223.20.

STAFF RECOMMENDATION:

Receive the report.

FINANCIAL IMPACT:

SUMMARY OF PAYMENTS ISSUED
October 1, 2022 – October 31, 2022

Total Number of Payments: 311
Total Amount of Payments: $7,745,223.20

DESCRIPTION:

The Payment Issuance Report (Attachment 1) provides a listing of all payments for the period beginning October 1, 2022 through October 31, 2022. This report is provided in accordance with the policy adopted November 15, 2011, in Resolution No.189-11. The listing of payments has been reviewed in accordance with the policies for processing payments and expenditures.

The City's practice of reporting payments to the City Council after the payments have been made is in compliance with California Government Code Sections 37208 (b) and (c), which allow for an agency to make payments without first being audited by the legislative body, as long as such payments are: 1) conforming to a budget approved by ordinance or resolution of the legislative body; and 2) presented to the legislative body for ratification and approval in the form of an

audited comprehensive annual financial report.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Payment Issuance Report for October 2022

Attachment I

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/3/2022	UNUM LIFE INS CO OF AMERICA	LIFE AND AD&D PREMIUM - SEPTEMBER 2022	10,428.60
		Payments Issued 10/3/2022 Total:	**10,428.60**
10/4/2022	4LEAF INC.	BLDG INSPECTIONS & PLAN CHECK SVCS - AUG 2022	79,046.00
10/4/2022	AMY'S ENGRAVED SIGNS & AWARDS	NAMEPLATE - ESCOVER	28.94
10/4/2022	AMY'S ENGRAVED SIGNS & AWARDS	NAMEPLATE & FRAME - RITH-CHAN	170.63
10/4/2022	AMY'S ENGRAVED SIGNS & AWARDS	NAMEPLATE - AJELLO	106.12
10/4/2022	ANASTASIA NELSON	REIMBURSEMENT FOR RECORDING CITY DOCUMENT	40.00
10/4/2022	AT&T	CVC-ATT IPFLEX VOIP LINE	663.22
10/4/2022	AT&T	PSC 600M INTERNET DATA SERVICES TO 10/6/22	3,068.82
10/4/2022	AT&T	CIVIC CENTER FIBER SERVICES	1,802.67
10/4/2022	AT&T	PSC TOLL-FREE #	52.61
10/4/2022	AT&T	VOIP PUBLIC SAFETY COMPLEX	445.03
10/4/2022	AT&T - CALNET 3	EAGLE CAM HABITAT MONITORING 9391033795	167.08
10/4/2022	AT&T - CALNET 3	ASE-CIVIC CENTER 9391033821	29.20
10/4/2022	BADAWI & ASSOCIATES	FINANCIAL AUDIT SERVICES FOR FY21-22	23,627.25
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - SHANNON SEP 2022	352.35
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - SHANNON SEP 2022	375.06
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - CIVIC SEP 2022	84.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - CIVIC SEP 2022	180.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - F/S16 SEP 2022	138.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - F/S17 SEP 2022	237.75
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - SENIOR CENTER SEP 2022	369.30
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - SHANNON SEP 2022	541.86
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - WAVE SEP 2022	123.20
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - WAVE SEP 2022	198.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - WAVE SEP 2022	1,848.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE SEP 2022	148.50
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE ART WORKSHOP SEP 2022	90.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE CHURCH SEP 2022	237.60
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE KOLB HOUSE SEP 2022	409.20
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE CHURCH SEP 2022	189.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE MUSEUM SEP 2022	330.00
10/4/2022	BAY ALARM COMPANY	ALARM SERVICES - HERITAGE SCHOOL HOUSE SEP 2022	198.00
10/4/2022	BAY ALARM COMPANY	ALAALARM SERVICES - HERITAGE SEP 2022	500.13
10/4/2022	BKF ENGINEERS	TASSAJARA RD GAP CLOSURE PROJECT JUN 2022	95,446.33
10/4/2022	BKF ENGINEERS	TASSAJARA RD GAP CLOSURE PROJECT - JUL 2022	26,956.00
10/4/2022	BROOKFIELD RESIDENTIAL ATTN: ALEC HOWE	SECURITY DEPOSIT REFUND-HUNTINGTON AT BOULEVARD	24,309.20
10/4/2022	BROOKFIELD RESIDENTIAL ATTN: ALEC HOWE	SECURITY DEPOSIT REFUND-HUNTINGTON AT BOULEVARD	24,028.85
10/4/2022	BROOKFIELD RESIDENTIAL ATTN: ALEC HOWE	SECURITY DEPOSIT REFUND-HUNTINGTON AT BOULEVARD	14,078.00
10/4/2022	BROOKFIELD RESIDENTIAL ATTN: ALEC HOWE	SECURITY DEPOSIT REFUND-HUNTINGTON AT BOULEVARD	13,322.00
10/4/2022	BYOG	REC STAFF UNIFORMS & PROGRAM SHIRTS	1,491.68
10/4/2022	CAL PERS HEALTH PREMIUM	HEALTH INSURANCE PREMIUM - OCTOBER 2022	130,310.54
10/4/2022	CALLANDER ASSOCIATES INC.	WALLIS RANCH PARK DESIGN SERVICES - JUL 2022	11,466.15
10/4/2022	CARBONIC SERVICE	THE WAVE POOL CHEMICALS & MAINTENANCE	683.00
10/4/2022	CASCADIA CONSULTING GROUP, INC	SB 1383 IMPLEMENTATION ASSISTANCE	8,795.00
10/4/2022	CDW GOVERNMENT INC	CISCO CATALYST 9300 SWITCHES FOR AT&T ASE	36,151.28
10/4/2022	CIERRA L. FABRIGAS	REIMBURSEMENT SUPPLIES FOR BUSINESS ANNIV BREAKFAST	8.98
10/4/2022	CITY OF PLEASANTON	2022 TRI-VALLEY HOMELESS SURVEY REPORT	3,333.33
10/4/2022	CITY OF SAN LEANDRO	ALAMEDA COUNTY CITY MANAGER ASSOC ANNUAL DUES	360.00
10/4/2022	CIVICPLUS, LLC	WAVE ANNUAL HOSTING FEE	2,192.47
10/4/2022	COMCAST	INTERNET/CABLE SVC VARIOUS CITY DEPTS	2,058.51
10/4/2022	CORODATA SHREDDING, INC.	DOCUMENT SHREDDING	951.45
10/4/2022	CUSTOM DESIGNS & SPORT INC	TRAIL CHALLENGE SHIRTS	1,813.70
10/4/2022	DJS MEDIA CONSULTING	POSTPROD SVCS FOR 40TH ANNIVERSARY DOCUMENTARY	4,250.00
10/4/2022	DSRSD	SERVICE TO 8/31/2022	9,470.61
10/4/2022	DSRSD	SERVICE TO 8/31/2022	186.12
10/4/2022	DSRSD	SERVICE TO 8/31/2022	1,742.33
10/4/2022	DSRSD	SERVICE TO 8/31/2022	1,346.17
10/4/2022	ECS IMAGING INC.	DOCUMENT SCANNING SERVICES	1,550.85
10/4/2022	EOA, INC.	STORMWATER NPDES IMPLEMENTATION ASSISTANCE	10,024.00
10/4/2022	FEDEX	EXPRESS SHIPPING FEE TO CA BOARD OF FORESTRY	41.47
10/4/2022	GREGORY SHREEVE	TRAVEL EXP REIMBURSEMENT- ICC ABM '22 CODE HEARING	26.98
10/4/2022	HARRELL HARRIS PHOTOGRAPHY	PHOTOGRAPHY SERVICES	675.00
10/4/2022	HARRELL HARRIS PHOTOGRAPHY	PHOTOGRAPHY SERVICES	2,100.00
10/4/2022	IMAGE SALES, INC.	CITY OF DUBLIN LANYARDS	361.01
10/4/2022	INTERWEST CONSULTING GROUP INC	CITY OF DUBLIN PLAN REVIEW - AUG 2022	1,125.00

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/4/2022	JAYDEN OLINGHOUSE-CHIANG	MILEAGE REIMBURSEMENT FOR AUGUST	114.66
10/4/2022	JOHN STEFANSKI	EMPLOYEE MILEAGE REIMBURSEMENT - STEFANSKI	29.84
10/4/2022	JOHN STEFANSKI	2022 ICMA ANNUAL CONFERENCE - STEFANSKI	551.44
10/4/2022	KYLE JAVORSKY	MILEAGE REIMBURSEMENT - PARK MONITORING AUG 2022	138.24
10/4/2022	KYLE JAVORSKY	MILEAGE REIMBURSEMENT FOR AUG 2022	24.51
10/4/2022	LANLOGIC INC.	INFORMATION SYSTEMS CONSULTING SVCS	3,488.00
10/4/2022	LANLOGIC INC.	LANLOGIC UMBRELLA OPEN DNS WEB PROTECTION	3,150.00
10/4/2022	MANAGEMENT PARTNERS INC.	EXECUTIVE COACHING FY22-23	735.00
10/4/2022	MANAGEMENT PARTNERS INC.	EXECUTIVE COACHING FY22-23	1,050.00
10/4/2022	M-GROUP	PLANNING SVCS-BOULEVARD PH 1-5	6,446.25
10/4/2022	MICHAEL MCCORRISTON	TRAVEL REIMBURSEMENT - MCCORRISTON	674.43
10/4/2022	MNS ENGINEERS, INC.	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD - JUL 2022	66,445.03
10/4/2022	MNS ENGINEERS, INC.	CONSTR MGMT/INSP-EV CHARGING STATIONS - JUL 2022	159.65
10/4/2022	MNS ENGINEERS, INC.	FALLON SPORTS PARK PH3 PW INSPECTIONS - JUL 2022	3,831.60
10/4/2022	MNS ENGINEERS, INC.	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD - JUN 2022	74,035.13
10/4/2022	MNS ENGINEERS, INC.	CONSTR MGMT/INSP-EV CHARGING STATIONS - AUG 2022	638.60
10/4/2022	MNS ENGINEERS, INC.	DON BIDDLE COMMUNITY PARK INSPECTIONS - AUG 2022	5,348.29
10/4/2022	NIYANT UPADHYAY	MILEAGE REIMBURSEMENT FOR AUG 2022	88.28
10/4/2022	OPENGOV, INC. DEPT. 03790	ONLINE "OPEN TOWN HALL" SURVEY	9,100.00
10/4/2022	PAKPOUR CONSULTING GROUP, INC.	CONSTRUCTION MGMT-DON BIDDLE COMM PARK - JUL 2022	26,479.00
10/4/2022	PAKPOUR CONSULTING GROUP, INC.	CONSTRUCTION MGMT-DON BIDDLE COMM PARK - AUG 2022	34,325.50
10/4/2022	PG&E	SERVICE TO 2611 POSITANO IRRIG 08/30/2022	13.38
10/4/2022	PG&E	SERVICE TO FS17 09/06/2022	340.52
10/4/2022	PG&E	SERVICE TO POSITANO TC 08/31/2022	311.91
10/4/2022	PG&E	SERVICE TO DB TC 09/06/2022	81.13
10/4/2022	PG&E	SERVICE TO VARIOUS TC 07/01/2022	8,782.82
10/4/2022	PG&E	SERVICE TO VARIOUS TC 08/08/2022	9,302.68
10/4/2022	PG&E	SERVICE TO AVB SL 08/31/2022	1,242.88
10/4/2022	PRECISION CONCRETE CUTTING	SIDEWALK INSPECTION & CONCRETE CUTTING - AUG 2022	74,666.00
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CIVIC SEP 2022	90.43
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SHANNON SEP 2022	83.33
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SENIOR CENTER SEP 2022	88.75
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CORP YARD SEP 2022	47.17
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - PSC SEP 2022	47.79
10/4/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - WAVE SEP 2022	55.83
10/4/2022	RACE TO ZERO WASTE	WASTE SORTING SVCS FOR SPLATTER FESTIVAL	4,158.00
10/4/2022	RRM DESIGN GROUP, A CA CORP	LANDSCAPE PLAN CHECK/INSPECTIONS	2,173.75
10/4/2022	RRM DESIGN GROUP, A CA CORP	LANDSCAPE PLAN CHECK/INSPECTIONS	6,948.75
10/4/2022	RYAN MORAN	TRAVEL EXPENSE CLAIM - CAPIO CONFERENCE 2022	26.69
10/4/2022	RYAN MORAN	EMPLOYEE MILEAGE REIMBURSEMENT - AUGUST	64.94
10/4/2022	RYAN MORAN	EMPLOYEE MILEAGE REIMBURSEMENT - JULY	15.21
10/4/2022	SELECT IMAGING	NAME BADGES - STEFANSKI, MOORE	95.04
10/4/2022	SELECT IMAGING	NAME BADGES FOR COMMISSIONERS	193.49
10/4/2022	SHARLENE JACKMAN	CAPIO TRAVEL EXPENSE CLAIM - JACKMAN 2022	77.37
10/4/2022	TETRA TECH, INC.	TRI-VALLEY LOCAL HAZARD MITIGATION PLAN	6,960.32
10/4/2022	TYLER TECHNOLOGIES, INC.	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION	12,335.05
10/4/2022	ULINE, INC.	THE WAVE SPORT POOL SIDE BLEACHERS WITH RAIL	7,643.84
10/4/2022	UNIVAR SOLUTIONS	THE WAVE POOL CHEMICALS	2,051.42
10/4/2022	VALFORMS/A4 PROMOTIONS	PRINTING SERVICES	797.68
10/4/2022	VIKHYAAT PARMAR	COVID-19 RENT ASSISTANCE PROGRAM - BATCH 6	2,800.00
		Payments Issued 10/4/2022 Total:	**924,803.15**
10/5/2022	DELTA DENTAL OF CALIFORNIA	DELTA DENTAL PREMIUM - SEPTEMBER 2022	13,233.65
10/5/2022	VISION SERVICE PLAN - (CA)	VISION INSURANCE PREMIUM - SEPTEMBER 2022	1,896.46
		Payments Issued 10/5/2022 Total:	**15,130.11**
10/6/2022	UNUM LIFE INS CO OF AMERICA	LIFE AND AD&D PREMIUM - OCTOBER 2022	9,842.63
		Payments Issued 10/6/2022 Total:	**9,842.63**
10/10/2022	ADVANCED MOBILITY GROUP	TRAFFIC SIGNAL SYSTEMS SUPPORT SVCS	3,653.24
10/10/2022	ADVANCED MOBILITY GROUP	TASSAJARA RD ARTERIAL MGMT PROJECT	3,225.00
10/10/2022	ALL CITY MANAGEMENT SVCS INC	SCHOOL CROSSING GUARD SVCS	18,085.84
10/10/2022	ALL CITY MANAGEMENT SVCS INC	SCHOOL CROSSING GUARD SVCS	14,223.07
10/10/2022	AMADOR VALLEY INDUSTRIES LLC	SOLID WASTE SVCS-CAMP PARKS - JUL 2022	28,809.23
10/10/2022	AMADOR VALLEY INDUSTRIES LLC	SOLID WASTE SVCS-CAMP PARKS - AUG 2022	29,916.83
10/10/2022	AT&T	SERVICE TO CIVIC FIRE 09/01/2022	51.28
10/10/2022	AT&T	SERVICE TO PSC 09/01/2022	98.80

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/10/2022	AT&T	SERVICE TO WAVE 09/12/2022	94.44
10/10/2022	AT&T	SERVICE TO 800 09/12/2022	0.25
10/10/2022	AT&T	SERVICE TO SHANNON 09/12/2022	210.39
10/10/2022	AT&T	SERVICE TO SR ALARM 09/12/2022	168.33
10/10/2022	AT&T	SERVICE TO CIVIC 09/12/2022	102.02
10/10/2022	AT&T	SERVICE TO LIBRARY 911 09/14/2022	24.87
10/10/2022	AT&T	SERVICE TO CY 09/14/2022	48.06
10/10/2022	AT&T	SERVICE TO CY FAX 09/14/2022	24.87
10/10/2022	AT&T	SERVICE TO PSC OP 09/14/2022	24.87
10/10/2022	AT&T	SERVICE TO FS18 09/14/2022	71.25
10/10/2022	AT&T	SERVICE TO CY 09/14/2022	229.87
10/10/2022	AT&T	SERVICE TO BLDG INSP 09/14/2022	24.87
10/10/2022	AT&T	SERVICE TO ELEVATOR 09/14/2022	94.44
10/10/2022	AT&T - CALNET 3	HERITAGE 991018979	24.87
10/10/2022	AT&T - CALNET 3	SHANNON CENTER TI 9391033796	167.08
10/10/2022	AT&T - CALNET 3	SENIOR CENTER T1 9391033794	167.08
10/10/2022	AT&T - CALNET 3	SHANNON CENTER ALARM 9391063350	24.87
10/10/2022	AT&T - CALNET 3	HERITAGE CENTER T1 9391033792	167.08
10/10/2022	AT&T - CALNET 3	HERITAGE CENTER BK UP 9391033802	57.14
10/10/2022	BAY ALARM COMPANY	ALARM SERVICES - CORP YARD SEP 2022	297.00
10/10/2022	BAY ALARM COMPANY	ALARM SERVICES - SENIOR CENTER SEP 2022	207.00
10/10/2022	BERNARD J BERSAMINA	PERFORMANCE AT SPLATTER	3,500.00
10/10/2022	BIG O'TIRES #7	POLICE VEHICLE MAINT & TIRE INSTALLATION	95.75
10/10/2022	BIG O'TIRES #7	POLICE VEHICLE MAINT & TIRE INSTALLATION	230.39
10/10/2022	BIG O'TIRES #7	POLICE VEHICLE MAINT & TIRE INSTALLATION	404.48
10/10/2022	BLUDOT TECHNOLOGIES, INC.	ECONOMIC DEVELOPMENT PLATFORM SUBSCRIPTION	5,940.00
10/10/2022	BROCK UHL	ENTERTAINMENT FOR SPLATTER	500.00
10/10/2022	CALEHS ATTN: JOE MOULTON	DESIGNATED UST OPERATOR INSP. SVCS JUL-SEP 2022	900.00
10/10/2022	CALIFORNIA GREEN BUSINESS NETWROK	ALAMEDA COUNTY GBP SUPPORT	1,000.00
10/10/2022	CARBONIC SERVICE	THE WAVE POOL CHEMICALS & MAINTENANCE	474.02
10/10/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	91.20
10/10/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	124.80
10/10/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	100.80
10/10/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	139.20
10/10/2022	CIVICWELL	CIVICSPARK FELLOW: EMILY GROTH	2,636.40
10/10/2022	COMMUNICATION ACADEMY C/O JACKSON CHOW	REC CLASS INSTRUCTOR	963.00
10/10/2022	DAHLIN GROUP INC	DESIGN SERVICES CIVIC CENTER RENOVATION - JUL 2022	1,575.00
10/10/2022	DONNELL LAMAR BROWN JR.	ENTERTAINMENT FOR SPLATTER	500.00
10/10/2022	DSRSD	PLAN REVIEW WATER & RECYCLED WATER METERS	444.36
10/10/2022	EUROPEAN MOBILE WERKS	POLICE VEHICLE MAINTENANCE	450.00
10/10/2022	EUROPEAN MOBILE WERKS	POLICE VEHICLE MAINTENANCE	100.00
10/10/2022	EUROPEAN MOBILE WERKS	POLICE VEHICLE MAINTENANCE	253.77
10/10/2022	EUROPEAN MOBILE WERKS	POLICE VEHICLE MAINTENANCE	452.12
10/10/2022	EUROPEAN MOBILE WERKS	POLICE VEHICLE MAINTENANCE	169.48
10/10/2022	FRANCISCO & ASSOCIATES, INC.	ACQUISITION AUDIT CFD SERVICES - JUL 2022	16,975.00
10/10/2022	GEOCON CONSULTANTS, INC.	2021 SLURRY SEAL CONSTRUCTION TESTING - JUL 2022	2,892.50
10/10/2022	GEOCON CONSULTANTS, INC.	2021 SLURRY SEAL CONSTRUCTION TESTING - MAY 2022	70.00
10/10/2022	GLADWELL GOVERNMENTAL SVCS INC	RECORDS MANAGEMENT ASSISTANCE	300.00
10/10/2022	GRAYBAR ELECTRIC COMPANY, INC.	THE WAVE EV CHARGING STATIONS - AUG 2022	2,117.35
10/10/2022	GROUP 4 ARCHITECTURE, RESEARCH + PLANNING, INC.	DESIGN OF CULTURAL ARTS CENTER - JUL 2022	17,838.00
10/10/2022	GROUP 4 ARCHITECTURE, RESEARCH + PLANNING, INC.	DESIGN OF CULTURAL ARTS CENTER - AUG 2022	12,323.00
10/10/2022	JEAN JOSEY	LOCC ANNUAL CONFERENCE REIMBURSEMENT 2022	58.19
10/10/2022	JOSEPH R KIEREN	PERFORMANCE AT SPLATTER	1,400.00
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	577.33
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	468.00
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	520.04
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	468.00
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	560.40
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	561.60
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	566.84
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	748.80
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	748.80
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	1,185.60
10/10/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	748.80
10/10/2022	KITTELSON & ASSOCIATES, INC.	ENGINEERING SERVICES THROUGH 6/30/2022	902.50
10/10/2022	KITTELSON & ASSOCIATES, INC.	SB 743 VMT IMPLEMENTATION & MODEL UPDATE JUL 2022	310.00
10/10/2022	LEHR AUTO	POLICE VEHICLE MAINT & REPAIRS	370.59

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/10/2022	MATRIX CONSULTING GROUP, LTD	STAFF. ANALYSIS & OPTIMIZATION PLNG STDY - AUG 2022	2,900.00
10/10/2022	MEYERS NAVE	FALLON VILLAGE GHAD PROFESSIONAL SVCS - AUG 2022	2,823.00
10/10/2022	MEYERS NAVE	SCHAEFER RANCH GHAD PROFESSIONAL SVCS - AUG 2022	3,213.00
10/10/2022	MMANC	MEMBERSHIP RENEWAL - MENDEZ	75.00
10/10/2022	NICHOLS CONSULTING ENGINEERS	DESIGN SVCS-IRON HORSE NATURE PARK - AUG 2022	35,409.80
10/10/2022	PARK ENGINEERING, INC.	ENERGY EFFICIENCY PROJECT MANAGEMENT - JUL 2022	3,302.10
10/10/2022	PARK ENGINEERING, INC.	ENERGY EFFICIENCY PROJECT MANAGEMENT - AUG 2022	13,282.90
10/10/2022	PG&E	SERVICE TO CIVIC CENTER 08/31/2022	13,174.47
10/10/2022	PG&E	SERVICE TO CORP YARD	1,906.62
10/10/2022	PG&E	SERVICE TO DB SL 08/16/2022	16,056.82
10/10/2022	PG&E	SERVICE TO FSP 09/06/2022	7,561.18
10/10/2022	PG&E	SERVICE TO EGP 09/12/2022	2,359.28
10/10/2022	PG&E	SERVICE TO IRRIGATION 09/074/2022	2,946.05
10/10/2022	PG&E	SERVICE TO 2301 VALENTANO IRRIG 08/30/2022	262.28
10/10/2022	PG&E	SERVICE TO FINNIAN WAY IRRIG 09/12/2022	75.61
10/10/2022	PG&E	SERVICE TO DEVANY IRRIG 09/12/2022	18.87
10/10/2022	PG&E	SERVICE TO 6383A DB IRRIG	14.18
10/10/2022	PG&E	SERVICE TO SIERRA/CLARK IRRIG	23.31
10/10/2022	PG&E	SERVICE TO GG IRRIG 08/31/2022	13.25
10/10/2022	PG&E	SERVICE TO 3142 CENTRAL PKWY IRRIG 09/12/2022	13.95
10/10/2022	PG&E	SERVICE TO VARIOUS IRRIG 09/12/2022	29.33
10/10/2022	PG&E	SERVICE TO FALLON IRRIG 09/12/2022	10.51
10/10/2022	PG&E	SERVICE TO VARIOUS IRRIG 09/12/2022	38.61
10/10/2022	PG&E	SERVICE TO VARIOUS IRRIG 09/12/2022	72.59
10/10/2022	PG&E	SERVICE TO 3600 PALERMO IRRIG 09/12/2022	17.16
10/10/2022	PG&E	SERVICE TO TASSAJARA TC 09/09/2022	103.91
10/10/2022	PG&E	SERVICE TO VARIOUS TC/SL/IRRIG 09/07/2022	9,002.08
10/10/2022	PG&E	SERVICE TO FALLON TC 09/13/2022	119.11
10/10/2022	PG&E	SERVICE TO DB TC 09/13/2022	106.17
10/10/2022	PG&E	SERVICE TO VARIOUS 1997-1 09/12/2022	61.54
10/10/2022	PG&E	SERVICE TO SL ARNOLD/MARTINELLI 09/15/2022	69.19
10/10/2022	PG&E	SERVICE TO CENTRAL SL 09/15/2022	9.89
10/10/2022	PG&E	SERVICE TO SR CTR 09/12/2022	591.27
10/10/2022	PG&E	SERVICE TO WAVE 09/06/2022	43,119.84
10/10/2022	PG&E	SERVICE TO HCP 08/29/2022	2,262.98
10/10/2022	PG&E	SERVICE TO DB TC 09/06/2022	11.99
10/10/2022	PG&E	SERVICE TO AVELLINA SL 09/13/2022	283.37
10/10/2022	PG&E	SERVICE TO PSC 09/14/2022	3,645.39
10/10/2022	PG&E	SERVICE TO FS16 08/11/2022	397.77
10/10/2022	PG&E	SERVICE TO FS18 09/12/2022	160.10
10/10/2022	PG&E	SERVICE TO LIBRARY 08/30/2022	2,989.23
10/10/2022	PG&E	SERVICE TO IRRIG WEST 08/31/2022	319.00
10/10/2022	PRIME TIME ENTERTAINMENT	DON BIDDLE PARK OPENING EQUIPMENT RENTAL	2,000.00
10/10/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SHANNON SEP 2022	68.50
10/10/2022	QUADIENT, INC. DEPT 3689	POSTAGE MACHINE SUPPLIES	92.17
10/10/2022	QUADIENT, INC. DEPT 3689	POLICE SERVICES- POSTAGE	99.06
10/10/2022	QUENCH USA, INC.	WATER FILTER SYSTEM FOR ALL FACILITIES - OCT 2022	759.44
10/10/2022	QUENCH USA, INC.	WATER FILTER SYSTEM FOR ALL FACILITIES - OCT 2022	549.05
10/10/2022	QUINCY ENGINEERING	BRIDGE & STRUCTURE ASSET INSPECTION - JUL 2022	375.00
10/10/2022	QUINCY ENGINEERING	BRIDGE & STRUCTURE ASSET INSPECTION - AUG 2022	3,750.00
10/10/2022	REDWOOD TOXICOLOGY LAB. INC.	TOXICOLOGY SERVICES	412.00
10/10/2022	REDWOOD TOXICOLOGY LAB. INC.	TOXICOLOGY SERVICES	393.00
10/10/2022	SHUMS CODA ASSOCIATES INC	PLAN REVIEW SERVICES - AUG 2022	2,632.50
10/10/2022	SWA GROUP	JORDAN RANCH NEIGHBORHOOD SQ DESIGN - JUL 2022	9,084.21
10/10/2022	SWINERTON MANAGEMENT AND CONSULTING	PLAN/CONSTR REVIEW CULTURAL ARTS CENTER - JUL 2022	16,110.00
10/10/2022	SWINERTON MANAGEMENT AND CONSULTING	PLAN/CONSTR REVIEW CULTURAL ARTS CENTER - AUG 2022	16,138.00
10/10/2022	THE RADAR SHOP INC	POLICE SERVICES- RADAR CERTIFICATION	1,398.00
10/10/2022	TRI-VALLEY COMMUNITY TV	RECORD/TELEVISE CITY COUNCIL & PLNG COMM MTGS	382.97
10/10/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SUPPLIES & SVCS - CAMP PARKS - AUG 2022	30,927.63
10/10/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SERVICES - AUG 2022	22,662.83
10/10/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SUPPLIES & SVCS - CAMP PARKS - SEP 2022	31,135.24
10/10/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SERVICES - SEP 2022	22,662.83
10/10/2022	TYLER TECHNOLOGIES, INC.	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION	1,400.00
10/10/2022	TYLER TECHNOLOGIES, INC.	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION	9,100.00
10/10/2022	ULINE, INC.	THE WAVE SPORT POOL SIDE BLEACHERS	7,648.77
10/10/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - SENIOR CENTER AUG 2022	180.00
10/10/2022	XIN SHERRY HU	LOCC ANNUAL CONFERENCE REIMBURSEMENT	242.17

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
		Payments Issued 10/10/2022 Total:	**533,106.12**
10/11/2022	DELTA DENTAL OF CALIFORNIA	DELTA DENTAL PREMIUM - OCTOBER 2022	12,684.29
10/11/2022	VISION SERVICE PLAN - (CA)	VISION INSURANCE PREMIUM - OCTOBER 2022	1,821.39
		Payments Issued 10/11/2022 Total:	**14,505.68**
10/13/2022	CAL PERS	PERS RETIREMENT PLAN: PE 10/7/22	85,472.58
10/13/2022	EMPLOYMENT DEVELOPMENT DEPT	CA STATE WITHHOLDING: PE 10/7/22	35,491.41
10/13/2022	HEALTHEQUITY, INC.	HEALTHEQUITY: PE 10/7/22	4,807.66
10/13/2022	I C M A 401 PLAN	DEFERRED COMP 401A: PE 10/7/22	1,724.07
10/13/2022	I C M A 457 PLAN	DEFERRED COMP 457: PE 10/7/22	23,933.84
10/13/2022	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING: PE 10/7/22	109,132.50
10/13/2022	US BANK - PARS	PARS: PE 10/7/22	3,065.92
		Payments Issued 10/13/2022 Total:	**263,627.98**
10/14/2022	DSRSD	SERVICE TO 9/14/2022	157.87
10/14/2022	DSRSD	SERVICE TO 9/14/2022	113.34
10/14/2022	DSRSD	SERVICE TO 9/14/2022	464.72
10/14/2022	DSRSD	SERVICE TO 9/14/2022	139.87
10/14/2022	DSRSD	SERVICE TO 9/14/2022	125.34
10/14/2022	DSRSD	SERVICE TO 9/14/2022	584.90
10/14/2022	DSRSD	SERVICE TO 9/14/2022	166.72
10/14/2022	DSRSD	SERVICE TO 9/14/2022	1,130.98
10/14/2022	DSRSD	SERVICE TO 9/14/2022	101.34
10/14/2022	DSRSD	SERVICE TO 9/14/2022	151.87
10/14/2022	DSRSD	SERVICE TO 9/14/2022	459.44
10/14/2022	DSRSD	SERVICE TO 9/14/2022	447.85
10/14/2022	DSRSD	SERVICE TO 9/14/2022	6,466.68
10/14/2022	DSRSD	SERVICE TO 9/14/2022	647.89
10/14/2022	DSRSD	SERVICE TO 9/14/2022	145.87
10/14/2022	DSRSD	SERVICE TO 9/14/2022	58.86
10/14/2022	DSRSD	SERVICE TO 9/14/2022	58.86
10/14/2022	DSRSD	SERVICE TO 9/14/2022	373.71
10/14/2022	DSRSD	SERVICE TO 9/14/2022	1,407.14
10/14/2022	DSRSD	SERVICE TO 9/14/2022	8,611.46
10/14/2022	DSRSD	SERVICE TO 9/14/2022	2,257.75
10/14/2022	DSRSD	SERVICE TO 9/14/2022	58.86
10/14/2022	DSRSD	SERVICE TO 9/14/2022	58.86
		Payments Issued 10/14/2022 Total:	**24,190.18**
10/18/2022	ALAMEDA COUNTY ENVIRONMENTAL HEALTH	ANNUAL HEALTH INSPECTION -10/01/22	953.00
10/18/2022	AMY'S ENGRAVED SIGNS & AWARDS	EMPLOYEE NAMEPLATE- EARL	170.63
10/18/2022	BIG O'TIRES #7	POLICE VEHICLE MAINT & TIRE INSTALLATION	35.00
10/18/2022	BIG O'TIRES #7	POLICE VEHICLE MAINT & TIRE INSTALLATION	177.29
10/18/2022	CAL ENGINEERING & GEOLOGY INC	ENGINEERING PLAN REVIEW SERVICES - SEP 2022	3,312.50
10/18/2022	CARBONIC SERVICE	THE WAVE POOL CHEMICALS & MAINTENANCE	312.20
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	105.60
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	72.00
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	52.80
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	105.60
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	115.20
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	57.60
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	110.40
10/18/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	105.60
10/18/2022	COULSON & ASSOCIATES	ENGINEERING SERVICES - JUL 2022	7,030.00
10/18/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	96.68
10/18/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	80.59
10/18/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	512.00
10/18/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	96.68
10/18/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	456.02
10/18/2022	DUBLIN UNITED SOCCER LEAGUE	FIREWORKS BOOTH DEPOSIT REFUND FIRE-2022-00124	200.00
10/18/2022	DUTCHOVER & ASSOCIATES	ENGINEERING PLAN REVIEW SERVICES - AUG 2022	1,092.50
10/18/2022	DUTCHOVER & ASSOCIATES	ENGINEERING PLAN REVIEW SERVICES - SEP 2022	622.50
10/18/2022	EAST BAY POOL SERVICE, INC.	THE WAVE POOL & SLIDE MAINTENANCE	9,778.72
10/18/2022	EAST BAY POOL SERVICE, INC.	THE WAVE POOL & SLIDE MAINTENANCE	10,560.00
10/18/2022	EAST BAY POOL SERVICE, INC.	MURIATIC ACID OUTSIDE CONTRACT DUE TO CO2 SHORTAGE	1,131.00
10/18/2022	EAST BAY POOL SERVICE, INC.	THE WAVE POOL & SLIDE MAINTENANCE	250.00

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/18/2022	EAST BAY POOL SERVICE, INC.	THE WAVE POOL & SLIDE MAINTENANCE	1,872.43
10/18/2022	ENTERPRISE RENT A CAR EAN SERVICES, LLC	VEHICLE RENTAL FOR SPECIAL INVESTIGATIONS	1,833.81
10/18/2022	ENTERPRISE RENT A CAR EAN SERVICES, LLC	VEHICLE RENTAL FOR SPECIAL INVESTIGATIONS	2,340.60
10/18/2022	ENTERPRISE RENT A CAR EAN SERVICES, LLC	VEHICLE RENTAL FOR SPECIAL INVESTIGATIONS	1,942.57
10/18/2022	GEOCON CONSULTANTS, INC.	CAMP PARKS SIGN RENOV HAZMAT EXPLORATORY WORK	2,505.00
10/18/2022	GUIDA SURVEYING INC.	ENGINEERING PLAN REVIEW SERVICES - AUG 2022	1,961.73
10/18/2022	HARRELL HARRIS PHOTOGRAPHY	PHOTOGRAPHY SERVICES	600.00
10/18/2022	INTEGRA PLANNING & LANDSCAPE ARCHITECTURE	ENGINEERING PLAN REVIEW SERVICES - AUG 2022	506.25
10/18/2022	INTEGRA PLANNING & LANDSCAPE ARCHITECTURE	ENGINEERING PLAN REVIEW SERVICES - SEP 2022	337.50
10/18/2022	IPERMIT	PERMIT REFUND - CANCELLED PERMIT #BLDG-2022-01723	480.80
10/18/2022	KEYSER MARSTON ASSOCIATES, INC	BRIDGE HOUSING PRO FORMA REVIEW FOR JASON EARL	350.00
10/18/2022	LANLOGIC INC.	RUCKUS WIRELESS END USER ANNUAL RENEWAL	4,667.70
10/18/2022	LANLOGIC INC.	LANLOGIC UMBRELLA OPEN DNS WEB PROTECTION	1,050.00
10/18/2022	LANLOGIC INC.	INFORMATION SYSTEMS CONSULTING SVCS	11,492.50
10/18/2022	LINCOLN AQUATICS INC	THE WAVE INSTRUCTOR SUPPLIES	118.45
10/18/2022	LINCOLN AQUATICS INC	THE WAVE SUPPLIES	175.56
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	481.75
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	77.25
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	252.31
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	225.77
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	77.25
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	2,990.60
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	8,531.35
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	1,187.82
10/18/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	2,384.38
10/18/2022	METRO SECURITY SERVICES	THE WAVE SECURITY SERVICES	13,136.00
10/18/2022	METRO SECURITY SERVICES	THE WAVE SECURITY SERVICES	11,712.00
10/18/2022	METRO SECURITY SERVICES	THE WAVE SECURITY SERVICES	10,656.00
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF- WEEK ENDING 7/1 - CIVIC CENTER	1,346.67
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF- WEEK ENDING 7/8 - CIVIC CENTER	1,108.80
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 7/15 - SHANNON CENTER	1,386.00
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF- WEEK ENDING 7/22 - SHANNON CENTER	1,390.68
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 7/29 - SHANNON CENTER	1,363.83
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 8/5 - SHANNON CENTER	1,386.00
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 8/12 - SHANNON CENTER	1,004.85
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 8/19 - SHANNON CENTER	552.67
10/18/2022	OFFICE TEAM	TEMP OFFICE STAFF - WEEK ENDING 8/26 - SHANNON CENTER	684.34
10/18/2022	OPENGOV, INC. DEPT. 03790	FINANCE BUDGETING SOFTWARE SVCE SUBSCRIPTIONS	52,472.00
10/18/2022	PAKPOUR CONSULTING GROUP, INC.	ENGINEERING SERVICES - JUL 2022	19,979.00
10/18/2022	PAKPOUR CONSULTING GROUP, INC.	ENGINEERING SERVICES - AUG 2022	15,709.00
10/18/2022	PAKPOUR CONSULTING GROUP, INC.	FIBER NETWORK RESEARCH PROJECT - SEP 2022	700.00
10/18/2022	PAKPOUR CONSULTING GROUP, INC.	FIBER NETWORK RESEARCH PROJECT - JUL 2022	1,074.00
10/18/2022	PAKPOUR CONSULTING GROUP, INC.	FIBER NETWORK RESEARCH PROJECT - AUG 2022	716.00
10/18/2022	PRO CYCLES	POLICE MOTORCYCLE MAINTENANCE	374.63
10/18/2022	PRO CYCLES	POLICE MOTORCYCLE MAINTENANCE	153.21
10/18/2022	PRO CYCLES	POLICE MOTORCYCLE MAINTENANCE	1,043.71
10/18/2022	PRO CYCLES	POLICE MOTORCYCLE MAINTENANCE	374.63
10/18/2022	QUINCY ENGINEERING	ENGINEERING PLAN REVIEW SERVICES - MAY-JUL 2022	237.00
10/18/2022	QUINCY ENGINEERING	ENGINEERING PLAN REVIEW SERVICES - AUG 2022	4,503.00
10/18/2022	RRM DESIGN GROUP, A CA CORP	ENGINEERING SVCS-PLAN REVIEW - JUL 2022	462.50
10/18/2022	RRM DESIGN GROUP, A CA CORP	ENGINEERING SVCS-PLAN REVIEW - AUG 2022	1,321.25
10/18/2022	SCULPTURAL SOLUTIONS INC.	VETERANS ART AT DON BIDDLE COMMUNITY PARK	150,000.00
10/18/2022	SCULPTURAL SOLUTIONS INC.	PAINTING DON BIDDLE BUST AND PARK	4,100.00
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	COPIER CHARGES - JUL 2022	2,317.95
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	COPIER CHARGES - AUG 2022	2,317.95
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	COPIER CHARGES - SEP 2022	2,317.95
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	CITY COPIER & PRINTER MAINTENANCE OVERAGE CHARGES	1,810.57
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	COPIER CHARGES - OCT 2022	2,317.95
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	PRINTER REPLACEMENT SHANNON CENTER	551.25
10/18/2022	SHAMROCK OFFICE SOLUTIONS, LLC	PRINTER REPLACEMENT SHANNON CENTER	551.25
10/18/2022	SHUMS CODA ASSOCIATES INC	PLAN REVIEW SERVICES FOR SEP 2022	405.00
10/18/2022	SIERRA DISPLAY, INC.	CITY-WIDE & MILITARY BANNER PROGRAM	11,198.59
10/18/2022	THE INDEPENDENT	SPLATTER ADVERTISEMENTS	1,300.00
10/18/2022	TIREHUB, LLC.	POLICE VEHICLE MAINTENANCE	2,474.62
10/18/2022	TIREHUB, LLC.	POLICE VEHICLE MAINTENANCE	856.10
10/18/2022	TIREHUB, LLC.	POLICE VEHICLE MAINTENANCE	2,254.92
10/18/2022	T-MOBILE USA, INC.	CELL PHONE SERVICES THROUGH 9/21/22	708.92

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/18/2022	T-MOBILE USA, INC.	CELL PHONE SERVICES THROUGH 8/21/22	708.92
10/18/2022	TOWN OF DANVILLE	PICTURE THIS ART PROJECT PROMOTION	570.00
10/18/2022	UNDERGROUND SERVICE ALERT OF NO. CALIFORNIA &	UNDERGROUND SERVICE ALERT MEMBERSHIP FEE 2022	3,541.70
10/18/2022	WORKFORCE INTEGRITY & TRAINING SOLUTIONS, LLC	COMMUNITY WORKFORCE ADMIN SERVICES - SEP 2022	1,051.12
		Payments Issued 10/18/2022 Total:	**422,238.02**
10/20/2022	BENJAMIN HUGH COOPER	DON BIDDLE GRAND OPENING PERFORMANCE	2,000.00
		Payments Issued 10/20/2022 Total:	**2,000.00**
10/25/2022	4LEAF INC.	BUILDING INSPECTION & PLAN REVIEW SEP 2022	57,712.00
10/25/2022	ACCURACY INTERNATIONAL	TRANSLATION OF: CITY OF DUBLIN NOTICE OF NOMINEES	500.00
10/25/2022	ADVANCED INTEGRATED PEST MANAGEMENT	PEST CONTROL SERVICES - SEP 2022	5,060.00
10/25/2022	ADVANCED MOBILITY GROUP	TRAFFIC SIGNAL SYSTEMS SUPPORT SVCS THRU 8/31/22	2,625.00
10/25/2022	ALLIANT INSURANCE SVCS INC	RENTAL INSURANCE CERTIFICATES JULY-SEPT 2022	14,923.00
10/25/2022	AMADOR VALLEY INDUSTRIES LLC	SOLID WASTE SVCS-CAMP PARKS - SEP 2022	25,486.43
10/25/2022	AMY'S ENGRAVED SIGNS & AWARDS	CHAMBERS NAME TAGS FOR PCS COMMISSION	93.71
10/25/2022	AT&T	PSC 600M INTERNET DATA SERVICES TO 9/18/22	1,754.27
10/25/2022	AT&T - CALNET 3	ASE CIRCUITS SERVICE TO 9/30/22 9391081339	2,517.21
10/25/2022	BARG COFFIN LEWIS & TRAPP, LLP	LEGAL SERVICES - ATTORNEY FEES	55.00
10/25/2022	BAY ISLAND OFFICIAL ASSOC	SPORTS OFFICIATING SERVICES	1,131.00
10/25/2022	BRINKS, INC.	ARMORED CAR SERVICE OCT 2022	282.44
10/25/2022	BSK ASSOCIATES INC.	VETERANS ART SPECIAL INSPECTIONS	855.00
10/25/2022	BSK ASSOCIATES INC.	TESTING/INSP FALLON SPORTS PARK PH3 - AUG 2022	672.00
10/25/2022	BSK ASSOCIATES INC.	TESTING/INSP DON BIDDLE COMMUNITY PARK - SEP 2022	812.25
10/25/2022	BSK ASSOCIATES INC.	CONSTR TESTING DUBLIN BLVD PAVEMENT REHAB AUG 2022	3,483.00
10/25/2022	CHANDLER ASSET MANAGEMENT	INVESTMENT CONSULTING SERVICES SEP 2022	11,704.80
10/25/2022	CHINESE JOURNAL LLC	ELECTION TRANSLATION SERVICES	290.00
10/25/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	100.80
10/25/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	120.00
10/25/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	110.40
10/25/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	105.60
10/25/2022	CHRISTINE PETIT	REC CLASS INSTRUCTOR	48.00
10/25/2022	CODE PUBLISHING, LLC	MUNI CODE UPDATES	384.00
10/25/2022	COMCAST	COMCAST CIVIC CENTER CABLE OCT 2022	118.78
10/25/2022	COMCAST	CIVIC CENTER COMCAST 500M INTERNET AUG 2022	2,300.00
10/25/2022	COMCAST	CIVIC CENTER COMCAST 500M INTERNET SEP 2022	2,300.00
10/25/2022	CONVERGEONE, INC. NW 5806	CISCO SIP ROUTER FOR CIVIC CENTER	8,799.00
10/25/2022	CPRS DISTRICT III	CA PARK & RECREATION SOCIETY MEMBER RENEWAL 22-23	3,671.68
10/25/2022	DAHLIN GROUP INC	DESIGN SERVICES CIVIC CENTER RENOVATION - AUG 2022	1,575.00
10/25/2022	DAVID L. GATES & ASSOCIATES, INC.	ALAMO CREEK FENCE DESIGN SERVICES - AUG 2022	1,000.00
10/25/2022	DEPT OF CONSERVATION DIV OF ADMIN SVCS AC	STRONG MOTION INSTRUMENTATION & SEISMIC HAZARD MAP	5,253.37
10/25/2022	DIV OF THE STATE ARCHITECT	DIVISION OF STATE ARCHITECT CASP JUL-SEP 2022	858.80
10/25/2022	DUBLIN CHAMBER OF COMMERCE	ANNUAL MEMBERSHIP DUES - FY 22-23	1,145.00
10/25/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	1,679.53
10/25/2022	EAST BAY LEADERSHIP COUNCIL	EAST BAY LEADERSHIP COUNCIL MEMBERSHIP 22-23	2,500.00
10/25/2022	EAT REAL FOOD NUTRITION AND WEIGHT LOSS	REC CLASS INSTRUCTOR	60.00
10/25/2022	ECS IMAGING INC.	LASERFICHE RIO ANNUAL MAINTENANCE AND LICENSING	1,750.00
10/25/2022	ENGEO INC	FALLON VILLAGE GHAD PROF SERVICES - SEP 2022	8,634.00
10/25/2022	ENGEO INC	SCHAEFER RANCH GHAD PROF SERVICES - SEP 2022	7,239.14
10/25/2022	ENGEO INC	FALLON CROSSING GHAD PROF SERVICES - SEP 2022	13,060.71
10/25/2022	GEOCON CONSULTANTS, INC.	2021 SLURRY SEAL CONSTRUCTION TESTING - SEP 2022	210.00
10/25/2022	GIS WORKSHOP LLC	ANNUAL FEE FOR SIMPLESIGNS MAINTENANCE	1,560.00
10/25/2022	GOODFELLOW SEQUOIA AJV	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD PROJ	259,027.95
10/25/2022	GOODFELLOW SEQUOIA AJV	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD PROJ	254,239.00
10/25/2022	GRAYBAR ELECTRIC COMPANY, INC.	THE WAVE EV CHARGING STATIONS - JUL 2022	45,120.92
10/25/2022	GROUP 4 ARCHITECTURE, RESEARCH + PLANNING, INC.	WORKSPACE PLANNING STUDY	4,456.00
10/25/2022	INTERNATIONAL CODE COUNCIL INC	ICC CODE BOOK - '18 NDS WOOD PACKAGE	171.99
10/25/2022	INTERWEST CONSULTING GROUP INC	PLAN REVIEW SERVICES SEP 2022	125.00
10/25/2022	JOAN'S FARM & PUMPKIN PATCH, LLC	PRESCHOOL FIELD TRIP TO PUMPKIN PATCH	1,080.00
10/25/2022	JOHNSON CONTROLS SECURITY SOLUTIONS, LLC.	ALARM SERVICES - CIVIC ANNUAL 2022-23	645.00
10/25/2022	KEYSER MARSTON ASSOCIATES, INC	REAL ESTATE CONSULTING SERVICES	13,685.00
10/25/2022	KIMLEY-HORN AND ASSOC. INC.	DEVELOPMENT TRANSPORTATION REVIEW THRU 7/31/22	4,646.86
10/25/2022	KIMLEY-HORN AND ASSOC. INC.	DEVELOPMENT TRANSPORTATION REVIEW THRU 8/31/22	1,222.25
10/25/2022	KITTELSON & ASSOCIATES, INC.	CITYWIDE BIKE/PED MASTER PLAN UPDATE THRU 7/31/22	15,661.25
10/25/2022	KITTELSON & ASSOCIATES, INC.	CITYWIDE BIKE/PED MASTER PLAN UPDATE THRU 8/31/22	4,485.00
10/25/2022	KITTELSON & ASSOCIATES, INC.	ENGINEERING SVCS-LOCAL RD SAFETY PLAN THRU 8/31/22	12,378.00
10/25/2022	LANGUAGE LINE SERVICES	LANGUAGE LINE SERVICES SEP 2022	80.10

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/25/2022	LINCOLN AQUATICS INC	THE WAVE SAFETY SUPPLIES	152.51
10/25/2022	LINCOLN AQUATICS INC	THE WAVE SAFETY SUPPLIES	31.23
10/25/2022	LOGOBOSS	40TH ANNIVERSARY TOWELS	3,289.86
10/25/2022	MARK THOMAS & COMPANY, INC.	IRON HORSE TRAIL CROSSING DESIGN SVCS - AUG 2022	8,506.51
10/25/2022	MCE CORPORATION	MAINTENANCE SERVICES - SEP 2022	664,908.61
10/25/2022	MNS ENGINEERS, INC.	INSP/CONST MGMT-2021 SLURRY SEAL/DUB BL PAVE AUG 2022	6,114.23
10/25/2022	MNS ENGINEERS, INC.	IRON HORSE TRAIL BRIDGE AT DUBLIN BLVD - AUG 2022	74,770.15
10/25/2022	MNS ENGINEERS, INC.	CONSTR MGMT/INSP-EV CHARGING STATIONS - SEP 2022	558.78
10/25/2022	MNS ENGINEERS, INC.	DON BIDDLE COMMUNITY PARK INSPECTIONS - SEP 2022	11,411.49
10/25/2022	NOVANI, LLC.	TRAFFIC ENGINEERING SOFTWARE SUPPORT QUARTERLY	3,000.00
10/25/2022	ONE WORKPLACE L. FERRARI LLC	OFFICE FURNITURE	3,345.42
10/25/2022	PATRICIA BIDDLE	REIMBURSEMENT - DON BIDDLE COMMUNITY PARK	346.01
10/25/2022	PHOENIX GROUP INFO SYS.	PARKING CITATION PROCESSING - AUG 2022	273.45
10/25/2022	PHOENIX GROUP INFO SYS.	PARKING CITATION PROCESSING - JUL 2022	243.30
10/25/2022	PLAN JPA	GENERAL LIABILITY CLAIMS - JUNE 2022	15,637.26
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - PSC OCT 2022	47.79
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - WAVE OCT 2022	55.83
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CIVIC OCT 2022	90.43
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SENIOR CENTER OCT 2022	88.75
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SHANNON OCT 2022	83.33
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CORP YARD OCT 2022	47.17
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SHANNON OCT 2022	68.50
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - WAVE OCT 2022	55.83
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CIVIC OCT 2022	90.43
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - PSC OCT 2022	47.79
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SHANNON OCT 2022	83.33
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - SENIOR CENTER OCT 2022	88.75
10/25/2022	PRUDENTIAL OVERALL SUPPLY	MAT SERVICES - CORP YARD OCT 2022	47.17
10/25/2022	RAYNE OF SAN JOSE	WATER SOFTENER SERVICES - F/S 18 OCT 2022	194.35
10/25/2022	RAYNE OF SAN JOSE	WATER SOFTENER SERVICES - F/S17 OCT 2022	247.00
10/25/2022	RAYNE OF SAN JOSE	WATER SOFTENER SERVICES - F/S16 OCT 2022	225.40
10/25/2022	RON HSI TRI-VALLEY AIKIDO	REC CLASS INSTRUCTOR	333.00
10/25/2022	RON HSI TRI-VALLEY AIKIDO	REC CLASS INSTRUCTOR	24.00
10/25/2022	SIERRA DISPLAY, INC.	CITY-WIDE & MILITARY BANNER PROGRAM	119.62
10/25/2022	SIERRA DISPLAY, INC.	CITY-WIDE & MILITARY BANNER PROGRAM	1,170.00
10/25/2022	SIERRA PACIFIC TOURS	INSIDE DUBLIN BUS TOUR	975.00
10/25/2022	SIMPLER SYSTEMS, INC	IMPLEMENT SIMPLER 2.0	15,000.00
10/25/2022	SIMPLER SYSTEMS, INC	SIMPLER SOFTWARE LICENSING SUPPORT OCT 2022	1,500.00
10/25/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	847.80
10/25/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	1,107.00
10/25/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	885.60
10/25/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	885.60
10/25/2022	SWA GROUP	JORDAN RANCH NEIGHBORHOOD SQ DESIGN - AUG 2022	12,330.43
10/25/2022	THE CITIES GROUP A JOINT POWERS AUTHORITY	WORKERS' COMP/SAFETY COMPLIANCE 7/1/22-12/31/22	1,244.61
10/25/2022	T-MOBILE USA, INC.	PIO CELL PHONE SERVICES THRU 8/20/22	99.41
10/25/2022	TRB AND ASSOCIATES, INC.	PLAN REVIEW & INSPECTION SERVICES SEP 2022	37,460.00
10/25/2022	TRIPEPI SMITH & ASSOCIATES, INC.	DEMOGRAPHY & COMMUNITY OUTREACH SERVICES	25,094.00
10/25/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SERVICES & SUPPLIES FOR SPLATTER 2022	1,294.17
10/25/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SUPPLIES & SVCS - CAMP PARKS - SEP 2022	525.00
10/25/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SERVICES EXTRA - SEP 2022	4,494.42
10/25/2022	TRI-VALLEY JANITORIAL INC.	JANITORIAL SUPPLIES - SEP 2022	4,387.74
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - LIBRARY SEP 2022	2,583.29
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	WINDOW CLEANING SERVICES - LIBRARY SEP 2022	742.63
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	WINDOW CLEANING SERVICES - HERITAGE SEP 2022	901.78
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - CIVIC SEP 2022	600.47
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - SHANNON SEP 2022	1,211.55
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - HERITAGE SEP 2022	591.98
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	WINDOW CLEANING SERVICES - SHANNON SEP 2022	530.45
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	CARPET CLEANING SERVICES - SENIOR CENTER SEP 2022	700.19
10/25/2022	UNIVERSAL BUILDING SERVICES & SUPPLY CO.	WINDOW CLEANING SERVICES - WAVE SEP 2022	1,697.44
10/25/2022	WC3-WEST COAST CODE CONSULTANT	PLAN REVIEW SERVICES SEP 2022	6,240.00
10/25/2022	WEE HOOP, INC.	REC CLASS INSTRUCTOR	594.00
10/25/2022	WEE HOOP, INC.	REC CLASS INSTRUCTOR	270.00
10/25/2022	WESTEK SYSTEMS INC.	AMAG SOFTWARE MAINT & SUPPORT	2,838.26
10/25/2022	WESTEK SYSTEMS INC.	AMAG SOFTWARE MAINT & SUPPORT	600.00
10/25/2022	WESTEK SYSTEMS INC.	AMAG SOFTWARE MAINT & SUPPORT	1,300.00
10/25/2022	WHENTOWORK, INC.	STAFF ONLINE SCHEDULING SUBSCRIPTION	585.00

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/25/2022	WILLDAN HOMELAND SOLUTIONS	ENERGY EFFICIENCY/INFRASTRUCTURE IMPROVEMENTS	1,557,718.80
		Payments Issued 10/25/2022 Total:	**3,295,199.14**
10/27/2022	CAL PERS	PERS RETIREMENT PLAN: PE 10/21/22	85,676.39
10/27/2022	HEALTHEQUITY, INC.	HEALTHEQUITY: PE 10/21/22	4,594.57
10/27/2022	INTERNAL REVENUE SERVICE	FEDERAL WITHHOLDING: PE 10/21/22	73,976.86
		Payments Issued 10/27/2022 Total:	**164,247.82**
10/28/2022	EMPLOYMENT DEVELOPMENT DEPT	CA STATE WITHHOLDING: PE 10/21/22	23,611.60
10/28/2022	I C M A 401 PLAN	DEFERRED COMP 401A: PE 10/21/22	1,724.07
10/28/2022	I C M A 457 PLAN	DEFERRED COMP 457: PE 10/21/22	24,544.94
10/28/2022	US BANK - PARS	PARS: PE 10/21/22	3,348.23
		Payments Issued 10/28/2022 Total:	**53,228.84**
10/31/2022	ACCOPSA -ALAMEDA COUNTY CHIEFS OF POLICE	MEMBERSHIP DUES	700.00
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	1,360.80
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	1,062.60
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	966.00
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	873.60
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	873.60
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	436.80
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	546.00
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	730.80
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	487.20
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	609.00
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	852.60
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	982.80
10/31/2022	AKSHAY ARORA ARORA TENNIS & FITNESS ACADEMY	REC CLASS INSTRUCTOR	1,123.20
10/31/2022	ALAMEDA COUNTY ENVIRONMENTAL HEALTH	ALCO ENVIRON. HEALTH F/S 17	953.00
10/31/2022	ALAMEDA COUNTY ENVIRONMENTAL HEALTH	ALCO ENVIRON. HEALTH F/S 18	953.00
10/31/2022	ALAMEDA COUNTY ENVIRONMENTAL HEALTH	ALCO ENVIRON. HEALTH CORP YARD	1,489.00
10/31/2022	ALEXANDER GONSALVES	MILEAGE REIMBURSEMENT FOR SEPTEMBER	374.40
10/31/2022	ALL CITY MANAGEMENT SVCS INC	SCHOOL CROSSING GUARD SVCS	17,763.46
10/31/2022	AMY L. JONES	REC CLASS INSTRUCTOR	54.00
10/31/2022	ANGEL HOUZE CLAY ART C/O JULIE P. KARTONO	REC CLASS INSTRUCTOR	198.00
10/31/2022	AT&T	SERVICE TO CIVIC FIRE ALARM 10/01/22	48.06
10/31/2022	AT&T	SERVICE TO PSC 10/01/2022	94.44
10/31/2022	AT&T	SERVICE TO WAVE 10/12/2022	92.20
10/31/2022	AT&T	SERVICE TO SHANNON 10/12/2022	205.35
10/31/2022	AT&T	SERVICE TO SR ALARM 10/12/2022	164.43
10/31/2022	AT&T	SERVICE TO CIVIC 10/12/2022	101.66
10/31/2022	AT&T	SERVICE TO LIBRARY 911 10/14/2022	24.29
10/31/2022	AT&T	SERVICE TO CY 10/14/2022	46.90
10/31/2022	AT&T	SERVICE TO CY FAX 10/14/2022	24.29
10/31/2022	AT&T	SERVICE TO PSC FIRE 09/14/2022	48.06
10/31/2022	AT&T	SERVICE TO FSP FAX 09/14/2022	48.06
10/31/2022	AT&T	SERVICE TO FS2-3 09/26/2022	321.89
10/31/2022	AT&T	SERVICE TO PW FAX 09/27/2022	24.98
10/31/2022	AT&T	SERVICE TO SHANNON FAX	24.87
10/31/2022	AT&T	SERVICE TO FS16 09/27/2022	48.06
10/31/2022	AT&T	SERVICE TO CIVIC 9/27/2022	24.87
10/31/2022	AT&T	CLARK AVE 09/27/2022	24.87
10/31/2022	BAY ISLAND OFFICIAL ASSOC	SPORTS OFFICIATING SERVICES	2,296.00
10/31/2022	BAY ISLAND OFFICIAL ASSOC	SPORTS OFFICIATING SERVICES	727.00
10/31/2022	BOUND TREE MEDICAL, LLC.	MEDICAL SUPPLIES	1,652.66
10/31/2022	CALIFORNIA BUILDING STANDARDS COMMISSION	GREEN BUILDING FEES JUL-SEP 2022	1,569.60
10/31/2022	CALLANDER ASSOCIATES INC.	WALLIS RANCH PARK DESIGN SERVICES - AUG 2022	23,137.76
10/31/2022	CASCADIA CONSULTING GROUP, INC	SB 1383 IMPLEMENTATION ASSISTANCE 8/25/22	8,473.75
10/31/2022	DEPARTMENT OF JUSTICE	FINGERPRINTING SERVICES - AUGUST 2022	352.00
10/31/2022	DSRSD	DSRSD - DUBLIN SPORTS GROUNDS SAMPLES	474.00
10/31/2022	DUBLIN CHEVROLET	POLICE VEHICLE MAINT & REPAIRS	246.63
10/31/2022	DUTCHOVER & ASSOCIATES	LANDSCAPE PLAN CHECK & INSPECTIONS	431.25
10/31/2022	EAT REAL FOOD NUTRITION AND WEIGHT LOSS	WEIGHT LOSS INSTRUCTION	60.00
10/31/2022	EKATERINA BAZLAKOVA	UTILITY BOX ART 2022	1,000.00
10/31/2022	EVERYTHING GROWS INTERIOR LANDSCAPING	INTERIOR PLANT CARE & MAINT. - OCT 2022	204.51
10/31/2022	EVERYTHING GROWS INTERIOR LANDSCAPING	INTERIOR PLANT CARE & MAINT. - SEP 2022	204.51
10/31/2022	FEDEX	SHIPPING	91.29

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/31/2022	FEDEX	SHIPPING	16.56
10/31/2022	GIDEON CHWINKE MEKWUNYE	PERFORMANCE AT SPLATTER	1,000.00
10/31/2022	GRAFIX SHOPPE	POLICE VEHICLE GRAPHIC PRINTING	496.00
10/31/2022	HAZEL WETHERFORD	ICMA ANNUAL CONFERENCE 2022 TRAVEL CLAIM	5.83
10/31/2022	HDL COREN & CONE	PROPERTY TAX CONSULTING SVCS OCT-DEC 2022	1,895.57
10/31/2022	HDL COREN & CONE	PROPERTY TAX CONSULTING SVCS JUL-SEP 2022	1,895.57
10/31/2022	HERC RENTALS INC.	CITY EVENT SPLATTER ELECTRICAL RENTAL	6,626.91
10/31/2022	HERC RENTALS INC.	CITY EVENT SPLATTER ELECTRICAL RENTAL	2,137.79
10/31/2022	HERC RENTALS INC.	CITY EVENT SPLATTER ELECTRICAL RENTAL	3,350.45
10/31/2022	HF&H CONSULTANTS, LLC	SOLID WASTE FRANCHISE AGREEMENT AMENDMENT 7/31/22	601.25
10/31/2022	IRON MOUNTAIN	POLICE RECORDS STORAGE	372.67
10/31/2022	JAYDEN OLINGHOUSE-CHIANG	MILEAGE REIMBURSEMENT FOR SEPTEMBER	50.31
10/31/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	1,566.00
10/31/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	1,348.80
10/31/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	1,566.00
10/31/2022	KIDZ LOVE SOCCER	REC CLASS INSTRUCTOR	609.00
10/31/2022	KIMLEY-HORN AND ASSOC. INC.	HOUSING ELEMENT UPDATE CONSULTING SERVICES	15,846.90
10/31/2022	KITTELSON & ASSOCIATES, INC.	TRAFFIC ANAYLYSIS HACIENDA CROSSINGS 7/31/22	6,898.75
10/31/2022	KITTELSON & ASSOCIATES, INC.	TRAFFIC ANAYLYSIS HACIENDA CROSSINGS 7/31/22	11,231.00
10/31/2022	KITTELSON & ASSOCIATES, INC.	TRAFFIC ANAYLYSIS HACIENDA CROSSINGS 8/31/22	3,882.50
10/31/2022	KRISTINA M APPLEBY	ENTERTAINMENT AT HARVEST FAIR	1,350.00
10/31/2022	KYLE JAVORSKY	MILEAGE REIMBURSEMENT FOR SEPTEMBER	29.54
10/31/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	235.00
10/31/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	1,733.66
10/31/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	243.02
10/31/2022	LIVERMORE AUTO GROUP	POLICE VEHICLE MAINT & REPAIRS	147.61
10/31/2022	MAKE ME A PRO SPORTS	REC CLASS INSTRUCTOR	729.00
10/31/2022	MAKE ME A PRO SPORTS	REC CLASS INSTRUCTOR	1,134.00
10/31/2022	MAKE ME A PRO SPORTS	REC CLASS INSTRUCTOR	1,377.00
10/31/2022	MALACHI LARRY DIAZ	2022 UTILITY BOX ART	1,000.00
10/31/2022	MELISSA HERNANDEZ	TRAVEL EXPENSE REPORT - CNSP HERNANDEZ	1,468.26
10/31/2022	METRO SECURITY SERVICES	SPECIAL EVENT SPLATTER SECURITY SERVICES	2,016.00
10/31/2022	MEYERS NAVE	LEGAL SERVICES COST ONLY INVOICE	8,562.50
10/31/2022	MICHAEL CASS	DELIVER HOUSING ELEMENT NOI TO RECORDERS OFFICE	32.69
10/31/2022	MIDPOINT INTERNATIONAL	PUBLIC LITTER RECEPTACLES	43,871.50
10/31/2022	NICHOLS CONSULTING ENGINEERS	DESIGN SVCS-IRON HORSE NATURE PARK - SEP 2022	43,543.75
10/31/2022	NICOLE WANZENRIED	MILEAGE REIMBURSEMENT FOR SEPTEMBER	88.22
10/31/2022	OLIVER CASTILLO	REIMBURSE TRAFFIC SIGNAL DESIGN CONF EXPENSES	596.53
10/31/2022	PG&E	SERVICE TO B1 IRRIG 2979 THREE CASTLES WAY 08/28/2022	11.12
10/31/2022	PG&E	SERVICE TO B1 IRRIG 2979 THREE CASTLES WAY 09/27/2022	24.72
10/31/2022	PG&E	SERVICE TO CIVIC CENTER 09/30/2022	7,333.82
10/31/2022	PG&E	SERVICE TO CORP YARD 09/29/2022	1,576.64
10/31/2022	PG&E	SERVICE TO DB SL 09/15/2022	16,026.67
10/31/2022	PG&E	SERVICE TO SHANNON CENTER 09/29/2022	102.61
10/31/2022	PG&E	SERVICE TO FSP 10/05/2022	8,533.47
10/31/2022	PG&E	SERVICE TO POSITANO IRRIG 09/29/2022	128.62
10/31/2022	PG&E	SERVICE TO VARIOUS IRRIG 09/08/2022	300.62
10/31/2022	PG&E	SERVICE TO GLEASON IRRIG 09/25/2022	14.12
10/31/2022	PG&E	SERVICE TO GRAFTON IRRIG 09/25/2022	14.16
10/31/2022	PG&E	SERVICE TO GLEASON IRRIG 09/25/2022	10.82
10/31/2022	PG&E	SERVICE TO B1 6280 FALLON 09/25/2022	10.48
10/31/2022	PG&E	SERVICE TO B1 ART LIGHTING AVB 09/25/2022	25.56
10/31/2022	PG&E	SERVICE TO PSC 09/14/2022	2,057.55
10/31/2022	PG&E	SERVICE TO FS17 10/06/2022	158.02
10/31/2022	PG&E	SERVICE TO FALLON TC 09/26/2022	72.30
10/31/2022	PG&E	SERVICE TO 6544 M FALLON 09/26/2022	78.90
10/31/2022	PG&E	SERVICE TO 6795 DOUGHERTY 10/03/2022	173.06
10/31/2022	PG&E	SERVICE TO POSITANO TC 09/30/2022	317.20
10/31/2022	PG&E	SERVICE TO DB TC 10/05/2022	73.06
10/31/2022	PG&E	SERVICE TO AVB SL 09/30/2022	1,242.88
10/31/2022	PG&E	SERVICE TO SL 09/07/2022	1,796.48
10/31/2022	PG&E	SERVICE TO WAVE 10/05/2022	37,451.83
10/31/2022	PG&E	SERVICE TO HCP 09/28/2022	1,708.07
10/31/2022	PG&E	SERVICE TO FS16 8/30/2022	186.43
10/31/2022	PG&E	SERVICE TO FS16 09/12/2022	683.53
10/31/2022	PG&E	SERVICE TO LIBRARY 09/29/2022	2,872.86
10/31/2022	PG&E	SERVICE TO HPM 09/28/2022	651.03

City of Dublin
Payment Issuance Report
Payments Dated 10/1/2022 through 10/31/2022

Date Issued	Payee	Description	Amount
10/31/2022	PHOENIX GROUP INFO SYS.	PARKING CITATION COLLECTION SERVICES	268.95
10/31/2022	PLEASANTON EVENT RENTALS INC	LINEN CLEANING FOR RENTAL PROGRAM	1,213.15
10/31/2022	PRO CYCLES	POLICE MOTORCYCLE MAINTENANCE	813.13
10/31/2022	QUADIENT FINANCE USA, INC.	POSTAGE MACHINE SUPPLIES	566.58
10/31/2022	ROBERT ANDREW CORDER, SR.	2022 UTILITY BOX ART	1,000.00
10/31/2022	ROBERT FERGUSON ROB'S SKATE ACADEMY	REC CLASS INSTRUCTOR	414.00
10/31/2022	SELECT IMAGING	NAME TAG FOR HCAC COMMISSIONER	19.35
10/31/2022	SELECT IMAGING	NAME TAGS FOR HUMAN SERVICES COMMISSION	116.09
10/31/2022	SPECIAL EVENTS	DON BIDDLE PARK OPENING	1,834.45
10/31/2022	SPECIAL EVENTS	EQUIPMENT RENTAL FOR SPLATTER	19,876.60
10/31/2022	SPECIAL EVENTS	EQUIPMENT RENTAL FOR RUBY GALA	10,582.32
10/31/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	675.00
10/31/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	1,500.00
10/31/2022	SQUAD ESTATES SKYHAWKS TRI VALLEY EAST BAY	REC CLASS INSTRUCTOR	2,400.00
10/31/2022	ST. RAYMOND CATHOLIC CHURCH BOY SCOUT TROOP	SPLATTER EVENT CLEAN-UP SERVICES	1,400.00
10/31/2022	SUAREZ & MUNOZ CONSTRUCTION	FALLON SPORTS PARK-PH 3 CONSTRUCTION	262,450.97
10/31/2022	TPX COMMUNICATIONS	INTERNET & PHONE SERVICES TO 10/8/22	3,669.75
10/31/2022	TREASURER ALAMEDA COUNTY	PARKING CITATIONS COLLECTED JUL 2022	1,018.00
10/31/2022	TREASURER ALAMEDA COUNTY	PARKING CITATIONS COLLECTED AUG 2022	1,314.00
10/31/2022	TREASURER ALAMEDA COUNTY	PARKING CITATIONS COLLECTED SEP 2022	1,388.00
10/31/2022	TREASURER ALAMEDA COUNTY GENERAL SERVICES	FUEL - AUG 2022	22,918.24
10/31/2022	TREASURER ALAMEDA COUNTY PW AGENCY-FISCAL	TRAFFIC SIGNAL/ STREET LIGHT MAINTENANCE JULY22	30,117.70
10/31/2022	TYLER GENE ROOFFENER	HARVEST FAIR ENTERTAINMENT	300.00
10/31/2022	TYLER TECHNOLOGIES, INC.	TYLER MUNIS ERP SOFTWARE IMPLEMENTATION	2,100.00
10/31/2022	VALFORMS/A4 PROMOTIONS	BUSINESS CARDS-SHREEVE	57.32
10/31/2022	WEE HOOP, INC.	REC CLASS INSTRUCTOR	324.00
10/31/2022	WEE HOOP, INC.	REC CLASS INSTRUCTOR	432.00
10/31/2022	WEE HOOP, INC.	REC CLASS INSTRUCTOR	270.00
10/31/2022	WILLDAN HOMELAND SOLUTIONS	ENERGY EFFICIENCY/INFRASTRUCTURE IMPROVEMENTS	1,310,735.90
10/31/2022	WOOD RODGERS, INC.	HYDRAULIC ANALYSIS-DUBLIN BLVD EXTENSION 5/31/2022	190.00
10/31/2022	YAMAHA GOLF CARTS OF CALIF INC	CITY EVENT SPLATTER GOLF CART RENTAL	3,536.82
10/31/2022	ZARIAN PETITHOMME	MILEAGE REIMBURSEMENT FOR SEPTEMBER	301.74
		Payments Issued 10/31/2022 Total:	**2,012,674.93**

Grand Total for Payments Dated 10/1/2022 through 10/31/2022: **7,745,223.20**

Total Number of Payments Issued: 311

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022
Prepared by: Chris Rhoades, Financial Analyst

EXECUTIVE SUMMARY:

The City Council will receive an informational report of the City's investments through the quarter ending September 30, 2022 including a monthly transaction ledger. The City's investment portfolio for this period totaled $363,439,614 (market value) with an average market yield of 3.66%. As required by the Policy, the City Treasurer (Administrative Services Director) affirms that the City is able to meet its expenditure requirements for the next six months.

STAFF RECOMMENDATION:

Receive the City Treasurer's Informational Report of Investments for the Quarter Ending September 30, 2022.

FINANCIAL IMPACT:

There is no financial impact resulting from this report. Investments are made in accordance with the City Investment Policy and State Law. Interest earned is apportioned between funds (i.e., General Fund, Gas Tax Fund, etc.) based upon their proportionate share of the total cash balance. Based on the financial needs of the City including the timing of revenues and expenditures, the quarterly cash balance can vary from quarter to quarter.

DESCRIPTION:

The total investment portfolio (market value) consists of $234,031,649 managed by Chandler Asset Management (Chandler), and $129,407,965 invested by the City in local government pools, the Local Agency Investment Fund (LAIF) and the California Asset Management Program (CAMP). The average market yield of the Chandler portfolio and the local pools was 4.47% and 2.21% respectively.

The total investment portfolio balance fluctuates throughout the year due to normal cash flow needs and includes both discretionary and restricted funds.

Economic Update Highlights

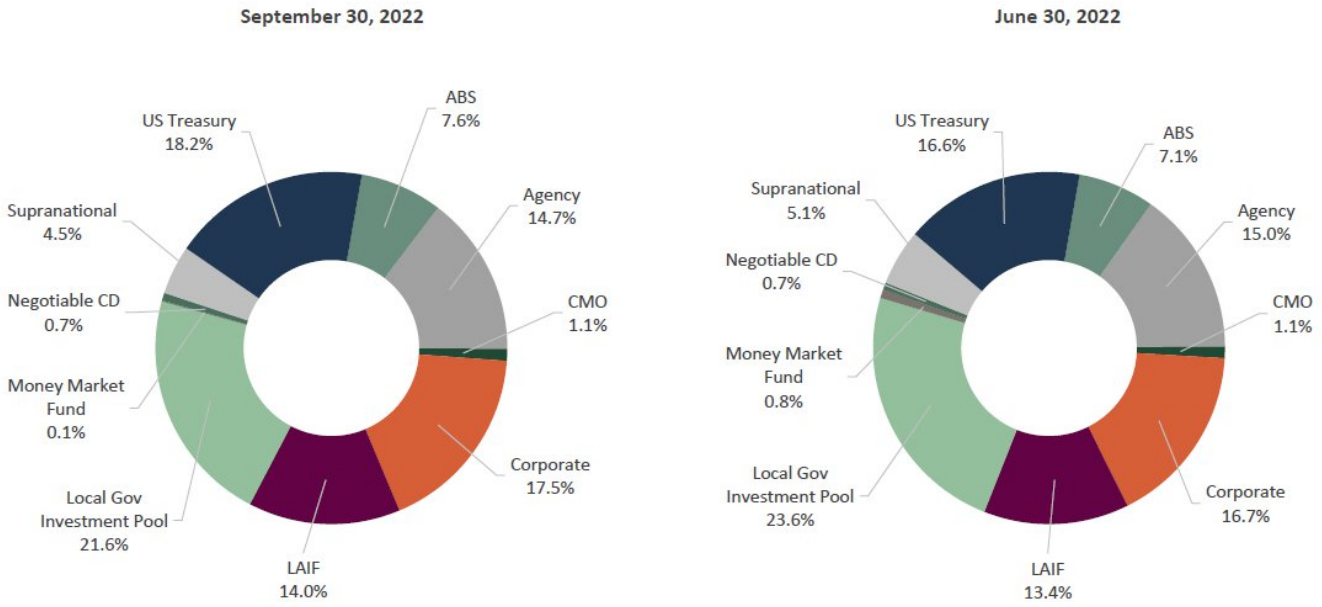
The following are some highlights from the Economic Update included in the Investment Report prepared by Chandler (Attachment 1).

Market volatility has intensified as financial conditions tighten and global central banks pursue monetary policies to combat persistently high inflation and maintain financial market stability. Labor markets and consumer balance sheets remain strong; however, inflation is weighing heavily on consumer sentiment and beginning to impact discretionary spending. Corporate earnings have generally performed better than expected, but warnings are growing along with wider credit spreads. While evidence of slower economic conditions has begun to mount, Chandler expects the Federal Reserve to continue to raise rates until a sustainable improvement in inflationary conditions has been achieved.

City of Dublin Portfolio

The City's aggregate portfolio has maintained a healthy balance of investment types with minimal change from the prior quarter as shown below in Chart 1.

Chart 1: Investments by Type
September 30, 2022 and June 30, 2022



The market value of the City's portfolio decreased by $14,869,240 from the June 30, 2022 quarter. The quarterly change results from the normal fluctuations in the timing of incoming revenue, predominantly property tax allocations and sales tax revenue; and expenditures on capital projects as well as payments to Alameda County for police and fire services. The City's portfolio increased $35.3 million from the same quarter the prior year due to the excess of revenues over

expenditures trending on an annual basis (see Table 1 below). Overall market yield to maturity (YTM) has increased to 3.66% over the prior quarter's 2.48% (shown in Table 2). For detailed monthly transactions, see Attachment 2.

Table 1: Portfolio Values and YTM

Holdings	September 30, 2021 Market Value	June 30, 2022 Market Value	September 30, 2022 Par Value	Book Value	Market Value	% of Subtotal	% of Total Portfolio	Book Yield	Market Yield
Managed by City									
LAIF	50,364,764	50,464,181	50,558,661	50,558,661	50,558,661	39.1%	13.4%	1.60%	1.60%
CAMP	43,129,270	89,240,308	78,684,623	78,684,623	78,684,623	60.9%	20.8%	2.61%	2.61%
SUBTOTAL	93,494,034	139,704,489	129,243,283	129,243,283	129,243,283	100.00%	34.20%	2.21%	2.21%
Accrued Interest	27,810	86,800			164,681				
	93,521,844	139,791,289			129,407,964				
Managed by Chandler									
ABS	13,665,558	26,693,153	28,778,391	28,775,854	27,760,436	11.9%	7.6%	1.62%	4.73%
Agency	65,306,279	56,641,842	55,820,000	56,021,008	53,062,995	22.8%	14.8%	1.56%	4.30%
CMO	2,138,464	3,966,300	4,000,000	4,167,896	3,839,610	1.6%	1.1%	1.35%	4.58%
Money Market	809,873	3,039,481	286,323	286,323	286,323	0.1%	0.1%	2.45%	2.45%
Negotiable CD	2,500,588	2,486,275	2,500,000	2,500,005	2,497,243	1.1%	0.7%	0.25%	3.09%
Supranational	22,656,506	19,403,787	18,240,000	18,214,595	16,428,894	7.0%	4.8%	0.67%	4.34%
Corporate	57,831,563	62,892,216	67,775,000	68,097,532	63,373,439	27.2%	17.9%	2.06%	4.85%
US Treasury	68,951,352	62,468,441	71,250,000	70,819,660	65,877,816	28.3%	18.9%	1.75%	4.20%
SUBTOTAL	233,860,181	237,591,496	248,649,714	248,882,873	233,126,756	100.00%	65.80%	1.68%	4.47%
Accrued Interest	746,077	926,068			904,893				
	234,606,258	238,517,564			234,031,649				
TOTAL PORTFOLIO	328,128,102	378,308,853	377,892,997	378,126,157	363,439,614		100.00%		3.66%
				Change from Prior Year	35,311,511				
				Change from Prior Quarter	(14,869,240)				

Table 2: Quarterly Holdings (Market Value) by Type, and YTM, 5 Quarters

Holdings (Market Value)	9/30/21	12/31/21	3/31/22	6/30/22	9/30/22
LAIF/CAMP	93,494,034	149,433,475	130,086,317	139,704,489	129,243,283
ABS	13,665,558	14,715,444	22,814,841	26,693,153	27,760,436
Agency	65,306,279	64,567,126	57,293,846	56,641,842	53,062,995
CMO	2,138,464	2,102,544	4,052,552	3,966,300	3,839,610
Money Market	809,873	287,150	632,736	3,039,481	286,323
Negotiable CD	2,500,588	4,996,560	4,978,673	2,486,275	2,497,243
Supranational	22,656,506	22,424,573	19,609,525	19,403,787	16,428,894
Corporate	57,831,563	56,130,717	66,644,264	62,892,216	63,373,439
US Treasury	68,951,352	66,952,848	63,976,891	62,468,441	65,877,816
Accrued Interest	*773,887*	*912,441*	*816,458*	*1,012,868*	*1,069,574*
TOTAL	328,128,102	382,522,878	370,906,101	378,308,853	363,439,614
YIELD TO MATURITY	0.44%	0.60%	1.62%	2.48%	3.66%

Funds Managed by the City

The City participates in two local agency investment pools managed by government finance professionals and treasurers: the Local Agency Investment Fund (LAIF) and the California Asset Management Program (CAMP). The table below presents the most recent quarterly portfolio

yields.

Table 3: Quarterly Portfolio Yields, Recent 8 Quarters

Market Yield	LAIF	CAMP	Chandler
9/30/20	0.66%	0.25%	0.30%
12/31/20	0.52%	0.12%	0.27%
3/31/21	0.35%	0.07%	0.46%
6/30/21	0.25%	0.05%	0.49%
9/30/21	0.21%	0.05%	0.56%
12/31/21	0.22%	0.05%	0.91%
3/31/22	0.42%	0.07%	2.38%
6/30/22	0.94%	1.40%	3.20%
9/30/22	1.60%	2.61%	4.47%

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) City of Dublin Investment Report for Period Ending September 30, 2022
2) Transaction Ledger – July through September 2022

CHANDLER ASSET MANAGEMENT

City of Dublin

Period Ending September 30, 2022

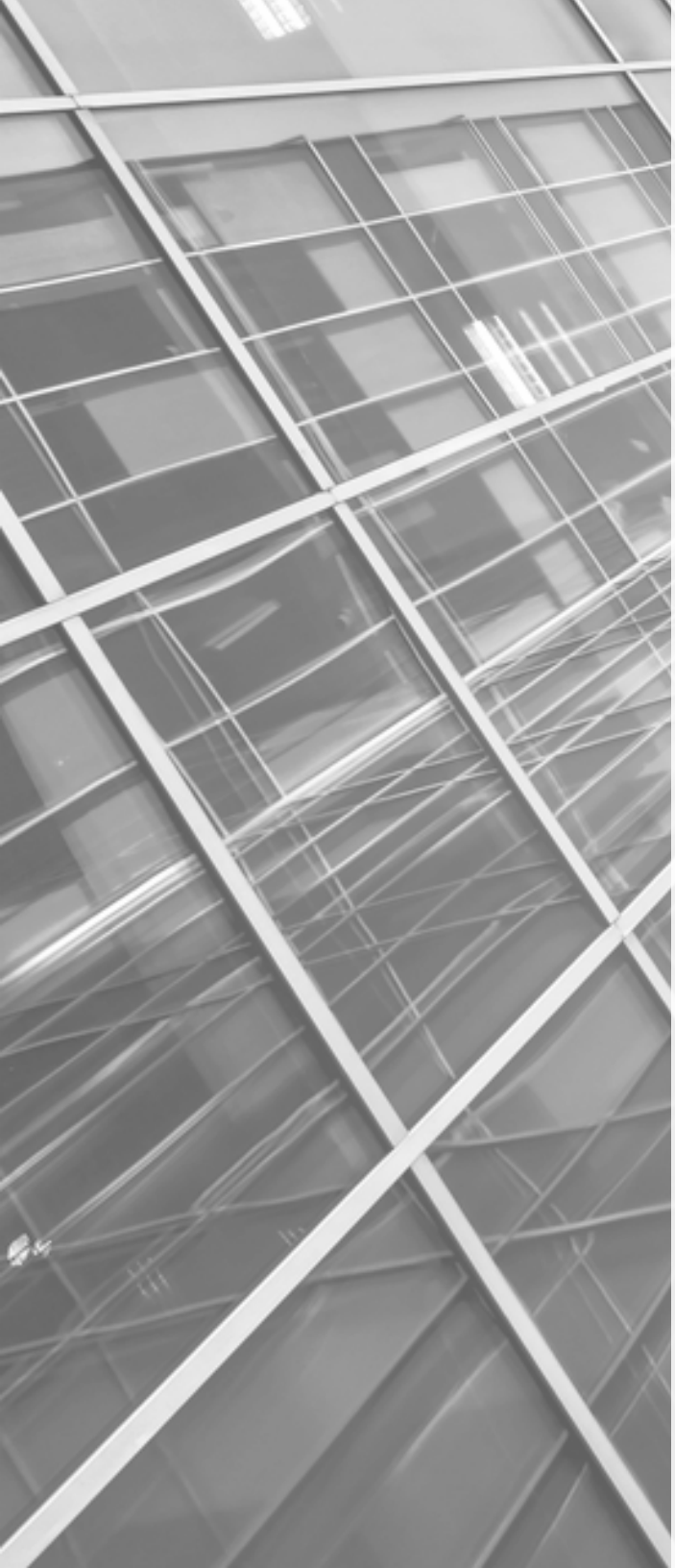
CHANDLER ASSET MANAGEMENT, INC. | 800.317.4747 | www.chandlerasset.com



Table of Contents

As of September 30, 2022

SECTION 1	**Economic Update**
SECTION 2	**Account Profile**
SECTION 3	**Consolidated Information**
SECTION 4	**Portfolio Holdings**
SECTION 5	**Transactions**



Section 1 | Economic Update

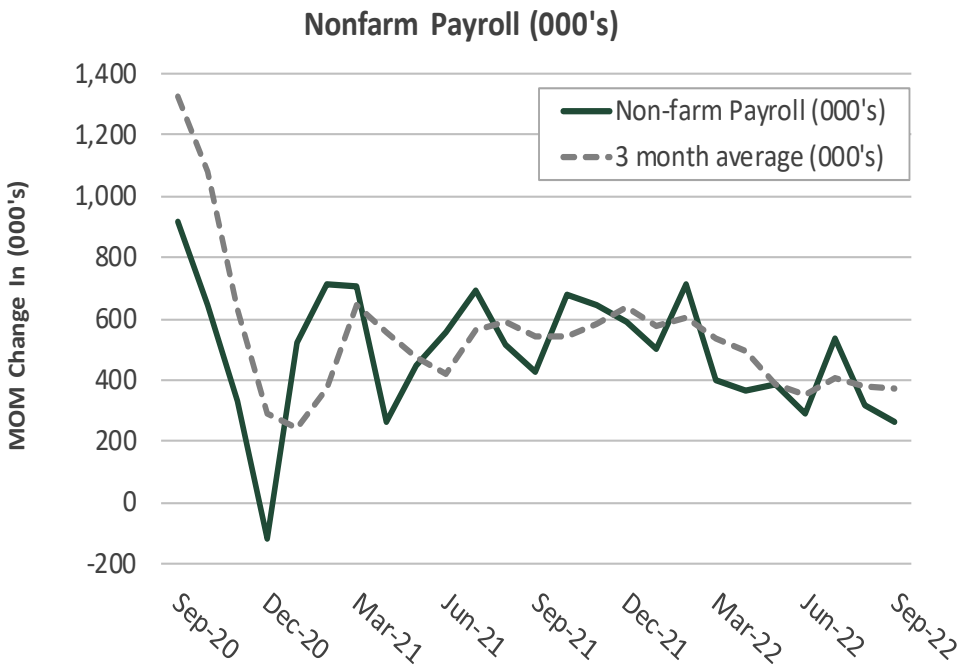
Economic Update

- Market volatility has intensified as financial conditions tighten and global central banks pursue monetary policies to combat persistently high inflation and maintain financial market stability. Labor markets and consumer balance sheets remain strong; however, inflation is weighing heavily on consumer sentiment and beginning to impact discretionary spending. Corporate earnings have generally performed better than expected, but warnings are growing along with wider credit spreads. While evidence of slower economic conditions has begun to mount, we expect the Federal Reserve to continue to raise rates until a sustainable improvement in inflationary conditions has been achieved. Over the near-term, we expect financial market volatility to remain intensified and conditions tighter with persistent inflation, geopolitical risk, and the Fed's hawkish monetary policy.

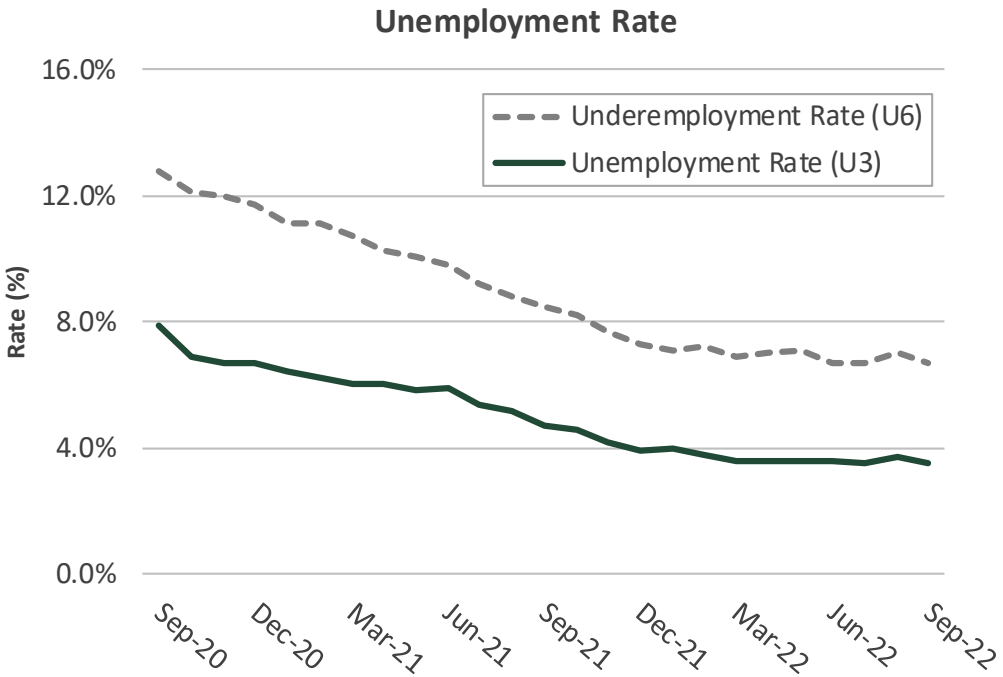
- At the September meeting, the Federal Open Market Committee (FOMC) delivered the third 75-basis point increase to the Fed Funds Rate, increasing the range to 3.00% to 3.25%. The FOMC acknowledged spending and production are experiencing modest growth, offset by a robust labor market and elevated inflation metrics. We expect the Fed to continue to increase the federal funds rate in the near term until inflationary pressures weaken.

- In September, yields rose significantly across the curve. The 2-year Treasury yield increased 79 basis points to 4.28%, the 5-year Treasury yield rose 74 basis points to 4.09%, and the 10-year Treasury yield gained 64 basis points to 3.83%. The spread between the 2-year Treasury yield and 10-year Treasury yield became more inverted at -45 basis points at September month-end versus -30 basis points at August month-end. The spread was a positive 121 basis points one year ago. The spread between 3-month and 10-year treasuries widened to 56 basis points in September compared to just 27 basis points in August. The shape of the curve does not necessarily indicate an imminent recession but bears watching as a better predictor of recession over the medium-term.

Employment



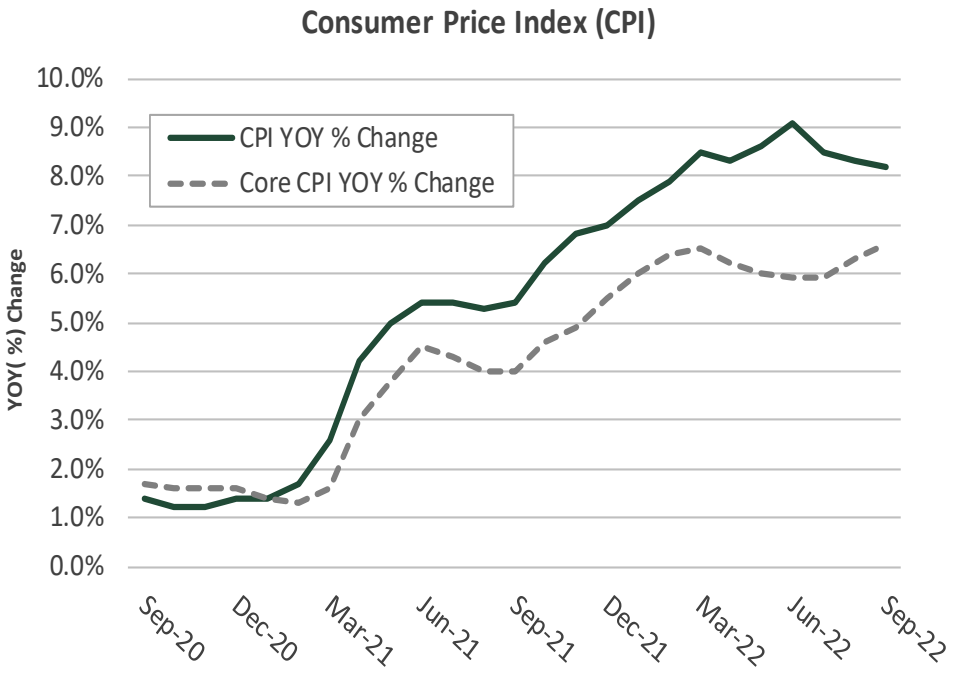
Source: US Department of Labor



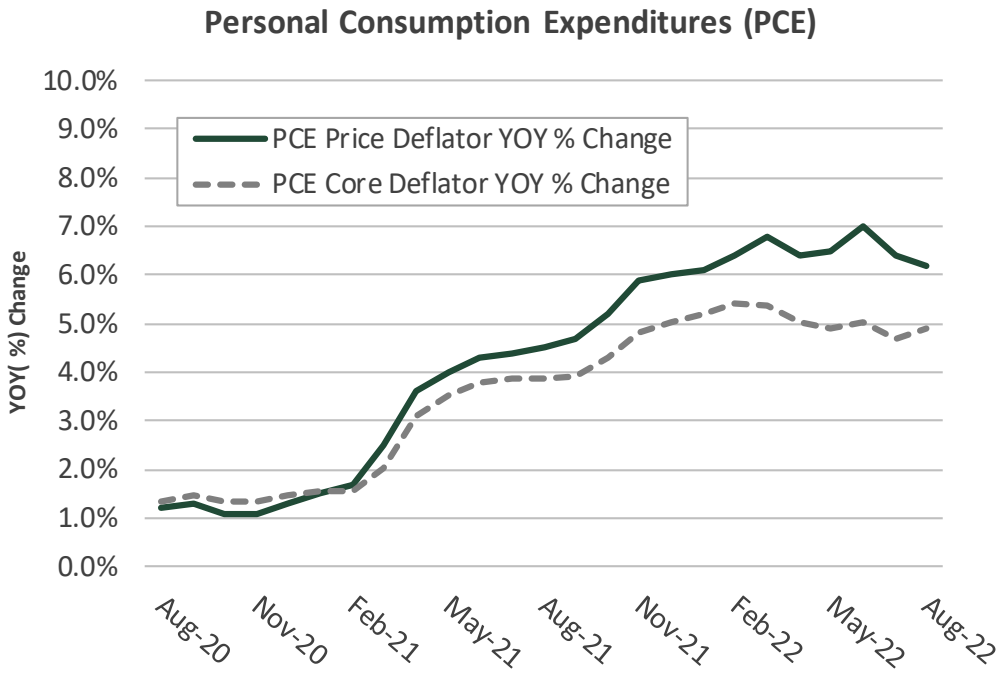
Source: US Department of Labor

The U.S. economy added 263,000 jobs in September, surpassing market expectations of 255,000, and gains were revised upward by 11,000 for the prior two months. Trends in employment remain strong, with the three-month moving average payrolls at 372,000 and the six-month moving average at 360,000. Hiring was widespread, with solid increases in education and health services, leisure and hospitality, and professional and business services. The unemployment rate fell to 3.5% from 3.7%, as the labor participation rate edged down to 62.3% in September from 62.4% in August. The U-6 underemployment rate, which includes those who are marginally attached to the labor force and employed part time for economic reasons dropped to 6.7% from 7.0% last month. Average hourly earnings rose 5.0% year-over-year in September compared to 5.2% year-over-year in August, a constructive development for the inflation outlook. The strong September labor report bolsters the case for the Fed to continue raising the federal funds rate.

Inflation



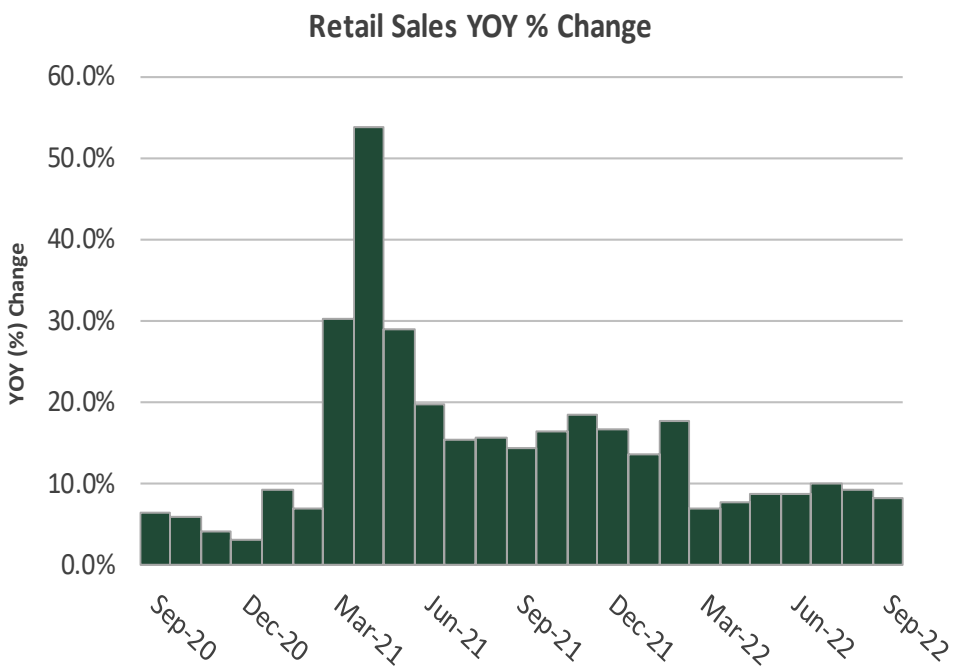
Source: US Department of Labor



Source: US Department of Commerce

The Consumer Price Index (CPI) increased more than expected in September, up 8.2% year-over-year versus consensus expectations for 8.1%, but down slightly from 8.3% in August. The Core CPI, which excludes volatile food and energy components, jumped to 6.6% year-over-year, up from 6.3% in August and the highest level since 1982. The report included widespread increases, particularly in food, shelter, and medical care services. Owners' equivalent rent, which is a major contributor to CPI and tends to lag, was up 6.7% year-over-year. The Personal Consumption Expenditures (PCE) index rose 6.2% in August, higher than consensus estimates of up 6.0%, but down from a 6.4% increase last month. Core PCE was up 4.9% year-over-year in August, versus up 4.7% year-over-year in July. Persistently elevated inflation is likely to keep the Federal Reserve on the path of tightening monetary policy as long as it continues to run well above the Fed's longer-run target of around 2.0%.

Consumer



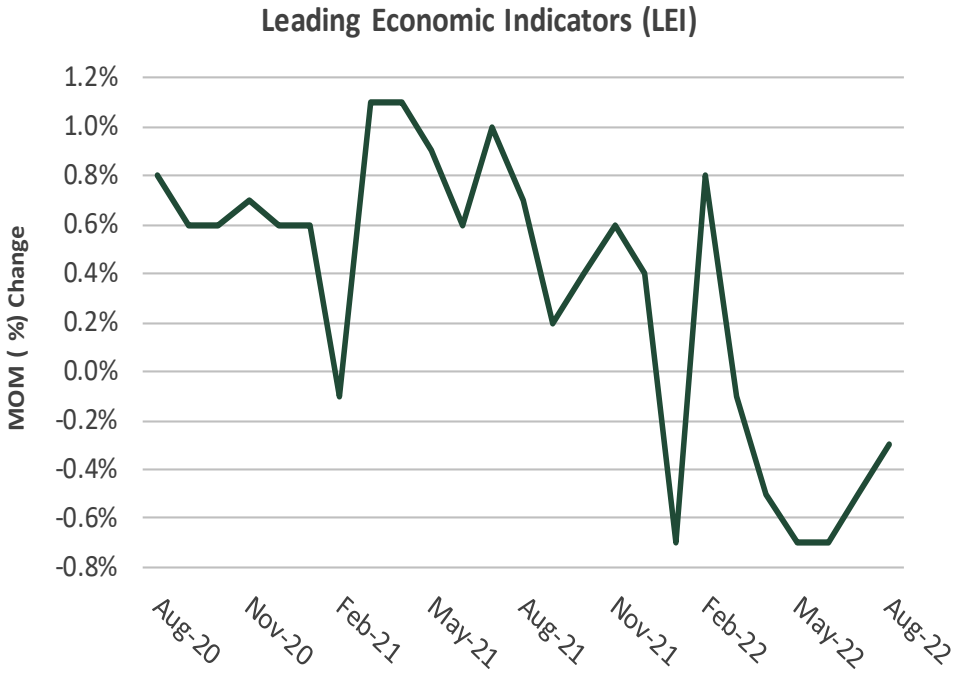
Source: US Department of Commerce



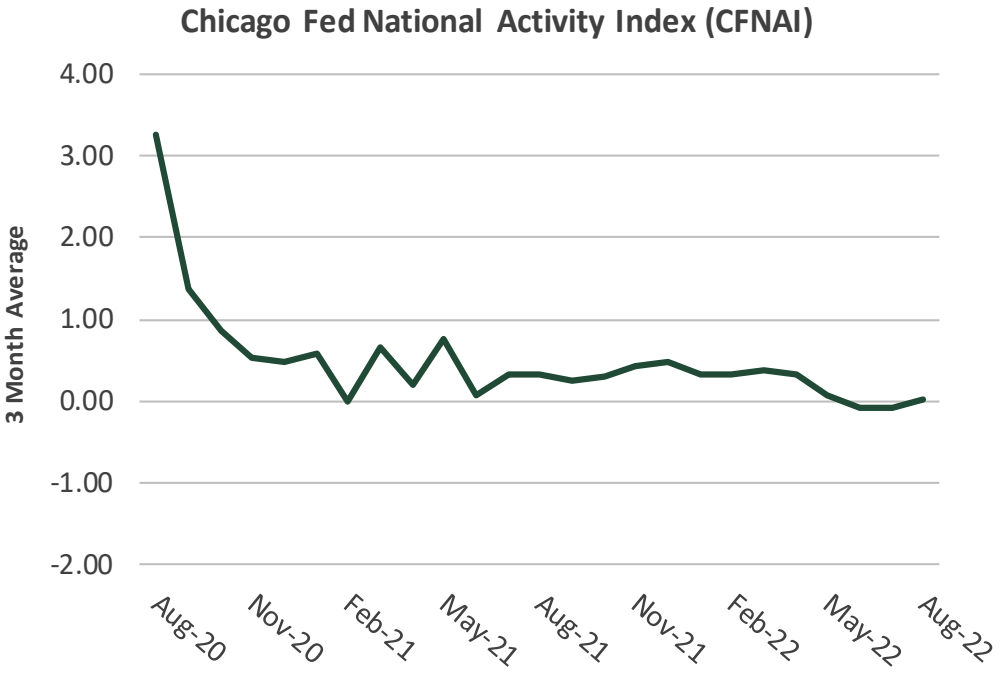
Source: The Conference Board

Advance retail sales were flat for the month but up 8.2% year-over-year in September, slowing from August's 9.4% year-over-year gain that surprised to the upside. Retail sales growth is starting to reflect the headwinds from higher prices as consumers dip into savings and assume more debt. The Conference Board's Consumer Confidence Index rose for the second month in a row to 108.0 in September, with gains in both the present situation and future expectations components. The strength was tied directly to the consumer's assessment of the labor market, which continues to reflect the demand for labor outstripping supply.

Economic Activity



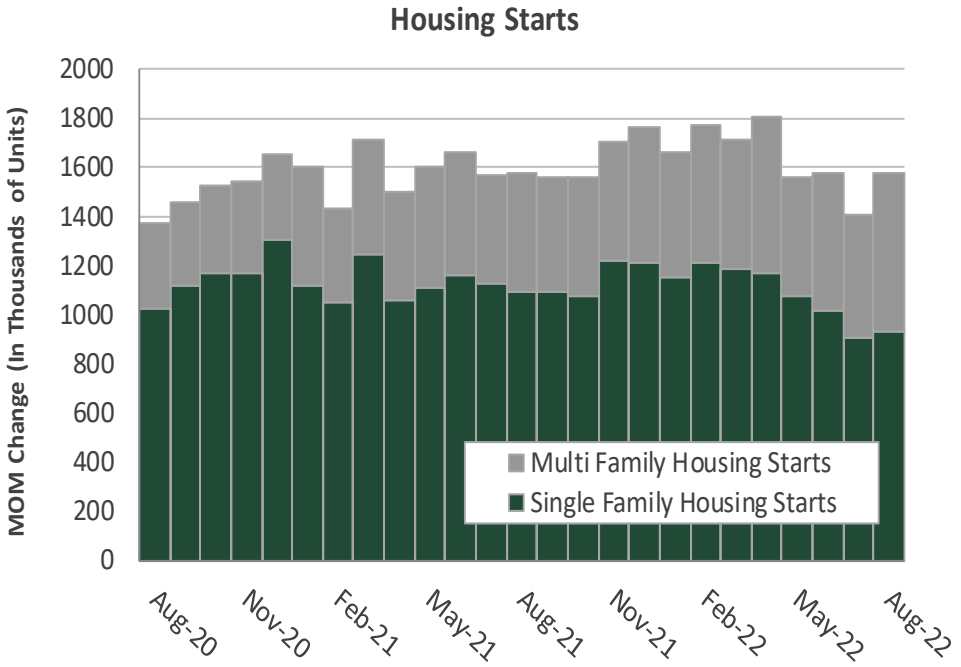
Source: The Conference Board



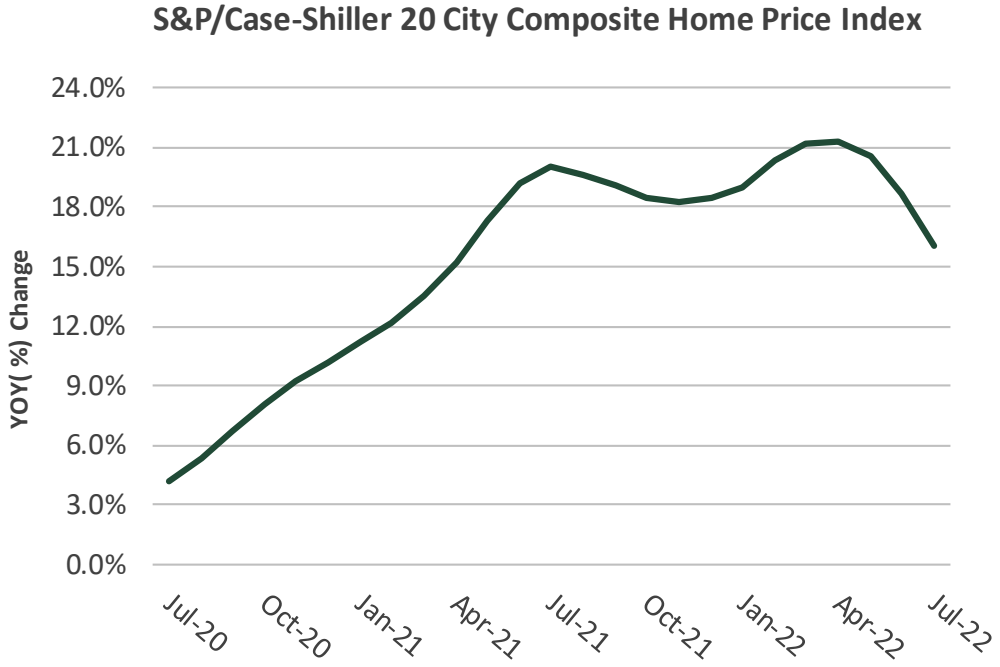
Source: Federal Reserve Bank of Chicago

The Conference Board's Leading Economic Index (LEI) remained in negative territory at -0.3% in August, following a decline to -0.5% in July. This is the sixth straight month-over-month decline for the index. With the year-over-year index now at -1.0% in August and average workweek in manufacturing having contracted for four of the last six months, the Conference Board stated that US economic activity is expected to continue to slow more broadly and is likely to contract. The Chicago Fed National Activity Index (CFNAI) fell to zero in August from +0.29 in July indicating a moderation in economic growth over the month. On a 3-month moving average basis, the CFNAI increased to 0.01 in August from -.08 in each of the last two months.

Housing



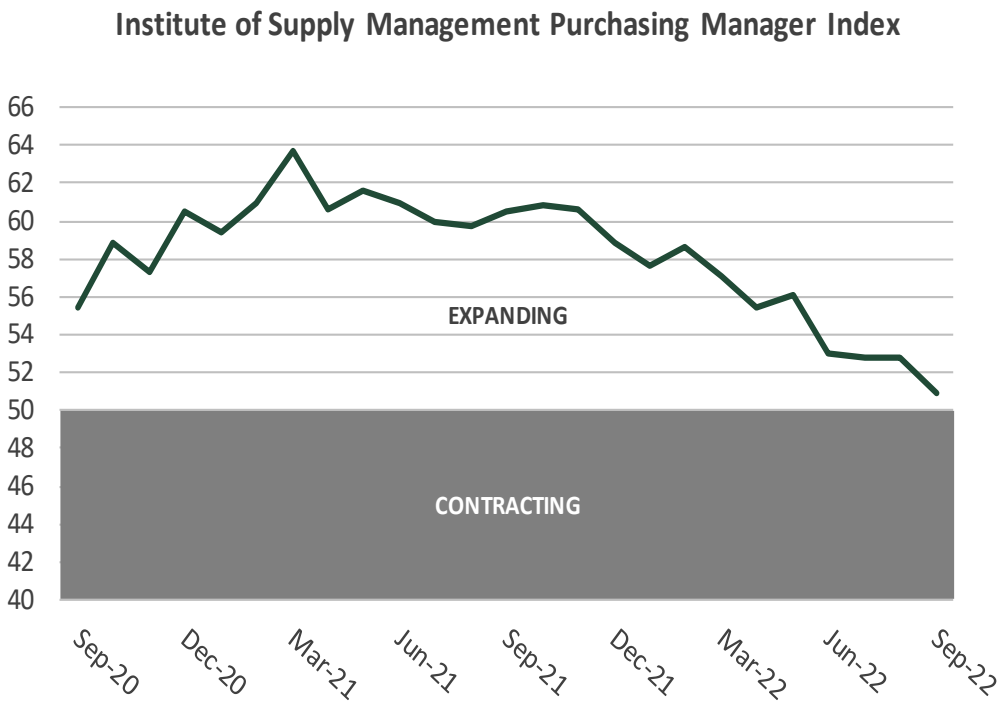
Source: US Department of Commerce



Source: S&P

Total housing starts increased 12.2% to an annual rate of 1,575,000 in August, from a revised 1,404,000 units in July. Single-family home starts increased 3.4% and multi-family homes increased 28% month-over-month. On a year-over-year basis, total housing starts decreased 0.1% reflecting a shift from single-family units to more affordable multi-family units as homebuyers struggle with a combination of elevated prices and higher mortgage rates. Mortgage rates for a 30-year fixed-rate loan are higher than they have been since 2007 at 6.7%. According to the Case-Shiller 20-City Home Price Index, the year-over-year increase receded from 18.7% in June to 16.1% in July, clearly displaying the impact of higher mortgage rates which have reduced demand for homebuying as affordability has declined.

Manufacturing



Source: Institute for Supply Management



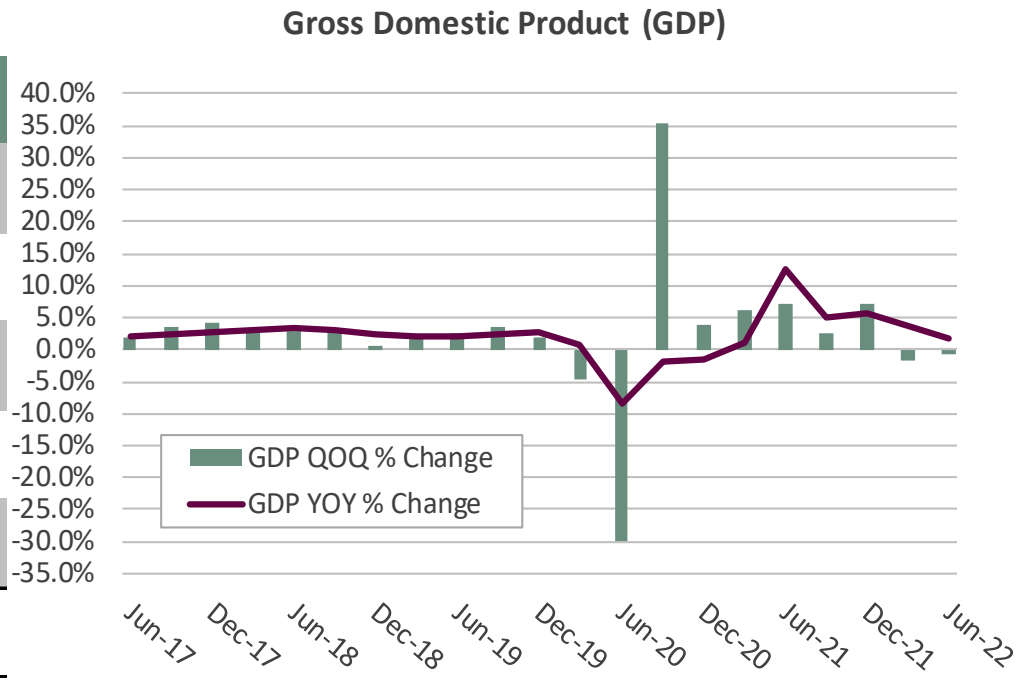
Source: Federal Reserve

The Institute for Supply Management (ISM) manufacturing index plunged nearly two points to 50.9 in September, the lowest since May 2020 and disappointing relative to consensus expectations of 52.0. Readings above 50.0 are indicative of expansion in the manufacturing sector. New orders declined significantly, reflecting lower demand for goods as consumers shift to spending on services. Total industrial production declined by -0.2% in August, following a downwardly revised increase of 0.5% in July. Capacity utilization fell to 80.0% in August from 80.2% in July, a rate that is 0.4 percentage points above its long-run (1972-2021) average.

Gross Domestic Product (GDP)

Components of GDP	9/21	12/21	3/22	6/22
Personal Consumption Expenditures	2.0%	2.1%	0.9%	1.4%
Gross Private Domestic Investment	1.8%	5.1%	1.0%	-2.8%
Net Exports and Imports	-1.1%	-0.2%	-3.1%	1.2%
Federal Government Expenditures	-0.5%	0.0%	-0.4%	-0.2%
State and Local (Consumption and Gross Investment)	0.5%	-0.2%	0.0%	-0.1%
Total	**2.7%**	**7.0%**	**-1.6%**	**-0.6%**

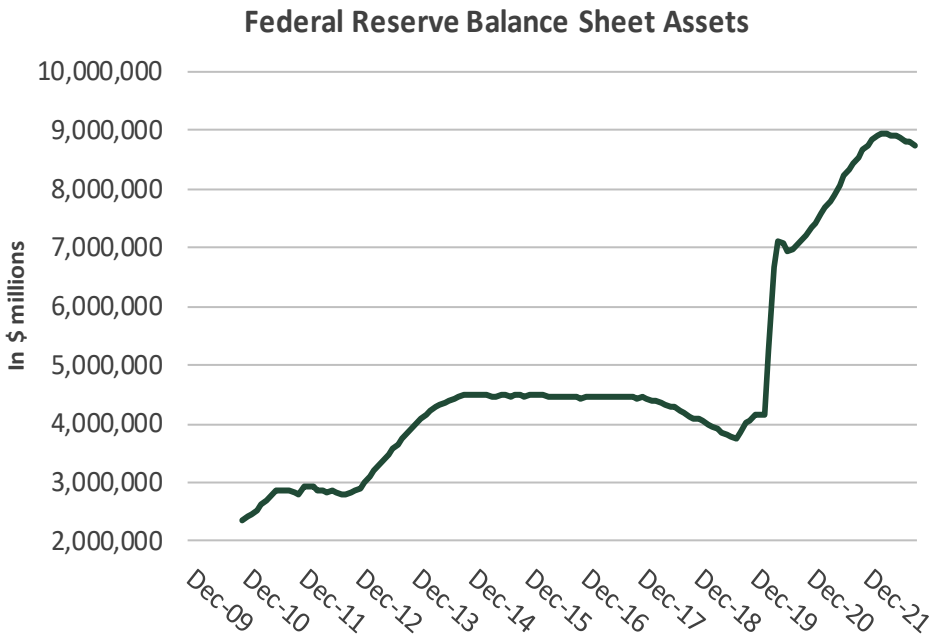
Source: US Department of Commerce



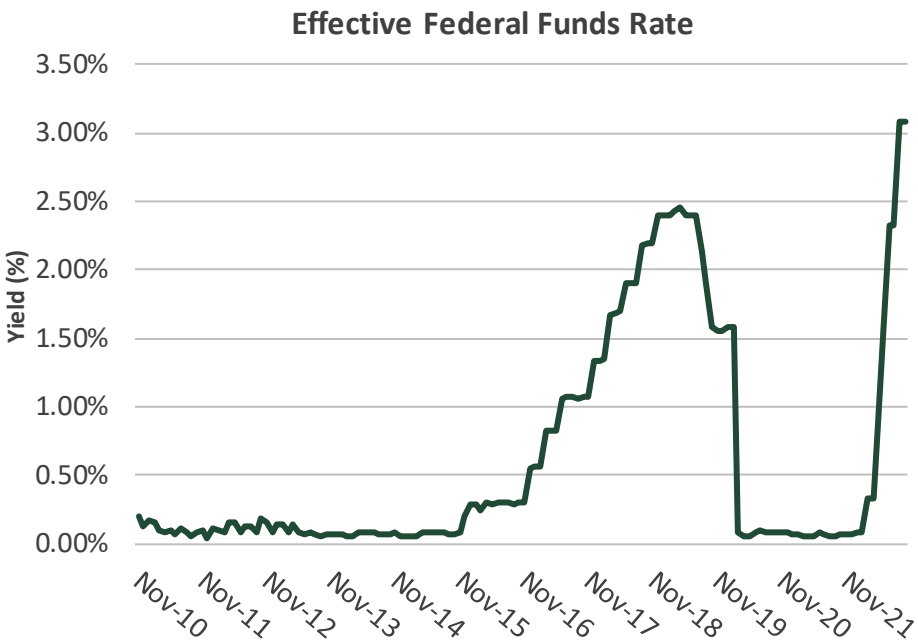
Source: US Department of Commerce

According to the third estimate, U.S. GDP was unrevised at -0.6% annualized in the second quarter. Personal consumption expenditures rose, primarily due to spending on services. The largest negative contribution was from a drop in gross residential investment as the housing sector diminished sharply. The second quarter decline followed a first quarter contraction of -1.6%. Although many market participants link two quarters in a row of negative GDP growth with a recession, an official declaration by the National Bureau of Economic Research is unlikely given the mosaic of data and the strength of the labor market. The consensus estimate calls for 1.9% growth in the third quarter and 1.7% growth for the full year 2022.

Federal Reserve



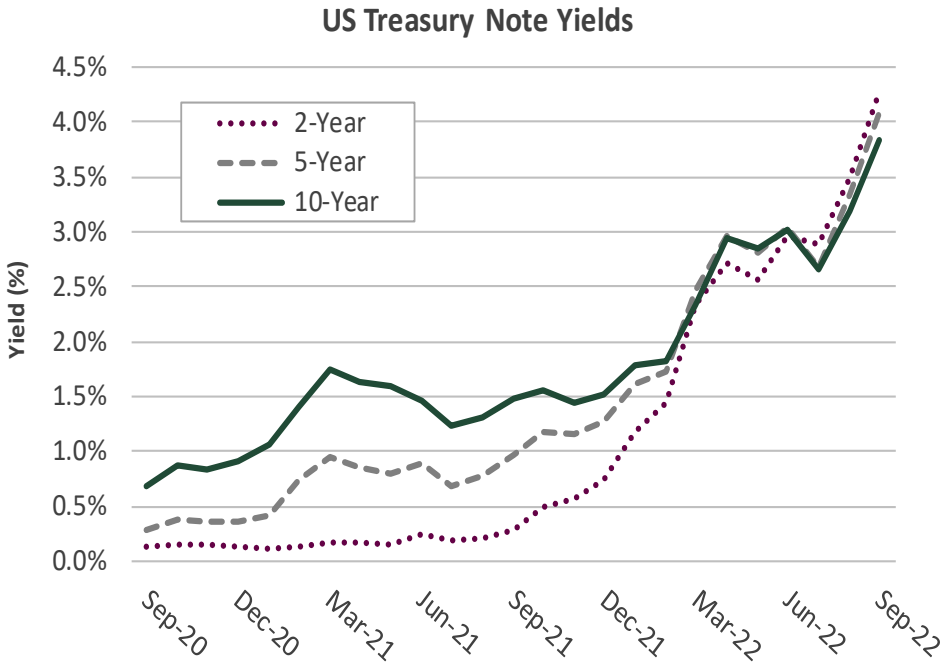
Source: Federal Reserve



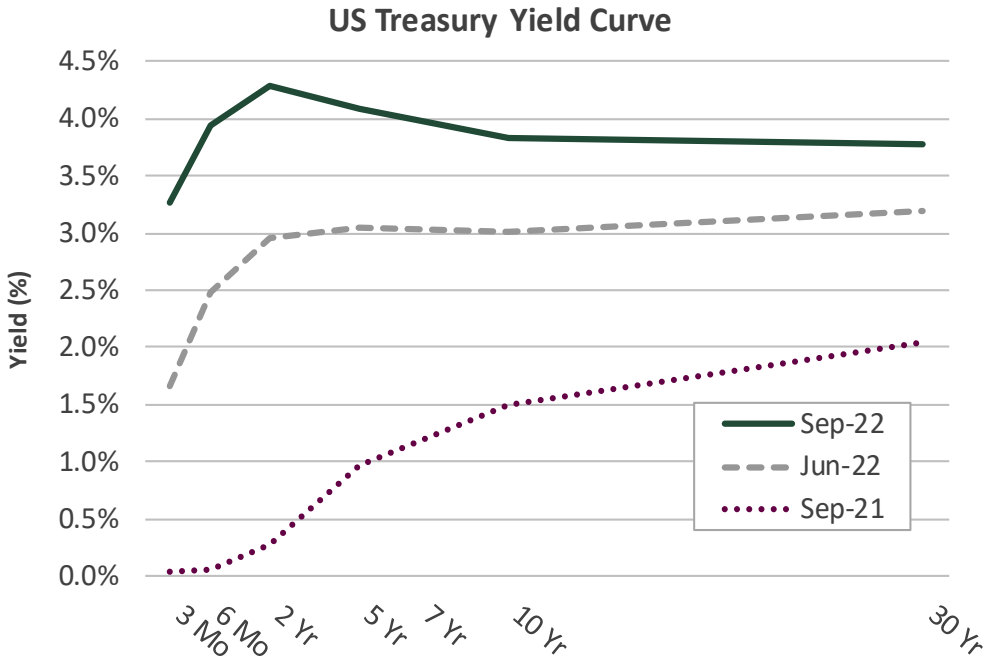
Source: Bloomberg

At the September meeting, the Federal Open Market Committee (FOMC) delivered the third 75-basis point increase to the Fed Funds Rate, increasing the range to 3.00% to 3.25%. The FOMC acknowledged spending and production are experiencing modest growth, offset by robust labor market and elevated inflation metrics. The FOMC remains data dependent to meet its long-term 2% inflation objective. The Fed also released new economic projections showing a significant slowdown in the economy later in 2022 and 2023. The Fed has reduced its $9 trillion balance sheet holdings by $87.1 billion since the start of the program and will increase the rate of decrease to $95 billion a month in September. As inflation metrics begin to moderate, we believe the Federal Reserve will decelerate their pace of tightening, but a material decline in inflation in the short-term is unlikely.

Bond Yields

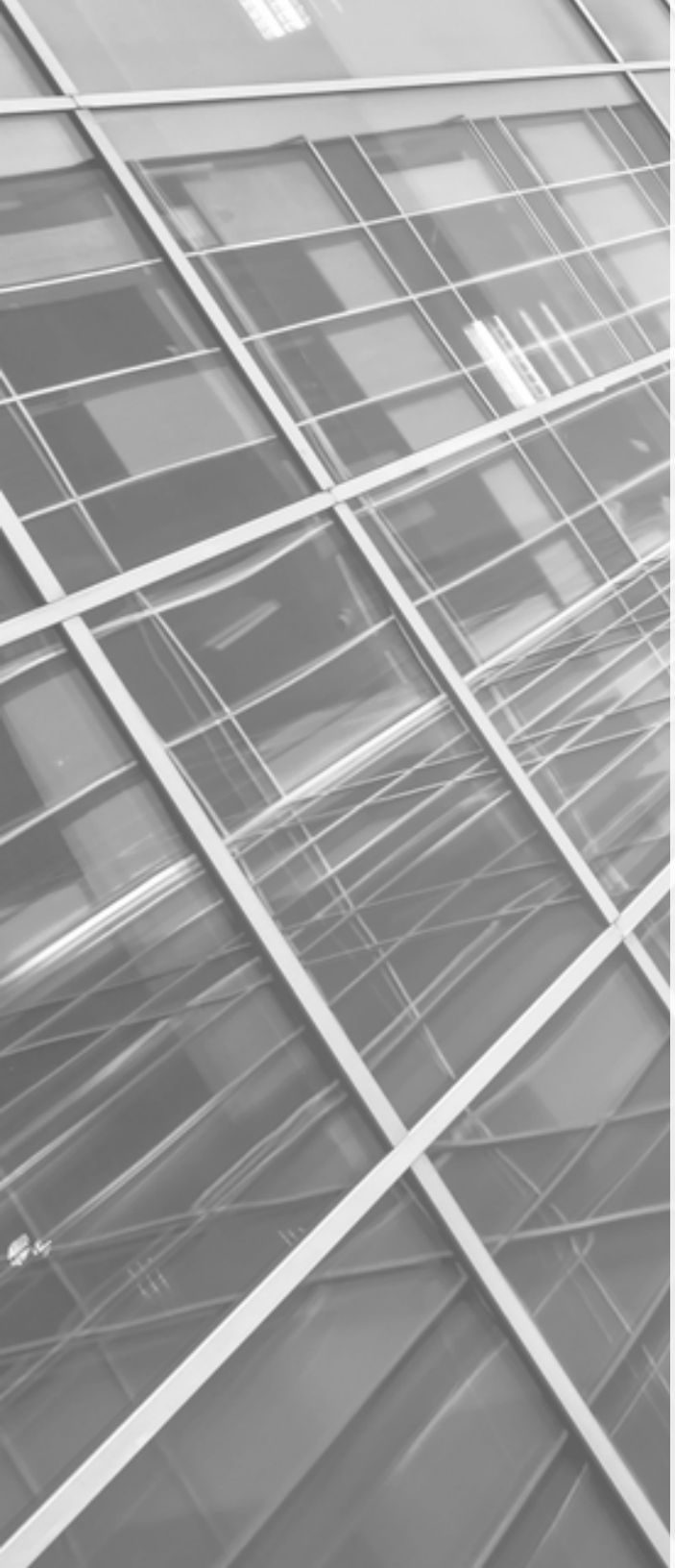


Source: Bloomberg



Source: Bloomberg

At the end of September, the 2-year Treasury yield was 400 basis points higher, and the 10-Year Treasury yield was about 234 basis points higher, year-over-year. The spread between the 2-year Treasury yield and 10-year Treasury yield became more inverted at -45 basis points at September month-end versus -30 basis points at August month-end. The average historical spread (since 2003) is about 130 basis points. The spread between 3-month and 10-year treasuries widened to 56 basis points in September compared to just 27 basis points in August. The shape of the yield curve does not indicate an imminent recession but bears watching as a better predictor of recession over the medium-term.



Section 2 | Account Profile

Objectives

As of September 30, 2022

Investment Objectives

The investment objectives of the City of Dublin are first, to provide safety of principal; second, to provide adequate liquidity to meet all requirements which might be reasonably anticipated; third, to attain a market average rate of return on its investments throughout economic cycles; and fourth, to be diversified to avoid incurring unreasonable and avoidable risks regarding specific security types or individual financial institutions.

Chandler Asset Management Performance Objective

The performance objective of the City of Dublin is to earn a return that equals or exceeds the return on of the ICE BofA 1-5 Year Treasury and Agency Index.

Strategy

In order to achieve this objective, the portfolio invests in high quality fixed income instruments consistent with the City's investment policy and California Government Code.

Compliance

As of September 30, 2022

City of Dublin

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
U.S. Treasury Issues	No limitations; Full faith and credit of the U.S. are pledged for payment of principal and interest.	*Complies*
Federal Agencies	35% max per agency issuer; 25% max callables for agency securities; Federal Agencies or U.S. Government Sponsored Enterprises (GSE), participations, or other instruments, including those issued by or fully guaranteed as to principal and interest by federal agencies or U.S. GSEs.	*Complies*
Municipal Securities	"A" rated or higher by a NRSRO; 5% max per issuer; Obligations of the State of California, any of the other 49 states, or any local agency within the state of California;	*Complies*
Supranational Securities	"AA" rating category or better by a Nationally Recognized Statistical Rating Organization ("NRSRO"); 30% maximum; 10% max per issuer; U.S. dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development ("IBRD"), the International Finance Corporation ("IFC") or the Inter-American Development Bank ("IADB")	*Complies*
Asset-Backed Securities/Mortgage-Backed Securities/ Collateralized Mortgage Obligations	"AA" rated or higher by a NRSRO; 20% maximum (combined); 5% max per issuer	*Complies*
Corporate Medium Term Notes	"A" rated or higher by a NRSRO; 30% maximum; 5% max per issuer; Issued by corporations organized and operating within the U.S. or by depository institutions licensed by the U.S. or any state and operating within the U.S.	*Complies*
Negotiable Certificates of Deposit	"A" long-term debt rated and/or "A-1" short-term rated or higher by a NRSRO; 30% maximum; 5% max per issuer; 20% max amount invested in NCDs with any one financial institution in combination with any other debt from that financial institution; Issued by a nationally or state-chartered bank, a savings association or a federal association, a state or federal credit union, or by a state-licensed branch of a foreign bank.	*Complies*
Time Deposits/ Certificates of Deposit	10% maximum; Collateralized/FDIC Insured; 1 year max maturity	*Complies*
Commercial Paper	"A-1" rated or higher by a NRSRO; 25% maximum; 5% max per issuer; 10% max of the outstanding commercial paper of an issuing corporation; 20% max amount invested in CP of any one issuer in combination with any other debt from that issuer; 270 days max maturity; Issuer of the commercial paper shall meet all conditions in either A) (1) Organized and operating in the U.S. as a general corp, (2) Has AUM > $500 million, (3) "A" rated issuer debt (if any) or higher by a NRSRO; or B) (1) Organized in the U.S. as a special purpose corp, trust, LLC, (2) Has program wide credit enhancements including, but not limited to, over collateralization, LOC, or surety bond, (3) "A-1" rated or higher by a NRSRO	*Complies*
Banker's Acceptances	"A-1" short-term rated or higher by a NRSRO; 40% maximum; 5% max per issuer; 20% max amount invested in BA with any one financial institution in combination with any other debt from that financial institution; 180 days max maturity	*Complies*
Money Market Mutual Funds and Mutual Funds	Highest rating or "AAA" rated by two NRSROs; SEC registered adviser with AUM >$500 million and experience > 5 years; 20% maximum in Mutual Funds and Money Market Mutual Funds; 20% max in Money Market Mutual Fund; 10% max per one Mutual Fund	*Complies*
Local Agency Investment Fund (LAIF)	Maximum permitted by LAIF; Not used by investment adviser	*Complies*
California Asset Management Program (CAMP)	Issued by joint powers authority organized pursuant to California Government Code; Not used by investment adviser	*Complies*
Prohibited Securities	Inverse floaters; Ranges notes, Mortgage-derived, Interest-only strips; Any investment in a security not specifically listed as an Authorized and Suitable Investment in the policy.	*Complies*
Max Per Issuer	5% max per issuer, except US Government, its Agencies and instrumentalities (including agency backed-mortgage pools), Supranational securities, or Money Market Mutual Funds	*Complies*
Maximum Maturity	5 years, unless otherwise stated in the policy	*Complies*

Portfolio Characteristics

As of September 30, 2022

City of Dublin

	09/30/22		06/30/22
	Benchmark*	Portfolio	Portfolio
Average Maturity (yrs)	2.60	2.73	2.69
Average Modified Duration	2.48	2.39	2.39
Average Purchase Yield	n/a	1.68%	1.57%
Average Market Yield	4.26%	4.47%	3.20%
Average Quality**	AAA	AA/Aa1	AA/Aa1
Total Market Value		234,031,649	238,517,564

**ICE BofA 1-5 Yr US Treasury & Agency Index*

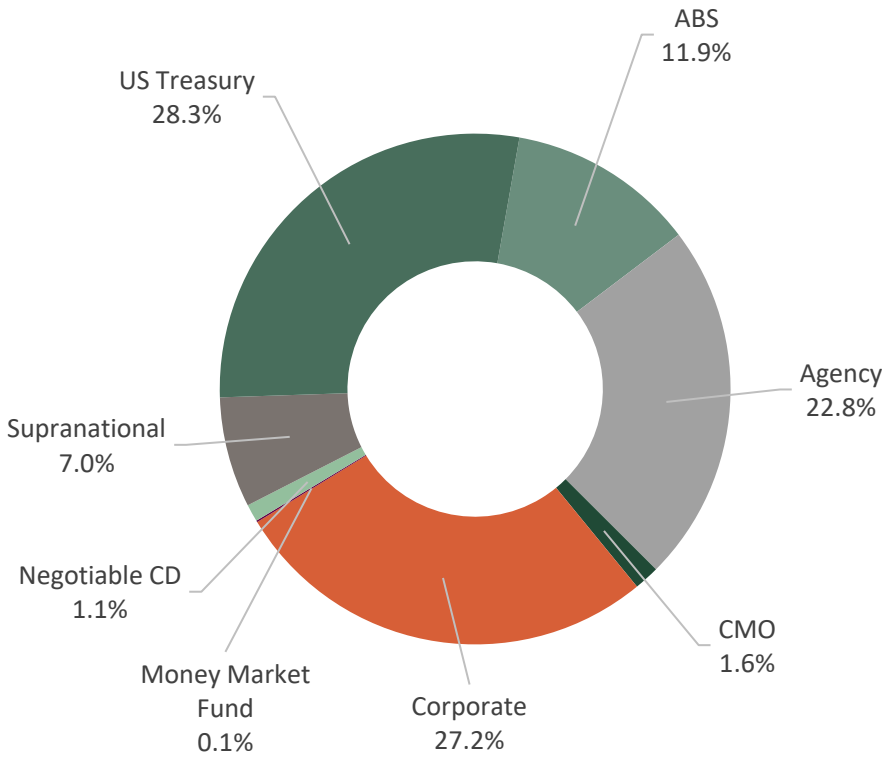
***Benchmark is a blended rating of S&P, Moody's, and Fitch. Portfolio is S&P and Moody's respectively.*

Sector Distribution

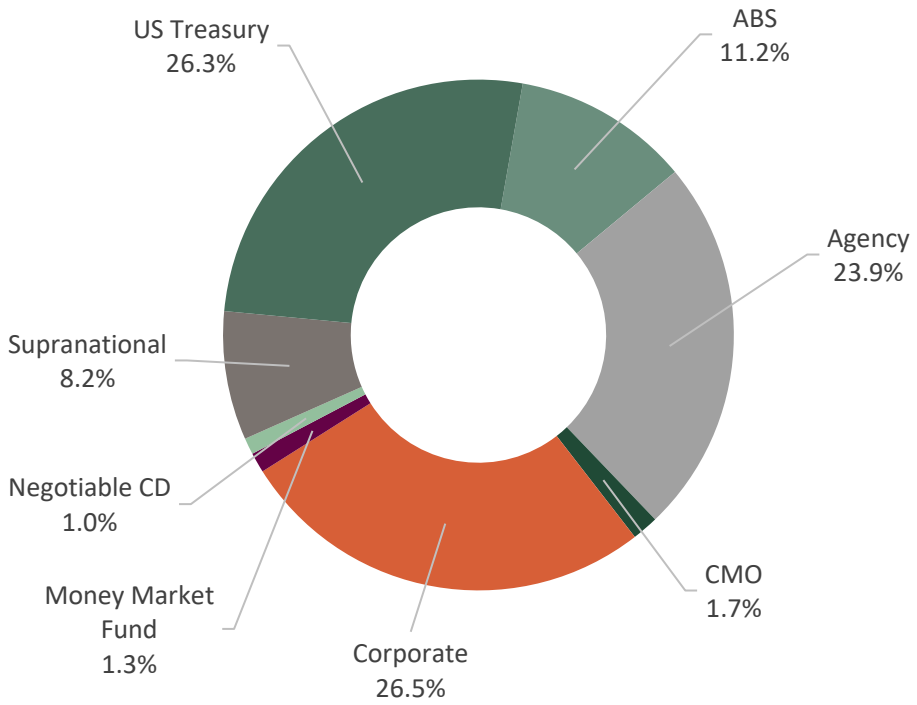
As of September 30, 2022

City of Dublin

September 30, 2022



June 30, 2022



Issuers

As of September 30, 2022

City of Dublin – Account #10198

Issue Name	Investment Type	% Portfolio
Government of United States	US Treasury	28.27%
Federal National Mortgage Association	Agency	8.52%
Federal Home Loan Bank	Agency	7.33%
Federal Home Loan Mortgage Corp	Agency	4.22%
Inter-American Dev Bank	Supranational	3.87%
Intl Bank Recon and Development	Supranational	3.17%
Federal Farm Credit Bank	Agency	2.70%
Hyundai Auto Receivables	ABS	1.80%
John Deere ABS	ABS	1.67%
Federal Home Loan Mortgage Corp	CMO	1.65%
JP Morgan Chase & Co	Corporate	1.64%
Bank of America Corp	Corporate	1.51%
Amazon.com Inc	Corporate	1.47%
Honda Motor Corporation	Corporate	1.44%
Royal Bank of Canada	Corporate	1.42%
Toronto Dominion Holdings	Corporate	1.34%
Toyota Lease Owner Trust	ABS	1.29%
Apple Inc	Corporate	1.26%
Qualcomm Inc	Corporate	1.26%
Morgan Stanley	Corporate	1.20%
Metlife Inc	Corporate	1.17%
Honda ABS	ABS	1.15%
GM Financial Automobile Leasing Trust	ABS	1.12%
Svenska Handelsbanken NY	Negotiable CD	1.07%
US Bancorp	Corporate	1.05%
Northwestern Mutual Glbl	Corporate	1.05%
Caterpillar Inc	Corporate	1.05%
Chubb Corporation	Corporate	1.03%
Honeywell Corp	Corporate	0.99%
Hyundai Auto Lease Securitization	ABS	0.97%
Toyota Motor Corp	Corporate	0.93%
Bank of Montreal Chicago	Corporate	0.91%
American Express ABS	ABS	0.91%
Berkshire Hathaway	Corporate	0.89%
Wal-Mart Stores	Corporate	0.84%
Deere & Company	Corporate	0.83%
GM Financial Securitized Term Auto Trust	ABS	0.76%
United Health Group Inc	Corporate	0.76%

Issuers

As of September 30, 2022

City of Dublin – Account #10198

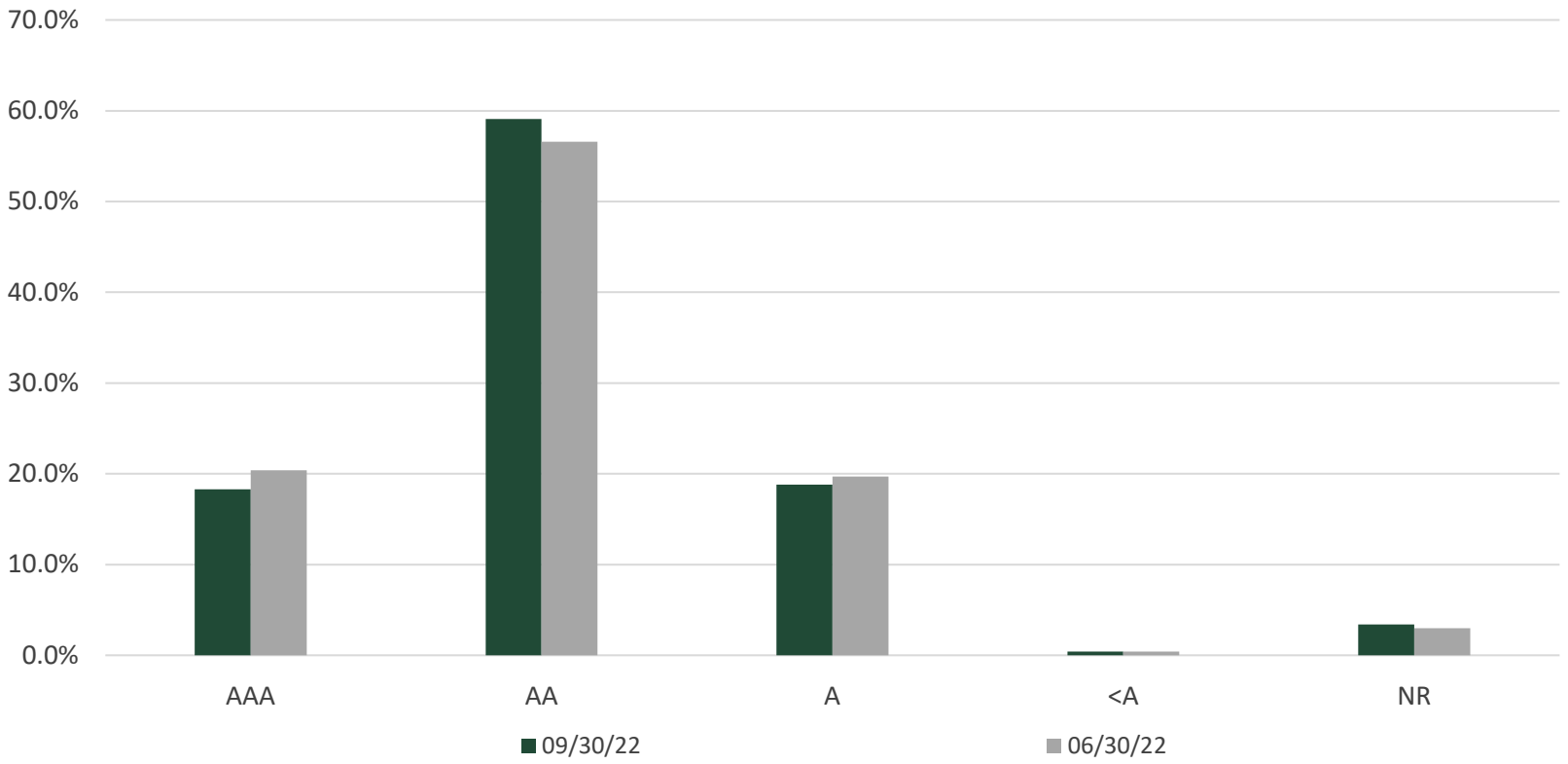
Issue Name	Investment Type	% Portfolio
Charles Schwab Corp/The	Corporate	0.74%
BMW Vehicle Lease Trust	ABS	0.61%
PNC Financial Services Group	Corporate	0.52%
Target Corp	Corporate	0.52%
Bank of New York	Corporate	0.51%
Mercedes-Benz Auto Lease Trust	ABS	0.47%
Dominion Resources Inc	Corporate	0.41%
Verizon Master Trust	ABS	0.39%
BMW ABS	ABS	0.35%
Guardian Life Global Funding	Corporate	0.30%
Toyota ABS	ABS	0.22%
Salesforce.com Inc	Corporate	0.19%
Nissan ABS	ABS	0.15%
First American Govt Oblig Fund	Money Market Fund	0.12%
TOTAL		**100.00%**

Quality Distribution

As of September 30, 2022

City of Dublin

September 30, 2022 vs. June 30, 2022

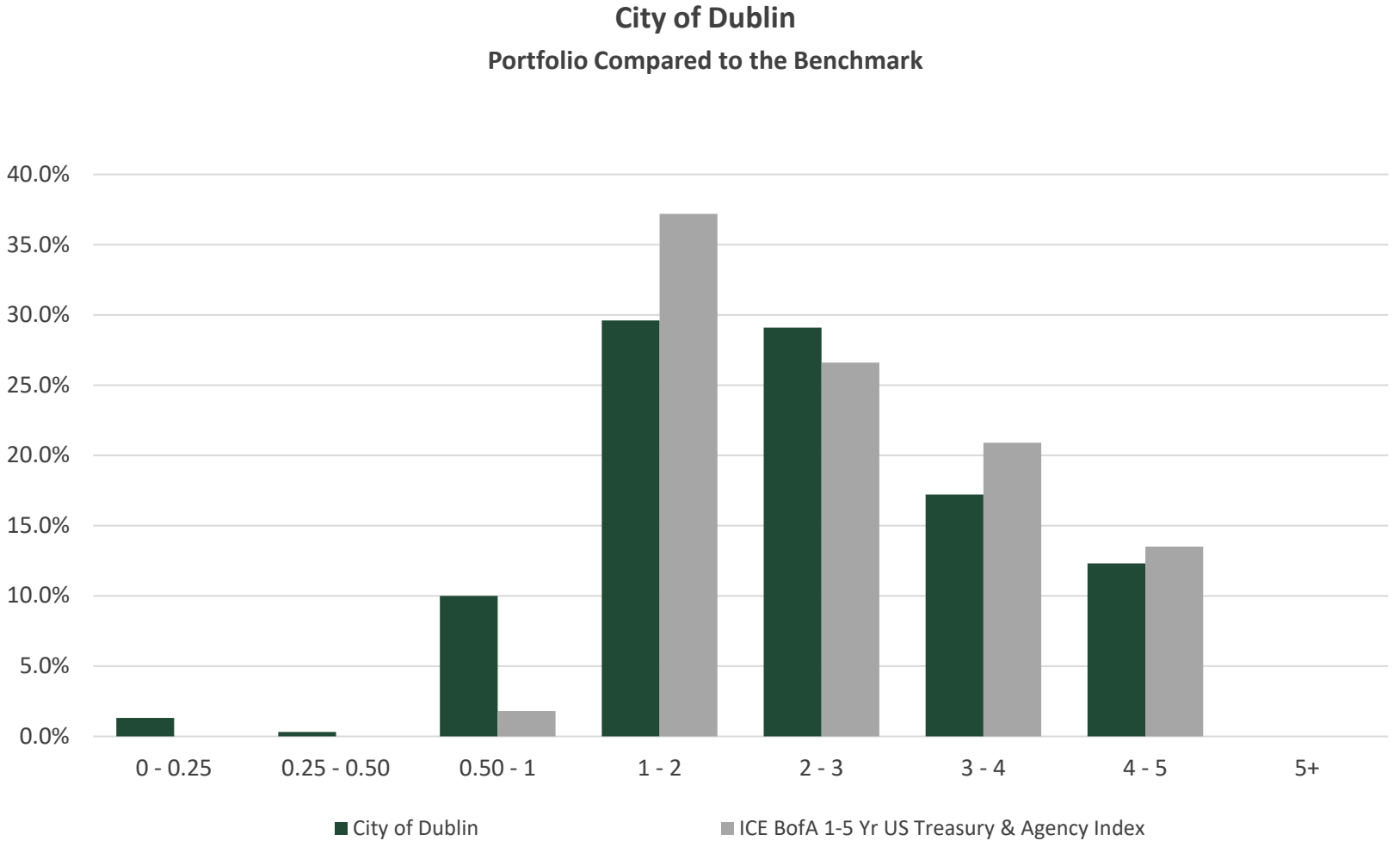


	AAA	AA	A	<A	NR
09/30/22	18.3%	59.1%	18.8%	0.4%	3.4%
06/30/22	20.4%	56.6%	19.7%	0.4%	3.0%

Source: S&P Ratings

Duration Distribution

As of September 30, 2022

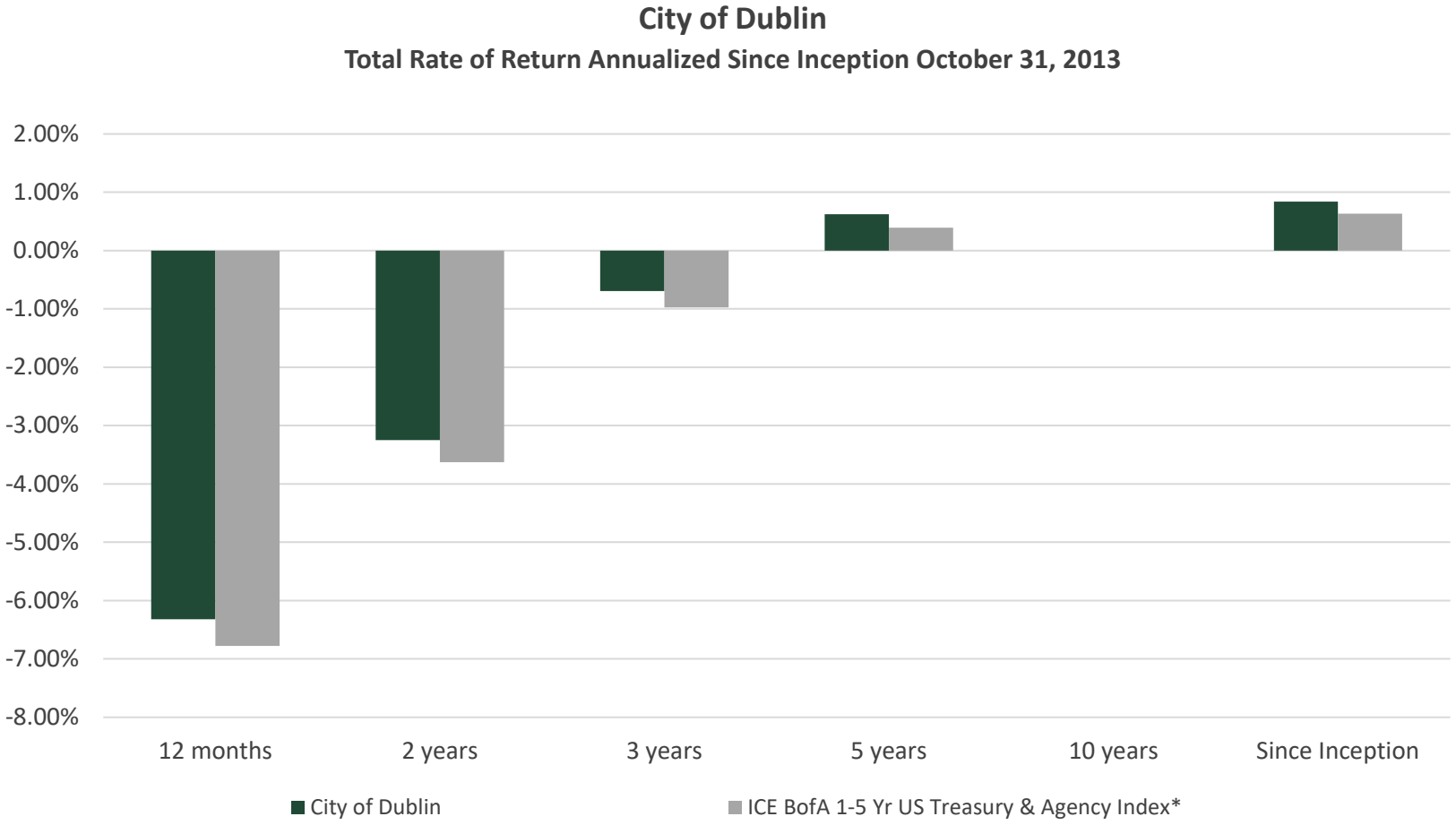


	0 - 0.25	0.25 - 0.50	0.50 - 1	1 - 2	2 - 3	3 - 4	4 - 5	5+
Portfolio	1.3%	0.3%	10.0%	29.6%	29.1%	17.2%	12.3%	0.0%
Benchmark*	0.0%	0.0%	1.8%	37.2%	26.6%	20.9%	13.5%	0.0%

**ICE BofA 1-5 Yr US Treasury & Agency Index*

Investment Performance

As of September 30, 2022



			Annualized				
TOTAL RATE OF RETURN	**3 months**	**12 months**	**2 years**	**3 years**	**5 years**	**10 years**	**Since Inception**
City of Dublin	-1.89%	-6.32%	-3.25%	-0.69%	0.62%	N/A	0.84%
ICE BofA 1-5 Yr US Treasury & Agency Index*	-2.27%	-6.78%	-3.63%	-0.97%	0.39%	N/A	0.63%

**ICE BofA 1-3 Yr US Treasury & Agency Index to 12/31/14*

Total rate of return: A measure of a portfolio's performance over time. It is the internal rate of return, which equates the beginning value of the portfolio with the ending value; it includes interest earnings, realized and unrealized gains and losses in the portfolio.

Portfolio Characteristics

As of September 30, 2022

City of Dublin Reporting Account

	09/30/22 Portfolio	06/30/22 Portfolio
Average Maturity (yrs)	0.00	0.00
Modified Duration	0.00	0.00
Average Purchase Yield	2.21%	1.23%
Average Market Yield	2.21%	1.23%
Average Quality*	AAA/NR	AAA/NR
Total Market Value	129,407,964	139,791,289

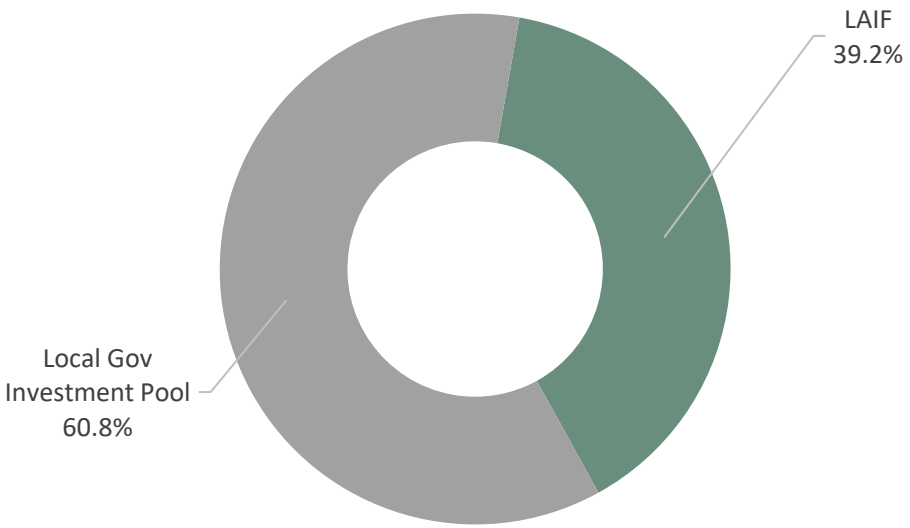
**Portfolio is S&P and Moody's, respectively.*

Sector Distribution

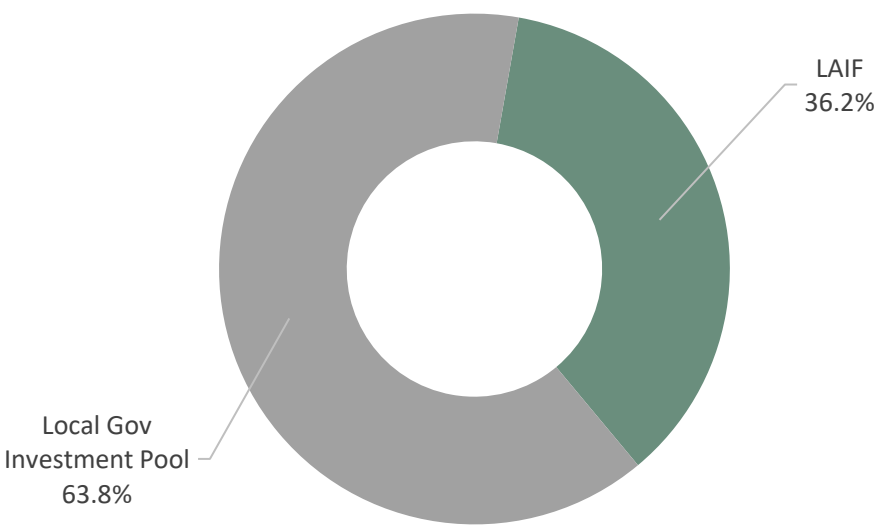
As of September 30, 2022

City of Dublin Reporting Account

September 30, 2022



June 30, 2022

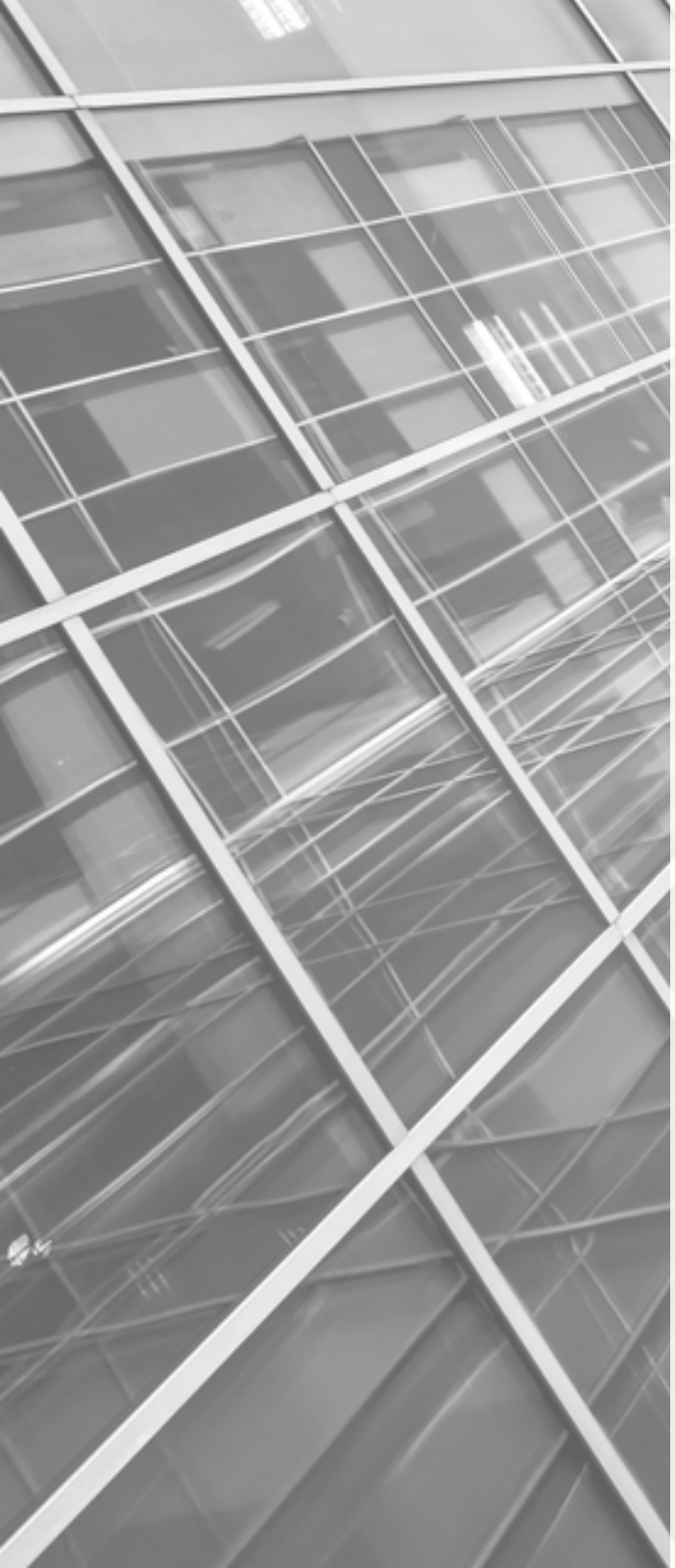


Issuers

As of September 30, 2022

City of Dublin Reporting Account – Account #10219

Issue Name	Investment Type	% Portfolio
CAMP	Local Gov Investment Pool	60.80%
Local Agency Investment Fund	LAIF	39.20%
TOTAL		**100.00%**



Section 3 | Consolidated Information

Portfolio Characteristics

As of September 30, 2022

City of Dublin Consolidated

	09/30/22 Portfolio	06/30/22 Portfolio
Average Maturity (yrs)	1.76	1.70
Modified Duration	1.54	1.51
Average Purchase Yield	1.86%	1.45%
Average Market Yield	3.66%	2.48%
Average Quality*	AA+/Aa1	AA+/Aa1
Total Market Value	363,439,614	378,308,853

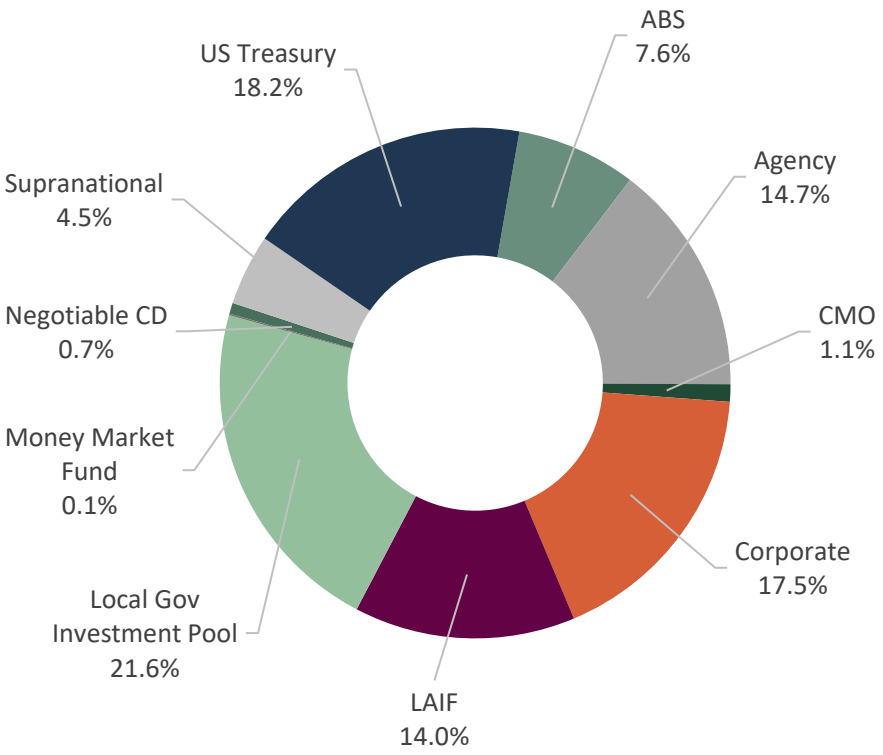
** Portfolio is S&P and Moody's respectively.*

Sector Distribution

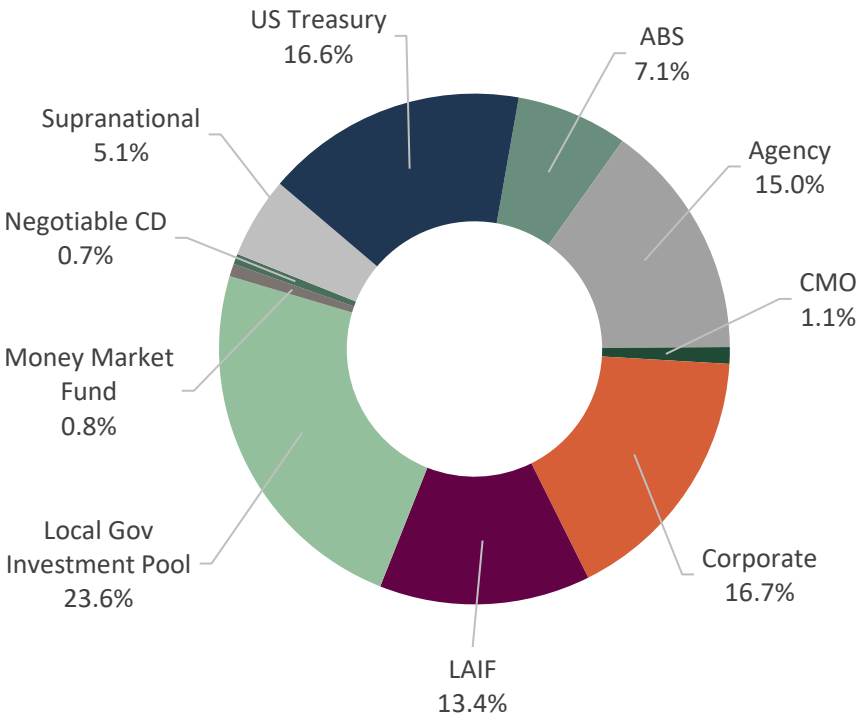
As of September 30, 2022

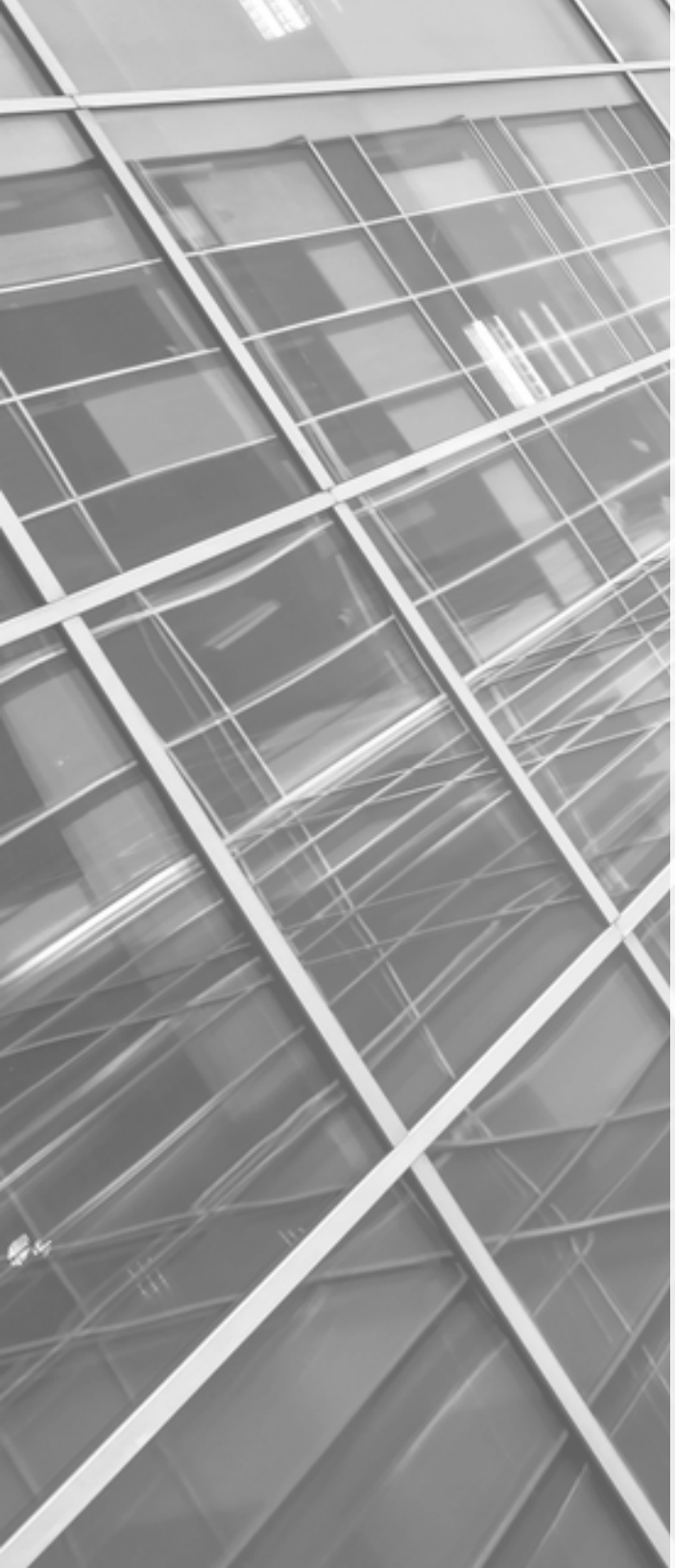
City of Dublin Consolidated

September 30, 2022



June 30, 2022





Section 4 | Portfolio Holdings

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
ABS									
44891VAC5	Hyundai Auto Lease Trust 2021-B A3	1,420,000.00	06/08/2021	1,419,787.00	97.56	1,385,380.40	0.59%	Aaa / AAA	1.72
	0.330% Due 06/17/2024		0.34%	1,419,909.46	4.63%	208.27	(34,529.06)	NR	0.57
65479JAD5	Nissan Auto Receivables Owner 2019-C A3	350,328.13	10/16/2019	350,309.64	99.62	349,002.14	0.15%	Aaa / AAA	1.79
	1.930% Due 07/15/2024		1.94%	350,321.14	3.76%	300.50	(1,319.00)	NR	0.21
89237VAB5	Toyota Auto Receivables Trust 2020-C A3	523,487.59	07/21/2020	523,447.29	98.35	514,871.44	0.22%	Aaa / AAA	2.04
	0.440% Due 10/15/2024		0.44%	523,468.11	4.45%	102.37	(8,596.67)	NR	0.41
43813KAC6	Honda Auto Receivables Trust 2020-3 A3	738,593.19	09/22/2020	738,484.69	97.82	722,502.20	0.31%	NR / AAA	2.05
	0.370% Due 10/18/2024		0.38%	738,554.05	4.54%	98.68	(16,051.85)	AAA	0.52
89239CAC3	Toyota Lease Owner Trust 2021-B A3	1,090,000.00	07/27/2021	1,089,985.28	96.29	1,049,562.09	0.45%	Aaa / NR	2.06
	0.420% Due 10/21/2024		0.40%	1,089,992.22	4.78%	139.88	(40,430.13)	AAA	0.86
47787NAC3	John Deere Owner Trust 2020-B A3	255,981.63	07/14/2020	255,942.62	98.05	250,993.83	0.11%	Aaa / NR	2.13
	0.510% Due 11/15/2024		0.52%	255,967.19	4.85%	58.02	(4,973.36)	AAA	0.45
58769KAD6	Mercedes-Benz Auto Lease Trust 2021-B A3	1,135,000.00	06/22/2021	1,134,914.31	96.54	1,095,750.57	0.47%	NR / AAA	2.13
	0.400% Due 11/15/2024		0.40%	1,134,956.60	4.75%	201.78	(39,206.03)	AAA	0.80
09690AAC7	BMW Vehicle Lease Trust 2021-2 A3	710,000.00	09/08/2021	709,926.73	97.15	689,754.36	0.29%	Aaa / NR	2.24
	0.330% Due 12/26/2024		0.34%	709,960.32	4.51%	39.05	(20,205.96)	AAA	0.68
44891WAC3	Hyundai Auto Lease Trust 2022-A A3	910,000.00	01/11/2022	909,979.89	96.28	876,141.63	0.37%	Aaa / AAA	2.30
	1.160% Due 01/15/2025		1.16%	909,986.17	4.51%	469.16	(33,844.54)	NR	1.12
89238LAC4	Toyota Lease Owner Trust 2022-A A3	2,045,000.00	02/23/2022	2,044,678.12	96.40	1,971,384.09	0.84%	NR / AAA	2.39
	1.960% Due 02/20/2025		1.98%	2,044,760.21	4.67%	1,224.73	(73,376.12)	AAA	1.35
36265MAC9	GM Financial Auto Lease Trust 2022-1 A3	1,680,000.00	02/15/2022	1,679,985.55	96.55	1,622,068.56	0.69%	Aaa / NR	2.47
	1.900% Due 03/20/2025		1.91%	1,679,989.59	4.71%	975.33	(57,921.03)	AAA	1.24
05601XAC3	BMW Vehicle Lease Trust 2022-1 A3	755,000.00	01/11/2022	754,887.13	96.29	726,963.08	0.31%	NR / AAA	2.48
	1.100% Due 03/25/2025		1.05%	754,923.29	4.76%	138.42	(27,960.21)	AAA	1.02
36266FAC3	GM Financial Auto Lease Trust 2022-2 A3	1,020,000.00	05/03/2022	1,019,893.61	98.09	1,000,540.44	0.43%	NR / AAA	2.72
	3.420% Due 06/20/2025		3.45%	1,019,912.60	4.76%	1,065.90	(19,372.16)	AAA	1.46
47788UAC6	John Deere Owner Trust 2021-A A3	800,000.00	03/02/2021	799,846.24	96.11	768,848.00	0.33%	Aaa / NR	2.96
	0.360% Due 09/15/2025		0.37%	799,912.89	4.92%	128.00	(31,064.89)	AAA	0.86
44933LAC7	Hyundai Auto Receivables Trust 2021-A A3	725,000.00	04/20/2021	724,923.73	96.68	700,905.35	0.30%	NR / AAA	2.96
	0.380% Due 09/15/2025		0.20%	724,959.43	4.59%	122.44	(24,054.08)	AAA	0.79
44934KAC8	Hyundai Auto Receivables Trust 2021-B A3	2,065,000.00	07/20/2021	2,064,544.25	95.32	1,968,362.13	0.84%	NR / AAA	3.30
	0.380% Due 01/15/2026		0.39%	2,064,715.41	4.99%	348.76	(96,353.28)	AAA	1.02
43815GAC3	Honda Auto Receivables Trust 2021-4 A3	765,000.00	11/16/2021	764,838.74	94.61	723,776.45	0.31%	Aaa / NR	3.31
	0.880% Due 01/21/2026		0.89%	764,881.06	4.70%	187.00	(41,104.61)	AAA	1.43

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
47789QAC4	John Deere Owner Trust 2021-B A3 0.520% Due 03/16/2026	965,000.00	07/13/2021 0.52%	964,913.92 964,942.14	94.50 4.71%	911,950.09 223.02	0.39% (52,992.05)	Aaa / NR AAA	3.46 1.33
44935FAD6	Hyundai Auto Receivables Trust 2021-C A3 0.740% Due 05/15/2026	545,000.00	11/09/2021 0.75%	544,878.36 544,911.85	94.36 4.93%	514,284.35 179.24	0.22% (30,627.50)	NR / AAA AAA	3.62 1.37
43815BAC4	Honda Auto Receivables Trust 2022-1 A3 1.880% Due 05/15/2026	1,315,000.00	02/15/2022 1.89%	1,314,802.22 1,314,839.19	95.03 4.81%	1,249,652.39 1,098.76	0.53% (65,186.80)	Aaa / AAA NR	3.62 1.73
05602RAD3	BMW Vehicle Owner Trust 2022-A A3 3.210% Due 08/25/2026	850,000.00	05/10/2022 3.23%	849,955.80 849,961.10	97.34 4.81%	827,404.45 454.75	0.35% (22,556.65)	Aaa / AAA NR	3.90 1.70
362554AC1	GM Financial Securitized Term 2021-4 A3 0.680% Due 09/16/2026	585,000.00	10/13/2021 0.66%	584,985.08 584,989.22	94.24 5.04%	551,311.61 165.75	0.24% (33,677.61)	Aaa / AAA NR	3.96 1.34
47787JAC2	John Deere Owner Trust 2022-A A3 2.320% Due 09/16/2026	1,005,000.00	03/10/2022 2.34%	1,004,777.69 1,004,812.28	95.59 5.00%	960,727.74 1,036.27	0.41% (44,084.54)	Aaa / NR AAA	3.96 1.67
448977AD0	Hyundai Auto Receivables Trust 2022-A A3 2.220% Due 10/15/2026	1,080,000.00	03/09/2022 2.23%	1,079,958.42 1,079,965.39	95.93 4.62%	1,036,028.88 1,065.60	0.44% (43,936.51)	NR / AAA AAA	4.04 1.72
380146AC4	GM Financial Auto Receivables 2022-1 A3 1.260% Due 11/16/2026	500,000.00	01/11/2022 1.23%	499,956.55 499,965.68	95.13 4.79%	475,668.51 262.50	0.20% (24,297.17)	NR / AAA AAA	4.13 1.40
362585AC5	GM Financial Securitized ART 2022-2 A3 3.100% Due 02/16/2027	780,000.00	04/05/2022 3.13%	779,836.98 779,859.25	96.93 4.92%	756,064.14 1,007.50	0.32% (23,795.11)	Aaa / AAA NR	4.38 1.72
47800AAC4	John Deere Owner Trust 2022-B A3 3.740% Due 02/16/2027	1,045,000.00	07/12/2022 3.77%	1,044,900.20 1,044,905.78	97.65 4.86%	1,020,487.44 1,737.02	0.44% (24,418.34)	Aaa / NR AAA	4.38 2.16
02582JJT8	American Express Credit Trust 2022-2 A 3.390% Due 05/17/2027	2,205,000.00	05/17/2022 3.42%	2,204,512.25 2,204,570.58	96.77 4.75%	2,133,778.50 3,322.20	0.91% (70,792.08)	NR / AAA AAA	4.63 2.44
92348KAV5	Verizon Master Trust 2022-5 A1A 3.720% Due 07/20/2027	915,000.00	08/02/2022 3.75%	914,959.74 914,961.77	99.05 4.51%	906,270.90 1,040.05	0.39% (8,690.87)	NR / AAA AAA	4.81 1.79
				28,774,812.03		**27,760,435.76**	**11.87%**	**Aaa / AAA**	**3.15**
TOTAL ABS		**28,778,390.54**	**1.62%**	**28,775,853.97**	**4.73%**	**17,400.95**	**(1,015,418.21)**	**Aaa**	**1.32**
Agency									
313383QR5	FHLB Note 3.250% Due 06/09/2023	1,500,000.00	08/28/2018 2.87%	1,525,005.00 1,503,596.71	99.38 4.16%	1,490,719.50 15,166.67	0.64% (12,877.21)	Aaa / AA+ NR	0.69 0.67
3137EAEN5	FHLMC Note 2.750% Due 06/19/2023	2,000,000.00	07/16/2018 2.88%	1,988,360.00 1,998,310.32	98.93 4.27%	1,978,596.00 15,583.33	0.85% (19,714.32)	Aaa / AA+ AAA	0.72 0.70
3135G05G4	FNMA Note 0.250% Due 07/10/2023	2,350,000.00	07/08/2020 0.32%	2,344,947.50 2,348,698.81	97.13 4.04%	2,282,498.60 1,321.88	0.98% (66,200.21)	Aaa / AA+ AAA	0.78 0.76

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
3133EKZK5	FFCB Note 1.600% Due 08/14/2023	4,000,000.00	08/26/2019 1.54%	4,009,000.00 4,001,970.30	97.68 4.33%	3,907,328.00 8,355.56	1.67% (94,642.30)	Aaa / AA+ AAA	0.87 0.85
313383YJ4	FHLB Note 3.375% Due 09/08/2023	5,000,000.00	Various 2.90%	5,102,615.00 5,020,452.36	99.10 4.36%	4,955,135.00 10,781.25	2.12% (65,317.36)	Aaa / AA+ NR	0.94 0.91
3130A0F70	FHLB Note 3.375% Due 12/08/2023	5,000,000.00	Various 2.73%	5,147,870.00 5,035,645.22	98.80 4.42%	4,939,765.00 52,968.75	2.13% (95,880.22)	Aaa / AA+ AAA	1.19 1.14
3135G0V34	FNMA Note 2.500% Due 02/05/2024	2,000,000.00	02/27/2019 2.58%	1,992,340.00 1,997,909.75	97.59 4.36%	1,951,882.00 7,777.78	0.84% (46,027.75)	Aaa / AA+ AAA	1.35 1.30
3130A1XJ2	FHLB Note 2.875% Due 06/14/2024	3,795,000.00	Various 1.96%	3,958,639.85 3,850,833.29	97.52 4.40%	3,700,713.23 32,428.80	1.60% (150,120.06)	Aaa / AA+ NR	1.71 1.63
3133EKWV4	FFCB Note 1.850% Due 07/26/2024	2,500,000.00	08/13/2019 1.65%	2,524,140.00 2,508,865.58	95.59 4.40%	2,389,677.50 8,350.69	1.02% (119,188.08)	Aaa / AA+ AAA	1.82 1.76
3130A2UW4	FHLB Note 2.875% Due 09/13/2024	2,000,000.00	10/10/2019 1.58%	2,122,020.00 2,048,360.34	97.26 4.35%	1,945,150.00 2,875.00	0.83% (103,210.34)	Aaa / AA+ AAA	1.96 1.87
3135G0W66	FNMA Note 1.625% Due 10/15/2024	2,000,000.00	11/08/2019 1.80%	1,983,400.00 1,993,125.63	94.91 4.25%	1,898,244.00 14,986.11	0.82% (94,881.63)	Aaa / AA+ AAA	2.04 1.96
3135G0X24	FNMA Note 1.625% Due 01/07/2025	4,200,000.00	Various 1.18%	4,287,898.80 4,241,262.02	94.36 4.26%	3,963,023.40 15,925.00	1.70% (278,238.62)	Aaa / AA+ AAA	2.27 2.18
3137EAEP0	FHLMC Note 1.500% Due 02/12/2025	4,200,000.00	Various 1.23%	4,254,786.30 4,226,264.29	93.94 4.22%	3,945,324.61 8,575.00	1.69% (280,939.68)	Aaa / AA+ AAA	2.37 2.28
3135G03U5	FNMA Note 0.625% Due 04/22/2025	1,825,000.00	04/22/2020 0.67%	1,821,240.50 1,823,074.91	91.14 4.32%	1,663,315.95 5,037.76	0.71% (159,758.96)	Aaa / AA+ AAA	2.56 2.48
3135G04Z3	FNMA Note 0.500% Due 06/17/2025	3,435,000.00	06/17/2020 0.54%	3,427,889.55 3,431,140.71	90.39 4.29%	3,105,044.21 4,961.67	1.33% (326,096.50)	Aaa / AA+ AAA	2.72 2.64
3137EAEU9	FHLMC Note 0.375% Due 07/21/2025	1,745,000.00	07/21/2020 0.48%	1,736,309.90 1,740,121.35	89.73 4.30%	1,565,776.29 1,272.40	0.67% (174,345.06)	Aaa / AA+ AAA	2.81 2.73
3135G05X7	FNMA Note 0.375% Due 08/25/2025	2,755,000.00	08/25/2020 0.47%	2,742,106.60 2,747,514.19	89.43 4.29%	2,463,785.48 1,033.13	1.05% (283,728.71)	Aaa / AA+ AAA	2.90 2.83
3137EAEX3	FHLMC Note 0.375% Due 09/23/2025	2,655,000.00	09/23/2020 0.44%	2,647,008.45 2,650,233.11	89.25 4.25%	2,369,643.26 221.25	1.01% (280,589.85)	Aaa / AA+ AAA	2.98 2.90
3135G06G3	FNMA Note 0.500% Due 11/07/2025	2,860,000.00	11/09/2020 0.57%	2,849,761.20 2,853,629.57	89.07 4.30%	2,547,373.40 5,720.00	1.09% (306,256.17)	Aaa / AA+ AAA	3.11 3.01
				56,465,338.65		**53,062,995.43**	**22.76%**	**Aaa / AA+**	**1.82**
TOTAL Agency		**55,820,000.00**	**1.56%**	**56,021,008.46**	**4.30%**	**213,342.03**	**(2,958,013.03)**	**Aaa**	**1.76**

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
CMO									
3137BFE98	FHLMC K041 A2	2,000,000.00	07/01/2021	2,151,406.25	97.23	1,944,576.00	0.83%	Aaa / AAA	2.07
	3.171% Due 10/25/2024		0.72%	2,093,636.18	4.58%	5,285.00	(149,060.18)	AAA	1.87
3137BSRE5	FHLMC K059 A2	2,000,000.00	02/18/2022	2,085,625.00	94.75	1,895,034.00	0.81%	NR / AAA	3.99
	3.120% Due 09/25/2026		1.98%	2,074,260.23	4.58%	5,200.00	(179,226.23)	AAA	3.57
				4,237,031.25		**3,839,610.00**	**1.65%**	**Aaa / AAA**	**3.02**
TOTAL CMO		**4,000,000.00**	**1.35%**	**4,167,896.41**	**4.58%**	**10,485.00**	**(328,286.41)**	**Aaa**	**2.71**
Corporate									
69353RFL7	PNC Bank Callable Note Cont 5/9/2023	1,210,000.00	Various	1,208,333.27	99.43	1,203,100.58	0.52%	A2 / A	0.69
	3.500% Due 06/08/2023		3.53%	1,209,771.40	4.34%	13,293.20	(6,670.82)	A+	0.67
06406RAJ6	Bank of NY Mellon Corp Note	1,200,000.00	08/24/2018	1,201,836.00	99.24	1,190,824.80	0.51%	A1 / A	0.86
	3.450% Due 08/11/2023		3.42%	1,200,318.69	4.36%	5,750.00	(9,493.89)	AA-	0.84
06051GHF9	Bank of America Corp Callable Note 1X 3/5/2023	2,400,000.00	Various	2,434,650.00	99.22	2,381,265.60	1.02%	A2 / A-	1.43
	3.550% Due 03/05/2024		3.15%	2,403,758.90	4.90%	6,153.33	(22,493.30)	AA-	1.36
89114QCB2	Toronto Dominion Bank Note	2,300,000.00	03/26/2019	2,331,234.00	97.56	2,243,765.00	0.96%	A1 / A	1.45
	3.250% Due 03/11/2024		2.95%	2,309,094.10	5.02%	4,152.78	(65,329.10)	AA-	1.39
037833CU2	Apple Inc Callable Note Cont 3/11/2024	3,000,000.00	Various	3,038,334.00	97.56	2,926,743.00	1.26%	Aaa / AA+	1.61
	2.850% Due 05/11/2024		2.56%	3,011,937.17	4.43%	33,250.00	(85,194.17)	NR	1.54
023135BW5	Amazon.com Inc Note	1,865,000.00	05/10/2021	1,862,277.10	93.77	1,748,717.25	0.75%	A1 / AA	1.62
	0.450% Due 05/12/2024		0.50%	1,863,536.69	4.49%	3,240.44	(114,819.44)	AA-	1.57
24422ETT6	John Deere Capital Corp Note	2,000,000.00	Various	2,093,680.00	96.77	1,935,400.00	0.83%	A2 / A	1.73
	2.650% Due 06/24/2024		1.32%	2,044,750.27	4.61%	14,280.56	(109,350.27)	A	1.66
02665WCZ2	American Honda Finance Note	1,500,000.00	07/10/2019	1,493,742.00	96.07	1,441,062.00	0.62%	A3 / A-	1.74
	2.400% Due 06/27/2024		2.49%	1,497,806.94	4.78%	9,400.00	(56,744.94)	A	1.67
79466LAG9	Salesforce.com Inc Callable Note Cont 7/15/2022	465,000.00	06/29/2021	464,762.85	93.24	433,543.68	0.19%	A2 / A+	1.79
	0.625% Due 07/15/2024		0.64%	464,859.09	4.60%	613.54	(31,315.41)	NR	1.74
78013XZU5	Royal Bank of Canada Note	2,500,000.00	09/10/2019	2,531,325.00	95.92	2,397,910.00	1.03%	A1 / A	1.79
	2.550% Due 07/16/2024		2.28%	2,511,580.86	4.95%	13,281.25	(113,670.86)	AA-	1.71
46647PAU0	JP Morgan Chase & Co Callable Note 1X 7/23/2023	2,500,000.00	09/12/2019	2,632,175.00	98.64	2,466,117.50	1.06%	A1 / A-	1.81
	3.797% Due 07/23/2024		2.35%	2,527,732.31	5.01%	17,930.28	(61,614.81)	AA-	1.71
02665WEA5	American Honda Finance Note	1,075,000.00	01/11/2022	1,074,150.75	92.81	997,680.63	0.43%	A3 / A-	2.29
	1.500% Due 01/13/2025		1.53%	1,074,352.99	4.86%	3,493.75	(76,672.36)	A	2.19
90331HPL1	US Bank NA Callable Note Cont 12/21/2024	2,610,000.00	01/16/2020	2,604,440.70	94.06	2,455,007.76	1.05%	A1 / AA-	2.31
	2.050% Due 01/21/2025		2.10%	2,607,434.87	4.80%	10,403.75	(152,427.11)	AA-	2.20

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
00440EAS6	Chubb INA Holdings Inc Note 3.150% Due 03/15/2025	2,500,000.00	Various 0.76%	2,753,600.00 2,643,973.11	95.95 4.92%	2,398,747.50 3,500.00	1.03% (245,225.61)	A3 / A A	2.46 2.32
14913R2V8	Caterpillar Financial Service Note 3.400% Due 05/13/2025	1,165,000.00	05/10/2022 3.44%	1,163,520.45 1,163,710.79	96.71 4.75%	1,126,726.25 15,183.83	0.49% (36,984.54)	A2 / A A	2.62 2.44
747525AF0	Qualcomm Inc Callable Note Cont 2/20/2025 3.450% Due 05/20/2025	3,000,000.00	Various 1.78%	3,159,848.58 3,127,302.37	96.81 4.75%	2,904,267.00 37,662.50	1.26% (223,035.37)	A2 / A NR	2.64 2.45
61747YEA9	Morgan Stanley Callable Note Cont 5/30/2024 0.790% Due 05/30/2025	3,040,000.00	05/26/2021 0.77%	3,041,611.70 3,040,894.24	92.06 5.01%	2,798,703.04 8,072.05	1.20% (242,191.20)	A1 / A- A	2.67 2.56
438516CB0	Honeywell Intl Callable Note Cont 5/1/2025 1.350% Due 06/01/2025	2,500,000.00	06/23/2020 0.85%	2,559,500.00 2,531,681.82	92.05 4.54%	2,301,282.50 11,250.00	0.99% (230,399.32)	A2 / A A	2.67 2.56
78015K7H1	Royal Bank of Canada Note 1.150% Due 06/10/2025	1,000,000.00	02/22/2021 0.86%	1,012,240.00 1,007,678.32	90.25 5.07%	902,515.00 3,545.83	0.39% (105,163.32)	A1 / A AA-	2.70 2.58
66815L2J7	Northwestern Mutual Glbl Note 4.000% Due 07/01/2025	2,500,000.00	06/27/2022 4.01%	2,499,150.00 2,499,221.35	97.42 5.01%	2,435,407.50 25,000.00	1.05% (63,813.85)	Aaa / AA+ AAA	2.75 2.54
02665WDL2	American Honda Finance Note 1.200% Due 07/08/2025	1,000,000.00	08/10/2021 1.00%	1,007,640.00 1,005,416.58	90.49 4.91%	904,930.00 2,766.67	0.39% (100,486.58)	A3 / A- A	2.77 2.66
89114QCK2	Toronto Dominion Bank Note 0.750% Due 09/11/2025	1,000,000.00	02/16/2021 0.81%	997,230.00 998,210.97	88.18 5.12%	881,825.00 416.67	0.38% (116,385.97)	A1 / A AA-	2.95 2.84
06051GHY8	Bank of America Corp Callable Note Cont 2/13/2025 2.015% Due 02/13/2026	1,250,000.00	03/04/2021 1.14%	1,291,725.00 1,275,127.85	91.68 5.41%	1,146,005.00 3,358.33	0.49% (129,122.85)	A2 / A- AA-	3.38 3.17
46647PBH8	JP Morgan Chase & Co Callable Note Mthly 3/13/2025 2.005% Due 03/13/2026	1,000,000.00	04/29/2021 1.20%	1,030,270.00 1,019,151.72	91.59 5.43%	915,919.00 1,002.50	0.39% (103,232.72)	A1 / A- AA-	3.45 3.25
808513BR5	Charles Schwab Corp Callable Note Cont 4/13/2026 1.150% Due 05/13/2026	1,370,000.00	05/11/2021 1.20%	1,366,821.60 1,367,702.36	87.51 4.96%	1,198,906.18 6,039.42	0.51% (168,796.18)	A2 / A A	3.62 3.45
91324PEC2	United Health Group Inc Callable Note Cont 4/15/2026 1.150% Due 05/15/2026	2,000,000.00	Various 1.90%	1,939,210.15 1,947,673.81	88.53 4.62%	1,770,628.00 8,688.89	0.76% (177,045.81)	A3 / A+ A	3.62 3.46
89236TJK2	Toyota Motor Credit Corp Note 1.125% Due 06/18/2026	2,485,000.00	06/15/2021 1.13%	2,483,906.60 2,484,188.03	87.51 4.84%	2,174,583.74 7,998.59	0.93% (309,604.29)	A1 / A+ A+	3.72 3.55
58989V2D5	Met Tower Global Funding Note 1.250% Due 09/14/2026	1,285,000.00	09/07/2021 1.27%	1,283,817.80 1,284,065.12	86.05 5.20%	1,105,687.25 758.51	0.47% (178,377.87)	Aa3 / AA- AA-	3.96 3.76
06368FAC3	Bank of Montreal Note 1.250% Due 09/15/2026	2,500,000.00	Various 1.29%	2,495,539.50 2,496,470.20	85.53 5.35%	2,138,342.50 1,388.89	0.91% (358,127.70)	A2 / A- AA-	3.96 3.76

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
931142ER0	Wal-Mart Stores Callable Note Cont 08/17/2026 1.050% Due 09/17/2026	585,000.00	09/08/2021 1.09%	583,894.35 584,123.84	87.29 4.59%	510,652.35 238.88	0.22% (73,471.49)	Aa2 / AA AA	3.97 3.80
59217GER6	Metlife Note 1.875% Due 01/11/2027	1,860,000.00	01/03/2022 1.90%	1,857,879.60 1,858,185.00	87.50 5.17%	1,627,462.80 7,750.00	0.70% (230,722.20)	Aa3 / AA- AA-	4.28 4.00
87612EBM7	Target Corp Callable Note Cont 12/15/2026 1.950% Due 01/15/2027	1,340,000.00	01/19/2022 1.99%	1,337,722.00 1,338,035.43	89.69 4.62%	1,201,887.54 5,516.33	0.52% (136,147.89)	A2 / A A	4.30 4.02
808513BY0	Charles Schwab Corp Callable Note Cont 2/3/2027 2.450% Due 03/03/2027	585,000.00	03/01/2022 2.47%	584,368.20 584,441.55	89.78 5.06%	525,214.17 1,114.75	0.22% (59,227.38)	A2 / A A	4.42 4.09
084664CZ2	Berkshire Hathaway Callable Note Cont 2/15/2027 2.300% Due 03/15/2027	2,295,000.00	03/07/2022 2.30%	2,294,563.95 2,294,611.71	91.05 4.54%	2,089,659.47 2,346.00	0.89% (204,952.24)	Aa2 / AA A+	4.46 4.15
40139LBF9	Guardian Life Glob Fun Note 3.246% Due 03/29/2027	765,000.00	03/24/2022 3.25%	765,000.00 765,000.00	92.98 5.01%	711,290.88 137.96	0.30% (53,709.12)	Aa1 / AA+ NR	4.50 4.10
023135CF1	Amazon.com Inc Callable Note Cont 3/13/2027 3.300% Due 04/13/2027	1,750,000.00	04/25/2022 3.34%	1,746,972.50 1,747,234.82	94.43 4.68%	1,652,472.50 26,950.00	0.72% (94,762.32)	A1 / AA AA-	4.54 4.08
46647PCB0	JP Morgan Chase & Co Callable Note Cont 4/22/2026 1.578% Due 04/22/2027	500,000.00	08/23/2022 4.45%	449,845.00 450,935.97	86.40 5.46%	432,020.50 3,484.75	0.19% (18,915.47)	A1 / A- AA-	4.56 4.25
927804GH1	Virginia Electric Power Corp Callable Note Cont. 4/15/2027 3.750% Due 05/15/2027	1,000,000.00	Various 3.75%	999,773.40 999,786.70	94.44 5.11%	944,419.00 12,604.17	0.41% (55,367.70)	A2 / BBB+ A	4.62 4.12
14913R3A3	Caterpillar Financial Service Note 3.600% Due 08/12/2027	1,375,000.00	Various 3.89%	1,357,243.75 1,357,450.99	94.46 4.89%	1,298,822.25 6,737.50	0.56% (58,628.74)	A2 / A A	4.87 4.37
931142EX7	Wal-Mart Stores Callable Note Cont 09/09/2027 3.950% Due 09/09/2027	1,500,000.00	Various 3.98%	1,498,302.30 1,498,322.76	96.93 4.65%	1,453,924.51 3,620.83	0.62% (44,398.25)	Aa2 / AA AA	4.95 4.42
TOTAL Corporate		**67,775,000.00**	**2.06%**	**68,532,137.10** **68,097,531.69**	**4.85%**	**63,373,439.23** **342,376.73**	**27.23%** **(4,724,092.46)**	**A1 / A+** **A+**	**2.82** **2.65**
Money Market Fund									
31846V203	First American Govt Obligation Fund Class Y	286,323.37	Various 2.45%	286,323.37 286,323.37	1.00 2.45%	286,323.37 0.00	0.12% 0.00	Aaa / AAA AAA	0.00 0.00
TOTAL Money Market Fund		**286,323.37**	**2.45%**	**286,323.37** **286,323.37**	**2.45%**	**286,323.37** **0.00**	**0.12%** **0.00**	**Aaa / AAA** **Aaa**	**0.00** **0.00**

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
Negotiable CD									
86959RTW0	Svenska Handelsbanken NY Yankee CD	2,500,000.00	10/15/2021	2,500,126.08	99.89	2,497,242.50	1.07%	P-1 / A-1+	0.04
	0.255% Due 10/14/2022		0.25%	2,500,004.50	3.09%	6,215.63	(2,762.00)	F-1+	0.04
				2,500,126.08		**2,497,242.50**	**1.07%**	**Aaa / AAA**	**0.04**
TOTAL Negotiable CD		**2,500,000.00**	**0.25%**	**2,500,004.50**	**3.09%**	**6,215.63**	**(2,762.00)**	**Aaa**	**0.04**
Supranational									
4581X0DZ8	Inter-American Dev Bank Note	3,680,000.00	09/15/2021	3,677,276.80	92.88	3,418,131.20	1.46%	Aaa / AAA	1.98
	0.500% Due 09/23/2024		0.52%	3,678,203.58	4.29%	408.89	(260,072.38)	NR	1.93
459058JB0	Intl. Bank Recon & Development Note	2,260,000.00	04/15/2020	2,251,253.80	91.04	2,057,540.16	0.88%	Aaa / AAA	2.56
	0.625% Due 04/22/2025		0.70%	2,255,526.31	4.36%	6,238.54	(197,986.15)	NR	2.48
4581X0DN5	Inter-American Dev Bank Note	1,685,000.00	01/13/2021	1,692,329.75	90.23	1,520,335.06	0.65%	Aaa / AAA	2.79
	0.625% Due 07/15/2025		0.53%	1,689,544.27	4.38%	2,223.26	(169,209.21)	NR	2.71
459058JL8	Intl. Bank Recon & Development Note	6,000,000.00	Various	5,986,632.00	88.98	5,338,506.00	2.29%	Aaa / AAA	3.08
	0.500% Due 10/28/2025		0.55%	5,991,333.70	4.37%	12,750.00	(652,827.70)	AAA	2.98
4581X0DV7	Inter-American Dev Bank Note	4,615,000.00	04/13/2021	4,593,863.30	88.72	4,094,381.85	1.76%	Aaa / AAA	3.56
	0.875% Due 04/20/2026		0.97%	4,599,986.69	4.33%	18,059.39	(505,604.84)	AAA	3.42
				18,201,355.65		**16,428,894.27**	**7.04%**	**Aaa / AAA**	**2.88**
TOTAL Supranational		**18,240,000.00**	**0.67%**	**18,214,594.55**	**4.34%**	**39,680.08**	**(1,785,700.28)**	**Aaa**	**2.78**
US Treasury									
912828V80	US Treasury Note	5,000,000.00	Various	4,983,691.41	97.36	4,867,775.00	2.09%	Aaa / AA+	1.34
	2.250% Due 01/31/2024		2.32%	4,995,483.53	4.31%	18,953.80	(127,708.53)	AAA	1.29
912828WJ5	US Treasury Note	1,750,000.00	06/10/2019	1,798,261.72	97.16	1,700,233.50	0.73%	Aaa / AA+	1.62
	2.500% Due 05/15/2024		1.91%	1,765,872.74	4.33%	16,525.14	(65,639.24)	AAA	1.55
9128282N9	US Treasury Note	2,000,000.00	08/30/2019	2,064,531.25	96.23	1,924,610.00	0.83%	Aaa / AA+	1.84
	2.125% Due 07/31/2024		1.44%	2,024,024.15	4.28%	7,160.33	(99,414.15)	AAA	1.76
912828YH7	US Treasury Note	3,500,000.00	Various	3,474,941.41	94.83	3,318,983.50	1.42%	Aaa / AA+	2.00
	1.500% Due 09/30/2024		1.65%	3,489,668.77	4.22%	144.23	(170,685.27)	AAA	1.94
9128283J7	US Treasury Note	3,000,000.00	Various	3,051,650.40	95.62	2,868,516.00	1.23%	Aaa / AA+	2.17
	2.125% Due 11/30/2024		1.76%	3,022,556.60	4.26%	21,424.19	(154,040.60)	AAA	2.07
91282CDZ1	US Treasury Note	2,000,000.00	05/06/2022	1,925,156.25	93.75	1,875,000.00	0.80%	Aaa / AA+	2.38
	1.500% Due 02/15/2025		2.92%	1,935,869.32	4.30%	3,831.52	(60,869.32)	AAA	2.29
912828ZC7	US Treasury Note	3,500,000.00	03/24/2020	3,603,222.66	92.89	3,251,307.50	1.39%	Aaa / AA+	2.42
	1.125% Due 02/28/2025		0.52%	3,550,493.71	4.25%	3,371.89	(299,186.21)	AAA	2.34

Holdings Report

As of September 30, 2022

City of Dublin - Account #10198

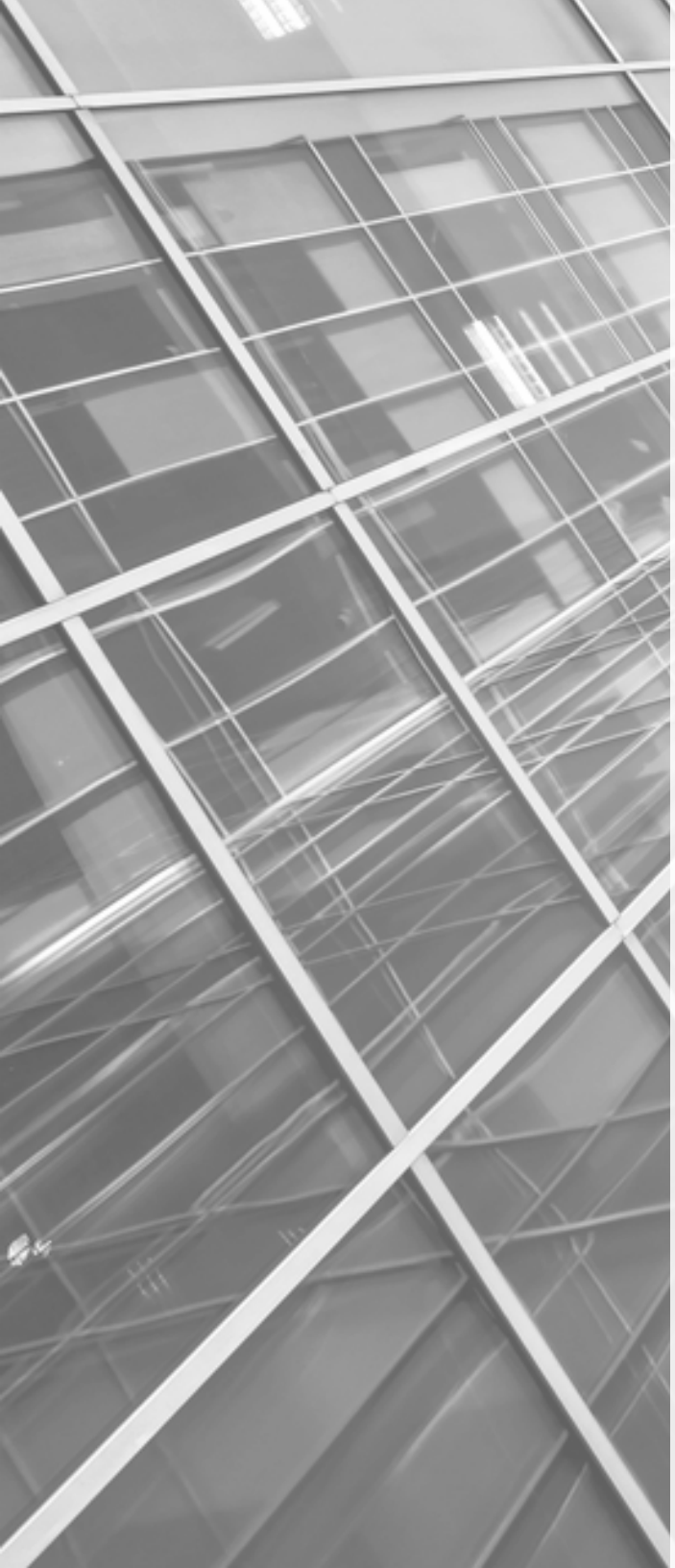
CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
91282CED9	US Treasury Note 1.750% Due 03/15/2025	2,000,000.00	03/15/2022 2.00%	1,985,312.50 1,987,981.74	94.18 4.27%	1,883,594.00 1,546.96	0.81% (104,387.74)	Aaa / AA+ AAA	2.46 2.36
912828ZL7	US Treasury Note 0.375% Due 04/30/2025	4,000,000.00	Various 0.38%	3,998,593.75 3,999,255.79	90.60 4.25%	3,624,064.00 6,277.18	1.55% (375,191.79)	Aaa / AA+ AAA	2.58 2.52
91282CFE6	US Treasury Note 3.125% Due 08/15/2025	1,000,000.00	09/27/2022 4.42%	965,234.38 965,333.52	96.95 4.26%	969,531.00 3,991.17	0.42% 4,197.48	Aaa / AA+ AAA	2.88 2.70
91282CAM3	US Treasury Note 0.250% Due 09/30/2025	2,500,000.00	10/16/2020 0.32%	2,491,406.25 2,494,792.39	88.89 4.23%	2,222,167.50 17.17	0.95% (272,624.89)	Aaa / AA+ AAA	3.00 2.93
91282CBC4	US Treasury Note 0.375% Due 12/31/2025	1,000,000.00	12/29/2020 0.38%	999,921.88 999,949.22	88.44 4.22%	884,414.00 947.69	0.38% (115,535.22)	Aaa / AA+ AAA	3.25 3.16
91282CBH3	US Treasury Note 0.375% Due 01/31/2026	4,000,000.00	02/23/2021 0.58%	3,960,625.00 3,973,385.82	88.09 4.24%	3,523,752.00 2,527.17	1.51% (449,633.82)	Aaa / AA+ AAA	3.34 3.24
91282CBQ3	US Treasury Note 0.500% Due 02/28/2026	2,500,000.00	03/26/2021 0.83%	2,459,960.94 2,472,237.80	88.25 4.23%	2,206,347.50 1,070.44	0.94% (265,890.30)	Aaa / AA+ AAA	3.42 3.32
91282CBT7	US Treasury Note 0.750% Due 03/31/2026	5,000,000.00	Various 0.85%	4,974,804.69 4,982,320.69	88.81 4.22%	4,440,430.00 103.02	1.90% (541,890.69)	Aaa / AA+ AAA	3.50 3.39
91282CCF6	US Treasury Note 0.750% Due 05/31/2026	2,000,000.00	06/18/2021 0.91%	1,985,000.00 1,988,880.89	88.34 4.22%	1,766,796.00 5,040.98	0.76% (222,084.89)	Aaa / AA+ AAA	3.67 3.54
91282CCW9	US Treasury Note 0.750% Due 08/31/2026	2,000,000.00	08/30/2021 0.77%	1,998,515.63 1,998,837.54	87.73 4.18%	1,754,688.00 1,284.53	0.75% (244,149.54)	Aaa / AA+ AAA	3.92 3.78
91282CDG3	US Treasury Note 1.125% Due 10/31/2026	5,000,000.00	Various 1.25%	4,970,498.06 4,975,402.01	88.71 4.16%	4,435,350.00 23,539.40	1.91% (540,052.01)	Aaa / AA+ AAA	4.09 3.90
912828Z78	US Treasury Note 1.500% Due 01/31/2027	4,500,000.00	Various 2.15%	4,367,285.16 4,379,914.83	89.68 4.12%	4,035,762.00 11,372.28	1.73% (344,152.83)	Aaa / AA+ AAA	4.34 4.11
91282CEN7	US Treasury Note 2.750% Due 04/30/2027	7,000,000.00	Various 3.54%	6,761,484.38 6,765,052.74	94.43 4.09%	6,609,806.00 80,557.06	2.86% (155,246.74)	Aaa / AA+ AAA	4.58 4.20
91282CEW7	US Treasury Note 3.250% Due 06/30/2027	8,000,000.00	Various 3.10%	8,053,964.85 8,052,346.69	96.43 4.08%	7,714,688.00 65,706.52	3.32% (337,658.69)	Aaa / AA+ AAA	4.75 4.31
TOTAL US Treasury		**71,250,000.00**	**1.75%**	**70,874,062.57** **70,819,660.49**	**4.20%**	**65,877,815.50** **275,392.67**	**28.27%** **(4,941,844.99)**	**Aaa / AA+** **Aaa**	**3.27** **3.09**
TOTAL PORTFOLIO		**248,649,713.91**	**1.68%**	**249,871,186.70** **248,882,873.44**	**4.47%**	**233,126,756.06** **904,893.09**	**100.00%** **(15,756,117.38)**	**Aa1 / AA** **Aaa**	**2.73** **2.39**
TOTAL MARKET VALUE PLUS ACCRUALS						**234,031,649.15**			

Holdings Report

As of September 30, 2022

City of Dublin Reporting Account - Account #10219

CUSIP	Security Description	Par Value/Units	Purchase Date Book Yield	Cost Value Book Value	Mkt Price Mkt YTM	Market Value Accrued Int.	% of Port. Gain/Loss	Moody/S&P Fitch	Maturity Duration
LAIF									
90LAIF$00	Local Agency Investment Fund State Pool	50,558,660.53	Various 1.60%	50,558,660.53 50,558,660.53	1.00 1.60%	50,558,660.53 164,680.89	39.20% 0.00	NR / NR NR	0.00 0.00
				50,558,660.53		**50,558,660.53**	**39.20%**	**NR / NR**	**0.00**
TOTAL LAIF		**50,558,660.53**	**1.60%**	**50,558,660.53**	**1.60%**	**164,680.89**	**0.00**	**NR**	**0.00**
Local Gov Investment Pool									
90CAMP$00	California Asset Mgmt Program CAMP	78,684,622.93	Various 2.61%	78,684,622.93 78,684,622.93	1.00 2.61%	78,684,622.93 0.00	60.80% 0.00	NR / AAA NR	0.00 0.00
				78,684,622.93		**78,684,622.93**	**60.80%**	**NR / AAA**	**0.00**
TOTAL Local Gov Investment Pool		**78,684,622.93**	**2.61%**	**78,684,622.93**	**2.61%**	**0.00**	**0.00**	**NR**	**0.00**
				129,243,283.46		**129,243,283.46**	**100.00%**	**NR / AAA**	**0.00**
TOTAL PORTFOLIO		**129,243,283.46**	**2.21%**	**129,243,283.46**	**2.21%**	**164,680.89**	**0.00**	**NR**	**0.00**
TOTAL MARKET VALUE PLUS ACCRUALS						**129,407,964.35**			



Section 5 | Transactions

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/01/2022	66815L2J7	2,500,000.00	Northwestern Mutual Glbl Note 4% Due: 07/01/2025	99.966	4.01%	2,499,150.00	0.00	2,499,150.00	0.00
Purchase	07/20/2022	47800AAC4	1,045,000.00	John Deere Owner Trust 2022-B A3 3.74% Due: 02/16/2027	99.990	3.77%	1,044,900.20	0.00	1,044,900.20	0.00
Purchase	08/08/2022	91282CEW7	2,000,000.00	US Treasury Note 3.25% Due: 06/30/2027	101.242	2.97%	2,024,843.75	6,888.59	2,031,732.34	0.00
Purchase	08/10/2022	91282CEW7	2,500,000.00	US Treasury Note 3.25% Due: 06/30/2027	101.184	2.99%	2,529,589.84	9,052.31	2,538,642.15	0.00
Purchase	08/11/2022	92348KAV5	915,000.00	Verizon Master Trust 2022-5 A1A 3.72% Due: 07/20/2027	99.996	3.75%	914,959.74	0.00	914,959.74	0.00
Purchase	08/19/2022	14913R3A3	750,000.00	Caterpillar Financial Service Note 3.6% Due: 08/12/2027	99.715	3.66%	747,862.50	525.00	748,387.50	0.00
Purchase	08/25/2022	46647PCB0	500,000.00	JP Morgan Chase & Co Callable Note Cont 4/22/2026 1.578% Due: 04/22/2027	89.969	4.45%	449,845.00	2,695.75	452,540.75	0.00
Purchase	08/26/2022	91282CEW7	2,000,000.00	US Treasury Note 3.25% Due: 06/30/2027	100.246	3.19%	2,004,921.88	10,067.93	2,014,989.81	0.00
Purchase	08/31/2022	91282CEW7	1,500,000.00	US Treasury Note 3.25% Due: 06/30/2027	99.641	3.33%	1,494,609.38	8,213.32	1,502,822.70	0.00
Purchase	09/09/2022	931142EX7	705,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due: 09/09/2027	99.784	4.00%	703,477.20	0.00	703,477.20	0.00
Purchase	09/09/2022	931142EX7	795,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due: 09/09/2027	99.978	3.95%	794,825.10	0.00	794,825.10	0.00
Purchase	09/13/2022	14913R3A3	625,000.00	Caterpillar Financial Service Note 3.6% Due: 08/12/2027	97.501	4.17%	609,381.25	1,937.50	611,318.75	0.00
Purchase	09/27/2022	91282CEN7	3,000,000.00	US Treasury Note 2.75% Due: 04/30/2027	93.844	4.23%	2,815,312.50	33,627.72	2,848,940.22	0.00

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Purchase	09/28/2022	91282CFE6	1,000,000.00	US Treasury Note 3.125% Due: 08/15/2025	96.523	4.42%	965,234.38	3,736.41	968,970.79	0.00
Subtotal			**19,835,000.00**				**19,598,912.72**	**76,744.53**	**19,675,657.25**	**0.00**
TOTAL ACQUISITIONS			**19,835,000.00**				**19,598,912.72**	**76,744.53**	**19,675,657.25**	**0.00**
DISPOSITIONS										
Sale	07/18/2022	3135G0T94	2,500,000.00	FNMA Note 2.375% Due: 01/19/2023	99.734	2.70%	2,493,350.00	29,522.57	2,522,872.57	-2,825.23
Sale	08/08/2022	912828R69	500,000.00	US Treasury Note 1.625% Due: 05/31/2023	98.750	2.67%	493,750.00	1,531.76	495,281.76	-2,314.57
Sale	08/10/2022	912828R69	1,000,000.00	US Treasury Note 1.625% Due: 05/31/2023	98.742	2.67%	987,421.88	3,152.32	990,574.20	-4,760.44
Sale	08/10/2022	912828U57	1,500,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.543	2.54%	1,478,144.53	6,183.40	1,484,327.93	-14,430.29
Sale	08/18/2022	58933YAF2	360,000.00	Merck & Co Note 2.8% Due: 05/18/2023	99.604	3.41%	358,574.40	2,520.00	361,094.40	93.86
Sale	08/19/2022	58933YAF2	380,000.00	Merck & Co Note 2.8% Due: 05/18/2023	99.576	3.41%	378,388.80	2,689.56	381,078.36	-13.20
Sale	08/25/2022	46625HRL6	260,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.604	3.74%	258,970.40	1,891.50	260,861.90	774.33
Sale	08/26/2022	912828U57	2,000,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.508	2.54%	1,970,156.25	10,102.46	1,980,258.71	-20,275.59
Sale	08/31/2022	46625HRL6	110,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.445	3.74%	109,389.50	849.75	110,239.25	135.49
Sale	08/31/2022	46625HRL6	130,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.480	3.74%	129,324.00	1,004.25	130,328.25	205.62

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Sale	08/31/2022	912828U57	1,500,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.379	2.54%	1,475,683.59	8,012.30	1,483,695.89	-17,218.12
Sale	09/09/2022	02665WCJ8	1,000,000.00	American Honda Finance Note 3.45% Due: 07/14/2023	99.648	3.52%	996,480.00	5,270.83	1,001,750.83	-2,840.36
Sale	09/09/2022	747525AF0	500,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	98.852	1.82%	494,260.00	5,222.92	499,482.92	-27,442.27
Sale	09/13/2022	69353RFL7	1,000,000.00	PNC Bank Callable Note Cont 5/9/2023 3.5% Due: 06/08/2023	99.810	3.53%	998,100.00	9,236.11	1,007,336.11	-1,697.47
Subtotal			**12,740,000.00**				**12,621,993.35**	**87,189.73**	**12,709,183.08**	**-92,608.24**
Maturity	09/14/2022	4581X0CZ9	2,500,000.00	Inter-American Dev Bank Note 1.75% Due: 09/14/2022	100.000		2,500,000.00	0.00	2,500,000.00	0.00
Subtotal			**2,500,000.00**				**2,500,000.00**	**0.00**	**2,500,000.00**	**0.00**
TOTAL DISPOSITIONS			**15,240,000.00**				**15,121,993.35**	**87,189.73**	**15,209,183.08**	**-92,608.24**

Transaction Ledger

As of September 30, 2022

City of Dublin Reporting Account - Account #10219

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/15/2022	90LAIF$00	94,479.51	Local Agency Investment Fund State Pool	1.000	0.94%	94,479.51	0.00	94,479.51	0.00
Purchase	07/29/2022	90CAMP$00	119,875.32	California Asset Mgmt Program CAMP	1.000	1.40%	119,875.32	0.00	119,875.32	0.00
Purchase	08/31/2022	90CAMP$00	155,773.78	California Asset Mgmt Program CAMP	1.000	2.37%	155,773.78	0.00	155,773.78	0.00
Purchase	09/30/2022	90CAMP$00	168,665.89	California Asset Mgmt Program CAMP	1.000	2.61%	168,665.89	0.00	168,665.89	0.00
Subtotal			**538,794.50**				**538,794.50**	**0.00**	**538,794.50**	**0.00**
TOTAL ACQUISITIONS			**538,794.50**				**538,794.50**	**0.00**	**538,794.50**	**0.00**
DISPOSITIONS										
Security Withdrawal	07/12/2022	90CAMP$00	4,000,000.00	California Asset Mgmt Program CAMP	1.000		4,000,000.00	0.00	4,000,000.00	0.00
Security Withdrawal	07/18/2022	90CAMP$00	1,000,000.00	California Asset Mgmt Program CAMP	1.000		1,000,000.00	0.00	1,000,000.00	0.00
Security Withdrawal	08/09/2022	90CAMP$00	6,000,000.00	California Asset Mgmt Program CAMP	1.000		6,000,000.00	0.00	6,000,000.00	0.00
Subtotal			**11,000,000.00**				**11,000,000.00**	**0.00**	**11,000,000.00**	**0.00**
TOTAL DISPOSITIONS			**11,000,000.00**				**11,000,000.00**	**0.00**	**11,000,000.00**	**0.00**

Important Disclosures

As of September 30, 2022

2022 Chandler Asset Management, Inc, An Independent Registered Investment Adviser.

Information contained herein is confidential. Prices are provided by ICE Data Services Inc ("IDS"), an independent pricing source. In the event IDS does not provide a price or if the price provided is not reflective of fair market value, Chandler will obtain pricing from an alternative approved third party pricing source in accordance with our written valuation policy and procedures. Our valuation procedures are also disclosed in Item 5 of our Form ADV Part 2A.

Performance results are presented gross-of-advisory fees and represent the client's Total Return. The deduction of advisory fees lowers performance results. These results include the reinvestment of dividends and other earnings. Past performance may not be indicative of future results. Therefore, clients should not assume that future performance of any specific investment or investment strategy will be profitable or equal to past performance levels. All investment strategies have the potential for profit or loss. Economic factors, market conditions or changes in investment strategies, contributions or withdrawals may materially alter the performance and results of your portfolio.

Index returns assume reinvestment of all distributions. Historical performance results for investment indexes generally do not reflect the deduction of transaction and/or custodial charges or the deduction of an investment management fee, the incurrence of which would have the effect of decreasing historical performance results. It is not possible to invest directly in an index.

Source ICE Data Indices, LLC ("ICE"), used with permission. ICE permits use of the ICE indices and related data on an "as is" basis; ICE, its affiliates and their respective third party suppliers disclaim any and all warranties and representations, express and/or implied, including any warranties of merchantability or fitness for a particular purpose or use, including the indices, index data and any data included in, related to, or derived therefrom. Neither ICE data, its affiliates or their respective third party providers guarantee the quality, adequacy, accuracy, timeliness or completeness of the indices or the index data or any component thereof, and the indices and index data and all components thereof are provided on an "as is" basis and licensee's use it at licensee's own risk. ICE data, its affiliates and their respective third party do not sponsor, endorse, or recommend chandler asset management, or any of its products or services.

This report is provided for informational purposes only and should not be construed as a specific investment or legal advice. The information contained herein was obtained from sources believed to be reliable as of the date of publication, but may become outdated or superseded at any time without notice. Any opinions or views expressed are based on current market conditions and are subject to change. This report may contain forecasts and forward-looking statements which are inherently limited and should not be relied upon as indicator of future results. Past performance is not indicative of future results. This report is not intended to constitute an offer, solicitation, recommendation or advice regarding any securities or investment strategy and should not be regarded by recipients as a substitute for the exercise of their own judgment.

Fixed income investments are subject to interest, credit and market risk. Interest rate risk: the value of fixed income investments will decline as interest rates rise. Credit risk: the possibility that the borrower may not be able to repay interest and principal. Low rated bonds generally have to pay higher interest rates to attract investors willing to take on greater risk. Market risk: the bond market in general could decline due to economic conditions, especially during periods of rising interest rates.

Ratings information have been provided by Moody's, S&P and Fitch through data feeds we believe to be reliable as of the date of this statement, however we cannot guarantee its accuracy.

Security level ratings for U.S. Agency issued mortgage-backed securities ("MBS") reflect the issuer rating because the securities themselves are not rated. The issuing U.S. Agency guarantees the full and timely payment of both principal and interest and carries a AA+/Aaa/AAA by S&P, Moody's and Fitch respectively.

Benchmark Disclosures

As of September 30, 2022

ICE BofA 1-5 Yr US Treasury & Agency Index*

The ICE BofA 1-5 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than five years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.

The ICE BofA 1-3 Year US Treasury & Agency Index tracks the performance of US dollar denominated US Treasury and nonsubordinated US agency debt issued in the US domestic market. Qualifying securities must have an investment grade rating (based on an average of Moody's, S&P and Fitch). Qualifying securities must have at least one year remaining term to final maturity and less than three years remaining term to final maturity, at least 18 months to maturity at time of issuance, a fixed coupon schedule, and a minimum amount outstanding of $1 billion for sovereigns and $250 million for agencies.

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/01/2022	66815L2J7	2,500,000.00	Northwestern Mutual Glbl Note 4% Due: 07/01/2025	99.966	4.01%	2,499,150.00	0.00	2,499,150.00	0.00
Purchase	07/20/2022	47800AAC4	1,045,000.00	John Deere Owner Trust 2022-B A3 3.74% Due: 02/16/2027	99.990	3.77%	1,044,900.20	0.00	1,044,900.20	0.00
Purchase	08/08/2022	91282CEW7	2,000,000.00	US Treasury Note 3.25% Due: 06/30/2027	101.242	2.97%	2,024,843.75	6,888.59	2,031,732.34	0.00
Purchase	08/10/2022	91282CEW7	2,500,000.00	US Treasury Note 3.25% Due: 06/30/2027	101.184	2.99%	2,529,589.84	9,052.31	2,538,642.15	0.00
Purchase	08/11/2022	92348KAV5	915,000.00	Verizon Master Trust 2022-5 A1A 3.72% Due: 07/20/2027	99.996	3.75%	914,959.74	0.00	914,959.74	0.00
Purchase	08/19/2022	14913R3A3	750,000.00	Caterpillar Financial Service Note 3.6% Due: 08/12/2027	99.715	3.66%	747,862.50	525.00	748,387.50	0.00
Purchase	08/25/2022	46647PCB0	500,000.00	JP Morgan Chase & Co Callable Note Cont 4/22/2026 1.578% Due: 04/22/2027	89.969	4.45%	449,845.00	2,695.75	452,540.75	0.00
Purchase	08/26/2022	91282CEW7	2,000,000.00	US Treasury Note 3.25% Due: 06/30/2027	100.246	3.19%	2,004,921.88	10,067.93	2,014,989.81	0.00
Purchase	08/31/2022	91282CEW7	1,500,000.00	US Treasury Note 3.25% Due: 06/30/2027	99.641	3.33%	1,494,609.38	8,213.32	1,502,822.70	0.00
Purchase	09/09/2022	931142EX7	705,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due: 09/09/2027	99.784	4.00%	703,477.20	0.00	703,477.20	0.00
Purchase	09/09/2022	931142EX7	795,000.00	Wal-Mart Stores Callable Note Cont 09/09/2027 3.95% Due: 09/09/2027	99.978	3.95%	794,825.10	0.00	794,825.10	0.00
Purchase	09/13/2022	14913R3A3	625,000.00	Caterpillar Financial Service Note 3.6% Due: 08/12/2027	97.501	4.17%	609,381.25	1,937.50	611,318.75	0.00
Purchase	09/27/2022	91282CEN7	3,000,000.00	US Treasury Note 2.75% Due: 04/30/2027	93.844	4.23%	2,815,312.50	33,627.72	2,848,940.22	0.00

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Purchase	09/28/2022	91282CFE6	1,000,000.00	US Treasury Note 3.125% Due: 08/15/2025	96.523	4.42%	965,234.38	3,736.41	968,970.79	0.00
Subtotal			**19,835,000.00**				**19,598,912.72**	**76,744.53**	**19,675,657.25**	**0.00**
TOTAL ACQUISITIONS			**19,835,000.00**				**19,598,912.72**	**76,744.53**	**19,675,657.25**	**0.00**
DISPOSITIONS										
Sale	07/18/2022	3135G0T94	2,500,000.00	FNMA Note 2.375% Due: 01/19/2023	99.734	2.70%	2,493,350.00	29,522.57	2,522,872.57	-2,825.23
Sale	08/08/2022	912828R69	500,000.00	US Treasury Note 1.625% Due: 05/31/2023	98.750	2.67%	493,750.00	1,531.76	495,281.76	-2,314.57
Sale	08/10/2022	912828R69	1,000,000.00	US Treasury Note 1.625% Due: 05/31/2023	98.742	2.67%	987,421.88	3,152.32	990,574.20	-4,760.44
Sale	08/10/2022	912828U57	1,500,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.543	2.54%	1,478,144.53	6,183.40	1,484,327.93	-14,430.29
Sale	08/18/2022	58933YAF2	360,000.00	Merck & Co Note 2.8% Due: 05/18/2023	99.604	3.41%	358,574.40	2,520.00	361,094.40	93.86
Sale	08/19/2022	58933YAF2	380,000.00	Merck & Co Note 2.8% Due: 05/18/2023	99.576	3.41%	378,388.80	2,689.56	381,078.36	-13.20
Sale	08/25/2022	46625HRL6	260,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.604	3.74%	258,970.40	1,891.50	260,861.90	774.33
Sale	08/26/2022	912828U57	2,000,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.508	2.54%	1,970,156.25	10,102.46	1,980,258.71	-20,275.59
Sale	08/31/2022	46625HRL6	110,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.445	3.74%	109,389.50	849.75	110,239.25	135.49
Sale	08/31/2022	46625HRL6	130,000.00	JP Morgan Chase Callable Note Cont 3/18/2023 2.7% Due: 05/18/2023	99.480	3.74%	129,324.00	1,004.25	130,328.25	205.62

Transaction Ledger

As of September 30, 2022

City of Dublin - Account #10198

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
Sale	08/31/2022	912828U57	1,500,000.00	US Treasury Note 2.125% Due: 11/30/2023	98.379	2.54%	1,475,683.59	8,012.30	1,483,695.89	-17,218.12
Sale	09/09/2022	02665WCJ8	1,000,000.00	American Honda Finance Note 3.45% Due: 07/14/2023	99.648	3.52%	996,480.00	5,270.83	1,001,750.83	-2,840.36
Sale	09/09/2022	747525AF0	500,000.00	Qualcomm Inc Callable Note Cont 2/20/2025 3.45% Due: 05/20/2025	98.852	1.82%	494,260.00	5,222.92	499,482.92	-27,442.27
Sale	09/13/2022	69353RFL7	1,000,000.00	PNC Bank Callable Note Cont 5/9/2023 3.5% Due: 06/08/2023	99.810	3.53%	998,100.00	9,236.11	1,007,336.11	-1,697.47
Subtotal			**12,740,000.00**				**12,621,993.35**	**87,189.73**	**12,709,183.08**	**-92,608.24**
Maturity	09/14/2022	4581X0CZ9	2,500,000.00	Inter-American Dev Bank Note 1.75% Due: 09/14/2022	100.000		2,500,000.00	0.00	2,500,000.00	0.00
Subtotal			**2,500,000.00**				**2,500,000.00**	**0.00**	**2,500,000.00**	**0.00**
TOTAL DISPOSITIONS			**15,240,000.00**				**15,121,993.35**	**87,189.73**	**15,209,183.08**	**-92,608.24**

Transaction Ledger

As of September 30, 2022

City of Dublin Reporting Account - Account #10219

June 30, 2022 through September 30, 2022

Transaction Type	Settlement Date	CUSIP	Quantity	Security Description	Price	Acq/Disp Yield	Amount	Interest Pur/Sold	Total Amount	Gain/Loss
ACQUISITIONS										
Purchase	07/15/2022	90LAIF$00	94,479.51	Local Agency Investment Fund State Pool	1.000	0.94%	94,479.51	0.00	94,479.51	0.00
Purchase	07/29/2022	90CAMP$00	119,875.32	California Asset Mgmt Program CAMP	1.000	1.40%	119,875.32	0.00	119,875.32	0.00
Purchase	08/31/2022	90CAMP$00	155,773.78	California Asset Mgmt Program CAMP	1.000	2.37%	155,773.78	0.00	155,773.78	0.00
Purchase	09/30/2022	90CAMP$00	168,665.89	California Asset Mgmt Program CAMP	1.000	2.61%	168,665.89	0.00	168,665.89	0.00
Subtotal			**538,794.50**				**538,794.50**	**0.00**	**538,794.50**	**0.00**
TOTAL ACQUISITIONS			**538,794.50**				**538,794.50**	**0.00**	**538,794.50**	**0.00**
DISPOSITIONS										
Security Withdrawal	07/12/2022	90CAMP$00	4,000,000.00	California Asset Mgmt Program CAMP	1.000		4,000,000.00	0.00	4,000,000.00	0.00
Security Withdrawal	07/18/2022	90CAMP$00	1,000,000.00	California Asset Mgmt Program CAMP	1.000		1,000,000.00	0.00	1,000,000.00	0.00
Security Withdrawal	08/09/2022	90CAMP$00	6,000,000.00	California Asset Mgmt Program CAMP	1.000		6,000,000.00	0.00	6,000,000.00	0.00
Subtotal			**11,000,000.00**				**11,000,000.00**	**0.00**	**11,000,000.00**	**0.00**
TOTAL DISPOSITIONS			**11,000,000.00**				**11,000,000.00**	**0.00**	**11,000,000.00**	**0.00**

Agenda Item 4.7

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Acceptance of Work – Project No. PK0215, Dublin Heritage Park Cemetery Improvements Project
Prepared by: Rosemary Alex, Parks and Facilities Development Coordinator

EXECUTIVE SUMMARY:

The City Council will consider the acceptance of the Dublin Heritage Park Cemetery Improvements. The project improved the courtyard, pathways, landscape, irrigation, parking lot, street frontage, lighting, memorial program elements, site furniture, and upgraded IT infrastructure.

STAFF RECOMMENDATION:

Adopt the **Resolution** Accepting the Dublin Heritage Park Cemetery Improvements Project, CIP No. PK0215.

FINANCIAL IMPACT:

The Dublin Heritage Park Cemetery Improvements Project is complete, though there may be some minor close-out expenditures. Project funding and estimated costs are as follows:

Funding Sources	
General Fund (Developer Contribution)	$1,500,000.00
General Fund Committed Reserve for Non-Streets CIP	$180,600.00
IT Infrastructure Improvement (CIP No. GI0117)	$16,400.00
Bay Area Air Quality Management District Grant (EV Chargers)	$8,000.00
Total Funding	**$1,705,000.00**

Estimated Expenditures	
Construction Contract with Change Orders	$1,236,992.70

Contract Services, Design, Salary, and Testing	$464,007.30
Total Expenditures	**$1,701,000.00**
Estimated Project Balance	**$4,000.00**

DESCRIPTION:

On April 20, 2021, the City Council awarded a contract for the Dublin Heritage Park Cemetery Improvements Project (CIP No. PK0215) to Saboo, Inc. for $1,031,000 plus a contingency amount of $100,000. The project consisted of restoration of the tree allée along Hawthorne Lane, landscape improvements throughout the site, the addition of a shade structure and improvements to the courtyard adjacent to Old St. Raymond's Church, renovation of the existing pathways within the cemetery, lighting improvements, the addition of site furnishings, creation of spaces for memorial program elements (pavers, monuments, benches and boulders), the resurfacing of and accessibility upgrades to the parking lot, installation of two electric vehicle charging stations, frontage improvements, and the expansion of parking along Donlon Way.

On November 6, 2021, the City Council approved additional improvements and a budget change in the amount of $210,000 to support information technology infrastructure upgrades, including new data conduits within the park and to the street right-of-way, and utility service connection points. Also included was the installation of fiber optic network cabling between the park buildings, creating a connected campus.

Staff has determined that the project is complete and recommends that the City Council accept the project and begin the warranty period.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted, and a courtesy copy of this report was sent to Saboo, Inc.

ATTACHMENTS:

1) Resolution Accepting the Dublin Heritage Park Cemetery Improvements Project, CIP No. PK0215

RESOLUTION NO. XX - 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ACCEPTING THE DUBLIN HERITAGE PARK CEMETERY IMPROVEMENTS PROJECT, CIP No. PK0215

WHEREAS, on April 20, 2021, the City of Dublin entered into a contract with Saboo, Inc. for the Dublin Heritage Park Cemetery Improvements Project that included improvements to the courtyard, pathways, landscape, irrigation, parking lot, street frontage, lighting, memorial program elements, and site furniture; and

WHEREAS, on November 6, 2021, the City Council approved additional improvements and a budget change to support IT infrastructure updates that included new data conduits, utility service connection points, and installation of fiber optic network cabling; and

WHEREAS, said improvements have been completed in accordance with plans and specifications, and any approved modifications thereof, to the satisfaction of the City Engineer of the City of Dublin; and

WHEREAS, as a condition of the contract, Saboo, Inc., is required to warranty the improvements for a period of one year following acceptance of the work by the City of Dublin and maintain a maintenance bond in the amount of 10% of the final contract value.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin does hereby accept the Dublin Heritage Park Cemetery Improvements, Project No. PK0215, and authorize Staff to file a Notice of Completion with Alameda County.

BE IT FURTHER RESOLVED that the City Council of the City of Dublin does hereby authorize the City Manager or designee to release the retention, if after 35 days of filing the Notice of Completion there are no subcontractor claims.

BE IT FURTHER RESOLVED that the City Council of the City of Dublin does hereby authorize the City Manager or designee to release the maintenance bond at the end of the one-year warranty period.

{Signatures on the Following Page}

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

Agenda Item 4.8

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Establishing Rules for the Selection of Vice Mayor
Prepared by: Marsha Moore, MMC, City Clerk

EXECUTIVE SUMMARY:

The City Council will consider amending the rules for the selection of the Vice Mayor to reflect the change to using Rosenberg's Rules of Order.

STAFF RECOMMENDATION:

Approve the **Resolution** Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Resolution No. 120-20 sets the rules for the election of vice mayor as Robert's Rules of Order. On November 16, 2021, the City Council adopted Resolution 130-21 Amending and Restating the Rules of Conduct of Meetings of the City Council and changed the rules of order to Rosenberg's Rules of Order.

The attached resolution (Attachment 1) repeals Resolution No. 120-20 (Attachment 2) and amends the procedure for selection of Vice Mayor to be in accordance with the rules identified in the Rules of Conduct of Meetings of the City Council.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Establishing Rules for the Selection of Vice Mayor and Repealing Resolution No. 120-20
2) Resolution No. 120-20

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ESTABLISHING RULES FOR THE SELECTION OF VICE MAYOR AND REPEALING RESOLUTION NO. 120-20

WHEREAS, the City consolidates its general municipal election with the statewide general election held in November of even-numbered years; and

WHEREAS, Section 36801 of the California Government Code provides for the selection by the Council of one of its members as Vice Mayor; and

WHEREAS, Resolution No. 120-20 sets the procedure for section of vice mayor in accordance with the current edition of "Roberts Rules of Order"; and

WHEREAS, Resolution No. 130-21 amended and restated the rules of conduct of meetings of the City Council and changed the rules of order to Rosenberg's Rules of Order.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin hereby amends the following section of the rules for the selection of Vice Mayor:

I. ELECTION OF VICE MAYOR

a. Time. At its first regular meeting in December, the City Council shall select one of its members as vice mayor. Notwithstanding the foregoing, in even years this selection shall occur at the City Council meeting at which the declaration of election results is made.
b. Term. The vice mayor shall serve in such capacity for 1-year period, or until a successor is selected.
c. Rules. The procedure for selection of vice mayor shall be in accordance with the current rules identified in the Rules for the Conduct of Meetings of the City Council.

BE IT FURTHER RESOLVED that Resolution No. 120-20 is hereby rescinded in its entirety.

{Signatures on the following page}

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

RESOLUTION NO. 120 - 20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ESTABLISHING RULES FOR THE SELECTION OF VICE MAYOR AND REPEALING RESOLUTION NO. 5-96

WHEREAS, the City consolidates its general municipal election with the statewide general election held in November of even-numbered years; and

WHEREAS, Section 36801 of the California Government Code provides for the selection by the Council of one of its members as Vice Mayor; and

WHEREAS, Resolution No. 5-96 sets the time for the selection of the Vice Mayor as at the City Council's first meeting in December, following certification of the results of the general municipal election in even-numbered years; and

WHEREAS, due to changes in state law, the certification of the general municipal election is not always completed by the first Tuesday in December, which is the date of the City Council's first meeting in December; and

WHEREAS, the City Council desires to amend Resolution No. 5-96 to ensure that the rules continue to ensure that the Vice Mayor is selected after the new City Council members are seated following an election.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Dublin hereby amends the following section of the rules for the selection of Vice Mayor:

I. ELECTION OF VICE MAYOR

a. Time. At its first regular meeting in December, the City Council shall select one of its members as vice mayor. Notwithstanding the foregoing, in even years this selection shall occur at the City Council meeting at which the declaration of election results is made.

b. Term. The vice mayor shall serve in such capacity for a 1-year period, or until a successor is selected.

c. Rules. The procedure for selection of vice mayor shall be in accordance with the current edition of "Roberts Rules of Order."

BE IT FURTHER RESOLVED that Resolution No. 5-96 is hereby rescinded in its entirety.

PASSED, APPROVED AND ADOPTED this 17th day of November 2020, by the following vote:

AYES: Councilmembers Goel, Hernandez, Josey, Kumagai and Mayor Haubert

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
David Haubert
4B4A9732E4974C5...
Mayor

ATTEST:

DocuSigned by:
Marsha Moore
9BB70815D22F40A...
City Clerk

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: 2023 – 2031 Housing Element and Related Amendments to the General Plan, Eastern Dublin Specific Plan and Downtown Dublin Specific Plan, and Planned Development Zoning for Dublin Transit Center Sites D-2 and E-2 and Hacienda Crossings Shopping Center (PLPA-2022-00036)
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will consider the proposed 2023 – 2031 Housing Element and related amendments to implement the Housing Element. This includes amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and amendments to the Planned Development Zoning for Sites D-2 and E-2 at the Dublin Transit Center and Hacienda Crossings shopping center. Additionally, the City Council will consider an Initial Study/Negative Declaration.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and: 1) adopt the **Resolution** Adopting an Initial Study/Negative Declaration; Approving the 2023 – 2031 Housing Element, Associated Amendments to the General Plan, Including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element, and Associated Amendments to the Eastern Dublin Specific Plan; and Authorizing Staff to submit the Housing Element to the California Department of Housing and Community Development for Certification; 2) adopt the **Resolution** Amending the Downtown Dublin Specific Plan to Specify Residential Units on Three Housing Element Sites are Allowed by Right and Not Subject to the Development Pool or Community Benefit Program; 3) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center; and 4) waive the reading and INTRODUCE the Ordinance Approving Amendments to the Planned Development Zoning Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The cost to prepare the Housing Element Update will be offset in part by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 from the Regional Early Action Planning (REAP) Grant Program. The City's Fiscal Year 2022-23 Budget sufficiently covers the remaining cost.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. On December 16, 2021, the Association of Bay Area Governments (ABAG) Executive Board adopted the Final RHNA Plan: San Francisco Bay Area, 2023 – 2031. The plan allocates 3,719 housing units to the City of Dublin. Table 1 below shows the City's final RHNA by household income category for the 2023 – 2031 planning period. The City's updated Housing Element must demonstrate how it can accommodate its RHNA.

Table 1: Dublin's 2023 – 2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

The Draft 2023 - 2031 Housing Element was published for a 30-day public review period on April 15, 2022. On May 17, 2022, the City Council reviewed the Draft 2023 - 2031 Housing Element and directed Staff to submit it to the California Department of Housing and Community Development (HCD). On May 27, 2022, Staff submitted the Draft 2023 – 2031 Housing Element to HCD for their review. HCD concluded their review and provided comments on August 29, 2022. The Draft Housing Element has been revised to reflect comments received from HCD and interested parties as further discussed later below.

The City Council is being asked to review the 2023 – 2031 Housing Element and associated amendments to the General Plan, including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element; amendments to the Eastern Dublin Specific Plan (EDSP) and Downtown

Dublin Specific Plan (DDSP); and amendments to Planned Development Zoning for Sites D-2 and E-2 at the Dublin Transit Center and Hacienda Crossings shopping center. The City Council Resolutions and Ordinances are Attachments 1 – 6.

Analysis

General Plan Amendments

Housing Element
Staff prepared the 2023-2031 Housing Element (Attachment 2), which includes the following components:

- **Chapter 1: Introduction.** Contains a summary of the content, organization, and statutory considerations of the Housing Element.
- **Chapter 2: Housing Plan.** Describes Dublin's housing plan, including goals, policies, programs, and objectives.
- **Appendix A: Review of Past Performance.** Evaluates the housing programs and quantified objectives outlined in the past Housing Element and the City's efforts in meeting the program requirements and achieving the quantified objectives.
- **Appendix B: Community Profile.** Contains an analysis of the City's population, household and employment base, and the characteristics of the housing stock.
- **Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing (AFFH).** Summarizes governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including funding and financial considerations, as well as a fair housing analysis.
- **Appendix D: Adequate Sites Analysis.** Identifies candidate sites by income category to meet the City's RHNA.
- **Appendix E: Housing Plan Programs Summary.** Summarizes Chapter 2.
- **Appendix F: Community Engagement Summary.** Summarizes the City's community engagement efforts to achieve public participation of all economic segments of the community.
- **Appendix G: Glossary of Terms.** Defines terms and acronyms using in the Housing Element.

A comprehensive update is proposed to the Housing Element of the General Plan. The Housing Element identifies residential sites by income category to meet the City's RHNA. The sites identified in the Housing Element represent the City's ability to accommodate housing at the designated income levels during the 2023 – 2031 planning period. The Housing Element also analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies and programs that promote housing opportunities for all persons.

The 2023 – 2031 Housing Element also includes a review of the goals, policies, programs, and objectives of the existing Housing Element, and reports on the attainment and disposition of the programs. In some instances, the programs from the previous Housing Element are continued through to the 2023 – 2031 Housing Element. Many existing programs have been amended and continue to reflect current conditions in the City as described in Chapter 2: Housing Plan of the 2023 – 2031 Housing Element.

Adequate Sites Analysis. As noted above, the Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's RHNA. The Housing Element has identified that the City has the capacity to meet the RHNA through a variety of methods, including: 1) projects in the pipeline; 2) future development of accessory dwelling units (ADUs); 3) capacity on existing, residentially-zoned sites; and 4) identification of land to rezone to accommodate remaining RHNA. Table 2, below, shows the City's 2023-2031 RHNA by income category and how the RHNA will be accommodated.

Table 2: Sites Inventory Summary				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	**1,710**	**560**	**1,449**	**3,719**
Pipeline Projects	(535)	(210)	(2,104)	(2,849)
Accessory Dwelling Units	(96)	(48)	(16)	(160)
5th Cycle Sites	0	(252)	0	(252)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(190)	(50)	0	(240)
Remaining Need	**755**	**0**	**0**	

Table 3 demonstrates how the remaining need will be accommodated on Transit Center Sites D-2 and E-2, Hacienda Crossings shopping center, and the SCS Property.

Table 3: Distribution of Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Transit Center Sites D-2 & E-2 (Alameda County Surplus Property)	358	0	357	715
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	**755**	**0**	**654**	**1,409**

HCD Review. On August 29, 2022, the City received the results of HCD's review. While the Draft 2023 -2031 Housing Element met many of the statutory requirements, HCD identified revisions that they deemed necessary before the agency will certify the Housing Element (Attachment 8). The following is a summary of changes made to address HCD's comments:

- Chapter 2 (Housing Plan), Section 2 (Housing Programs), and Appendix E (Housing Plan Programs Summary): Updated Program A.5 (Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate) with an objective to proactively seek funding opportunities for units at-risk of converting to market-rate units.

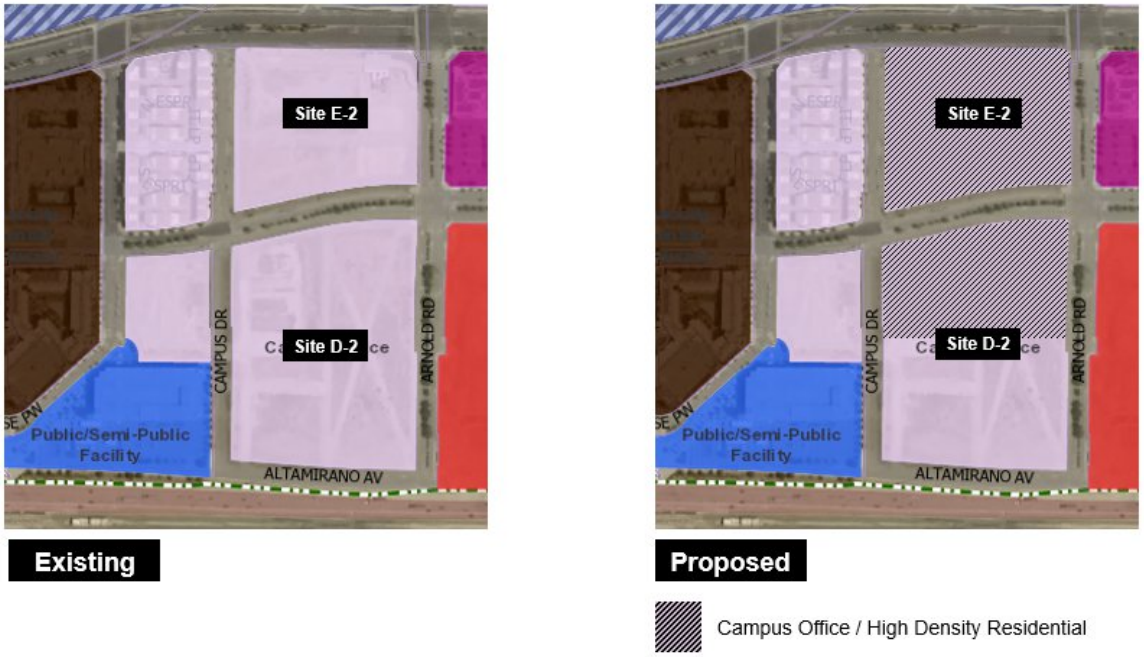
- Chapter 2, Section 2, and Appendix E: Modified Program B.16 (Publicly-Owned Lands) to work with the Alameda County Surplus Property Authority to develop a schedule for the development of the Dublin Transit Center and conduct a mid-cycle review of progress made.
- Chapter 2, Section 2, and Appendix E: Updated Program B.17 (Community Care Facilities) to include language regarding reviewing and revising the definition of "family" to address potential constraints for persons with disabilities and to specify the City will update the Zoning Ordinance to allow community care facilities in all zoning districts allowing a residential use.
- Chapter 2, Section 2, and Appendix E: Added Program B.18 (Planned Development (PD) Zoning) with the objective to review vacant and underutilized properties with existing PD zoning and identify properties for rezoning to traditional residential districts and consider amendments to the Zoning Ordinance to provide options for developers to request PD zoning if they desire more flexibility. Based on preliminary analysis, the City identified approximately nine properties requiring rezoning.
- Chapter 2, Section 2, and Appendix E: Added Program B.19 (Development of Large Parcels) to incentivize residential development on parcels over ten acres.
- Chapter 2, Section 2, and Appendix E: Added development standards for emergency shelters and modified Program D.3 (Emergency Shelters) to specify parking requirements will be updated to comply with Assembly Bill (AB) 139.
- Chapter 2, Section 2, and Appendix E: Added Program D.6 (Parking Requirements Near Public Transit) to specify parking requirements will be updated to comply with AB 2097.
- Chapter 2, Section 2, and Appendix E: Added specific dates that certain programs will be completed.
- Appendix C (Housing Constraints, Resources, and Affirmatively Furthering Fair Housing), Section A (Housing Constraints), Subsection 2 (Governmental Constraints): Further analyzed development standards and land use controls and added information to support that they do not impact housing supply, costs, financial feasibility, timing, approval certainty and ability to achieve maximum densities without exceptions.
- Appendix C, Section A, Subsection 2: Added analysis to support that parking requirements for multi-family residential development projects do not impact cost, supply, housing choice, or financial feasibility.
- Appendix C, Section A, Subsection 2: Clarified that Density Bonus incentives may count towards the City's Inclusionary Zoning Ordinance requirements.
- Appendix C, Section A, Subsection 2: Added a table detailing actual time between receiving a Planning entitlement and applying for a building permit.
- Appendix C, Section D (Affirmatively Furthering Fair Housing), Subsection 10 (Fair Housing Laws): Added additional discussion about the City's compliance with fair housing laws.
- Appendix C, Section D, Subsection 12 (Analysis of Federal, State, and Local Data and Knowledge): Analyzed integration and segregation trends over time.
- Appendix C, Section D, Subsection 12: Added additional language to provide a regional context for Racially Concentrated Areas of Affluence.
- Appendix C, Section D, Subsection 12: Added information on the approval of district-based elections beginning in 2024.

- Appendix C, Section D, Subsection 14 (Analysis of Sites Pursuant to AB 686): Added additional data and analysis about candidate housing sites and affirmatively furthering fair housing.
- Appendix D (Adequate Sites Analysis), Section A (Adequate Sites Analysis Overview), Subsection 2 (ADUs and Junior ADUs): Decreased accessory dwelling unit (ADU) projections from 248 to 160 ADUs and increased the number of units at the Dublin Transit Center to accommodate that shortfall.
- Appendix D, Section B (Very Low- and Low-Income Sites Inventory), Subsection 2 (Calculation of Unit Capacity): Added evidence to support realistic capacity, including density, acreage, and affordability levels of past projects.
- Appendix D, Section B, Subsection 3 (Adequacy of Sites to Accommodate Very Low- and Low-Income Housing): Added additional language to support parcels over 10 acres that are planned to accommodate lower-income households.
- Appendix D, Section B, Subsection 4 (Non-Vacant Sites): Added additional support for the suitability of non-vacant sites.
- Appendix F (Community Engagement Summary), Section 16 (Summary of Public Comments): Updated Table F-1 to include public comments received by HCD.

Land Use Element

Transit Center Sites D-2 and E-2 currently have a General Plan land use designation of Campus Office. The land use for the northern 6.42 acres of Site D-2 and all of Site E-2 would be changed to a combined Campus Office/High-Density Residential land use designation to accommodate additional residential units at the Transit Center as shown in Figure 1 below. Additionally, the City proposes to update the assumed residential household size based on Dublin's average household size of 2.99 persons per unit as reported in the 2020 US Census data. Corresponding amendments are proposed to the Population Density Measurements (Section 1.8.1.2), Land Use Classification (Section 1.8.1.6), Land Use Map (Figure 1-1) (Dublin General Plan Land Use Map), Primary Planning Area (Section 2.2), Table 2.1 (Land Use Development Potential: Primary Planning Area), Eastern Extended Planning Area (Section 2.3), Table 2.2 (Land Use Development Potential: Eastern Extended Planning Area), and Table 2.3 (Land Use Development Potential: Western Extended Planning Area), as further described in Attachment 1.

Figure 1: General Plan Land Use Map



Seismic Safety and Safety Element

Government Code Section 65302(g) requires Safety Elements to address the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards or geologic hazards; flooding; and wildfires and urban fires. The statute requires that seismic and geologic hazard areas be mapped. It also requires the element to address evacuation routes, military installations, peak load water supply, minimum road widths and clearances around structures for geologic and fire hazards identified in the element. Senate Bill (SB) 1035 requires local governments to revise their Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision to the Housing Element. Additionally, Assembly Bill (AB) 2140 allows California cities and counties to adopt local hazard mitigation plans into their Safety Element, making them eligible to be considered for part or all their local-share costs on eligible Public Assistance funding provided by the State through the California Disaster Assistance Act.

Amendments to the Seismic Safety and Safety Element are proposed to satisfy the requirements of SB 1035 and AB 2140. These amendments include adding background language about geologic and seismic hazards, liquefaction and landslide hazards, wildfires, flooding and dam failure, and hazardous materials in Dublin; referencing the Emergency Operations Plan; adopting the Tri-Valley Local Hazard Mitigation Plan into the Safety Element by reference; identifying wildfires over 10 acres near the City; referencing evacuation plans; and updating all maps and figures based on currently-available data. Please refer to Attachment 3.

Environmental Justice Policies

SB 1000 requires local governments to identify disadvantaged communities and incorporate

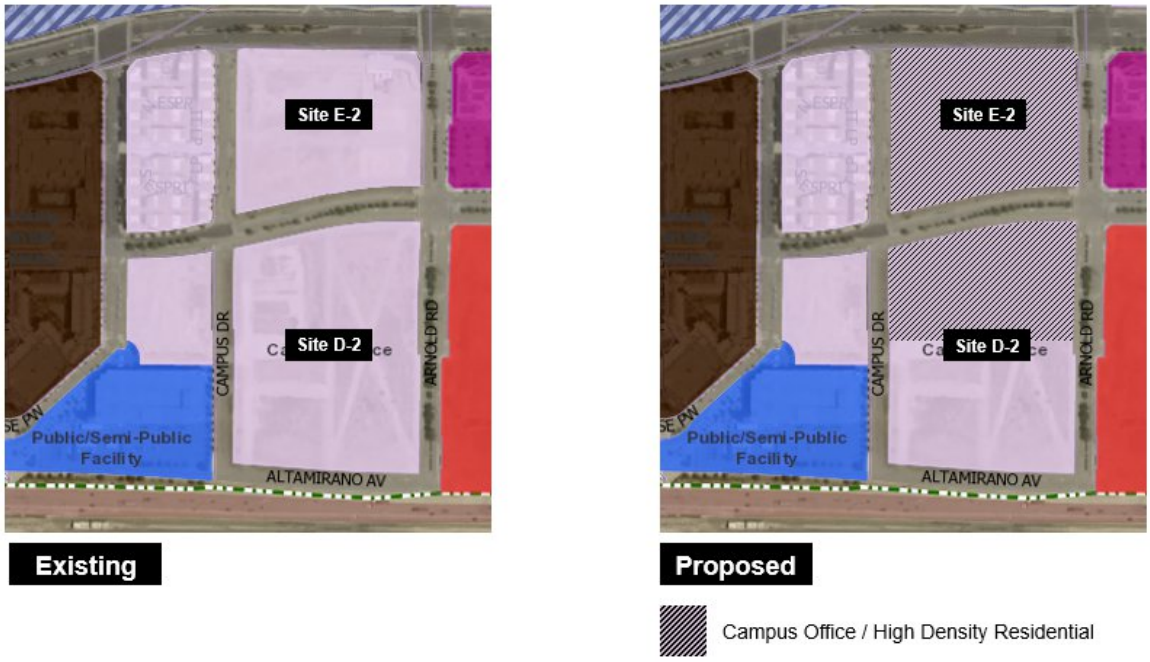
environmental justice into their general plans. The City prepared an Environmental Justice Memo (Attachment 7), which concludes that Dublin does not have any communities meeting the definition of a disadvantaged community under SB 1000 and, therefore, the inclusion of an Environmental Justice Element or environmental justice policies in other required General Plan Elements is not required.

Specific Plan Amendments

Eastern Dublin Specific Plan

Similar to the General Plan amendments described above, the EDSP is proposed to be amended to address the change in land use on the northern portion of Site D-2 and all of E-2. The EDSP land use designation for these two sites would be changed from Campus Office to Campus Office/High Density Residential as shown in Figure 2 below. Additionally, the City proposes to update the assumed residential household size, based on Dublin's average household size of 2.99 persons per unit as reported in the 2020 US Census data. Corresponding amendments are proposed to the Land Use Map (Figure 4-1), Table 4.1 (Eastern Dublin Specific Plan Land Use Summary), Table 4.2 (Eastern Dublin Specific Plan Population and Employment Summary), Table 4.3 (Projected Jobs/Housing Balance, and land use description (Section 4.8), as described in Attachment 1.

Figure 2: Eastern Dublin Specific Plan Land Use Map



Downtown Dublin Specific Plan

State law requires that any non-vacant site identified in a prior Housing Element must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households if they are to be considered an adequate site to accommodate the very low- and low-income categories of the RHNA.

Three non-vacant sites, located in Downtown Dublin that were identified in the 2014 – 2022 Housing Element, are shown to be suitable for lower-income housing in the Housing Element Sites Inventory. Therefore, the City is required by statute to permit at least 30 units per acre, which it does, on these sites and to allow residential use by right for housing developments when at least 20 percent of the proposed units are affordable to lower-income households. Residential development within the Downtown Dublin Specific Plan is governed by a Development Pool. To reserve residential units from the Development Pool, a developer must enter into the Community Benefit Program Agreement. The three sites in Downtown Dublin that have been identified in the Sites Inventory would provide 416 units affordable to lower-income households. To comply with State law to facilitate the development of these 416 units, the Downtown Dublin Specific Plan is proposed to be amended to exempt these units from the Development Pool and the Community Benefit Program Agreement requirement. Please refer to Attachment 4.

Rezoning
The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's RHNA. After taking into account projects in the pipeline; future development of ADUs; and capacity on existing, residentially-zoned sites; the City has a remaining need of 755 lower-income units. The proposed project includes rezoning the northern portion of Site D-2 and all of Site E-2 at the Dublin Transit Center, and two parcels at the Hacienda Crossings shopping center to accommodate that remaining need, as previously directed by the City Council and further described below.

Additionally, the SCS Dublin project, which is currently under consideration by the City Council, proposes 100 lower-income units on a 2.5-acre Public/Semi Public site that would satisfy a portion of the RHNA.

Transit Center Sites D-2 and E-2
On December 3, 2002, the City Council adopted Ordinance No. 21-02 approving a Planned Development (PD) Rezone with a Stage 1 Development Plan for the Dublin Transit Center, which specified that Sites D-2 and E-2 be developed with a Campus Office use. The Transit Center PD Zoning Stage 1 Development Plan is proposed to be amended to change the allowed land uses on the northern 6.42 acres of Site D-2 and all of Site E-2 from Campus Office to Campus Office/High Density Residential, add 715 residential units to accommodate the RHNA on these sites, amend annotations on the Conceptual Illustrative Site Plan and the Streetscape, Open Space, and Landscape figures to state "Office and/or Multi-Family Dwellings" rather than "Office," amend the Phasing Plan legend to state Campus Office/High Density Residential for Sites D-2 and E-2, approve a Stage 2 Development Plan, and specify that development must comply with the Citywide Multi-Family Objective Design Standards. Please refer to Attachment 5.

Hacienda Crossings
On January 17, 1995, the City Council adopted Resolution No. 95-02 approving a PD Rezone, establishing regulations for the use, improvement, and maintenance for a retail commercial shopping center. The PD Zoning is proposed to be amended to add "Multi-Family Residential" as a permitted land use to accommodate the RHNA. The amendment would also establish additional objective design standards, such as parking requirements, minimum sidewalk width, minimum density, common useable outdoor space requirements, and height limits. The Development Plan also includes guidance about building placement, upper-story windows and balconies, ground floor transparency, architectural detailing, and a preference for ground floor retail/commercial uses with residential units above, to transition the shopping center to a more pedestrian-oriented mixed-use development. Please refer to Attachment 6.

ENVIRONMENTAL DETERMINATION:

Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City prepared an Initial Study/Negative Declaration (IS/ND) (Attachment 9) for the proposed project. The IS/ND was available for public review between October 4, 2022, and November 2, 2022. No public comments on the IS/ND were received.

PLANNING COMMISSION REVIEW:

On October 25, 2022, the Planning Commission considered the proposed 2023 – 2031 Housing Element and related amendments to implement the Housing Element and unanimously adopted Resolution No. 22-14 recommending City Council approval (Attachment 10).

STRATEGIC PLAN INITIATIVE:

Strategy 2: Housing Affordability
Objective A: Develop a Certified Housing Element that balances the location of housing options for all income types.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City implemented an outreach and engagement program to inform the community and seek input regarding the Housing Element Update. Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback. Staff also hosted two Housing Element Workshops on January 19 and February 17, 2022. The workshops provided an overview of the Housing Element, RHNA, Preliminary Sites Inventory, and required policy and program topics, and provided an opportunity for the community to provide feedback. The community was notified of these engagement opportunities through the City's social media, website, push notifications, and email. Additionally, Staff held one-on-one meetings with the property owners of the "Additional Sites" identified to satisfy the "remaining need" for sites to accommodate the RHNA. The City also has a Housing Element Update webpage on the City's website that serves as a landing place for information. The Planning Commission held a study session on March 8, 2022, reviewed the Draft 2023 – 2031 Housing Element on April 26, 2022, and reviewed the revised Draft 2023 – 2031 Housing Element on October 25, 2022. The City Council also held meetings to receive updates regarding the Housing Element Update on February 18, 2020, October 6, 2020, June 15, 2021, November 2, 2021, March 15, 2022, and May 17, 2022. The feedback and information received through these outreach efforts was used to help create the proposed policies and programs to address the housing needs.

In accordance with State law, a public notice was published in the *East Bay Times* and posted at several locations throughout the City. Notification was also provided to those that had previously signed up on the interested parties list. Additionally, the City Council Agenda and the Staff Report was made available on the City's website.

The public comments received prior to publishing this report are included as Attachment 11. A summary and response to all public comments is included in Table F-1 (Summary of Public Comments) in the 2023 – 2031 Housing Element.

ATTACHMENTS:

1) Resolution Adopting an Initial Study/Negative Declaration; Approving the 2023 – 2031 Housing Element, Associated Amendments to the General Plan, Including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element, and Associated

Amendments to the Eastern Dublin Specific Plan; and Authorizing Staff to submit the Housing Element to the California Department of Housing and Community Development for Certification

2) Exhibit 1 to the Resolution – 2023 – 2031 Housing Element
3) Exhibit 2 to the Resolution – Seismic Safety and Safety Element Amendments
4) Resolution Amending the Downtown Dublin Specific Plan to Specify Residential Units on Three Housing Element Sites are Allowed by Right and Not Subject to the Development Pool or Community Benefit Program
5) Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for Sites D-2 and E-2 of the Dublin Transit Center
6) Ordinance Approving a Planned Development Rezone with an Amended Stage 1 Development Plan and Approving a Stage 2 Development Plan for the Hacienda Crossings Shopping Center
7) Environmental Justice Memo
8) HCD's Comments
9) Initial Study/Negative Declaration
10) Planning Commission Resolution No. 22-14 (without exhibits)
11) Public Comments

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

ADOPTING AN INITIAL STUDY/NEGATIVE DECLARATION; APPROVING THE 2023 – 2031 HOUSING ELEMENT, ASSOCIATED AMENDMENTS TO THE GENERAL PLAN, INCLUDING THE LAND USE ELEMENT AND LAND USE MAP, AND SEISMIC SAFETY AND SAFETY ELEMENT, AND ASSOCIATED AMENDMENTS TO THE EASTERN DUBLIN SPECIFIC PLAN; AND AUTHORIZING STAFF TO SUBMIT THE HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR CERTIFICATION (PLPA-2022-00036)

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin prepared the 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's Regional Housing Needs Allocation (RHNA), which is included as Appendix D: Adequate Sites Analysis in the 2023 – 2031 Housing Element; and

WHEREAS, State law requires any non-vacant site identified in a prior Housing Element to be zoned at a minimum density of 30 units per acre and allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to low-income households, if the units would accommodate the very low- and low-income categories of the City's Regional Housing Needs Allocation; and

WHEREAS, there are three sites in Downtown Dublin, including 7590 Amador Valley Boulevard (APN 941-0305-028-00), 7050 Amador Plaza Road (APN 941-0305-040-00), and 6513 Regional Street (APN 941-1500-030-00), that were identified in the 2014 – 2022 Housing Element and are included in the 2023 – 2031 Housing Element Sites Inventory; and

WHEREAS, amendments to the DDSP are proposed to specify the residential units on the three Housing Element sites in Downtown Dublin are allowed by right and not subject to the Downtown Dublin Development Pool or Community Benefit Program provided that 20 percent of the units on each site are affordable to lower income households; and

WHEREAS, after accounting for pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA, the Adequate Sites Analysis identified a "remaining need" of 755 units; and

WHEREAS, a portion of the remaining need is proposed to be accommodated on Sites D-2 and E-2 (APNs: 986-0034-012-00 and 986-0034-014-00) at the Dublin Transit Center, which requires amendments to the General Plan and Eastern Dublin Specific Plan land use designations for the two sites; and

WHEREAS, on December 3, 2002, the City Council adopted Ordinance No. 21-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Dublin Transit Center, which among other approvals, established a maximum of 1,800 residential units for the Transit Center and specified Sites D-2 and E-2 shall be developed with a Campus Office use; and

WHEREAS, the City proposes to amend Ordinance No. 21-02 to change the allowed land use on Sites D-2 and E-2 from Campus Office to Campus Office/High-Density Residential and increase the maximum residential density from 1,800 units to 2,515 units; and

WHEREAS, a portion of the remaining need is proposed to be accommodated on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center (formerly known as the Santa Rita Commercial Center); and

WHEREAS, on January 17, 1995, the City Council adopted Resolution No. 95-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Santa Rita Commercial Center, which among other approvals, established regulations for the use, improvement, and maintenance of the property; and

WHEREAS, the City proposes to amend Resolution No. 95-02 to add "Multi-Family Residence" as a permitted principal land use on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center, and establish a maximum residential density of up to 594 units and objective design standards for the two parcels; and

WHEREAS, a portion of the remaining need is proposed to be accommodated by the SCS Dublin project, which is concurrently under consideration by the Planning Commission and City Council, and proposes 100 lower-income units on a 2.5-acre Public/Semi Public site. Should project approval be delayed, the City would be required to rezone the 2.5-acre site no later than January 31, 2026; and

WHEREAS, in accordance with Senate Bill (SB) 1035, the City prepared amendments to the Seismic Safety and Safety Element to identify flood hazards and address the risk of fire hazards in certain lands; and

WHEREAS, in accordance with Assembly Bill (AB) 2140, the City prepared amendments to the Seismic Safety and Safety Element to adopt the Tri-Valley Local Hazard Mitigation Plan into the Safety Element by reference, making the City eligible to be considered for part or all our local-share costs on eligible Public Assistance funding provided by the State through the California Disaster Assistance Act; and

WHEREAS, the 2023 – 2031 Housing Element, associated amendments to the General Plan, including the Land Use Element and Land Use Map, and Seismic Safety and Safety

Element, and associated amendments to the Eastern Dublin Specific Plan are collectively referred to as the "Project;" and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study for the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings to determine if they may have a significant effect on the environment; and

WHEREAS, the Initial Study determined that the proposed 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings would not have any significant environmental effects and the preparation of a Negative Declaration is the appropriate CEQA document; and

WHEREAS, the Initial Study/Negative Declaration was circulated for public review from October 4, 2022, through November 2, 2022; and

WHEREAS, the City of Dublin received no comment letters on the Initial Study/Negative Declaration; and

WHEREAS, consistent with Section 65352.3 of the California Government Code, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed General Plan Amendment. None of the contacted tribes requested a consultation within the 90-day statutory consultation period and no further action is required under section 65352.3; and

WHEREAS, on October 25, 2022, the Planning Commission reviewed the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings and adopted Resolution No. 22-14 recommending that the City Council: 1) adopt an Initial Study/Negative Declaration; 2) approve the 2023 – 2031 Housing Element and authorize Staff to submit the Housing Element to the California Department of Housing and Community Development for certification; 3) approve associated amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan; and 4) approve amendments to Planned Development Zoning Stage 1 Development Plan and establish a Stage 2 Development Plan for Sites D-2 and E-2 at the Transit Center, and amendments to the Planned Development Zoning for the Hacienda Crossings shopping center; and

WHEREAS, on November 15, 2022, the City Council held a properly noticed public hearing on the project, including the Initial Study/Negative Declaration, at which time all interested parties had the opportunity to be heard; and

WHEREAS, a Staff Report, dated November 15, 2022, and incorporated herein by reference, described and analyzed the Project, including the 2023 – 2031 Housing Element, corresponding amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and Planned Development Zoning Amendments, for the City Council; and

WHEREAS, the City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

NOW, THEREFORE, BE IT RESOLVED that the following recitals are true and correct and made part of this Resolution.

BE IT FURTHER RESOLVED that the City Council hereby adopts the Initial Study/Negative Declaration and finds:

A. The Dublin City Council has reviewed and considered the Initial Study/Negative Declaration, including comments received during the public review period, prior to taking action on the Project.

B. The Initial Study/Negative Declaration adequately analyzes the potential environmental impacts of the Project and determines there is no substantial evidence that the Project will have a significant effect on the environment.

C. The Initial Study/Negative Declaration has been completed in compliance with CEQA, the State CEQA Guidelines and the City of Dublin Environmental Regulations.

D. The Initial Study/Negative Declaration is complete and adequate and reflects the City's independent judgement and analysis as to the environmental effects of the Projects. The Community Development Department is designated as the custodian of the documents and record of proceedings on which the decision is based. The Community Development Department is located at the Dublin Civic Center, 100 Civic Plaza, Dublin, California, 94568.

E. Following adoption of this Resolution, Staff is authorized and directed to file with the County of Alameda a Notice of Determination pursuant to CEQA.

BE IT FURTHER RESOLVED that the City Council finds that the General Plan and Eastern Dublin Specific Plan Amendments, as set forth below, are in the public interest, will promote general health, safety, and welfare, and that the General Plan as amended will remain internally consistent. The proposed Project is consistent with the guiding and implementing policies of the General Plan in each of the elements and will allow the potential for additional residential development at various income levels. The General Plan Amendments noted below will ensure that the implementation of the proposed Project complies with the General Plan and that each element within the General Plan is internally consistent.

BE IT FURTHER RESOLVED that the City Council hereby adopts the following amendments to the General Plan:

Figure 1-1 (Dublin General Plan Land Use Map) shall be amended to add the Campus Office/High-Density Residential land use designation to the legend and designate the northern 6.42 acres of site D-2 and all of Site E-2 at the Dublin Transit Center as Campus Office/High Density Residential, as shown below:

Figure 1-1 Dublin General Plan Land Use Map



Section 1.8.1.2 (Population Density Measurements) shall be amended to update household size based on the 2020 US Census as follows:

Assumed residential household size in all three Planning Areas is based on Dublin's average household size of 2.99 persons per unit as reported in the 2020 US Census data.

Section 1.8.1.6 (Eastern Extended Planning Area), Subsection B (Commercial/Industrial) shall be amended to add a description for the Campus Office/High Density Residential land use designation as follows:

Campus Office/High-Density Residential (FAR: .25 to .80; Employee Density: 260 square feet per employee) (25.1 units and above per gross residential acre)
Combined land use district. See designations under Eastern Extended Planning Area for Campus Office and Residential: High Density. The floor area ratio applies to both development options (Campus Office and High Density Residential) and is for the combined commercial and residential uses, if residential uses are incorporated, or for commercial uses if commercial is used exclusively. The floor area ratio does not apply to projects with only residential uses. A floor area ratio of up to 1.2 may be granted for land adjacent to the Eastern Dublin BART station at the discretion on the City Council. Example: Sites D-2 and E-2 at the Dublin Transit Center.

Section 2.2 (Primary Planning Area), Paragraph 1 and 4 shall be amended to update the residential units and estimated population in the Primary Planning Area, and residential units in Downtown Dublin as follows:

The Primary Planning Area has a net acreage of almost 2,500 acres (see Table 2 .1 below), and is largely built out with approximately 13,868 housing units and an estimated population of 41,464. In 2012, the Primary Planning Area had an estimated 12,163 jobs. Table 2 .1 shows the minimum and maximum development potential of each land use classification within the Primary Planning Area.

In 2000, in anticipation of the future West Dublin Bay Area Rapid Transit (BART) Station, a Transit Oriented District was established in Downtown Dublin to encourage the development of higher density, mixed- use projects adjacent to mass transit. On February 19, 2011, the West Dublin BART Station opened to the public. The first high density residential project broke ground in 2012 and will bring over 300 new residential units to Downtown Dublin. The Downtown Dublin Specific Plan, adopted in February 2011, allows for the development of up to 2,916 units in Downtown Dublin and capitalizes on the area's proximity to the West Dublin BART Station. Intensification in and around Downtown Dublin is expected to continue while the remainder of the Primary Planning Area is expected to remain relatively unchanged.

Table 2.1 (Land Use Development Potential: Primary Planning Area) shall be amended to read as follows and add footnote #5, which also includes the proposed amendments associated with the SCS Dublin project which are concurrently being reviewed:

Table 2.1. LAND USE DEVELOPMENT POTENTIAL: PRIMARY PLANNING AREA					
CLASSIFICATION	**ACRES**	**INTENSITY**	**UNITS[1]**	**FACTOR**	**YIELD[1]**
RESIDENTIAL	**Acres**	**Dwelling Units/Acre**	**Dwelling Units**	**Persons/ Dwelling Unit**	**Population**
Low Density Single Family	44.0	0.5-3.8	22-167	2.99	66-499
Single Family	901.9	0.9-6.0	812-5,411	2.99	2,428-16,179
Medium Density	196.54	6.1-14.0	1,199-2,752	2.99	3,585-8,228
Medium-High	78.4	14.1-25.0	1,105-1,960	2.99	3,304-5,860
Medium-High and Retail/Office	11.2	14.1-25.0	158-280	2.99	472-837
Mixed Use	15.3	6.1-25.0	93-382	2.99	278-1,142
TOTAL:	1,247.34		3,389-10,952		10,133-32,745

DOWNTOWN DUBLIN SPECIFIC PLAN AREA	**Acres**	**Dwelling Units/Acre**	**Dwelling Units**	**Persons/ Dwelling Unit**	**Population**
Downtown Dublin	230.2	6.1-25.1+	2,916[5]	2.99	8,719
DOWNTOWN DUBLIN SPECIFIC PLAN AREA	**Acres**	**Maximum Floor Area Ratio (Gross)**	**Maximum Potential Square Feet [4]**	**Square Feet / Employee**	**Jobs**
Village Parkway District	32.9	.35	.50	200-450	1,115-2,508
Retail District	113.1	2.0	9.9[4]	200-450	6,139-13,814
Transit-Oriented District	84.2	2.5	9.2[4]	200-450	8,492-19,108
TOTAL:	**230.2**		**19.6**		**15,746-35,430**

COMMERCIAL	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Retail/Office	33.9	.25-.60	.37-.89	200-450	822-4,450

Retail/Office & Automotive	40.8	.25-.50	.44-.89	220-490	898-4,045
Campus Office	0	.25-.80	0	260	0
Business Park / Industrial	102.8	.30-.40	1.34-1.79	360-490	2,735-4,972
Business Park / Industrial: Outdoor Storage	56.7	.25-.40	.62-.99	360-490	1,265-2,750
Medium-High and Retail/Office	11.2[3]	.25-.60	.12-.29	200-450	267-1,450
Mixed Use	15.3[3]	.30-1.00	.20-.67	200-400	500-3,350
TOTAL:	260.7		3.09-5.52		6,478-21,017

PUBLIC/SEMI-PUBLIC/OPEN SPACE	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Public/Semi-Public Facilities	38.2	.50	.83	590	1,407
Semi-Public Facilities	0	.50	0	590	0
SCHOOLS	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Elementary Schools	87.8	.50	1.91	590	3,237
Middle Schools	6.0	.50	.13	590	220
High Schools	50.5	.50	1.10	590	1,864
PARKS/PUBLIC RECREATION	**Acres**		**Number**		
Neighborhood Parks	19.0		5		
Community Parks	61.93		6		
Regional Parks	0		0		
Open Space	439.91				
Stream Corridor	52.9				
TOTAL:	**756.24**		**3.97**		**6,728**

	ACRES	**DWELLING UNITS**	**POPULATION**	**SQUARE FEET (MILLIONS)**	**JOBS**
GRAND TOTAL:	**2,494.48**	**6,305-13,868**	**18,852-41,464**	**14.16-16.59**	**28,952-63,175**

1 For dwelling units, population and jobs, a decimal fraction of .5 or less is disregarded; a decimal fraction greater than .5 is rounded to the nearest whole number.
2 Refer to the Downtown Dublin Specific Plan.
3 Not included in the Grand Total as it is already accounted for under the Residential classification.
4 Maximum Development Potential in the Retail and Transit-Oriented Districts were modified by the 2014 Downtown Dublin Specific Plan Amendment (City Council Resolution No. 94-14).
5 Includes 416 units which are exempt from the Development Pool, as discussed in Downtown Dublin Specific Plan Section 6.4: Development Pool and Community Benefit Program.

Section 2.3 (Eastern Extended Planning Area), Paragraph 1 shall be amended to update the residential units, population, commercial square feet, and jobs as follows:

The Eastern Extended Planning Area has a net acreage of just over 3,500 acres (see Table 2.2 below), and is projected to build out in 2035, providing a total of 16,113+ residential units with an estimated population of 48,179 persons (per the Eastern Dublin Specific Plan). The Eastern Extended Planning Area has a development potential of up to 21.88 million square feet of commercial uses and over 53,431 jobs (per the Eastern Dublin Specific Plan). Table 2 .2 sets forth the development potential for the Eastern Extended Planning Area.

Table 2.2 (Land Use Development Potential: Eastern Extended Planning Area) shall be amended to read as follows and add footnote #1. The table also includes the proposed amendments associated with the SCS Dublin project which are concurrently being reviewed:

Table 2.2. LAND USEDEVELOPMENT POTENTIAL: EASTERN EXTENDED PLANNING AREA					
CLASSIFICATION	**ACRES**	**INTENSITY**	**UNITS[1]**	**FACTOR**	**YIELD[1]**
RESIDENTIAL	**Acres**	**Dwelling Units/Acre**	**Dwelling Units**	**Persons/ Dwelling Unit**	**Population**
High Density	52.94	25 .1+	1,328+	2.99	3,971+
Campus Office / High Density	13.92	25.1+	715	2.99	2,138
Medium-High Density	153.61	14.1-25.0	2,165-3,840	2.99	6,473-11,482
Medium-High Density and Retail Office	0	14.1-25.0	0	2.99	0
Medium-Density	418.1	6.1-14.0	2,550-5,853	2.99	7,625-17,500
Single Family	725	0.9-6.0	652-4,350	2.99	1,949-13,007
Estate Residential	30 .5	0.01-0 .8	0-24	2.99	0-72
Rural Residential/ Agriculture	329.8	0.01	3	2.99	9
TOTAL:	1,723.87		7,413-16,113+		22,165-48,179+

COMMERCIAL	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
General Commercial	194.85	.20- .60	1.6-5.0	510	3,328-9,985
General Commercial/ Campus Office	168.57	.20- .80	1.46-5.87	385	3,814-15,258
Mixed Use	0	.30-1 .00	0	490	0
Mixed Use 2/ Campus Office	22 .9	.45 max	.45	260	1,731
Neighborhood Commercial	0	.25- .60	.0	490	0
Industrial Park	56 .4	.35 max	.86	590	1,458
Industrial Park/ Campus Office	0	.25- .35	0	425	0
Campus Office	123.66	.25- .80	1.35-4.31	260	5,179-16,574
Campus Office / High Density	13.92[1]	.25-.80	.15-.49	260	583-1,866
Medical Campus	42.88	.25- .80	.46-4.49	260	1,796-5,747

Medical Campus / Commercial	15.85	.25- .80	.17-.41	510	338-812
TOTAL:	625.11		6.5-21.88		18,227-53,431

PUBLIC/SEMI-PUBLIC/OPEN SPACE	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Public/Semi-Public	99.46	.50 max	2.16	590	3,671
Semi-Public	2.09	.50 max	.045	590	77
	Acres		**Number**		
Parks/Public Recreation	207.4				
Regional Parks	1.2		1		
Open Space	699.56				
Schools	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Elementary School	38	.50 max	1.06	590	1,797
Middle School	27.8	.50 max	.61	590	1,034
High School	23.46		.51	590	866
TOTAL:	**1,098.97**		**5.87**		**7,445**
[1] Not included in Total as it is already accounted for under the Residential classification.					

Table 2.3 (Land Use Development Potential: Western Extended Planning Area) shall be amended to read as follows, which also includes the proposed amendments associated with the SCS Dublin project which are concurrently being reviewed:

Table 2.3. LAND USEDEVELOPMENT POTENTIAL: WESTERN EXTENDED PLANNING AREA					
CLASSIFICATION	**ACRES**	**INTENSITY**	**UNITS[1]**	**FACTOR**	**YIELD[1]**
RESIDENTIAL	**Acres**	**Dwelling Units/Acre**	**Dwelling Units**	**Persons/ Dwelling Unit**	**Population**
Rural Residential/ Agricultural	2,647.0	1 unit/100 acres	26	2.99	78
Estate Residential	20.2	0.01-0.8	0-16	2.99	0-48
Single Family Residential	73.99	0.9-6.0	66-442	2.99	197-1,322
TOTAL:	2,741.19		92-458		275-1,448

PARKS AND PUBLIC RECREATION	**Acres**		**Number**		
Neighborhood Park	10.4		1		
Open Space	375.21				
TOTAL:	**385.61**		**1 park**		

PUBLIC/SEMI-PUBLIC	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet / Employee**	**Jobs**

Public/Semi-Public	5.4	.60 max	.14	590	239
TOTAL:	**5.4**		**.14**		

	ACRES	DWELLING UNITS	POPULATION	SQUARE FEET (MILLIONS)	JOBS
GRAND TOTAL:	**3,132.2**	**92-458**	275-1,448	**.14**	**239**

[1] For dwelling units, population and jobs, a decimal fraction of .5 or less is disregarded; a decimal fraction greater than .5 is rounded to the nearest whole number.

*Chapter 6 (Housing Element) is removed and replaced in its entirety as shown in **Exhibit 1**.*

*Chapter 8 (Environmental Resources Management: Seismic Safety and Safety Element) is removed and replaced in its entirety as shown in **Exhibit 2**. Amendments to the Seismic Safety and Safety Element are proposed to satisfy the requirements of SB 1035. These amendments include adding background language about geologic and seismic hazards, liquefaction and landslide hazards, wildfires, flooding and dam failure, and hazardous materials in Dublin; referencing the Emergency Operations Plan and the Local Hazard Mitigation Plan; identifying wildfires over 10 acres near the City; referencing evacuation plans; and updating all maps and figures based on currently-available data. The amendments also include incorporating the Tri-Valley Local Hazard Mitigation Plan into the Seismic Safety and Safety Element by reference.*

BE IT FURTHER RESOLVED that the City Council hereby adopts the following amendments to the Eastern Dublin Specific Plan:

Table 4.1 (Eastern Dublin Specific Plan Land Use Summary) shall be amended to read as follows and add footnote #5. The table also includes the proposed amendments associated with the SCS Dublin project which are concurrently being reviewed:

TABLE 4.1
EASTERN DUBLIN SPECIFIC PLAN
LAND USE SUMMARY
(Amendment Reso# 66-03, 47-04, 223-05, 58-07, 37-08, 210-08, 176-09, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, 101-15, 165-15, 151-16, 85-21, 14-22, xx-22, and xx-22)

Land Use Description	LAND AREA	DENSITY	YIELD
COMMERCIAL/INDUSTRIAL			
General Commercial	252.55 acres	.25-.35 FAR	2.746 MSF
General Commercial/Campus Office	160.37 acres	.28 FAR	1.956 MSF
Industrial Park*	61.3 acres	.25-.28 FAR	.747 MSF
Neighborhood Commercial	0 acres	.30-.35 FAR	0 MSF
Mixed Use	0 acres	.30-1.0 FAR	.005 MSF
Mixed Use 2/Campus Office****	25.33 acres	.45 FAR	.497 MSF
Campus Office	80.36 acres	.35-.75 FAR	1.575 MSF
Campus Office / High Density	13.92 acres[5]	.35-.75 FAR	.265 MSF
Medical Campus	42.88 acres	.25-.80 FAR	.950 MSF
Medical Campus/Commercial	15.85 acres	.25-.60 FAR	.250 MSF
Subtotal	**652.56 acres**		**8.991 MSF**
RESIDENTIAL			
High Density	55.54 acres	35 du/ac	1,943 du

Campus Office / High Density	13.92 acres	66 du/ac	715 du
Medium High Density	169.31 acres	20 du/ac	3,386 du
Medium Density**	505.41 acres (1)	10 du/ac	5,054 du
Single Family***	947.25 acres	4 du/ac	3,789 du (3)
Estate Residential	30.4 acres	0.13 du/ac	4 du
Rural Residential/Agric.	539.55 acres	.01 du/ac	5 du
Mixed Use	0 acres	15 du/ac	115 du
Subtotal	**2,261.38 acres**		**15,011 du**
PUBLIC/SEMI-PUBLIC			
Public/Semi-Public	99.46 acres	.24 FAR	1.03 MSF
Semi-Public	2.09 acres	.25 FAR	.03 MSF
Subtotal	**101.55 acres**		**1.06 MSF**
SCHOOLS			
Elementary School	55.8 acres (2)		5 schools
Junior High School	21.3 acres		1 school
High School	23.46 acres		1 school
Subtotal	**100.56 acres**		
PARKS AND OPEN SPACE			
City Park	56.3 acres		1 park
Community Park	93.3 acres		3 parks
Neighborhood Park	50.9 acres		7 parks
Neighborhood Square	19.2 acres		7 parks
Natural Community Park	10.4 acres		1 park
Subtotal	**230.1 acres**		**19 parks**
Open Space	684.06 acres		
TOTAL LAND AREA	**4,016.29 acres**		

[5] Not included in Total Land Area as it is already accounted for under the Residential classification.

Table 4.2 (Eastern Dublin Specific Plan Population and Employment Summary) shall be amended to read as follows with no modifications to the footnotes:

TABLE 4.2
EASTERN DUBLIN SPECIFIC PLAN
POPULATION AND EMPLOYMENT SUMMARY
(Amended Per Resolution No. 47-04, 223-05, 58-07, 37-08, 176-09, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, 165-15, 151-16, 85-21, 14-22, xx-22, and xx-22)

Land Use Designation	Development	Sq Ft/Employees	Persons/du	Population
Commercial				
Industrial Park	.747 MSF	590		1,266
General Commercial/Campus Office*	1.956 MSF	385		5,081
General Commercial	2.746 MSF	510		5,384
Neighborhood Commercial	0 MSF	490		0
Mixed Use**	0 MSF	490		0
Mixed Use 2/Campus Office****	.497 MSF	260		1,910
Campus Office	1.840 MSF	260		7,077
Campus Office / High Density	.265 MSF	260		1,019
Medical Campus	.950 MSF	260		3,654
Medical Campus/ Commercial	.250 MSF	510		490

Public/Semi Public	.99 MSF	590		1,678
Semi-Public	0.03 MSF	590		51
TOTAL:	**10.271MSF**			**27,610**
Residential				
High Density	1,943 du		2.99	5,810
Campus Office / High Density	715 du		2.99	2,138
Medium High Density	3,386 du		2.99	10,124
Medium Density	5,054 du		2.99	15,111
Single Family***(1)	3,789 du		2.99	11,329
Estate Residential	4 du		2.99	12
Mixed Use**	0		2.99	0
Rural Residential/Agric.	5 du		2.99	15
TOTAL:	**14,896**			**44,539**

Table 4.3 (City of Dublin Projected Jobs/Housing Balance) shall be amended to read as follows with no modifications to the footnotes:

TABLE 4.3
CITY OF DUBLIN
PROJECTED JOBS/HOUSING BALANCE
(Amended Per Resolution No. 223-05, 58-07, 37-08, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, xx-22, xx-22)

PLANNING AREA	Dwelling Units	Jobs	Employed Residents*	Balance**	Ratio***
Existing City of Dublin**	**7,100**	**12,210**	**11,502**	**-708**	**1.06:1.0**
Eastern Dublin Specific Plan Area	**14,896*****	**27,610**	**24,132**	**-3,478**	**1.14:1.0**
TOTAL:	**21,996**	**39,820**	**35,634**	**-4,186**	**1.12:1.0******

Section 4.8 (Land Use Categories), Subsection 4.8.1 (Residential) shall be amended to update household size based on the 2020 US Census as follows:

Rural Residential/Agriculture (.01 units per gross residential acre). Accommodates agricultural activities and other open space uses, such as range and watershed management, consistent with the site conditions and plan policies. This classification includes privately held lands, as well as public ownerships not otherwise designated in the plan for Parks and Open Space, or Public/Semi-Public uses. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

Estate Residential (0.01 – 0.8 units per gross residential acre). Typically, ranchettes and estate homes are within this density. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

Single Family (0.9 to 6.0 units per gross residential acre). Accommodates the majority plan for Parks and Open Space, or Public/Semi-Public uses. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

Medium Density (6.1 to 14.0 units per gross residential acre). Provides for a mix of single family detached and attached units and multi-family units. The density range allows for detached, zero-lot line, duplex, townhouse, and garden apartment development. It is intended that within areas with this designation, that dwelling unit types and densities would be varied to accommodate a

range of housing needs. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

Medium High Density (14.1 to 25.0 units per gross residential acre). Provides for apartment, condominium, and townhouse development. Projects at the upper end of this range may require some under-structure parking and may need three or more stories to meet zoning ordinance open space requirements. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

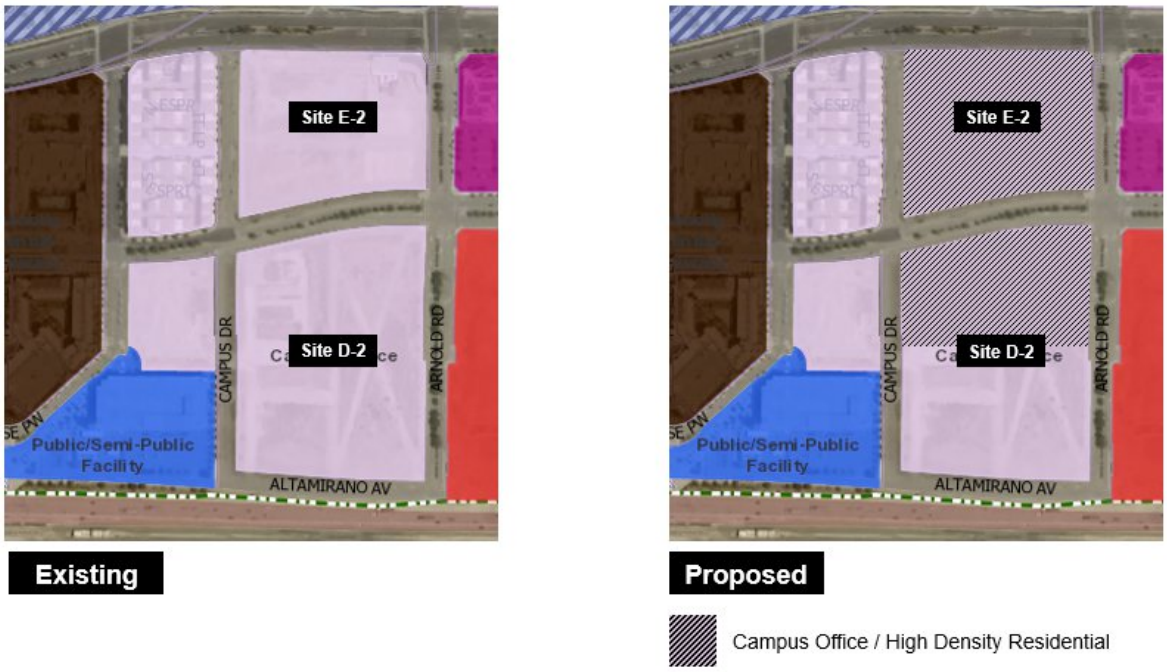
High Density (25.1 or more units per gross residential acre). Provides for apartment and condominium development in the Town Center. Development at these densities must meet the majority of their parking requirements with under-structure parking. With careful design, densities of up to 100 units per acre can be achieved without exceeding four stories. Assumed household size is 2.99 persons per unit as reported in the 2020 US Census data.

Section 4.8 (Land Use Categories), Subsection 4.8.2 (Commercial) shall be amended to add a description for the Campus Office/High Density Residential land use designation as follows:

Campus Office / High Density Residential (FAR: .25 to .80; Employee Density: 260 square feet per employee) (25.1 units and above per gross residential acre)
Combined land use district. See designations for Campus Office and Residential: High Density. The floor area ratio applies to both development options (Campus Office and High Density Residential) and is for the combined commercial and residential uses, if residential uses are incorporated, or for commercial uses if commercial is used exclusively. The floor area ratio does not apply to projects with only residential uses. A floor area ratio of up to 1.2 may be granted for land adjacent to the Eastern Dublin BART station at the discretion on the City Council. Example: Sites D-2 and E-2 at the Dublin Transit Center.

Figure 4.1 (Land Use Map) shall be amended to add the Campus Office/High Density Residential land use designation to the legend and designate the northern 6.42 acres of site D-2 and all of Site E-2 at the Dublin Transit Center as Campus Office/High Density Residential, as shown below:

Figure 4-1 Eastern Dublin Specific Plan Land Use Map



BE IT FURTHER RESOLVED that the City Council does hereby direct Staff to submit the 2023 – 2031 Housing Element to HCD for certification.

BE IT FURTHER RESOLVED that the City Council does hereby authorize Staff to make non-substantive changes to the 2023 – 2031 Housing Element and related General Plan and Eastern Dublin Specific Plan policies to respond to any comments received from HCD to achieve certification.

BE IT FURTHER RESOLVED, the Resolution shall take effect upon certification of the 2023 – 2031 Housing Element by HCD.

PASSED, APPROVED, AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk



DUBLIN
CALIFORNIA

2023-2031
Draft Housing Element

This Page Intentionally Left Blank.

City of Dublin
2023-2031
Housing Element

Final Adoption Hearings Draft
October 2022

This Page Intentionally Left Blank.

Table of Contents

CHAPTER 1 – INTRODUCTION
A. Role of the Housing Element 1-8
B. State Policy and Authorization 1-8
1. Background 1-8
2. State Requirements 1-8
3. Regional Housing Needs Allocation 1-10
4. Relationship to Other General Plan Elements 1-10
5. Public Participation 1-11
6. Data Sources 1-11
7. Housing Element Organization 1-12

CHAPTER 2 – HOUSING PLAN
A. Housing Goals and Policies 2-2
1. Range of Housing Types 2-2
2. Housing Opportunities for Segments of the Population 2-3
3. Maintain and Enhance Residential Neighborhoods 2-3
4. Promote Equal Housing Opportunities 2-3
5. Promote Energy Efficiency and Conservation 2-4
B. Housing Programs 2-5
1. Housing Conservation and Preservation 2-5
2. Housing Production 2-8
3. Adequate Housing Sites 2-19
4. Removal of Governmental Constraints 2-21
5. Promoting Equal Housing Opportunities 2-24
6. Green Building Programs 2-31
C. Summary of Quantified Objectives 2-33

APPENDIX A – REVIEW OF PAST PERFORMANCE
A. Program Evaluation for Households with Special Needs A-2
1. Seniors A-2
2. Persons with Disabilities A-4
3. Large Households A-4
4. Farmworkers A-4
5. Single-Parent Households A-5
6. Persons Experiencing Homelessness A-5
7. Extremely Low-Income Households A-6
B. 5th Planning Cycle Program Accomplishments A-7

APPENDIX B – COMMUNITY PROFILE
A. Population Characteristics B-2
1. Population Growth B-2
2. Age Characteristics B-3
3. Race/Ethnicity Characteristics B-4
B. Economic Characteristics B-6
1. Employment and Wage Scale B-6
C. Household Characteristics B-9
1. Household Type B-9
2. Household Size B-11
3. Household Income B-11
D. Housing Challenges B-14
1. Overcrowding B-15
2. Overpayment (Cost Burden) B-17
E. Special Needs Groups B-18

1. Seniors....B-18
2. Persons with Physical and Developmental Disabilities....B-19
3. Large Households....B-22
4. Single-Parent Households....B-23
5. Farmworkers....B-24
6. Extremely Low-Income Household and Poverty Status....B-24
7. Persons Experiencing Homelessness....B-26
8. Students....B-28
9. Summary of Special Needs Groups Analysis....B-28
F. Housing Stock Characteristics....B-29
1. Housing Growth....B-29
2. Housing Types....B-29
3. Housing Availability and Tenure....B-30
4. Housing Age and Conditions....B-31
5. Housing Costs and Affordability....B-33

APPENDIX C – HOUSING CONSTRAINTS, RESOURCES, AND AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)
A. Housing Constraints....C-2
1. Non-Governmental Constraints....C-2
Land Costs and Construction Costs....C-2
Availability of Financing....C-3
Economic Constraints....C-6
2. Governmental Constraints....C-7
Land Use Controls....C-7
Variety of Housing Types Permitted....C-8
Residential Development Standards....C-22
Definition of Family....C-27
State Density Bonus Law....C-27
Reasonable Accommodations....C-28
On-/Off-Site Improvements....C-29
Local Ordinances....C-31
Specific Plans....C-34
Local Processing and Permit Procedures....C-39
Development Fees....C-42
3. Infrastructure Constraints....C-46
Dry Utilities....C-46
Water Supply....C-46
Fire and Emergency Services....C-48
Police Services....C-49
4. Environmental Constraints....C-49
Geologic Hazards....C-50
Flood Hazards....C-52
Fire Hazards....C-54
B. Financial Resources....C-56
1. Housing Choice Voucher Program (HCVP)....C-56
2. Community Development Block Grants (CDBG)....C-58
3. HOME Program....C-58
C. Opportunities for Energy Conservation....C-59
1. Energy Use and Providers....C-59
Alternative Sources....C-59
2. Electric Vehicle Chargers and Solar....C-60
D. Affirmatively Furthering Fair Housing (AFFH)....C-60
1. Fair Housing Laws....C-61

2. Fair Housing Enforcement and Outreach Capacity C-62
Fair Housing and Civil Rights Findings, Lawsuits, Enforcement, Settlements or Judgments C-62
Fair Housing Capacity C-63
Housing Element Outreach C-64
3. Analysis of Federal, State, and Local Data and Knowledge C-65
Integration and Segregation Patterns and Trends C-65
Racially and Ethnically Concentrated Areas of Poverty (R/ECAP) C-78
Racially and Ethnically Concentrated Areas of Affluence (RCAA) C-80
Disparities in Access to Opportunities C-84
Disproportionate Housing Needs and Displacement C-101
4. Assessment of Contributing Factors to Fair Housing C-119
5. Analysis of Sites Pursuant to AB 686 ..... C-122
Candidate Housing Sites C-136
6. Analysis of Fair Housing Priorities and Goals C-140

APPENDIX D – ADEQUATE SITES ANALYSIS

A. Adequate Sites Analysis Overview D-3
1. Adequace of Sites to Accommodate RHNA D-3
Availability of Water, Sewer, and Dry Utilities D-3
2. Accessory Dwelling Units and Junior Accessory Dwelling Units D-4
3. Projects in the Pipeline D-6
B. Very Low- and Low-Income Sites Inventory D-8
1. Strategy for Accommodating Very Low- and Low-Income RHNA D-8
Existing Zoning and Land Use D-8
Downtown Dublin Specific Plan D-8
Projects in the Pipeline D-9
Rezoning D-9
2. Calculation of Unit Capacity D-9
Site-by-Site Calculation D-9
Affordability Assumptions D-10
3. Adequacy of Sites to Accommodate Very Low- and Low-Income Housing D-11
Selection of Sites D-11
Vacant Parcels D-12
Replacement Analysis D-12
Public/Semi-Public Sites D-12
Alameda County Surplus Property D-12
Hacienda Crossings Shopping Center D-12
SCS Property D-13
Identification of Small or Large Sites D-13
4. Non-Vacant Sites D-14
Lease Analysis D-14
Past Performance Developing Non-Vacant Sites for Residential Uses D-14
Non-Residential Uses D-15
5. Rezone Strategy to Accommodate Remaining Very Low- and Low-Income RHNA D-16
Part 1: Rezoning Opportunities Utilizing Alameda County Surplus Property Authority Sites D-16
Part 2: Rezoning Opportunities Utilizing Hacienda Crossings D-16
Part 3: Rezoning Opportunities Using SCS Property D-17
C. Moderate- and Above Moderate-Income Sites Inventory D-17
1. Strategy for Accommodating Moderate-Income Allocation D-17
Projects in the Pipeline D-17
Accessory Dwelling Units (ADUs) D-17
5th Cycle Sites D-17
Downtown Dublin D-18

2. Strategy for Accommodating Above Moderate-Income Allocation D-18
Projects in the Pipeline D-18
Accessory Dwelling Units (ADUs) D-18
Rezone Strategies D-18
Selection of Sites D-18
D. Summary of RHNA Status and Sites Inventory D-19
E. Sites Identified to Accommodate RHNA and Maps D-19

APPENDIX E – HOUSING PLAN PROGRAM SUMMARY

APPENDIX F – COMMUNITY ENAGEMENT SUMMARY

APPENDIX G – GLOSSARY OF HOUSING TERMS



CHAPTER 1:
INTRODUCTION



A. Role of the Housing Element

The Housing Element is a State-mandated chapter of the City's General Plan. The purpose of the Housing Element is to identify and plan for the City's existing and projected housing needs of all economic segments of the community. The Housing Element contains a detailed outline and work program of the City's goals, policies, programs, and objectives that preserve, improve, and ensure housing for a sustainable future. Each eight-year planning cycle, the City is allocated a specific number of housing units to plan for – this is referred to as the Regional Housing Needs Allocation (RHNA) determined by the Association of Bay Area Governments (ABAG). The RHNA quantifies current and future housing growth for all cities and counties within the ABAG region. Through research and analysis, the Housing Element identifies available candidate housing sites and establishes policies and programs to accommodate the RHNA. The Housing Element is a critical tool for the City to plan for growth within the community over the eight-year cycle.

B. State Policy and Authorization

1. Background

As a mandated chapter of the Dublin General Plan, the Housing Element must meet all requirements of existing state law. Goals, policies, programs, and objectives developed within the Housing Element are implemented within a designated timeline to ensure the City accomplishes the identified actions, as well as maintains compliance with state law. The California Department of Housing and Community Development (HCD) reviews each Housing Element for compliance with state law and certification by HCD is required for a Housing Element to be found in full compliance.

2. State Requirements

State Housing Element Law (California Government Code Article 10.6) establishes the requirements for the Housing Element. California Government Code Section 65588 requires that local governments review and revise the Housing Element of their comprehensive General Plans no less than once every eight years.

The following overarching Housing Element goals are included in California Government Code Section 65580 to ensure every resident has access to housing and a suitable living environment:

a) The availability of housing is of vital statewide importance, and the early attainment of decent housing and a suitable living environment for every Californian, including farmworkers, is a priority of the highest order.
b) The successful development of housing requires cooperative participation of government and the private sector to expand housing opportunities and accommodate the housing needs of Californians in all economic levels.
c) The provisions of housing, in particular to units affordable to lower and moderate-income households, requires the cooperation of all levels of the government.
d) Local and State governments have a responsibility to use the powers vested in them to facilitate the improvement and development of housing to make adequate provision for housing needs of

all economic segments of the community.

e) The Legislature recognizes that in carrying out this responsibility, each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the general plan and to cooperate with other local governments and the State in addressing regional housing needs.

f) Designating and maintaining a supply of land and adequate sites suitable, feasible, and available for the development of housing sufficient to meet the locality's housing need for all income levels is essential to achieving the State's housing goals and the purposes of this article.

Table 1-1 summarizes the Housing Element requirements mandated by the State and identifies where these requirements are addressed in this document.

Table 1-1: Housing Element Requirements

Housing Element Requirement(s)	Gov. Code Chapter	Reference in Housing Element
Analysis of employment trends.	Section 65583.a	Appendix B.B.1
Projection and quantification of existing and projected housing needs for all income groups.	Section 65583.a	Appendix B
Analysis and documentation of the City's housing characteristics, including cost for housing compared to ability to pay, overcrowding, and housing condition.	Section 65583.a	Appendix B.F
An inventory of land suitable for residential development including vacant sites and sites having redevelopment potential.	Section 65583.a	Appendix D
Analysis of existing and potential governmental constraints upon the maintenance, improvement or development of housing for all income levels.	Section 65583.a	Appendix C.A.2
Analysis of existing and potential nongovernmental (private sector) constraints upon maintenance, improvement or development of housing for all income levels.	Section 65583.a	Appendix C.A.1
Analysis concerning the needs of the homeless.	Section 65583.a	Appendix B.E.7
Analysis of special housing needs: handicapped, elderly, large families, farm workers, and female-headed households.	Section 65583.a	Appendix B.E
Analysis of opportunities for energy conservation with respect to residential development.	Section 65583.a	Appendix C.D.1
Identification of Publicly Assisted Housing Developments.	Section 65583.a	Appendix C.E.2
Identification of Units at Risk of Conversion to Market Rate Housing.	Section 65583.a	Appendix C.E.2
Identification of the City's goal relative to the maintenance, improvement, and development of housing.	Section 65583.a	Chapter 2.1
Analysis of quantified objectives and policies relative to the maintenance, improvement, and development of housing.	Section 65583.b	Chapter 2.3
Identification of adequate sites that will be made available through appropriate action with required public services and facilities for a variety of housing types for all income levels.	Section 65583.c(1)	Appendix D
Identification of strategies to assist in the development of adequate housing to meet the needs of low and moderate-income households.	Section 65583.c(2)	Appendix D

Table 1-1: Housing Element Requirements		
Housing Element Requirement(s)	**Gov. Code Chapter**	**Reference in Housing Element**
Description of the Public Participation Program in the formulation of Housing Element Goals, Policies, and Programs.	Section 65583.d	Appendix F
Description of the Regional Housing Needs Allocation (RHNA) prepared by the Association of Bay Area Governments.	Section 65583.e	Appendix C.B.1
Analysis of Fair Housing, including Affirmatively Furthering Fair Housing.	Section 8899.50	Appendix C.D
Review of the effectiveness of the past Housing Element, including the City's accomplishments during the previous planning period.	Section 65583.f	Appendix A
Source: State of California, Department of Housing and Community Development.		

3. Regional Housing Needs Allocation

The Regional Housing Needs Allocation (RHNA) is the methodology used for determining future housing need, by income category, within the State and is based on growth in population, households, and employment. The statewide determination, which is referred to as the Regional Housing Needs Determination (RHND), is under the administration of HCD. The quantified housing need is then allocated among the State's 18 Metropolitan Planning Organizations (MPOs) – ABAG for the City of Dublin.

In accordance with California Government Code Section 65583, ABAG is tasked with creating a methodology for distributing the RHND to its member jurisdictions. This distribution results in each jurisdiction's RHNA. The City's RHNA is divided into four income categories, which are based on the Alameda County Area Median Income (AMI) for an assumed family of four. **Table 1-2** identifies the City's RHNA by household income category for the 2023-2031 planning period.

Table 1-2: City of Dublin 6th Cycle RHNA by Income Category		
Income Category	**Percent of Area Median Income (AMI)**	**RHNA**
Very Low-Income	0-50% AMI	1,085
Low-Income	51-80% AMI	625
Moderate-Income	81-120%AMI	560
Above Moderate-Income	>120% AMI	1.449
	Total RHNA	**3,719**
**The Dublin AMI is $125,600 for a family of four, according to the 2021 HCD Income Limits.*		

4. Relationship to Other General Plan Elements

The Housing Element works in conjunction with other Dublin General Plan Elements, such as the development policies contained in the Land Use Element. The Land Use Element is the guide for decision makers on the pattern, distribution, density, and intensity of land uses that help the City achieve its vision for the future. By designating residential development, the General Plan establishes the densities and types of housing units constructed in the City. Land use patterns and decisions are influenced by population and economic growth (which create market demand), transportation access and

opportunities, the availability of infrastructure, environmental constraints, and quality of life reflected in parks and recreational activities, the look and feel of the City, and cultural amenities. The presence and potential for jobs affects the current and future demand for housing at the various income levels in the City.

The Housing Element also works with the Circulation and Scenic Highways Element to connect housing, community resources and services, employment, and recreation. Dublin's Circulation and Scenic Highways Element supports continuing programs to improve travel by vehicles, bikes, and walking, and provides guidance on expanding the options for transit and active transportation. In conjunction with the Housing Element, the Circulation and Scenic Highways Element provides policies and incentives that consider the types of infrastructure essential for residential housing units in addition to mitigating the effects of growth in the City.

The Housing Element has been reviewed for consistency with the City's other General Plan Elements, and the policies and programs in the Housing Element are consistent with the policy direction contained in other parts of the General Plan. As portions of the General Plan are amended in the future, the Housing Element will be reviewed to ensure that internal consistency is maintained.

5. Public Participation

Public participation is a vital component to the Housing Element update process. Public engagement creates opportunities for community members to provide their input and feedback, information which then directs the Housing Element's goals, policies and programs. Government Code Section 65583 requires local governments to make diligent and continued efforts to achieve public participation of all economic segments of the community. Meaningful community participation ensures that a variety of stakeholders and community members are offered a platform to engage in the City's planning process.

The City completed the following public participation efforts as part of the process to update the Housing Element:

- Two Virtual Community Workshops
- Meetings with the Planning Commission and City Council
- Online Survey in English and Mandarin
- Social Media Outreach
- Direct Mailings
- Informational Webpage
- One-on-One Meetings with Property Owners
- Outreach to Organizations Serving Special Needs Populations
- Candidate Sites Outreach
- 30-Day Public Review of the Draft Housing Element
- Seven-Day Public Review of the Revised Draft Housing Element, Responding to HCD's Preliminary Comments

As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council. **Appendix F: Community Engagement Summary** contains a summary of all public comments regarding the Housing Element received by the City during the update process.

6. Data Sources

The data used for the completion of the Housing Element comes from a variety of sources. These include, but are not limited to:

- United States Census, 2010 and 2020
- American Community Survey
- Plan Bay Area 2040 and 2050
- California Department of Housing and Urban Development, Comprehensive Housing Affordability Strategy (CHAS), 2013-2017
- California Department of Economic Development
- Home Mortgage Disclosure Act (HMDA)
- Real Estate websites, including Zillow and Redfin
- CalEnviroScreen 4.0
- Urban Displacement Project, University of California Berkeley
- California Department of Housing and Community Development (HCD) Affirmatively Furthering Fair Housing (AFFH) Data Viewer
- University of California Davis Center for Regional Change and Rabobank
- AllTransit

The data sources represent the best data available at the time the Housing Element was prepared. The original source documents contain the assumptions and methods used to compile the data.

7. Housing Element Organization

The Housing Element includes the following Chapters:

Chapter 1: Introduction contains a summary of the content, organization, and statutory considerations of the Housing Element.

Chapter 2: Housing Plan describes Dublin's housing plan, including needs, goals, policies, programs, and objectives.

Appendices:

Appendix A: Review of Past Performance

Appendix B: Community Profile

Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Appendix D: Adequate Sites Analysis

Appendix E: Housing Plan Programs Summary

Appendix F: Community Engagement Summary

Appendix G: Glossary of Terms



CHAPTER 2:
HOUSING PLAN

The Housing Plan described in this Chapter includes the City's goals, policies, programs, and objectives for the 2023-2031 planning period. The Housing Plan addresses the need to plan for additional housing opportunities, remove constraints to affordable housing, improve the existing housing stock, and provide equal opportunities for all current and future residents of Dublin.

These goals, policies, and programs were developed based on:

- Review of the City's 5th Planning Cycle Housing Element;
- Input and feedback from the community, stakeholders, and decisionmakers;
- New State law requirements; and
- Analysis provided in the Community Profile and the Constraints, Resources, and Fair Housing Chapters of this 2023-2031 Housing Element.

**Appendix E of this Housing Element provides an outlined summary of all Housing Plan Programs detailed within this Chapter. Should any differences exist between programs in both sections, language in this Chapter 2: Housing Plan shall supersede language in Appendix E.*

A. Housing Goals and Policies

The following describes the goals and policies the City intends to implement to meet its RHNA and address its housing needs.

1. Range of Housing Types

Continuing to provide a balanced inventory of housing types (e.g., single-family, duplexes, apartments, and condominiums), cost, and style will fulfill a variety of housing needs. In addition, providing regulatory and financial assistance will be essential to support the production of affordable housing.

Goal A: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.

- **Policy A.1:** Ensure the provision of a variety of housing types to fulfill the City's RHNA.
- **Policy A.2:** Facilitate development of affordable housing through use of financial and/or regulatory incentives, where appropriate and subject to funding availability.
- **Policy A.3:** Maintain streamlined procedures for processing new residential development applications.
- **Policy A.4:** Encourage the development of residential units intended for special groups, including seniors, large households, persons with disabilities, and the homeless.
- **Policy A.5:** Promote affordable housing opportunities adjacent to public transportation and within walking or cycling distance to places of employment, commerce, recreation, and services.
- **Policy A.6:** Support existing emergency shelter programs in the Tri-Valley area.

2. Housing Opportunities for Segments of the Population

A key element in satisfying the housing needs of all segments of the community is the provision of adequate sites for housing of all types, sizes, and prices. The City's General Plan and Zoning Ordinance determine where housing may be located, thereby affecting the supply of land available for residential development. The following goals and policies support the expansion of housing opportunities in Dublin.

Goal B: Expand housing opportunities for all economic segments of Dublin's population.

- **Policy B.1:** Encourage development of affordable housing by non-profit organizations primarily engaged in housing construction or management.
- **Policy B.2:** Provide and/or facilitate ongoing technical and financial support to affordable housing developers.
- **Policy B.3:** Negotiate with developers to encourage the development of housing that is affordable to extremely low-income households.
- **Policy B.4:** Continue to allow accessory dwelling units in residential zoning districts and the C-1 zoning district as a means of expanding rental housing opportunities.
- **Policy B.5:** Continue to support the development of affordable housing for first-time homebuyers.

3. Maintain and Enhance Residential Neighborhoods

In general, housing over 30 years old may need rehabilitation and major repairs, such as a new roof, termite damage repair, foundation work, and plumbing. With 31.5 percent of Dublin's housing stock built prior to 1990, preventive maintenance is essential to avoid housing deterioration. Some households, particularly those that have owned their homes for many years and have relatively low house payments, may be able to afford repairs or monthly payments for rehabilitation loans; however, other households, especially lower-income households, may have difficulty maintaining their homes. Assisting these lower-income households will help preserve and enhance the City's existing housing stock.

Goal C: Use public and private resources to maintain and enhance existing residential neighborhood character.

- **Policy C.1:** Continue to provide assistance for the rehabilitation of substandard and deteriorating units.
- **Policy C.2:** Encourage the preservation, rehabilitation, and/or replacement of single-family residences in order to maintain and enhance the established neighborhood character.

4. Promote Equal Housing Opportunities

The City seeks to expand the range of housing opportunities in Dublin, including housing for seniors, lower- and moderate-income residents, persons with disabilities, large families, families with female-headed households, and persons experiencing homelessness. In order to make adequate provision for the housing needs of all segments of the community, the City must also ensure equal and fair housing opportunities are available to all residents.

Goal D: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic.

- **Policy D.1:** Support services and programs that fight housing discrimination; promote agencies and organizations that provide assistance to victims of housing discrimination.
- **Policy D.2:** Promote housing with supportive services to meet the special housing needs of all Dublin residents.
- **Policy D.3:** Encourage the provision of housing to meet the needs of households of all sizes.

5. Promote Energy Efficiency and Conservation

In September 2020, the City Council adopted the Climate Action Plan 2030 and Beyond (CAP 2.0), establishing the next phase of climate action planning and implementation. Strategies of CAP 2.0 include 100 percent renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045, resulting in cleaner air, more versatile and flexible transportation, new opportunities for economic growth, reductions in localized flooding risks, and greater energy independence from fossil fuels. Energy conservation can be achieved through environmentally sensitive site planning techniques and implementing building codes that require use of construction materials that maximize energy efficiency. Conserving energy has the dual benefit of reducing housing costs and improving environmental quality.

Goal E: Promote energy efficiency and conservation throughout Dublin.

- **Policy E.1:** Promote the use of Green Building techniques in all residential development.
- **Policy E.2:** Ensure all new residential development complies with the California Green Building Standards Code and Dublin Green Building Standards Code.
- **Policy E.3:** Encourage residential projects to obtain green building certifications, such as GreenPoint Rating and Leadership in Energy and Environmental Design.
- **Policy E.4:** Continue to require the recycling of construction waste.
- **Policy E.5:** Utilize site planning techniques to allow passive energy efficiencies through solar access, landscaping, and building orientation.
- **Policy E.6:** Seek opportunities to educate the public about energy efficiency and conservation.

B. Housing Programs

The goals and policies outlined in the prior section address Dublin's identified housing needs and are implemented through a series of housing programs. These programs are offered primarily through the Planning and Housing Divisions of the City's Community Development Department and through regional partnerships. Dublin residents may also be eligible for assistance under programs administered by the County of Alameda. Housing programs define the specific actions the City will undertake to achieve the stated goals and policies. The City's housing programs for addressing community housing needs are grouped into the following categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program

1. Housing Conservation and Preservation

Approximately 31.5 percent of housing units in Dublin were constructed prior to 1990 and are likely to have rehabilitation needs, such as new plumbing, roof repairs, foundation work, and other major repairs. Other housing conservation needs include preservation of existing multi-family rental apartments at-risk of converting to condominiums.

Program A.1: Housing Rehabilitation Assistance

Using Community Development Block Grant (CDBG) funds, the Alameda County Community Development Agency administers minor home rehabilitation grants and home improvement loan assistance.

- Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more.
- Renew Alameda County is a home improvement loan assistance program for low-income homeowners, which aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition.

Between 2015 and 2021, the Alameda County Community Development Agency has provided 22 Minor Home Repair Grants, one Housing Rehabilitation Loan, and two Accessibility Improvements Grants in Dublin.

Additionally, in 2020, the City created and began administering the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. The program provides grants of up to $5,000 for rehabilitation and beautification projects.

Objectives:

- Continue to support the Alameda County Community Development Agency to implement the Minor Home Improvement Program (including accessibility grants) and Renew Alameda County

and promote the Dublin Home Rehabilitation Program through dissemination of informational materials with the goal of assisting 36 households between 2023 and 2031.

Timeframe: Create informational materials by January 31, 2025; Annually review available funding for support; 2023-2031
Responsible Agency: Alameda County Community Development Agency; Community Development Department
Funding Source: CDBG; Alameda County Measure A-1 Bond Fund; Dublin General Fund
Relevant Policies: Policy C.1; Policy C.2

Program A.2: Housing Choice Voucher Rental Assistance

The Housing Choice Voucher Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The program offers a voucher that pays the difference between the current fair market rent (FMR) as established by the U.S. Department of Housing and Urban Development (HUD) and what a tenant can afford to pay (i.e., 30 percent of household income). The Housing Authority of Alameda County administers the program in Dublin. Given the continued need for rental assistance, the City supports and encourages the provision of additional subsidies through the Housing Choice Voucher Program.

Objectives:

- Continue to support the assistance of 350 lower-income households each year between 2023 and 2031.
- Continue to refer interested households to the Housing Authority of Alameda County.

Timeframe: Annually coordinate with the Housing Authority of Alameda County; 2023-2031
Responsible Agency: Housing Authority of Alameda County
Funding Source: HUD Section 8
Relevant Policies: Policy A.1; Policy D.2; Policy D.3

Program A.3: Code Enforcement

The Planning Division and Building and Safety Division of the Community Development Department carry out code compliance and inspection activities to preserve and maintain the livability and quality of neighborhoods. City Staff investigates potential violations of property maintenance standards as defined in the Dublin Municipal Code (DMC). When violations are identified or cited, Staff ensures code compliance by encouraging property owners to seek assistance through available housing rehabilitation programs.

The City will continue to enforce property maintenance standards and abate substandard structures. When code violations are unable to be resolved through voluntary compliance, administrative citations, or abatement, the nuisance may be abated by the City. All costs incurred by the City in abating the nuisance shall be chargeable to the property owner where the abatement occurred.

Objectives:

- Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis.

- Conduct residential inspections to ensure property maintenance standards are met and to abate substandard structures.
- Annually review code enforcement cases and establish new programs within one year when 15 or more cases arise in a year regarding the same issue.
- Perform annual review of City ordinances.

Timeframe: On a case-by-case basis; Annually review code enforcement cases and establish new programs within one year to address reoccurring issues; Annually review City ordinances and make changes based on reoccurring issues of 15 or more cases within one year; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy C.1; Policy C.2

Program A.4: Condominium Conversion Ordinance

The City values its rental housing stock as an important means of meeting the housing needs of all income segments of the community. In 2005, the City Council passed a Condominium Conversion Ordinance to preserve the existing rental housing stock. The Ordinance establishes an annual maximum of seven percent of the total number of multi-family units in developments of 21 or more rental units that can be converted. The Ordinance also establishes tenant notification and relocation assistance requirements, limits rent increases once a notice of intent to convert has been filed and gives tenants the right to purchase units. Condominium conversions are also subject to the City's Inclusionary Zoning Regulations. The City will continue to implement the Condominium Conversion Ordinance to preserve the existing multi-family rental housing stock in Dublin.

Objectives:

- Monitor conversion activities annually. If the seven percent conversion limit is met, identify new programs or ordinance amendments to preserve rental housing stock.

Timeframe: Review conversion activities annually and, if the seven percent conversion limit is met, make program changes within one year; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees
Relevant Policies: Policy A.1; Policy B.5

Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate

Assisted housing are units whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs. There are 59 assisted multi-family units at-risk of converting from affordable to market-rate units during the 10 years following the beginning of the planning period (2023-2033). The City is committed to preserving its stock of affordable housing and will provide technical assistance, seek additional nonprofit and for-profit partners, and facilitate financial assistance for assisted affordable housing units at-risk of conversion to market-rate units. The City will continue to work with property owners to develop strategies and potential solutions to maintain affordability controls on assisted units.

The City will also maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market rate. This will include an annual review of the conversion status of all assisted housing in the City. The City will also pursue partnership opportunities with non-profit entities to preserve affordable housing in the City.

Objectives:

- Maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market-rate units.
- Outreach to and coordinate with property owners with assisted housing units at-risk of converting to market-rate units to preserve affordability.
- Facilitate and promote tenant outreach, noticing, and education, as well as funding opportunities, as available.
- Proactively seek funding opportunities for units at-risk of converting to market-rate units.

Timeframe: Develop the warning system by January 31, 2025; Review annually; Outreach to begin by January 31, 2025; Annually seek funding opportunities; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy B.2

2. Housing Production

The City implements various programs to encourage a diversity of housing types. Part of this diversity is addressed through the RHNA, which encourages the construction of housing for all economic segments in the community. Housing diversity is important to ensure that all households, regardless of age, income level, and household type, have the opportunity to find housing suited to their need and lifestyle. The following programs support the production of diverse housing opportunities.

Program B.1: Mixed-Use Development

Locating high-density residential uses in compact mixed-use projects where residents have convenient access to jobs, shopping, services, recreation, and multi-modal transportation options can produce several community benefits. Many residents within these areas are less dependent upon single-occupancy vehicles resulting in decreased congestion, reduced greenhouse gas emissions, and allow more of their income to be used for other necessary expenses.

The City will continue to promote high-density mixed-use projects through the following actions:

- Promote high-density mixed-use development projects on opportunity sites in the Downtown Dublin Specific Plan area and near public transportation;
- Continue to implement the Downtown Dublin Specific Plan;
- Promote high-density mixed-use development near the two Dublin Bay Area Rapid Transit (BART) stations;
- Use the Planned Development Zoning process to allow flexible development standards such as alternatives for parking, building height, floor area ratio, lot coverage limits, and residential density, to promote mixed-use developments; and

- Provide incentives for affordable housing in mixed-use projects, including reduced parking requirements, use of the Affordable Housing Fund, assistance in accessing state and federal subsidies, and density bonuses.

Objectives:

- Facilitate the construction of 300 residential units within mixed-use projects between 2023-2031.
- Continue to incentivize mixed-use projects through flexible development standards and other means.
- Mid-cycle review development incentives to identify if development is occurring as anticipated; if it is not, identify and promote additional incentives.

Timeframe: Annually review permitting and construction rates; Assist applicants and developers on a project-by-project basis; Mid-cycle review of development incentives and, if development is occurring at a rate less than anticipated, identify and promote additional incentives within one year; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.5; Policy B.2; Policy B.5

Program B.2: Affordable Housing Developers

Recognizing that affordable housing cannot be supplied solely by market-rate developers, the City will cooperate with affordable housing developers to expand the supply of lower-income units, including extremely low-income units. The City has a proven track record in facilitating the development of affordable housing. During the 2014-2022 Housing Element cycle, Valor Crossing, Amador Station, and the Regional Street Senior Affordable Apartments projects were facilitated by the City and include a range of affordable units, including units for extremely low-income households.

The City will offer application and technical assistance in accessing local, state, and federal funding for affordable housing by applying for such funding on behalf of affordable housing developers when eligible applicants are limited to public agencies and providing technical assistance or documentation necessary to support applications for funding by affordable housing developers upon request.

The City will also write letters of support (for projects that have received Planning Division entitlements by the City).

Objectives:

- Negotiate a specific incentive package for each project, with increased incentives for projects that include units for extremely low-income households, seniors, and persons with disabilities.
- Provide application/technical assistance as requested by potential developers or property owners.
- Provide assistance to affordable housing developers to facilitate the construction of 100 affordable housing units between 2023-2031, with the goal of achieving 20 affordable units for extremely low-income households and/or persons with special housing needs.
- Contact developers to discuss affordable housing opportunities.

Timeframe: On a case-by-case basis; Annually outreach to housing developers; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.3: Density Bonus

The City adopted a Density Bonus Ordinance in March 2007 to comply with State law (SB 1818 enacted 2005 and SB 435 enacted 2006). In November 2019, the City adopted Ordinance No.14-19 amending the Density Bonus Ordinance to comply with current State law. Density bonuses are infrequently used in Dublin because the City's High-Density Residential land use designation does not have a maximum upper density limit. In addition to density increases, the Density Bonus Ordinance has other provisions that could facilitate the expansion of housing opportunities. The City will continue to annually review its Density Bonus Ordinance and make necessary revisions to ensure compliance with State law.

The City will also continue working with developers on a case-by-case basis to provide regulatory concessions, waivers, and incentives to assist with the development of affordable and senior housing. Regulatory concessions, waivers, and incentives could include, but are not limited to, reductions to off-street parking requirements and modified or waived development standards.

Objectives:

- Review and revise the Density Bonus Ordinance to ensure continued compliance with State law through the Planning Period.
- Continue to implement the Density Bonus Ordinance and provide the Ordinance to developers and other interested parties.
- Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.

Timeframe: Provide information on a case-by-case basis; Revise as necessary to maintain compliance with State law throughout the Planning Period; Review annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.4: Inclusionary Zoning Regulations

Under the City's Inclusionary Zoning Regulations, all new residential development projects of 20 units or more designed and intended for permanent occupancy must construct 12.5 percent of the total number of dwelling units within the development as affordable units. Affordable units shall be allocated to households with very low-, low-, and moderate-income levels as follows:

	Rental Units	Owner-Occupied Units
Very low-income households	30%	0%
Low-income households	20%	40%
Moderate-income households	50%	60%

Upon request, the City Council may grant one or more of the following exceptions to the 12.5 percent affordability requirement:

- Pay a fee in-lieu[1] of constructing up to 40 percent of the affordable units that the developer would otherwise be required to construct
- Construct affordable housing off-site
- Dedicate land to the City or non-profit affordable housing developer
- Use credit transfers
- Waiver of requirements

Also, DMC Section 8.68.070 provides incentives to make the construction of affordable units more feasible, including:

- Fee Deferral – development processing and impact fees
- Design Modifications –
  - Reduced lot size
  - Reduced setback requirements
  - Reduced open space requirements
  - Reduced landscaping requirements
  - Reduced interior or exterior amenities
  - Reduced parking requirements
  - Height restriction waivers

Objectives:

- Review the Inclusionary Zoning Regulations.
- Prepare a nexus study reviewing the Affordable Housing In-Lieu Fee.
- Facilitate the construction of 100 affordable housing units.

Timeframe: Review the Inclusionary Zoning Regulations and In-Lieu Fees by January 31, 2025; Prepare a nexus study by January 31, 2025
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.5: Commercial Linkage Fee

The City approved a Commercial Linkage Fee on May 3, 2005. Fees are charged to non-residential developments, based on the square footage and type of commercial building space, and placed into the City's Affordable Housing Fund. Between 2015 and 2021, the City has collected a total of $684,263.72 in Commercial Linkage Fees. In accordance with DMC Section 8.68.080, the funds can be used for:

- Affordable housing construction loans
- First-Time Homebuyer Loan Program
- Homeownership training and foreclosure prevention services
- Housing Division administrative costs
- Alameda County Homeless Management Information System

Objectives:

- Prepare a nexus study reviewing the Commercial Linkage Fee.
- Utilize funding to facilitate the construction of 100 affordable housing units.

[1] Upon request of the applicant, the City Council will approve the payment of in-lieu fees for up to 40 percent of the affordable units. The amount of the fee shall be as set forth in a resolution of the City Council and is paid during building permit issuance.

- Assist at least five moderate-income households with first-time homebuyer loans.
- Provide funding towards homeownership training and foreclosure prevention services, rental assistance programs, and the Alameda County Homeless Management Information System.

Timeframe: Prepare a nexus study reviewing the Commercial Linkage Fee by January 31, 2025; Provide information on a case-by-case basis; Review and seek additional funding annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3; Policy B.1; Policy B.2; Policy B.3

Program B.6: Housing Type and Size Variations

A diverse housing stock in terms of type and size is necessary to meet the needs of all community residents. As a means of achieving housing diversity, the City will continue to require diversity of housing type and size as part of its negotiated process through Specific Plans, Planned Development Zoning, and Development Agreements.

Objectives:

- Require developers to provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs.

Timeframe: On a case-by-case basis; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy A.6; Policy B.1; Policy B.3; Policy B.4; Policy B.5; Policy D.2; Policy D.3

Program B.7: Accessory Dwelling Units and Junior Accessory Dwelling Units

Accessory Dwelling Units (ADUs) and Junior ADUs can be a source of affordable housing with limited impact on existing neighborhoods and public infrastructure. The City will continue to promote the development of ADUs on residential lots with existing or proposed single-family and multi-family residences in the A, R-1, R-2, R-M, C-1, and PD zoning districts.

The City will support and accommodate the construction of at least 248 ADUs during the 2023-2031 planning period by a variety of methods, including but not limited to:

- Maintaining permit-ready ADU plans to minimize design costs, expedite permit processing, and provide development certainty.
- Maintaining an ADU Manual guiding applicants through the construction of an ADU.
- Maintaining an ADU webpage informing the community on ADU related codes, processes, and incentives.
- Developing and implementing a public awareness campaign for construction of ADUs and the City's incentives utilizing all forms of media and outreach distribution.
- Waiving certain City permitting fees for building permits, for ADUs applied for between January 1, 2022, and December 31, 2026, that are less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years.

Objectives:

- Facilitate the development of at least 248 ADUs.

- Maintain updated information on the City's ADU processes, related code, and incentives, on the City's website.
- Implement a public awareness campaign for constructing ADUs.

Timeframe: Create and update public information on ADUs by January 31, 2024; Implement campaign by January 31, 2024; Review ADU development annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.5; Policy B.4

Program B.8: Accessory Dwelling Unit Monitoring Program

The City will continue to track ADU applications, location, affordability, and other important features to ensure adequate ADU development is occurring to meet the City's 2023-2031 construction goals and evaluate the need to adjust programs and policies if the pace of construction is less than anticipated. Should changes need to be made due to a gap in the number of ADUs projected and the number of ADUs permitted, the City will make changes proportional to the gap identified. This may include, but is not limited to, further streamlining and incentivizing ADU construction, rezoning additional non-residential sites, or similar actions.

Objectives:

- Maintain the ADU Monitoring Program.
- Annually review progress and, if a gap develops between projected and actual ADU development, make proportional changes within six months.

Timeframe: Review annually and revise within six months if a gap between projected and actual ADU development occurs; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.5; Policy B.4

Program B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397

State law requires that any non-vacant site identified in a prior Housing Element must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households if they are to be considered an adequate site to accommodate the very low- and low-income categories of the RHNA.

Three non-vacant sites, located in the Downtown Dublin Specific Plan area that were identified in the 2014-2022 Housing Element, are shown to be suitable for lower-income housing in the Housing Element Sites Inventory provided in **Appendix D**. Therefore, the City is required by statute to permit at least 30 units per acre, which it does, on these sites and to allow residential use by right for housing developments when at least 20 percent of the proposed units are affordable to lower-income households. Residential development within the Downtown Dublin Specific Plan is governed by a Development Pool and Community Benefit Program. In order to reserve residential units from the Development Pool, a developer must enter into a Community Benefit Program Agreement. The three sites in the Downtown Dublin Specific Plan area that have been identified in the Sites Inventory would provide 416 units affordable to

lower-income households. To facilitate the development of these 416 units, the City will amend the Downtown Dublin Specific Plan to specify the units on the three non-vacant lower-income sites are allowed by right if at least 20 percent of the units are affordable to lower-income households and exempt these units from the Development Pool and the Community Benefit Program Agreement requirement. As of October 2022, the Downtown Dublin Specific Plan Amendment is tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element. Should approval be delayed, the City will ensure the amendment is completed within two years.

Objectives:

- Amend the Downtown Dublin Specific Plan to specify the units on the three non-vacant lower-income sites in Downtown Dublin are allowed by right and not subject to the Downtown Dublin Development Pool or Community Benefit Program Agreement requirement.

Timeframe: Adopt the Downtown Specific Plan Amendment by January 31, 2025
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy B.1

Program B.10: Objective Design Standards and Streamlined Ministerial Review

State law (Senate Bill (SB) 35) requires local jurisdictions to provide a streamlined ministerial approval process for eligible multi-family residential developments, subject to objective zoning and design review standards. Eligible projects must include a specified level of affordability, be on an infill site, comply with existing general plan or zoning provisions, and comply with other requirements such as location and demolition restrictions. In March 2022, the City adopted Citywide Multi-Family Objective Design Standards (MFODS) and Zoning Ordinance Amendments to ensure that objective zoning and design review standards are in place for multi-family residential projects requesting a streamlined ministerial approval process. Projects that qualify for the SB 35 streamlined ministerial approval process would be required to comply with all of the Citywide MFODS. All other projects would be subject to the standards, but through the City's discretionary Site Development Review Permit process could be allowed to deviate from the MFODS when the purpose and intent of the standard is met through alternate means.

Objectives:

- Review and, as necessary, revise the Citywide Multi-Family Objective Design Standards to ensure continued compliance with State law in order to facilitate the development of housing.
- Continue to implement the Citywide Multi-Family Objective Design Standards.

Timeframe: Review annually; 2023-2031; If determined to be necessary to comply with State law, the City will make any required changes to the Objective Design Standards within 18 months
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3 Policy B.1; Policy B.2

Program B.11: Transitional and Supportive Housing

California Government Code Section 65583(c)(3) requires transitional and supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Government Code Section 65651(a) also requires permanent supportive housing to be permitted by-right in zones where multi-family and mixed-use development is permitted, including non-residential zones permitting multi-family uses if they meet the Government Code Section requirements. The City will continue to permit by-right small transitional housing with six or fewer homeless persons or families and small supportive housing with six or fewer occupants in the A, R-1, R-2, and R-M zoning districts. The City will also continue to permit large transitional housing for seven or more homeless persons or families and large supportive housing for seven or more occupants in R-1, R-2, R-M, C-1, C-2, M-P, and M-1 zoning districts subject to a Conditional Use Permit.

The City will continue to monitor the inventory of sites appropriate to accommodate transitional and supportive housing and will solicit input from organizations who specialize in meeting the needs of persons experiencing homelessness and extremely low-income households. The City is committed to prioritizing funding and other available incentives for projects that provide housing for Dublin's special needs populations.

Objectives:

- Amend the Zoning Ordinance to permit permanent supportive housing by-right in all zones where housing is permitted.
- Collaborate with local organizations and agencies to discuss the needs of persons experiencing homelessness.
- Support and, when possible, fund local and regional efforts to address the housing needs of persons experiencing homelessness.

Timeframe: Amend the Zoning Ordinance by January 31, 2024; Annually outreach to local organizations and agencies; Review and seek additional funding for local and regional homelessness efforts annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1; Policy B.2; Policy B.3; Policy D.1; Policy D.2

Program B.12: Single-Room Occupancy (SRO)

Single-Room Occupancy (SROs) Units may provide a valuable source of affordable housing for individuals and may serve as an entry point into the housing market for persons who previously experienced homelessness. DMC Section 8.12.050 conditionally permits SROs in the C-2 zoning district with approval of a Conditional Use Permit by the Planning Commission. The City will review permitting procedures for SROs, including allowable zones and standards, and amend the DMC to remove potential constraints. The City will also provide technical assistance for potential SRO developers such as, but not limited to, identifying opportunities with non-profit organizations.

Objectives:

- Review permitting procedures for SROs and amend DMC Section 8.12.050 to remove potential constraints.
- Provide technical assistance for potential SRO developers on a project-by-project basis.
- Collaborate with local organizations and agencies to discuss the needs of persons who previously experienced homelessness.
- Support and, when possible, fund local and regional efforts to address the housing needs of persons in Dublin who previously experienced homelessness.

Timeframe: Review permitting procedures for SROs and amend DMC Section 8.12.050 to remove potential constraints by January 31, 2025; Provide technical assistance for potential SRO developers on a project-by-project basis; Outreach to local organizations and agencies annually; Review and seek additional funding for local and regional homelessness efforts annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1; Policy B.2; Policy B.3; Policy B.5; Policy D.2

Program B.13: Universal Design Ordinance

In 2007, the City adopted a Universal Design Ordinance that requires new single-family, duplex, and triplex residential dwelling units that are part of residential development projects in excess of 20 residential dwelling units to install base universal design features. In 2010, the Ordinance was amended to meet the current building code and took effect January 1, 2011. The Universal Design Ordinance is substantially the same as the Model Universal Design Local Ordinance adopted by the California Department of Housing and Community Development. The City developed a brochure on the Universal Design Ordinance and updates it periodically to ensure that current information regarding the Ordinance is distributed. The brochure and other related information regarding the Ordinance have been posted to the City's website and is also available at the City Hall.

Objectives:

- Maintain updated information about the Universal Design Ordinance on the City's website and at City Hall.

Timeframe: Update as necessary; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees
Relevant Policies: Policy C.2; Policy E.1; Policy E.2

Program B.14: Residential Incentives

The Sites Inventory (**Appendix D**) identifies several sites that allow residential and non-residential uses, including the non-vacant sites in Downtown Dublin, the Public/Semi-Public sites, the Alameda County Surplus Properties, the Hacienda Crossings shopping center, and the SCS Property. To encourage residential development on these sites and maximize the development potential identified in the Sites Inventory, the City will promote existing residential incentives and identify potential new incentives as appropriate.

Objectives:

- Promote existing incentives and identify potential new incentives for the development of residential uses on sites identified in the Sites Inventory that allow both residential and non-residential uses.

Timeframe: Annually outreach to housing developers; Mid-cycle review of housing development and available sites and revise incentives as appropriate, if development does not occur as projected; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.5

Program B.15: Replacement Housing

The City may have existing non-vacant sites included within the Sites Inventory that may contain vacant or demolished residential units that were occupied by lower-income households or households subject to affordability requirements within the last five years. The City will adopt a formal replacement housing program to ensure any units currently occupied by lower-income households, or households subject to affordability requirements within the last five years, that are lost for housing units are replaced in compliance with Government Code Section 65915.

Objectives:

- Adopt a replacement housing program for units lost that are currently occupied by lower-income households or households subject to affordability requirements of Government Code Section 65915 within the last five years.

Timeframe: Adopt a replacement housing program by January 31, 2025
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy C.2; Policy E.1; Policy E.2

Program B.16: Publicly-Owned Lands

The City is coordinating with the Alameda County Surplus Property Authority to support housing development on two publicly-owned surplus properties at the Dublin Transit Center (see Program C.1). Subject to market conditions, the Alameda County Surplus Property Authority will issue a Request for Proposals (RFP) in the next three years. The City will maintain communication with the agency and offer assistance as available.

Objectives:

- Coordinate with Alameda County Surplus Property Authority to develop 715 units. In coordination with the Alameda County Surplus Property Authority, identify a tentative schedule of actions for development of the property.
- Conduct a mid-cycle review of progress to develop the property; if the mid-cycle review finds the site is unlikely to develop during the Planning Period, the City will identify a new site(s).

Timeframe: Identify a tentative schedule of actions by January 31, 2024; Mid-cycle review of progress; If deemed necessary, identify new sites; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.5; Policy B.1; Policy B.3

Program B.17: Community Care Facilities

The City currently permits large community care facilities for seven or more persons with Planning Commission approval of a Conditional Use Permit (CUP) in all residential zones and the C-1, C-2, M-P, and M-1 zones. The City will amend the Zoning Ordinance to allow community care facilities in all zones allowing residential uses. The City will review and revise any applicable CUP findings and other applicable findings to promote approval certainty and objectivity for housing for persons with disabilities, group homes and community care facilities. In addition, the City will revise the definition of "Family," which currently excludes boarding homes, community care facilities, and supportive or transitional housing and may be considered a constraint to persons with disabilities.

For each of the above residential uses, the City will review and amend applicable permitting procedures, application requirements, definitions, and development standards to ensure consistency with state and federal laws and to promote objectivity and greater approval certainty.

Objectives:

- Amend the Zoning Ordinance to allow community care facilities in all zones allowing residential uses.
- Amend the Zoning Ordinance to revise the definition of "Family" to eliminate constraints for persons with disabilities.

Timeframe: Amend the Zoning Ordinance regarding community care facilities by January 31, 2024; Amend the Zoning Ordinance regarding the definition of "Family" by January 31, 2024
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1; Policy B.2; Policy B.3; Policy B.5; Policy D.2

Program B.18: Planned Development (PD) Zoning

The City utilizes Planned Development (PD) zoning districts to provide property owners and developers with greater flexibility to create development standards tailored to different product types and site characteristics. A PD zoning district is currently established by the adoption of an Ordinance classifying the property as a PD and adopting a Stage 1 and Stage 2 Development Plan, which establishes regulations for the use, development, improvement, and maintenance of the property within the requested PD zoning district.

To eliminate potential constraints to housing development, the City will review vacant and underutilized residential properties that currently have PD zoning and rezone those properties to a residential zoning district with traditional development standards. In addition, the City will review the Zoning Ordinance and consider amendments to provide the option for property owners and developers to request PD zoning if

they desire flexibility to establish customized development standards that are more suitable to their proposed project.

Objectives:

- Review vacant and underutilized properties with existing PD zoning and rezone these properties to a residential zoning district with established development standards.
- Review the Zoning Ordinance and consider further amendments to provide the option for property owners and developers to request PD zoning if they desire more flexibility.

Timeframe: By January 31, 2025, review and implement rezonings and amendments to the Zoning Ordinance
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1, Policy A.3, Policy B.3, Policy D.3

Program B.19: Development of Large Parcels

The City will establish a program to encourage residential development on larger parcels over ten acres. The program will include development methods to distribute information to potential developers and provide incentives and other appropriate mechanisms to further encourage development of larger parcels.

Objectives:

- Establish a program, with development methods and incentives for the development of housing on larger parcels.

Timeframe: By January 31, 2025, establish a program for development of larger parcels
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1, Policy A.3, Policy B.3, Policy D.3

3. Adequate Housing Sites

Meeting the housing needs of all segments of the community requires the provision of adequate sites for all types, size, and prices of housing. The City's General Plan and Zoning Ordinance determine where housing may be located, thereby affecting the supply of land available for residential development.

Program C.1: Sites Inventory and RHNA Monitoring

The City has a total RHNA of 3,719 units. State law requires the City to identify sites to accommodate its fair share allocation for the 2023-2031 planning period. The City has identified unit capacity based on pipeline projects, projected ADU development, and existing zoning to accommodate the moderate-income and above moderate-income units.

To meet the remaining RHNA for very low- and low-income units, the City identified the following three rezoning strategies:

- **Alameda County Surplus Properties**: The City has identified 9.8 buildable acres on two parcels (identified in **Appendix D**) to be rezoned to permit residential uses at an assumed density of 66 dwelling units per acre. The rezoning would accommodate 645 units, including 323 lower-income units. Rezoning the Alameda County Surplus Properties is tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element. Should approval be delayed, the City will ensure the rezoning of the 2.5-acre site would be completed within three years.
- **Hacienda Crossings**: The City has identified 12.4 buildable acres on two parcels (identified in **Appendix D**) to be rezoned to permit mixed-use developments at an assumed density of 48 dwelling units per acre. The rezoning would accommodate 594 units, including 297 lower-income units. Rezoning the Hacienda Crossings parcels is tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element. Should approval be delayed, the City will ensure the rezoning of the 2.5-acre site would be completed within three years.
- **SCS Property**: The City has identified 2.5 buildable acres on one parcel (identified in **Appendix D**) to be rezoned to permit residential uses at an assumed density of 40 dwelling units per acre. The rezoning would accommodate 100 lower-income units. In March 2022, the City received a proposal for development of the SCS Property, which includes a 2.5-acre affordable housing site. The proposed project, known as SCS Dublin, is currently under review and tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element. Should approval be delayed, the City will ensure the rezoning of the 2.5-acre site would be completed within three years.

The City will continue to use Specific Plans and appropriate zoning to ensure that adequate sites are available (as defined Government Code Section 65583) to accommodate the City's RHNA for all income categories.

The City will monitor housing development citywide on an ongoing basis to ensure that the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling its RHNA requirement for the planning period. Should a project be approved on a site with a lower density than that identified in the Sites Inventory, the City will assess its continued ability to accommodate the RHNA. Should the project result in a shortfall in sites, the City will address the "no net loss" requirements by identifying additional sites to replenish the Sites Inventory in accordance with State law.

Objectives:

- Ensure the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary if development does not occur as projected.
- Complete the rezoning strategies.

Timeframe: Complete the rezoning strategies by January 31, 2026; Review the Sites Inventory annually and as projects are proposed; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.5; Policy B.6

Program C.2: Safety Element and Environmental Justice Policies

SB 1035 requires that the City revise the Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision of the Housing Element. The City Council will adopt amendments to the Safety Element in accordance with the requirements of SB 1035. As of October 2022, the General Plan Amendment to the Seismic Safety and Safety Element is tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element. Should approval be delayed, the City will ensure the General Plan Amendment is completed no later than January 31, 2024.

SB 1000 requires that the City identify disadvantaged communities and incorporate environmental justice policies within the General Plan. The City prepared an Environmental Justice Memo, which concludes that Dublin does not have any communities meeting the definition of a disadvantaged community under SB 1000 and, therefore, the inclusion of an Environmental Justice Element or environmental justice policies in other required General Plan Elements is not required. As of October 2022, this matter is tentatively scheduled for consideration by the Planning Commission and City Council concurrently with the Housing Element.

Objectives:

- Adopt an updated Seismic Safety and Safety Element, which identifies and addresses flood and fire hazards.

Timeframe: Adopt an updated Seismic Safety and Safety Element by January 31, 2024
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1

4. Removal of Governmental Constraints

Under State law, the Housing Element must address, and where legally possible, remove governmental constraints affecting the maintenance, improvement, and development of affordable housing. The following programs are designed to mitigate government constraints and facilitate development of housing affordable to lower- and moderate-income households, including families, seniors, and persons with special needs.

Program D.1: Remove Development Constraints

City Staff will review the Zoning Ordinance to identify standards and requirements that may constrain the development of affordable housing in Dublin. Specifically, the City will review requirements such as, but not limited to, minimum unit size, setbacks, parking requirements, and height restrictions, to ensure the standards do not impede reasonable development. The City will continue to provide streamlined processing for eligible affordable housing projects.

Objectives:

- Review residential development standards for potential constraints to the development of new units, particularly affordable units.

Timeframe: Review development standards every two years; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.3; Policy A.4; Policy B.1

Program D.2: Fee Deferment

The City offers two Fee Deferral Programs for residential projects: one for multi-family residential projects within the Transit Districts and one for on-site construction of affordable units. The City will continue to offer multi-family residential development deferral for the Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees to be paid just prior to occupancy, rather than prior to issuance of a building permit. Additionally, pursuant to DMC Section 8.68.070, the City will continue to offer deferment of development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements to reduce the initial cost impact on an affordable housing project.

Objectives:

- Continue to offer the deferment of Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees for multi-family projects in the Transit Districts and development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements for on-site construction of affordable units.
- Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.

Timeframe: Outreach to housing developers annually; Work with developers on a case-by-case basis; Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Inclusionary Zoning In-Lieu Fee Fund
Relevant Policies: Policy A.2

Program D.3: Emergency Shelters

Pursuant to the provisions of SB 2 and AB 139, the City will continue to facilitate the establishment of emergency shelters, and transitional and supportive housing. With approximately 96 acres of land in the M-1 (Light Industrial) zoning district, there is sufficient land available for at least one emergency shelter. The City will review, and revise as appropriate, zoning, development standards, and procedures for consistency with Government Code Section 65583(a)(4). The City will update the Emergency Shelters Ordinance and Zoning Ordinance to comply with AB 139 parking requirements.

Objectives:

- Review and amend the Emergency Shelters Ordinance for consistency with Government Code Section 65583(a)(4).
- Amend the Emergency Shelters Ordinance and Zoning Ordinance to comply with AB 139 parking requirements.

Timeframe: By January 31, 2025, amend the Emergency Shelters Ordinance and Zoning Ordinance
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy A.6; Policy D.2

Program D.4: Monitoring of Development Fees

The City facilitates and encourages the development of a variety of housing types in the community. On a regular basis, the City monitors its development fees to ensure they are reasonable and do not unduly constrain housing development, while protecting the quality, health, and public safety of the community.

Objectives:

- The City will evaluate development fee impacts on housing development and make appropriate adjustments.

Timeframe: By January 31, 2025, evaluate developments fees and make appropriate adjustments; Review every two years; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.2; Policy A.3

Program D.5: Maintain Zoning, Development Standards, and Fee Schedules Online

Pursuant to government transparency laws contained in Government Code Section 65940.19(a)(1)(B), the City will continue to maintain all zoning, development standards, and fee schedules on the City's website.

Objectives:

- Maintain updated zoning, development standards, and fee schedules on the City's website.

Timeframe: Maintain updated zoning, development standards, and fee schedules on the City's website throughout the Planning Period; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.3

Program D.6: Parking Requirements Near Public Transit

AB 2097 prohibits public agencies from imposing minimum vehicle parking requirements for developments located within half-a-mile of a major transit stop, as defined by Public Resources Code Section 21155.

Jurisdictions may impose or enforce minimum parking requirements on housing developments if findings are made (within 30 days of a completed application) that not imposing minimum parking requirements on the development would have substantially negative impacts on the jurisdiction's ability to meet its RHNA or existing residential or commercial parking within half-a-mile of the housing development. These findings must be supported by a preponderance of the evidence in the record. Pursuant to AB 2097, the projects listed below are exempt from imposed or enforced minimum parking requirements:

- Housing development projects that dedicate a minimum of 20 percent of the total number of housing units to very low-, low-, or moderate-income households; students; the elderly; or persons with disabilities.
- Housing developments with fewer than 20 housing units.
- Housing developments subject to parking reductions based on any other applicable law.

AB 2097 prohibits these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within half-a-mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.

Objectives:

- Amend the Zoning Ordinance to comply with the requirements established by AB 2097.

Timeframe: Amend the Zoning Ordinance by January 31, 2024
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.2, Policy A.5

5. Promoting Equal Housing Opportunities

To adequately meet the housing needs of all segments of the community, the Housing Plan must include programs promoting housing opportunities for all persons regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic.

Program E.1: Affirmatively Further Fair Housing

Pursuant to AB 686, the City will affirmatively further fair housing by taking meaningful actions that foster inclusive communities free from barriers, which restrict access to opportunities based on protected classes, as defined by State law. To accomplish this, the City will collaborate with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution.

The City will continue to collaborate with the community, stakeholders, and appropriate organizations to address potential constraints to fair housing. This may include, but is not limited to:

- Analyze and identify barriers to entry into homeownership or rental opportunities.
- Review restrictions that may prevent disadvantaged groups from locating in Dublin.
- Foster a more inclusive community for all disadvantaged groups.

Table 2-1 provides fair housing actions the City will take to address factors contributing to fair housing issues, as identified in **Appendix C**.

Table 2-1: Fair Housing Actions				
Fair Housing Issue	**Contributing Factor**	**City Action**	**Geographic Target**	**Metrics and Timeline**
Housing Mobility/ Protection from Displacement	**Displacement Risk Due to Economic Pressures** Dublin residents generally earn a high annual income. As Figure B-5 shows, approximately half of Dublin households earn over $150,000. Additionally, Table B-33 states the median home value in Dublin is $934,500, which is the second highest value in the region and greater than Alameda County's median home value. Given the current housing market trends and the high propensity for greater incomes, lower-income households may feel economic pressures to relocate out of the City.	1. Create and promote informational materials on the location of participating voucher properties and availability of voucher programs/financial assistance. 2. Encourage collaboration between local governments and community land trusts as a mechanism to develop affordable housing. Outreach to community land trusts and provide them with information on affordable housing opportunities in the City.	Figure C-30 indicates that the eastern and westernmost areas of the City experience the highest risk of displacement due to the highest increase in housing costs. The City will place priority on these areas while also addressing displacement risks throughout Dublin.	**Medium Priority** To provide further protection from displacement the City will: • Partner with the County to annually provide housing choice voucher rental assistance for up to 350 lower-income households through the end of the Planning Period. • Partner with the County to provide home purchase assistance for up to 20 households by the end of the Planning Period.
Housing Mobility/ Housing Choice and Affordability in Areas of Opportunity	**Location and Type of Affordable Housing** The Dublin community is generally affluent and has high housing costs, in addition to being a very high opportunity City. The retail trade and arts, entertainment, recreation, accommodation, and food service sectors represent about 15 percent of the City's total workforce and earn incomes that are much lower than the City's median income. Persons working in these sectors, as well as other sectors earning below the City's median income, may not have the opportunity to live in the City they work in and commute longer distances.	1. Annually outreach to landlords to expand the location of participating voucher properties. 2. Annually host an educational workshop on voucher programs and source of income discrimination. 3. Affirmative marketing to promote equal access to government-assisted housing and to promote housing opportunities	Figure C-28 indicates that the eastern and western parts of the City, including Racially Concentrated Areas of Affluence (RCAAs), are least affordable. The City will place priority on these areas while also addressing affordability issues throughout Dublin.	**High Priority** To assist in increasing opportunities for housing choice and affordability, the City will: • Partner with the County to assist up to 10 lower-income households in finding housing beginning no later than January 31, 2026 through the end of the Planning Period.

Table 2-1: Fair Housing Actions				
Fair Housing Issue	**Contributing Factor**	**City Action**	**Geographic Target**	**Metrics and Timeline**
		throughout the City.		
Place-Based Strategies – Conservation and Revitalization	**Access to Opportunities for Persons with Disabilities** Affordability, design, and discrimination limit the supply of housing for persons with disabilities. Amendments to the Fair Housing Act, as well as State law, require ground-floor units of new multi-family construction with more than four units to be accessible to persons with disabilities. Units built prior to 1989 are not required to be accessible to persons with disabilities. As shown in Figure B-8, 32.6 percent of the City's housing stock was built prior to 1989.	1. Create and promote informational materials on housing accessibility, rehabilitation, and maintenance resources.	Aging housing is distributed throughout the City, but with an emphasis in western Dublin. The City will focus on a citywide approach with emphasis on homes built prior to 1989 to address housing issues for persons with disabilities.	**Low Priority** To assist in conservation and revitalization, the City will: • Create informational materials on housing accessibility, rehabilitation, and maintenance resources by January 31, 2025. Material will be distributed at the Senior Center, Civic Center, and community events. Information will be sent and made available to organizations and groups who assist persons with disabilities and seniors. • Provide home repair and rehabilitation assistance for up to 36 households by the end of the Planning Period.
Housing Choice and Affordability in Areas of Opportunity	Figure C-17a shows one census tract, Tract 4505.01, that is designated a Racially Concentrated Areas of Affluence (RCAAs) in the City. The census tract is located towards the western side of the City along San Ramon Road. RCAAs may represent a public policy issue to the extent that they have been created and maintained through exclusionary and discriminatory land use and development practices	1. Review future policies and programs for potential restrictive practices that would limit diversity in the RCAAs. 2. Affirmative marketing to increase diversity within the RCAAs.	RCAA census tract - Tract 4505.01	**Medium Priority** To address access to opportunity, the City will conduct the following specific actions: • Annually review existing policies and programs for potential restrictive practices that would limit diversity within the RCAAs. If restrictive practices are identified, address prior to

Table 2-1: Fair Housing Actions				
Fair Housing Issue	**Contributing Factor**	**City Action**	**Geographic Target**	**Metrics and Timeline**
				adoption of the new policies and programs or within six months for existing policies and programs. • Conduct marketing to increase diversity within the RCAAs every two years; this may include, but is not limited to, landlord outreach and education to increase participation with the Housing Choice Voucher Program.

Timeframe: Review metrics and actions annually and make changes as appropriate by January 31, 2024; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund; State and Federal Grants
Relevant Policies: Policy A.2; Policy A.4; Policy A.5; Policy A.6; Policy B.1; Policy B.2; Policy B.3; Policy B.4; Policy B.5; Policy D.1; Policy D.2; Policy D.3

Program E.2: Equal Housing Opportunity

The City contracts through Alameda County with ECHO Housing to investigate fair housing complaints and provide fair housing counseling and mediation services. The City will continue to be the point-of-contact for fair housing complaints, information requests, and referrals to ECHO Housing.

The City will also continue to provide information and educational materials on fair housing services for property owners, apartment managers, and tenants at City Hall and on the City's website.

Objectives:

- Provide referrals to appropriate agencies for services.
- Distribute fair housing information in public locations.
- Post fair housing information on the City's website.

Timeframe: Provide referrals as requested; Maintain updated information throughout the Planning Period and distribute by January 31, 2025; 2023-2031
Responsible Agency: Community Development Department; ECHO Housing; Alameda County Community Development Agency
Funding Source: CDBG; General Fund
Relevant Policies: Policy D.1; Policy D.2; Policy D.3

Program E.3: Reasonable Accommodations

Pursuant to Government Code Section 65583, the City is obligated to remove potential and actual governmental constraints to the maintenance, improvement, or development of housing for all income levels and for persons with disabilities. The Fair Housing Act, as amended in 1988, requires that cities and counties provide reasonable accommodation to rules, policies, practices, and procedures where such accommodation may be necessary to afford individuals with disabilities equal housing opportunities. Reasonable accommodation provides a basis for residents with disabilities to request flexibility in the application of land use and zoning regulations or, in some instances, even a waiver of certain regulations or requirements to ensure equal access to housing opportunities. The City is required to consider requests for accommodations related to housing for people with disabilities and provide the accommodation when it is determined to be "reasonable" based on fair housing laws and case law interpreting the statutes. In compliance with Government Code Section 65583, the City provides reasonable accommodations for persons with disabilities pursuant to DMC Chapter 8.38.

The City encourages and promotes accessible housing for persons with disabilities. City Staff considers the provisions of the California Americans with Disabilities Act (Cal ADA) when reviewing and approving housing projects and grants modifications and deviations from the DMC to accommodate the needs of persons with disabilities.

The City will review its reasonable accommodation requirements and findings, particularly the requirement to meet development standards and the subjective design compatibility requirement and amend the Zoning Ordinance as appropriate to address constraints. The City will provide information about its formal reasonable accommodation procedures at the Civic Center and on the City's website, as well as monitor procedures and requirements.

Objectives:

- Maintain updated information on reasonable accommodations on the City's website and at the Civic Center.
- Amend the Zoning Ordinance to remove potential constraints for reasonable accommodation requests.

Timeframe: Amend the Zoning Ordinance to remove constraints to reasonable accommodation requests by January 31, 2025
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.4; Policy D.2

Program E.4: Low-Barrier Navigation Centers

Senate Bill 48 (SB 48) requires approval 'by right' of certain low-barrier navigation centers that meet specified requirements. Low-barrier navigation centers are generally defined as service-enriched temporary living facilities focused on the transition of persons experiencing homelessness or at risk of becoming homeless into permanent housing. Low-barrier navigation centers connect individuals to income, public benefits, health services, and housing.

To comply with State law, the City will adopt regulations and procedures for this type of use and establish a ministerial approval process for low-barrier navigation centers. In the interim, any submitted application for this use type will be processed in accordance with State law.

The City will also monitor the effectiveness and appropriateness of these regulations and procedures. Should any amendments be warranted pursuant to State law, the City will amend the Zoning Ordinance.

Objectives:

- Adopt and implement procedures and regulations to process low-barrier navigation centers. Procedures shall include establishing a ministerial approval process.
- Annually review regulations and procedures and update as necessary to comply with State law updates.

Timeframe: By January 31, 2025, adopt procedures and regulations for low-barrier navigation centers; Review annually and, if necessary, make changes within one year; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.4; Policy D.2

Program E.5: Housing for Persons with Developmental Disabilities

The housing needs of persons with developmental disabilities are typically not fully addressed by local zoning regulations and may require modifications to existing units, varying range of supportive services, and affordable housing. To accommodate residents with developmental disabilities, the City will encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will also seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities.

The City will explore the granting of regulatory incentives, such as expedited permit processing and fee deferrals, to projects targeted for persons with developmental disabilities. To further facilitate the development of units to accommodate persons with developmental disabilities, the City will collaborate with developers of supportive housing. As such housing is developed, the City will collaborate with the Regional Center of the East Bay to implement an outreach program informing families within Dublin of housing and services available for persons with developmental disabilities.

Objectives:

- Encourage construction and rehabilitation of housing with supportive services for persons with developmental disabilities.
- Seek State and Federal funding to support housing construction for persons with developmental disabilities.
- Review and identify regulatory incentives for projects proposing housing for persons with developmental disabilities.
- Collaborate with housing developers and local organizations to identify the needs of local persons with developmental disabilities.

Timeframe: By January 31, 2025, review regulatory incentives; Review funding and incentives annually; Outreach to housing developers and local organizations annually; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4; Policy D.1; Policy D.2

Program E.6: Farmworker and Employee Housing

The California Health and Safety Code Sections 17021.5 and 17021.6 requires agricultural employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. The City will amend the DMC to comply with the Health and Safety Code Section 17021.5, 17021.6, and 17021.8, as well as define agricultural and employee housing in a manner consistent with applicable Health and Safety Code Sections. Additionally, the DMC will be amended to state employee housing consisting of no more than 12 units or 36 beds will be permitted in the same manner as other agricultural uses in the same zone.

Objectives:

- Amend the DMC to comply with the Health and Safety Code.

Timeframe: By January 31, 2025, amend the DMC; 2023-2031
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1; Policy A.4

Program E.7: First-Time Homebuyer Loan Program

In 2006, the City initiated a First-Time Homebuyer Loan Program (FTHLP) to assist households with financing the purchase of a home. The FTHLP program provides 30-year deferred loans for households earning up to 120 percent of Alameda County area median income (AMI). The FTHLP program may be used in conjunction with the Alameda County Mortgage Credit Certificates (MCC) program and other state or federal home ownership programs.

Objectives:

- Promote the FTHLP program online on the City's website and at the public counter.
- Provide FTHLP loans to households earning up to 120 percent AMI.
- Review the FTHLP for opportunities to broaden the use of the program and to ensure compatibility with similar loan programs offered by the County and the State.

Timeframe: Review the FTHLP annually and update as opportunities become available to expand the program and ensure compatibility with similar loan programs; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Affordable Housing Fund; State and Federal Grants
Relevant Policies: Policy B.5

Program E.8: Homeless Assistance

The City will continue to support the Alameda County Homeless Continuum of Care Council (HCCC) and support agencies and organizations that seek to address the problem of homelessness throughout the region. Dublin provided funding to the Alameda Countywide HCCC for development of a Homeless Management Information System (HMIS). The HMIS is intended to collect and report information about the homeless population and its patterns of service utilization. The City also provides Community Development Block Grant (CDBG) funds to the Tri-Valley Haven to assist a domestic violence shelter (Shiloh) and a homeless shelter (Sojourner House), both located in Livermore. In addition, the City provided CDBG capital funds, totaling $630,000, to assist in the construction of a commercial kitchen for Open Heart Kitchen, a Tri-Valley non-profit providing food to people experiencing homelessness.

Objectives:

- Support and, when possible, fund local and regional efforts that seek to address and lessen homelessness.

Timeframe: Review and seek funding opportunities annually; 2023-2031
Responsible Agency: Community Development Department; HCCC; Tri-Valley Haven
Funding Source: CDBG; State and Federal Grants; General Fund
Relevant Policies: Policy A.6

Program E.9: Water and Sewer Service Providers

Pursuant to Government Code Section 65589.7, the City is required to deliver its adopted Housing Element, and any amendments thereto, to local water and sewer service providers. This legislation allows for coordination between the City and water and sewer providers when considering approval of new residential projects. Water and sewer service is provided to the City by the Dublin San Ramon Services District (DSRSD), who had the opportunity to review and provide feedback on the Public Review Draft of the Housing Element. The City will submit the adopted Housing Element to DSRSD.

Objectives:

- Deliver 2023-2031 Housing Element to DSRSD following adoption.
- Coordinate with DSRSD when reviewing proposed residential projects.

Timeframe: Immediately after adopting the 2023-2031 Housing Element
Responsible Agency: Community Development Department
Funding Source: General Fund
Relevant Policies: Policy A.1

6. Green Building Programs

Green building refers to the use of environmentally preferable practices and materials in the design, location, construction, operation, and disposal of buildings. It applies to both renovation and retrofitting of existing buildings and construction of new buildings, whether residential or commercial, public, or private. By continually improving how to locate, design, build, operate, and retrofit buildings, the City can contribute to improving the environment and quality of life. Advanced energy-saving technologies applied in buildings can result in enormous reductions in demand for fossil fuels and greenhouse gas emissions.

Better design and building practices can also help address environmental challenges such as natural resource depletion, waste disposal, and air, water, and soil pollution. Green building practices can also help improve health and prosperity.

Program F.1: Green Building Guidelines

The City adopted a Green Building Ordinance in April 2009. The City also reviews projects based on the California Green Building Standards Codes (CGBSC), which applies to all projects that require a building permit. In addition to the base requirements of CGBSC, the City has adopted the Tier 2 tables for electric vehicle (EV) charging space calculations, as well as solar energy requirements as defined by the California Energy Code, Title 23 Part 6. The City maintains a brochure about the Green Building Ordinance and continues to update information on green building guidelines on the City's website.

Objectives:

- Continue to implement the provisions of the Green Building Ordinance and State Standards and Codes.
- Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green Building resources on the City's website.

Timeframe: Continue to implement throughout the Planning Period; Maintain and distribute updated outreach materials; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees; General Fund
Relevant Policies: Policy E.1; Policy E.2; Policy E.3; Policy E.4; Policy E.5; Policy E.6

Program F.2: Energy Conservation

The City will promote energy conservation through the following actions:

- Continue to implement the Waste Management Authority's model ordinance on recycling of construction waste.
- Continue to implement state building standards (Title 24 of the California Code of Regulations) regarding energy efficiency in residential construction.
- Continue to provide on-site training for Staff on Green Building techniques.
- Continue to review proposed developments for solar access, site design techniques, and use of landscaping that can increase energy efficiency and reduce lifetime energy costs without significantly increasing housing production costs.
- Enroll all new residential electrical accounts to East Bay Community Energy's Renewable 100 plan, which offers 100 percent renewable and carbon-free electricity.
- Maintain energy conservation and financial incentive (such as tax credits and utility rebates) information on the City's website and promote at community workshops.

Objectives:

- Implement applicable Building Code regulations, provide Green Building training to Staff, and distribute energy conservation information to the public.

Timeframe: Provide training; Maintain and distribute updated informational materials; 2023-2031
Responsible Agency: Community Development Department
Funding Source: Permit Processing Fees; General Fund
Relevant Policies: Policy E.1; Policy E.2; Policy E.3; Policy E.4; Policy E.5; Policy E.6

C. Summary of Quantified Objectives

Table 4-2 summarizes the City's quantified objectives for the 2023-2031 planning period by income group.

Table 4-2: 6th Planning Cycle Quantified Objectives

Objectives	Income Level					TOTAL
	Extremely Low*	Very Low*	Low	Moderate	Above Moderate	
RHNA	542	543	625	560	1,449	**3,719**
Home Repair/ Rehabilitation	0	18	18	0	0	**36**
Rental Assistance**	350		0	0	0	**350**
Home Purchase Assistance	0	0	0	10	10	**20**
At-Risk Housing Units	59			0	0	**59**

* Extremely low-income housing need calculated as 50 percent of the very low-income RHNA.
** Provide housing choice voucher rental assistance for 350 extremely low- and very low-income households each year throughout the Planning Period.

This Page Intentionally Left Blank.



APPENDIX A:
REVIEW OF PAST PERFORMANCE

The following is a review of the City's housing project and program performance in the 2014-2022 Planning Period. It is an evaluation of the 5th Cycle's Policy Program and considers all current and existing programs and projects, as well as the most current effectiveness and appropriateness for the 2023-2031 6th Cycle. **Table A-1** summarizes the City's quantified accomplishments for 2014-2022.

Table A-1: 5th Planning Cycle Quantified Accomplishments

Housing Assistance Type		RHNA	Accomplishments
RHNA	Very Low-Income	796	26
	Low-Income	446	39
	Moderate-Income	425	79
	Above Moderate-Income	618	4,878
	TOTAL	2,285	5,022
Home Repair/ Rehabilitation	Very Low-Income	16	21
	Low-Income	16	
	TOTAL	32	21
Low-Income Rental Assistance		350	407
Home Purchase Assistance	Moderate-Income	10	4
	Above Moderate-Income	10	
At-Risk Housing		0	0

A. Program Evaluation for Households with Special Needs

As part of analyzing prior programs, this Appendix must provide an outline of the effectiveness of goals, policies, programs, and objectives in meeting the housing needs of Dublin's special needs populations. The following section identifies 5th Cycle accomplishments by special needs groups.

1. Seniors

Appendix B: Community Profile shows that 9.2 percent of Dublin residents are over the age of 65. Senior housing is permitted in the form of community care facilities. A Community Care Facility/Small is permitted in all residential zoning districts and the agricultural zoning district. A Community Care Facility/Large is permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts. Supportive Housing - Small is permitted in the agricultural zoning district and all residential zoning districts. Supportive Housing/Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts. In addition, Dublin Municipal Code Chapter 8.52 provides for density bonuses and other incentives for the development of Senior Housing.

The Housing Choice Voucher Program extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. The Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021.

The City offers deferment of development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements to reduce the initial cost impact on an affordable housing project. While no senior housing projects took advantage of the incentive during the 5th Cycle, the City provides information on the City's website and promotes the incentive in conversations with developers.

Within Dublin, a variety of community resources exist for seniors. The Dublin Senior Center offers a library, computer area, and common spaces, as well as classes and activities. The Senior Center Advisory Committee consists of five members who meet monthly to make recommendations related to the operation and maintenance of the Senior Center. The Open Heart Kitchen distributes takeout lunches to participating senior residents throughout the community. The Wiesner Memorial Senior Fund is a special reservoir of funds serving seniors 60 or older in need of financial assistance who live in the Tri-Valley Area (Dublin, Livermore, and Pleasanton).

Alameda County provides Dublin seniors with a number of additional services through the Alameda County Social Services Agency. Details are included on the agency's website (www.alamedacountysocialservices.org/index.page). Services and resources include the following:

- In-Home Supportive Services (IHSS) - provide assistance to older adults and individuals with disabilities, who without this care, would be unable to remain safely in their home.
- Area Agency on Aging (AAA) - provide services including adult day care, family caregiver support programs, food and nutrition programs, legal assistance, senior information and assistance, long-term care ombudsman services, senior center services and visiting, which are funded by the Administration for Community Living, California Department of Aging, and the County of Alameda.
- DayBreak Adult Care Centers – provides a variety of resources for Dublin residents, including but not limited to adult day programs, Alzheimer's services, independent living support, and health centers.
- Alzheimer's Services through the Alzheimer's Association, Ethnic Elders Care Network, Family Caregiver Alliance, and UC Davis Health Alzheimer's Disease Center.
- Caregiver support programs through the Alzheimer's Association of Northern California, DayBreak Adult Care Centers, Family Caregiver Alliance, Livermore Family Education and Resource Center, Family Support Services of the Bay Area, Tri-Valley Lincoln Child Center and Kinship Support Program, and Senior Support Program of the Tri-Valley.
- Housing assistance programs are provided by:
    - Alameda Housing Authority
    - Community Resources for Independent Living (CRIL) – disabled housing assistance
    - ECHO Housing – information on fair housing laws, illegal housing discrimination and tenant/landlord services
    - Eden Information and Referral – rental housing information and emergency shelter referrals

- Housing and Economic Rights Advocates (HERA) – mortgage and financial counseling programs
- NID Housing Counseling Agency – HUD-approved intermediary, assisting with reverse mortgage education, foreclosure prevention, rental housing and financial management

2. Persons with Disabilities

Persons with disabilities may require varying accessibility improvements and may also have a limited ability to earn adequate income. According to 2019 ACS data, about 11.1 percent of the Dublin population has a disability. This percentage includes those who may have more than one disability. The most common disabilities in Dublin are ambulatory, independent living, and cognitive difficulties.

Using Community Development Block Grant (CDBG) funds, the Alameda County Community Development Agency administers minor home rehabilitation grants and home improvement loan assistance. Between 2015 and 2021, the Alameda County Community Development Agency has provided 22 Minor Home Repair Grants, one Housing Rehabilitation Loan, and two Accessibility Improvements Grants in Dublin.

The City worked with housing developers throughout the 5th Planning Cycle to fund and support the development of affordable units. This included the development of Valor Crossing which received support from the Veterans Affairs Supportive Housing (VASH) Program.

Throughout the County, the Alameda County Social Service Agency also provides services and resources to seniors and persons with disabilities.

3. Large Households

Large households consist of five or more residents and may have a harder time finding adequately sized units to avoid overcrowding. **Table B-24** in **Appendix B** shows that nine percent of Dublin households have five or more members, this includes 5.5 percent five-person households, 2.9 percent six-person households, and 0.6 percent seven-or-more person households.

Large, lower-income households may qualify for Housing Choice Vouchers. As noted above, the Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021.

4. Farmworkers

Farmworkers include persons seasonally or permanently employed in the agricultural industry and generally earn lower incomes than many other workers. According to ACS data, there were 114 people employed in the agriculture, forestry, fishing, hunting, and mining sector in Dublin in 2019. According to the California Employment Development Division, Dublin residents employed in the farming, fishing, and forestry occupation earn one of the lowest salaries in comparison to other occupations in Alameda County, with an estimated median income of $35,142.

Agricultural housing is currently permitted in the agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator. Given new provisions in the California Health and Safety Code Sections 17021.5 and 17021.6, Program E.6 has been included in the **Housing Plan** to permit agricultural housing, by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zoning districts for up to 12 units or 36 beds.

5. Single-Parent Households

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. Single parents make up 10.8 percent of Dublin households, with 7.0 percent being single mothers and 3.8 percent being single fathers. Approximately 1.7 percent of households are single parents living under the poverty line.

Lower-income single-parent households may also be eligible for Housing Choice Vouchers and may represent a portion of the 407 Dublin households that received rental assistance annually between 2019 and 2021.

The City offers a variety of community resources for children and single parents in the community. The Dublin Unified School District (DUSD) serves over 12,300 students from preschool through adult education courses. The DUSD includes seven elementary schools, two middle schools, one K-8 school, one continuation high school, and one comprehensive high school. The DUSD and its schools have been recognized with numerous accolades, including the Advanced Placement Honor Roll, National Blue Ribbon School, Gold Ribbon Award, Project Lead the Way Distinguished School, California School of Character, National School of Character, Educational Results Partnership Honor Roll, California Distinguished School, and Title 1 Academic Achievement Award School. Dublin High School is also renowned for its signature programs, including the Engineering Academy, which prepares students to succeed in a post-secondary engineering program; the Biomedical Academy, which prepares students for a post-secondary education in biomedical sciences; and the Culinary Academy, which prepares students for a post-secondary education in the culinary arts. All of Dublin's elementary schools offer childcare programs daily from 7:00 a.m. to 6: 00 p.m. for school-age children. The program is offered by Extended Day Child Care (EDCC) which leases space from the DUSD.

6. Persons Experiencing Homelessness

Homelessness has become an increasingly important issue in the region and throughout California. There are multiple factors that may contribute to a person experiencing homelessness; **Appendix B: Community Profile** provides a detailed definition of "homelessness" and an analysis of the City and County's unhoused population.

The City supports the Alameda County Homeless Continuum of Care Council (HCCC) and other local agencies and organizations that assist persons experiencing homelessness and prevent homelessness. Throughout the 5th Cycle, the City provided funding to HCCC to develop a Homeless Management

Information System (HMIS) intended to collect and report information about the homeless population and its patterns of service utilization.

The City funds regional homeless assistance programs and participates in regional efforts to address homelessness. City Staff regularly attends meetings organized by Everyone Home and the Alameda County Department of Housing and Community Development. In late 2018, the City partnered with the Cities of Livermore and Pleasanton to apply for Homeless Emergency Aid Program (HEAP) funds for CityServe to enhance their homeless outreach and services. CityServe of the Tri-Valley helps people in crisis; in 2019, the Cities signed agreements to continue the efforts.

Additionally, the City provides CDBG funding to the Tri-Valley Haven to assist a domestic violence shelter (Shiloh) and a homeless shelter (Sojourner House), both located in Livermore.

7. Extremely Low-Income Households

Extremely low-income households are those that earn 30 percent or less of the area median income (AMI) for Alameda County. Extremely low-income households may require rental assistance and other community services assistance. According to CHAS Data, there are approximately 1,295 extremely low-income households in Dublin, including both renters and homeowners. The City currently has 2,154 deed-restricted affordable housing units.

Throughout the 5th Cycle, the City facilitated the development of affordable housing. Valor Crossing, Camellia Place, the Groves at Dublin Ranch projects were facilitated by the City and include a range of affordable units, including units for extremely low-income households. A total of 79 affordable units were produced between 2015 and 2017, including 20 units set aside for extremely low-income residents and veterans. The City issued Planning entitlements for two notable projects in 2021: the 300-unit Amador Station (BRIDGE Housing) affordable project and the 113-unit Regional Street Senior Affordable Apartments (Eden Housing). In December 2020, the Dublin City Council authorized the City Manager to negotiate and prepare a Purchase and Sale Agreement for the transfer of approximately one-acre of property in the East Dublin Transit Center for as an affordable housing site development. Once the property has transferred, Staff will work with an affordable housing developer to facilitate development of the site.

The City offers assistance in accessing local, state, and federal funding for affordable housing, as well as technical assistance. In 2021, the City was awarded $3,333,333 in Local Housing Trust Fund (LHTF) for the 113-unit Regional Street (Eden Housing) affordable project on the 1.3-acre site located at 6541 Regional Street, which is associated with the adjacent Saint Patrick Way Residential Project. The matching funds include the 1.3-acre site, valued at approximately $5 million, plus $5 million from the Alameda County A-1 Bond. Additionally, the City has written letters of support for funding for projects that have received permit approvals by the City. The City negotiates specific incentive packages for each applicable project, with increased incentives for projects that include units for extremely low-income households and persons with disabilities.

Commercial Linkage Fees are collected from developers upon issuance of building permits for commercial development and are placed in the City's Affordable Housing Fund along with in-lieu fees collected from developers for residential development. The Affordable Housing Fund (AHF) was used to facilitate the development of Valor Crossing, which includes 20 extremely low-income units, six very low-income units, and 39 low-income units. The AHF is also used to negotiate with other developers looking to build affordable housing.

Extremely low-income households may also be eligible for Housing Choice Vouchers and represent a portion of the 407 Dublin households that annually received rental assistance between 2019 and 2021.

B. 5th Planning Cycle Program Accomplishments

Table A-2 provides detailed, program-specific accomplishments for 2015-2021. The City has demonstrated significant effort in working towards accomplishing many of the objectives established in the 5th Planning Cycle Housing Element. The City's successful programs have been identified as ongoing for the 2023-2031 planning cycle. Various programs have been modified to account for new requirements and changes in State law.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
1. Housing Conservation and Preservation			
Program 1: Housing Rehabilitation Assistance	• Continue to support the Alameda County Community Development Agency to implement the Minor and Major Home Improvement Programs (including accessibility grants) with the goal of assisting 32 households over eight years.	Minor home rehabilitation grants and home improvement loan assistance are available to low-income households through existing Alameda County programs. Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more. Renew Alameda County (Renew AC) is a home improvement loan assistance program for low-income homeowners throughout the County. Renew AC aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition. On November 7, 2020, the City Council approved the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. Following is a summary of grants and loans provided throughout the 5th Housing Element cycle: **2015**: • Minor Home Repair Grants - 4 • Accessibility Improvement Grants - 1 • Total - 5 **2016**: • Minor Home Repair Grants - 1 • Accessibility Improvement Grants - 1 • Total - 2 **2017**: • Housing Rehabilitation Loans - 1	**Ongoing**. Dublin residents successfully benefitted from CDBG funding opportunities during the 5th Planning Cycle with a total of 22 Minor Home Repair Grants, two Accessibility Improvement Grants, and one Housing Rehabilitation Loan. The City will continue to support the Alameda County Community Development Agency through the 2023-2031 planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		• Total - 1 **2018**: • Minor Home Repair Grants - 6 • Total - 6 **2019**: • Minor Home Repair Grants - 7 **2021**: • Minor Home Repair Grants - 4 **Total**: • Minor Home Repair Grants - 22 • Accessibility Improvement Grants - 2 • Exterior Paint Grants - 0 • Housing Rehabilitation Loans - 1 • Total-25	
Program 2: Housing Choice Voucher Rental Assistance	• Continue to support the assistance of 350 lower income households each year throughout the planning period. • Continue to refer interested households and homeowners to the Housing Authority of the County of Alameda.	The City continues to refer interested households and homeowners to the Alameda County Housing Authority for program information and application procedures. In addition, the City provided information on developments within the City that accept Housing Choice Vouchers in the Tri-Valley Area Affordable Rental Housing Flyer listing Dublin rental communities. With the new requirements under AB 1482, the City has posted notices at City Offices and updated contact information on its website for tenants' rental assistance resources. The Alameda County Housing Authority annually provided Housing Choice Vouchers to 407 households who rented in Dublin between 2019 and 2021. In 2019, the City signed agreements with the cities of Livermore and Pleasanton and Alameda County to pool Homeless Emergency Aid Program (HEAP) funds for CityServe to enhance their homeless outreach	**Ongoing**. The City successfully provided rental assistance to a number of households during the 5th planning cycle through a variety of methods. The needs of Dublin's rental community continue to be an important element to address. As such, the City will continue to provide assistance throughout the 2023-2031 planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		and services throughout the region. For the 2020- 2021 contract, the City of Dublin contributed $34,976.50. In May 2020, the City selected CityServe to receive a COVID-19 Community Relief Response Grant of $50,500 from East Bay Community Energy to administer an emergency rental assistance program. A total of $42,925 was distributed to help 27 households in the community with an average rental assistance payment of $1,600 paid directly to rental property owners. Additionally, the City administered an Emergency Rental Assistance Program utilizing $176,277 Community Development Block Grant (CDBG) CARES Act funds and assisted 40 Dublin households in 2021.	
Program 3: Code Enforcement	• Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis. • Conduct approximately 2,000 residential inspections during the planning period. • Perform annual review of City ordinances.	There are two areas of Code Enforcement: Planning Code Enforcement and Building Code Enforcement. Planning Code Enforcement enforces violations of the Dublin Municipal Code Property Maintenance and Graffiti Ordinances, as well as the Zoning Ordinance. Common property maintenance violations include weeds, inoperable vehicles, junk and debris, deteriorated paint, dilapidated fences, overgrown/dead vegetation, attractive nuisances, and graffiti. Property maintenance violations are enforced proactively and on a complaint basis. Building Code Enforcement actively patrols City streets enforcing Building Code Violations, such as contractors or homeowners working without required building permits. In addition, Building Code Enforcement responds to anonymous callers, concerned citizens, and other contractors reporting any activity connected to illegal construction. Enforcement officers spend time educating the public on the importance of obtaining required building permits. The following residential inspections were conducted (these numbers are based on the number of new open residential code enforcement cases): **2015**: Planning - 320; Building - 115; Total - 435 **2016**: Planning - 232; Building - 54; Total - 286	**Ongoing**. Safety and well-being are critical to the livability of a residence and the quality of neighborhoods. The City successfully assisted 1,634 total households with open code enforcement cases during the 5th planning cycle. The City will continue to work with property owners to maintain code compliance and safe, living environments.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2017: Planning - 231; Building - 57; Total - 288 **2018**: Planning - 201; Building - 60; Total - 261 **2019**: Planning - 188; Building - 43; Total - 231 **2020**: Planning - 92; Building - 42; Total - 134 **2021**: Planning - 104; Building - 46; Total - 150 **Total**: Planning - 1,368; Building - 417; Total - 1,785	
Program 4: Condominium Conversion Ordinance	• Monitor conversion activities annually.	There were no residential condominium conversions during the 5th Planning Cycle.	**Ongoing**. The City will continue to implement the Condominium Conversion Ordinance through the 2023-2031 planning cycle.
2. Housing Production			
Program 5: Mixed Use Development	• Facilitate the construction of 100 high-density residential units within mixed-use developments within the planning period.	The City issued a building permit in 2015 for the Aster project, which consisted of 314 residential units with 17,000 square feet of commercial/retail space. In 2021, the City approved the Amador Station project, which consisted of 300 affordable residential units in two separate buildings, ground-floor retail, amenity space, and parking.	**Ongoing**. The City was successful in facilitating the development of 314 mixed-use units during the 5th planning cycle. The City will continue to promote high-density residential mixed-use projects in the Downtown Dublin Specific Plan area, as well as near BART Stations, throughout the 2023-2031 planning cycle.
Program 6: Affordable Housing Developers	• Negotiate specific incentives package for each project, with increased incentives for projects that include units for	The City worked closely with Eden Housing on the development of Valor Crossing, a 66-unit affordable rental development that includes 20 extremely low-income units, with support from the Veterans Affairs Supportive Housing (VASH) program. The City provided support letters and	**Ongoing**. The City was successful in working with developers to accommodate affordable

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	extremely low income households and persons with disabilities. • Provide application/technical assistance as needed. Timing of applications or technical assistance will depend on application deadlines for funding sources. • Provide assistance to affordable housing developers within the planning period to facilitate the construction of 100 affordable housing units within the planning period, with the goal of achieving 20 affordable units for extremely low income households and/or persons with special needs (including persons with disabilities/development disabilities). • Annually contact developers to discuss affordable housing opportunities.	application assistance for funding opportunities. In addition to facilitating land acquisition for the site and providing a $6.4 million loan, the City approved reduced parking for the project. The project broke ground in November 2015 and was fully occupied in 2017. Throughout the 5th Planning Cycle, the City met with several affordable housing developers to discuss potential affordable housing development projects and opportunities on both publicly and privately-owned properties in Dublin. Between 2015 and 2017, the City worked with developers to produce 79 affordable dwelling units (20 of which were set aside of extremely low-income residents and veterans). **2019**: In 2019, the City received an Award of Merit from the California Association for Local Economic Development and a Helen Putnam Award from the League of California Cities for the Valor Crossing project. **2020**: On September 1, 2020, the City Council adopted a resolution, authorizing the City to become an additional member of the California Community Housing Agency (CalCHA); supporting CalCHA's issuance of tax-exempt bonds for the production, preservation, and protection of essential middle-income rental housing; and authorizing the City Manager to enter into Purchase Option Agreements with CalCHA for essential middle-income rental housing created within the City limits. The CalCHA Program provides affordable housing targeted at moderate and middle-income households earning between 81-120 percent of the area median income (AMI).	housing units on a variety of projects during the 5th planning cycle. The City will continue to facilitate conversation, provide incentives, and when possible, provide funding assistance to proposed residential projects which include affordable housing components. This will be additionally important during the 2023-2031 planning cycle to meet the City's RHNA allocation.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		On December 1, 2020, the City Council authorized the City Manager to negotiate and prepare a Purchase and Sale Agreement for the transfer of approximately one-acre of property in the East Dublin Transit Center, located at the southeast corner of Iron Horse Parkway and Martinelli Drive, commonly known as Site D-1, from the Surplus Property Authority of Alameda County to the City of Dublin, or its designee, for as an affordable housing site development. Once the property has transfer, Staff will work with an affordable housing developer to facilitate development of the site. **2021**: The City issued Planning entitlements for three projects in 2021: the 573-unit East Ranch project, which includes 68 affordable units; the 300-unit Amador Station (BRIDGE Housing) affordable project; and the 113-unit Regional Street (Eden Housing) affordable project for a total of 481 affordable units combined between all three projects. The East Ranch project also includes the dedication of a two-acre Public/Semi-Public site for a future affordable housing project. Preliminarily, this site would provide 77 units of very low/low-income affordable rental housing. In 2021, the City also joined California Statewide Community Development Authority (CSCDA), which allows for the issuance of bonds to acquire properties for the production, preservation, and protection of essential middle-income rental housing. Three properties in Dublin were acquired through the CalCHA and CSCDA programs in 2021, including the 313-unit Aster project, the 390-unit Waterford Place Apartments, and the 324-unit Fountains at Emerald Park, which have resulted in conversion of 76 units that are now affordable to households earning no more than 80 percent AMI, 55 units affordable to households earning no more than 100 percent AMI, and 40 units affordable to households earning no more than 120 percent AMI.	

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Staff continues to meet with several affordable housing developers to discuss potential affordable housing development projects and opportunities in Dublin on both publicly- and privately-owned properties.	
Program 7: Density Bonuses	• Review and, as necessary, revise the Density Bonus Ordinance to ensure compliance with State Law within two years of adoption 2015-2023 Housing Element. • Continue to implement the Density Bonus Ordinance and provide information on the Ordinance to developers and other interested parties. • Provide information on the City's affordable housing incentives, such as density bonus and fee deferment or amortization, on the City's website by mid-2015.	The City continues to implement the Density Bonus Ordinance, monitor state legislation, and make necessary changes as needed, and provide information to developers and other interested parties. The City provides information on the City's affordable housing incentives at: http://www.dublin.ca.gov > Government > Departments > Community Development > Housing > Affordable Housing Development Information In November 2019, the City Council adopted Ordinance No. 14-19, amending the Density Bonus Regulations (Chapter 8.52) of the Dublin Municipal Code to comply with State law.	**Modify**. The City will continue to implement the Density Bonus Ordinance, as well as update it as necessary to maintain compliance with State law. The City will also continue to promote the Density Bonus Ordinance and its regulations and development incentives to promote the development of affordable housing units throughout the 2023-2031 planning cycle.
Program 8: Inclusionary Zoning	• Facilitate the construction of 100 affordable housing units either through direct construction or through the Inclusionary Housing In-Lieu Fund within the planning period.	**2015**: In 2015, the City issued permits for a 66-unit affordable rental development, Valor Crossing, by Eden Housing, Inc. This affordable development was made possible in part through a land dedication (the affordable housing project site) by the developer of a market rate residential project on a parcel located to the north of the affordable housing site. The market rate developer fulfilled the inclusionary housing obligation for 313 market rate units by transferring ownership of the 1.37-acre site for the affordable housing project. In addition, the City issued a	**Ongoing.** The City was successful in developing affordable units and in collecting in-lieu funds throughout the 5th planning cycle. The City will continue to implement the Inclusionary Zoning Ordinance throughout the 2023-2031

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		$6.4 million loan to Eden Housing, Inc. for the Dublin Family Apartments project from the Affordable Housing Fund. The City also issued permits for three deed-restricted moderate-income units at Tribeca. These units are part of the inclusionary housing obligation for the Transit Center development area. The project will offer a total of five moderate-income homes. **2016**: In 2016, the City issued permits for the two deed-restricted moderate-income units at Tribeca. **2017**: In 2017, the City issued eight building permits for moderate-income ADUs in Tassajara Hills **2018:** In 2018, the City issued 17 building permits for moderate-income ADUs in Tassajara Hills. The City has also received an agreement for the Saint Patrick Way project developer to dedicate a 1.3-acre parcel to an affordable housing developer for a future affordable housing project. **2020**: In July 2020, the City issued a Notice of Funding Availability (NOFA) for the creation of affordable rental housing in Dublin. Approximately $10 million in funding was available to support predevelopment, acquisition, and construction of affordable rental housing from the City's Affordable Housing Fund and Alameda County A-1 Bond. The funding was intended to provide gap financing between a project's total development cost and other available financing sources. Eligible projects were required to be new construction rental development, and target extremely low-, very-	planning cycle. The City will promote the Inclusionary Zoning Ordinance.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		low-, and/or low-income households earning up to a maximum of 80 percent area median income. The NOFA resulted in two proposals: a 77-unit project at 6501 Golden Gate Drive that is part of a larger multi-phase project proposed by BRIDGE Housing, and a 121-unit project proposed by Eden Housing at 7922 Dublin Boulevard. The City Council directed Staff to work with BRIDGE Housing to refine their proposal, while also continuing discussions with Eden Housing. Additionally, Staff worked with Eden Housing on a preliminary proposal for the State's Local Housing Trust Fund (LHTF) grant program to develop between 70 and 114 units of affordable housing with a projected total development cost of between $46 million and $74 million. This proposal, together with a reservation of units from the Downtown Dublin Development Pool and a request to authorize the City Manager to submit the grant application, were presented to the City Council on July 21, 2020. At that meeting, the City Council also directed Staff to issue a Letter of Intent to Eden to provide matching funds that are required by the grant. The matching funds include the 1.3-acre site, valued at approximately $5 million, plus $5 million from the Alameda County A-1 Bond. Furthermore, the City issued building permits for 27 affordable units in 2020. **2021:** In 2021, the City was awarded $3,333,333 in LHTF funding, for the proposed affordable housing project by Eden on the 1.3-acre site located at 6541 Regional Street, which is associated with the adjacent Saint Patrick Way Residential Project. In 2021, the City approved a 300-unit residential project called Amador Station, which will be built in two phases. Phase I will include 136 units	

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		affordable to households earning an average of no more than 43 percent area median income (AMI) (excluding two manager's units). Phase II of Amador Station will include 164 units affordable at a minimum to moderate-income households (excluding two manager's units). In addition, the City also approved the Regional Street Senior Affordable project, which will include 113 units affordable to senior households earning no more than 60 percent AMI, of which 30 percent of the units will be affordable to households earning no more than 30 percent AMI (excluding one manager's unit). Both projects are receiving financial support from the City. The City committed $7.1 million from the City's Housing Fund and $2.9 million in Alameda County Measure A-1 Bond funds to Phase 1 of the Amador Station project. In addition, the City committed $5 million in Measure A-1 bond funds and facilitated the site acquisition at low cost (valued at $5 million) for the Regional Street Senior Affordable project. Additionally, the City issued building permits for 13 affordable ADUs in 2021. The City has exceeded the goal of 100 affordable units.	
Program 9: Commercial Linkage Fee	• Facilitate the construction of 50 affordable housing units within the planning period (10 extremely low/very low, 15 low, and 25 moderate income units). • Assist five moderate income households with first-time homebuyer loans. • Provide funding towards homeownership training and foreclosure prevention services, rental assistance	Commercial Linkage Fees are collected from developers upon issuance of building permits for commercial development and are placed in the City's Affordable Housing Fund along with in-lieu fees collected from developers for residential development. The Affordable Housing Fund (AHF) was used to facilitate the development of Valor Crossing, a 66-unit affordable housing community. The project includes 20 extremely low-, six very low-, and 39 low-income units, as well as a manager's unit. The AHF is also used to negotiate with other developers looking to build affordable housing. The City continued to contract with Tri-Valley Housing Opportunity Center (TVHOC) for homebuyer education, foreclosure prevention services, rental assistance, and pre- and post-purchase counseling.	**Ongoing**. The City successfully collected $612,796.21 from Commercial Linkage Fees during the 5th planning cycle and issued 4 First Time Homebuyer loans. The City will continue to collect Commercial Linkage Fees and use the funds towards affordable housing construction loans, First-Time Homebuyer loans,

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	programs and the Alameda County Homeless Management Information System.	Homeowner education for Dublin residents is available with periodic free trainings from ECHO Housing, serving Alameda County with a grant from the US Department of Housing and Urban Development. Foreclosure prevention services are available from Alameda County's AC Secure Program, funded by Measure A-1. The City also continued to support the Alameda County Homeless Management Information System (HMIS) through the Affordable Housing Fund. HMIS is managed by EveryOne Home, a community-based organization formed in 2007 under the fiscal sponsorship of the Tides Center. EveryOne Home manages the County's in-house HMIS in the collection and reporting of the homeless count and other data collection. **2015:** In 2015, the City collected $45,829.80 in Commercial Linkage Fees. There were two Re-Issued Mortgage Credit Certificates in 2015. **2016:** In 2016, the City collected $3,461.88 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer loan during the 2016 calendar year. **2017:** In 2017, the City collected $359,928.47 in Commercial Linkage Fees. **2018:** In 2018, the City collected $11,878.78 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer loan during the 2018 calendar year. **2019:**	Homeownership training and foreclosure prevention services, Housing Division's administrative costs, and Alameda County Homeless Management Information System.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		In 2019, the City collected $191,696.96 in Commercial Linkage Fees. The City issued two new First-Time Homebuyer loans during the 2019 calendar year. **2021**: In 2021, the City collected $71,467.83 in Commercial Linkage Fees. The City issued one new First-Time Homebuyer Loan Program loan for $40,000 during the 2021 calendar year. During the 5th Planning Cycle, the City collected a total of $684,264.72 Commercial Linkage Fees and issued five First-Time Homebuyer loans.	
Program 10: Housing Type and Size Variations	• Require that developers provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs throughout the planning period.	The City's General Plan, various Specific Plans, and the Planned Development zoning process facilitate diversity of housing types and sizes to meet the City's housing needs. The City also created a new housing and size type establishing regulations for junior accessory dwelling units, which are units that are no more than 500 square feet contained entirely within the walls of a single-family residence.	**Ongoing**. The City will continue to promote housing type and size diversity throughout the 2023-2031 planning cycle to accommodate the housing needs of all segments of the community.
Program 11: First-Time Homebuyer Programs	• Assist 20 income-qualified first-time homebuyers during the planning period. Strive to provide assistance to approximately 10 above moderate income and 10 moderate income households. • Continue to distribute FTHLP application packets at the Civic Center, City website,	Information regarding the City's First Time Homebuyer Loan Program is available on the City's website, in printed materials at the Civic Center, and through local housing service organizations. In addition, the City's website provides information and links to other homebuyer assistance programs including the City's below market rate (BMR) home ownership program, Mortgage Credit Certificates (administered for the City of Dublin by Alameda County), and California Housing Finance Agency (CalHFA) loan programs. **2015**:	**Ongoing**. The City successfully issued four FTHLP loans during the 5th planning cycle. The City will continue to promote the FTHLP and provide assistance to qualified first time homebuyers during the planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	and locations that provide housing services.	While First Time Homebuyer Loan Program loan funds remained available, the City did not issue any new loans in 2015. **2016**: The City issued one new moderate loan in 2016. **2018**: The City issued one new moderate loan in 2018. **2019**: The City issued two new moderate loans in 2019. **2021**: The City issued one new moderate loan in 2021.	
Program 12: Second Dwelling Units	• Market this program through an informational brochure. The brochure will be available on the City web site and at the Civic Center, library, senior center, and other public locations. • Facilitate the construction of 30 second dwelling units within the planning period.	The City has taken multiple streps to incentivize Accessory Dwelling Units (ADUs), such as streamlining the review process, modified development standards (such as parking), developed prototype plans, prepared an ADU Manual (how-to-guide for ADUs), launched a one-stop-shop webpage, and waived permit fees for certain ADUs. ADUs are generally approved through a ministerial building permit process when proposed on a site with an existing single-family home but also can be approved through a discretionary review process when they are proposed in new developments. When approved as part of a new development, in some cases the developer has proposed ADUs that are affordable to lower-income households. In those cases, the ADUs have been counted toward a portion of the City's inclusionary zoning requirement and a deed restriction has been recorded against the property to ensure affordability. **2016**:	**Modify**. The City relies upon the projected development of ADUs to accommodate a portion of its RHNA allocation. As such, the City will continue to promote the development of ADUs, and specifically affordable ADUs. The City will continue to promote the pre-approved prototypes plan models and the ADU Manual. The program has been modified to include further incentives and monitoring, as well as

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		In 2016, the City issued permits for 12 ADUs at Wallis Ranch in Neighborhoods 1 and 2. **2017**: In 2017, the City issued permits for 22 ADUs. **2018**: In 2018, the City issued permits for 18 ADUs at Wallis Ranch and Tassajara Hills. Seventeen of these units are restricted for moderate-income households. **2019**: In 2019, the City submitted (and obtained approval) for Senate Bill 2 funding to streamline accessory dwelling units (ADU). To facilitate ADUs and comply with most recent legislation, the City will develop prototype plans (minimum of three designs); update the Zoning Ordinance to amend development standards; and develop an ADU Manual to guide applicants through the entitlement and construction process. A total of eight ADUs were permitted in 2019. **2020**: Although accessory dwelling units (ADUs) are often considered "affordable by design," HCD only allows ADUs to count towards the affordable categories if the affordability can be demonstrated through either a deed restriction guaranteeing affordable rents, documentation of proposed rental rates, or through a survey of rental rates of comparable units. In 2020, the City issued building permits for five ADUs that are deed restricted as for moderate-income households. The City Council took multiple actions to address barriers to development of ADUs and junior ADUs (JADUs) and to facilitate their production in	require updates as necessary to maintain compliance with State law.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		2020. On November 3, 2020, the City Council adopted a revised Fee Schedule that exempted ADUs less than 750- square feet from paying impact fees and modified the impact fees for ADUs 750-square feet or larger to be proportional to the primary dwelling unit consistent with recent changes in state law. Additionally, on November 17, 2020, the City Council adopted an amendment to the Zoning Ordinance to comply with recent changes in state law, including changes to the development standards for minimum unit size, setbacks, and parking for ADUs and the addition of regulations for JADUs. **2021**: In 2021, the City issued building permits for 13 ADUs that are deed restricted for moderate-income households. On December 7, 2021, the City amended the Master Fee Schedule to waive certain City permitting fees for ADUs applied for between January 1, 2022, and December 31, 2026. Permit fees are waived for ADUs less than 750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years. To further incentivize ADUs, the City worked with RRM Design Group to design eight ADU prototype plan models with a range of sizes and architectural styles. The City launched a webpage for Accessory Dwelling Units, which is a one-stop-shop for ADU resources, regulations, and requirements. The website is available at: https://dublin.ca.gov/2428/Accessory-Dwelling-Units. The City issued building permits for 91 ADUs between 2015 and 2021.	
Program 13: Homeless Assistance	• Continue to fund emergency shelter programs in the Tri-Valley area to house residents in need of	The City continues to support Tri-Valley Haven (domestic violence and homeless services) and Eden I&R (a service connecting citizens to safety net services) through the Community Support Grants program. Tri-Valley Haven's Homeless and Family Support Services program assists Dublin	**Ongoing**. The City was successful in providing regional assistance to address

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	emergency shelter. Annually evaluate the homeless service needs as part of the Community Support Grants program, with the objective of assisting an average of 300 persons each year. • Continue to participate in regional collaborations to address homelessness.	residents through Sojourner House (a family homeless shelter) and their Food Pantry. Eden I&R's 2-1-1 service provides information and referrals. They also serve as the Alameda County first point of contact of Coordinated Entry Systems (CES) screenings and referrals. The City continues to fund regional homeless assistance program and participate in regional efforts to address homelessness. City staff regularly attended meetings organized by Everyone Home and the Alameda County Department of Housing and Community Development. In late 2018, the City partnered with the cities of Livermore and Pleasanton to apply for Homeless Emergency Aid Program (HEAP) funds for CityServe to enhance their homeless outreach and services. CityServe of the Tri-Valley helps people in crisis; in 2019, the Cities signed agreements to continue the efforts. **2015**: Tri-Valley Haven's homeless assistance program served 275 Dublin residents in 2015. Eden I&R served 167 Dublin residents in 2015. **2016**: Tri-Valley Haven's homeless assistance program served 622 Dublin residents in 2016. Eden I&R served 37 Dublin residents in 2016. Additionally, CityServe served 20 Dublin residents. **2017**: Tri Valley Haven's homeless assistance program served 415 Dublin residents in 2017 and 461 residents were supported through Eden I&R. Additionally, CityServe served over 1,000 Dublin residents.	homelessness. The City will continue to fund emergency shelter programs in the region and participate in regional efforts to address homelessness.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		In 2017, Dublin, Livermore, and Pleasanton applied jointly for a $100,000 County grant to further support organizations serving homeless individuals. **2018**: Tri Valley Haven's homeless assistance program served 499 Dublin residents in 2018 and received a $11,400 grant. Eden I&R served 145 Dublin residents in 2018 and received a $9,400 grant. CityServe received a $14,400 grant and served 804 Dublin residents in 2018. **2019**: Tri-Valley Haven's Homeless and Family Support Services program received a $10,625 grant and served 499 Dublin residents in 2019. Eden I&R received a $10,000 grant and served 145 Dublin residents in 2019. CityServe received a $14,360 grant and served 804 Dublin residents in 2019. **2021**: For the 2020-2021 CityServe contract, the City of Dublin contributed $34,976.50 of HEAP funds.	
Program 14: Tri-Valley Affordable Housing Committee	• Participate in at least one affordable housing fair annually throughout the planning period.	The City participated in quarterly meetings of the Tri-Valley Affordable Housing Committee. Committee meetings featured presentations from housing-related organizations and facilitated the exchange of information and ideas among participating jurisdictions. This group arranges housing fairs every spring during Affordable Housing Week in May. The City is also a member of the East Bay Housing Organization and promotes Affordable Housing Week activities in April. The City also participates with the Tri-Valley Anti-Poverty Collaborative.	**Ongoing**. The City will continue participating in regional fair housing and affordable housing collaboratives and seek funding/ partnerships with local housing service providers.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
3. Adequate Housing Sites			
Program 15: Residential Sites Inventory and RHNA Monitoring	• Monitor housing development on an ongoing basis to ensure that the sites identified in the Residential Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary. • Annually evaluate the land availability to meet the remaining RHNA. Ensure adequate capacity exists to accommodate the RHNA of 2,285 units (96 very low, 446 low, 425 moderate, and 618 above moderate-income units).	The City monitors housing development annually to ensure adequate sites remain available to meet the RHNA obligation. The City evaluates land availability annually to ensure adequate sites remain available to meet the RHNA obligation. The City met its RHNA allocation for above-moderate units in 2017.	**Modify**. The City will continue to use a variety of strategies to accommodate its RHNA allocation throughout the 2023-2031 planning cycle, as well as monitor candidate sites. The program has been modified to account for the 2023-2031 planning cycle RHNA numbers and the specific RHNA strategies identified within this Housing Element.
4. Removal of Governmental Constraints			
Program 16: Fee Deferment or Amortization	• Continue to offer the deferment or amortization of fees as an option to interested parties. • Provide information on the City's affordable housing incentives, such as density bonus and fee deferment or	The City continues to offer deferment or amortization of fees as an option to interested parties and has the information available on the City's website.	**Ongoing**. The City will continue to offer deferment or amortization of planning and development fees for senior housing units and affordable units for lower and moderate-income households. The City will

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	amortization, on the City's website by mid-2015.		also ensure information is available to the public online and at the Civic Center.
Program 17: Universal Design Ordinance	• Continue to make the brochure and other related information available on the City's website and at the public counter.	Information regarding the City's Universal Design Ordinance is available on the City's website and in printed materials at the Civic Center.	**Ongoing**. The City will continue to promote the Universal Design Ordinance in-person at the Civic Center and online.
Program 18: Emergency Shelters and Supportive and Transitional Housing	• Review and amend, if necessary, the Emergency Shelters Ordinance within two years of adoption of the 2015-2023 Housing Element. • Review and amend, if necessary, the transitional and supportive housing provisions of the Zoning Ordinance within two years of adoption of the 2015-2023 Housing Element.	The City annually reviews its ordinances to ensure they are consistent with state legislation. In 2019, Planning Division staff reviewed the emergency shelters provisions of the Zoning Ordinance to ensure compliance with State law. No amendments were necessary.	**Ongoing**. The City will continue to implement the Emergency Shelter Ordinance, and when necessary, update it and the Zoning Code to maintain compliance with State law.
Program 19: Monitoring of Development Fees	• As changes are made to the development fees, the City will evaluate their impact on housing development and make adjustments or mitigation as appropriate (such as continuing to offer fee deferral and amortization (Program 16).	On November 3, 2020, the City Council adopted a revised Fee Schedule that exempts ADUs less than 750-square feet from paying impact fees and modified the impact fees for ADUs 750-square feet or larger to be proportional to the primary dwelling unit. Other impact fees continue to be evaluated, as needed. On December 7, 2021, the City amended the Master Fee Schedule to waive certain City permit fees for ADUs applied for between January 1, 2022, and December 31, 2026. Permit fees are waived for ADUs less than	**Ongoing**. The City will continue review its development fees annually to ensure they are reasonable and do not constrain housing development.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		750 square feet and ADUs 750 square feet or larger that are deed restricted as lower-income units for a period of 55 years. On December 21, 2021, the City Council adopted Resolution No. 144-21, revising the Eastern Dublin Traffic Impact Fee for future development within the Eastern Dublin Area, renaming the program as the Eastern Dublin Transportation Impact Fee, and updating the Consolidated Impact Fee Administrative Guidelines.	
5. Promoting Equal Housing Opportunity			
Program 20: Equal Housing Opportunity	• Provide referrals to appropriate agencies for services. • Distribute fair housing information to public locations. • Post information on the City website. • Distribute information to real estate agents, rental property owners/managers, and financial institutions in Dublin. • Participate in Alameda County's Impediments to Fair Housing Study through the CDBG program.	The City provides referrals to appropriate agencies through direct communication with residents (in person at the counter, via email, and over the phone) and information on the City website. The website includes links to Eden Council for Hope and Opportunity (ECHO) and to the State of California Consumer Affairs Office booklet "California Tenants: Guide to Residential Tenants and Landlord's Rights and Responsibilities." The City, through Alameda County, contracts with ECHO to provide fair housing services to Dublin residents. ECHO offers fair housing counseling and tenant/landlord dispute mediation at no cost to Dublin residents and housing providers. The City also participated in the update to the "Tri-Valley Human Services Pocket Guide," printed in English and Spanish and made them available at the Civic Center. The guide includes contact information for housing and legal service providers. The City of Dublin Housing Division hosted a Fair Housing Workshop in collaboration with Eden Council for Hope and Opportunity (ECHO) in July 2016. The event was attended by property managers and leasing staff from Dublin apartment communities, local service providers, and other housing professionals. ECHO reviewed State and Federal Fair Housing Law and practical applications for rental housing providers and tenants.	**Ongoing**. The City successfully participated in a variety of regional efforts to investigate and ensure provision of fair housing during the 5th planning cycle. The City will continue to promote information on services and resources available to the community, as well as participate in regional efforts to address fair housing issues throughout the 2023-2031 planning cycle.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		Real estate agents, rental property owners/managers and financial institutions are directed to the City's website for information or are referred to outside agencies, as appropriate. Throughout the year, Housing Staff meets with developers, real estate agents and landlords to discuss the City's housing programs, which may include information on the 211 County-wide social services hotline and ECHO's services. In addition, information is distributed to property managers during the annual rental monitoring site visits. The City participated in the preparation of the most recent version of Alameda County's Impediments to Fair Housing Study through the urban county HOME Consortium, completed and published in February 2015. City staff provided notes and comments, attended review sessions, and posted draft and final versions of the Analysis on the City's website. In 2019 and 2020, the City participated in the update of Alameda County's Impediments to Fair Housing Study through the Urban County HOME Consortium. A public review draft of the Alameda County's Impediments to Fair Housing Study was published in December 2019 and later adopted in January 2020.	
6. Green Building Program			
Program 21: Green Building Guidelines	• Continue to implement the provisions of the Green Building Ordinance. • Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green	The City continued to implement the Green Building Ordinance. The City continued to update brochures as needed and make them available on the City's website. In 2020, the City also established a handout and procedures to streamline the review of electric vehicle charging stations for commercial and industrial development. In September 2020, the City Council adopted the Climate Action Plan 2030 and Beyond (CAP 2.0), establishing the next phase of climate action planning and implementation. Strategies of CAP 2.0 include 100 percent	**Ongoing**. The City will continue to implement the Green Building Ordinance and guidelines throughout the 2023-2031 planning cycle. This includes promoting information on the program and available resources.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
	Building resources on the City's website.	renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045. The City continues to require covered projects (including construction, demolition, and renovation projects with total costs of $100,000 or greater) to submit a Waste Management Plan to meet the City's Construction and Debris Ordinance, which was adopted in 2008 and amended in 2014. The regulations require the diversion of at least 65 percent for remodels and 75 percent for new construction of construction waste away from landfills. In 2021, Building and Safety Division Staff received training on zero net energy homes, solar photovoltaic and energy storage systems, SolarAPP+, and energy code. Additionally, the City continues to work with StopWaste, the Bay Area Regional Energy Network (BayREN), and East Bay Energy Watch to provide energy conservation to the public via workshops and direct outreach. The City also promoted the new SB 1383 requirements to divert 75 percent of solid waste from the landfill by 2025 (based on 2014 levels) and divert 25 percent of food waste from the landfill. Notably, the City transitioned all residential electrical accounts to East Bay Community Energy's Renewable 100 plan, which offers 100 percent renewable and carbon-free electricity, effective January 1, 2022. Finally, the City continues to offer subsidized permit fees for the installation of solar roof panels for a variety of projects throughout the City.	

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
Program 22: Energy Conservation	• Implement applicable Waste Management and Building Code regulations, provide Green Building training to City staff, and distribute energy conservation information to the public.	Strategies of CAP 2.0 include 100 percent renewable and carbon-free electricity, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership measures. CAP 2.0 establishes the City's commitment to reducing greenhouse gas (GHG) emissions and strive for carbon neutrality by 2045, resulting in cleaner air, more versatile and flexible transportation, new opportunities for economic growth, reductions in localized flooding risks, and greater energy independence from fossil fuels. The City continues to require covered projects (including construction, demolition, and renovation projects with total costs of $100,000 or greater) to submit a Waste Management Plan to meet the City's Construction and Debris Ordinance, which was adopted in 2008 and amended in 2014. The regulations require the diversion of at least 65 percent for remodels and 75 percent for new construction of construction waste away from landfills. In addition, the City Council adopted Green Building Guidelines for Civic Buildings to promote energy efficiency. The City continues to implement the Guidelines on a project-specific basis. Informational brochures and pamphlets are available on the City's website and at the public counter. In February 2020, the City opened the Dublin Public Safety Complex, a Leadership in Energy and Environmental Design (LEED) certified zero net energy construction project. Building and Safety Division Staff received training on LEED Project Management and CalGreen Title 24 Part 11. Additionally, the City continues to work with StopWaste, the Bay Area Regional Energy Network (BayREN), and East Bay Energy Watch to provide energy conservation to the public via workshops and direct outreach. In July 2020, the City hosted a webinar with StopWaste and BayREN about residential heating and cooling systems and indoor air quality and	**Ongoing**. During the 5th planning cycle, the City successfully promoted energy conservation through a variety of endeavors and collaborations. Through the 2023-2031 planning cycle, the City will continue to implement the Waste Management and Building Code regulations, as well as provide staff training and promote information on resources available for proposed projects and Dublin households.

Table A-2: 5th Planning Cycle Policy and Program Accomplishments			
Policy Programs	**Objectives**	**Program Accomplishments**	**Status for Sixth Cycle**
		educated the community about free technical support and up to $6,000 in rebates offered through the BayREN Home+ program. East Bay Community Energy (EBCE), the City's community choice energy provider, launched the Resilient Home program, which provides pre-negotiated pricing for rooftop solar from SunRun, with or without batter storage. Resilient Home offers an additional $1,250 incentive if homeowners enroll their battery with EBCE, sharing power during peak times when there isn't an outage. Finally, the City continues to offer subsidized permit fees on the installation of solar roof panels for a variety of projects throughout the City.	

This Page Intentionally Left Blank.



APPENDIX B:
COMMUNITY PROFILE

The Community Profile provides an overview of the City's housing and population characteristics and evaluates the factors that contribute to the supply and demand of housing in Dublin. To create a comprehensive evaluation of Dublin's housing needs, the Community Profile discusses population, household, economic and housing stock characteristics, and presents each of these components in a regional context. This assessment serves as the basis for identifying the appropriate goals, policies, programs, and quantified objectives for the City to implement during the 2023-2031 Housing Element Cycle.

The Community Profile uses the most current data available from the Association of Bay Area Governments (ABAG), 2020 U.S. Census, 2016-2020 American Community Survey, California Department of Finance, California Employment Development Department, California Department of Education, and other currently available real estate market data.

A. Population Characteristics

Understanding the characteristics of a population is critical to plan for the needs of a community. Population growth, age composition, race and ethnicity, and employment trends influence the type and extent of housing needs and the ability of the local population to afford housing costs. The following subsection describes and analyzes the various population characteristics and trends that affect housing need.

1. Population Growth

According to the U.S. Census and ABAG Projections 2040 by Jurisdiction, the population of Alameda County is forecasted to increase by 24.4 percent through 2040. **Table B-1** shows a 15.8 percent county-wide growth from 2010 to 2020 and another 22.3 percent increase between 2020 to 2040. The City is anticipated to grow 15.2 percent between 2020 and 2040.

Table B-1: Population Growth (2010-2040)

Jurisdictions	Population						Percent Change	
	2010 Actual	2020 Actual	2025 Projected*	2030 Projected*	2035 Projected*	2040 Projected*	2010-2020	2020-2040
Dublin	**46,036**	**72,589**	**54,780**	**71,870**	**78,140**	**83,595**	**57.6%**	**15.2%**
San Ramon	66,822	84,605	78,430	79,520	81,955	84,165	26.0%	0.5%
Livermore	78,520	87,955	89,960	99,115	106,190	113,730	6.1%	29.3%
Pleasanton	68,204	79,871	76,235	78,370	83,115	87,875	10.0%	10.0%
Alameda County	1,477,980	1,682,353	1,776,495	1,868,635	1,960,630	2,092,370	15.8%	24.4%

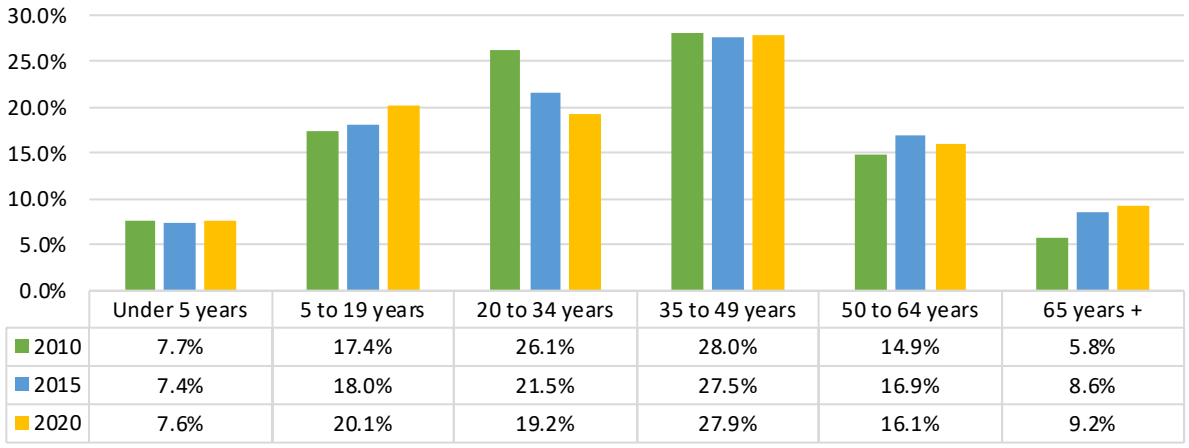
Sources: Bureau of the Census (2010 and 2020) and Plan Bay Area 2040 ABAG Projections 2040 by Jurisdiction.
**Projection numbers do not reflect the City's current population growth trends and are based on the 2040 ABAG Projections. ABAG's projections within Plan Bay Area 2050 are not used as they are based on subcounty areas, called super-districts, which are a combination of cities, towns, and unincorporated areas.*

2. Age Characteristics

Age distribution within a population helps to evaluate different housing needs as housing choices may differ based on the age of the resident. Young adults (18 to 30 years old) and seniors (65 years or older) typically favor apartments, low to moderate-cost condominiums, and smaller or more affordable single-family residences because they tend to have limited incomes or smaller families. As a community's population ages, housing is required to accommodate new or adjusted needs. Appropriate housing is needed to accommodate all stages of life to produce a well-balanced and healthy community.

Figure B-1 below displays American Community Survey (ACS) data for age distribution in Dublin. According to the ACS, the City is predominately made up of 35- to 49-year-olds (27.9 percent), which is followed by five- to 19-year-olds (20.1 percent). The adult population of 35- to 49-year-olds was the largest population group between 2010 to 2020. The population of 20- to 34-year-olds decreased from 26.1 percent to 19.2 percent (6.9 percent decrease), while the population of 50- to 64-year-olds increased 1.8 percent during that same time frame. Overall, the data shows an aging trend and the ratio of children to young adults continues to decline as the senior population grows.

Figure B-1: Age Distribution in Dublin (2010-2020)



	Under 5 years	5 to 19 years	20 to 34 years	35 to 49 years	50 to 64 years	65 years +
2010	7.7%	17.4%	26.1%	28.0%	14.9%	5.8%
2015	7.4%	18.0%	21.5%	27.5%	16.9%	8.6%
2020	7.6%	20.1%	19.2%	27.9%	16.1%	9.2%

Source: American Community Survey, Table S0101, 5-Year Estimates, 2010, 2015, and 2020.

Table B-2 below shows the age distribution of Dublin and its surrounding communities. Age characteristics are similar throughout the region with the 35 to 49 age group being the largest in the area. The City has a younger population than nearby jurisdictions with the largest percentage of children under the age of five (7.6 percent) and the smallest percentage of seniors (9.2 percent) compared to nearby jurisdictions.

Table B-2: Age Characteristics/Age Distribution

Jurisdiction	Under 5	5 to 19	20 to 34	35 to 49	50 to 64	65 years +
Dublin	**7.6%**	**20.1%**	**19.2%**	**27.9%**	**16.1%**	**9.2%**
San Ramon	5.3%	24.5%	12.9%	25.6%	20.5%	11.2%
Livermore	6.5%	18.1%	17.9%	21.5%	22.7%	13.1%
Pleasanton	4.9%	21.5%	14.0%	22.7%	21.9%	15.1%
Alameda County	5.8%	17.1%	22.6%	21.9%	18.7%	13.9%

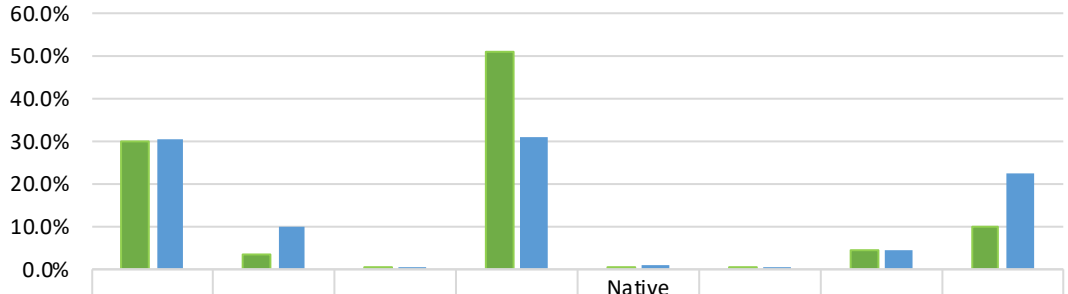
Source: American Community Survey, Table S0101, 5-Year Estimates, 2020.

3. Race/Ethnicity Characteristics

Creating both equal opportunity and fair housing are essential elements in the provision of housing units within cities and counties. Analyzing and understanding the racial and ethnic composition of a community is important as different racial and ethnic groups have varying household characteristics, income levels, and cultural backgrounds, which may affect their housing needs, housing choice, and housing type. Cultural influences may reflect preference for a specific type of housing and ethnicity may also correlate with other characteristics, such as location, mobility, and income. This is further analyzed in the Affirmatively Furthering Fair Housing (AFFH) section of **Appendix C: Housing Constraints, Resources, and AFFH**. It is important to note that while race and ethnicity are used to identify different sections of a community's population, they are not the same and are not mutually exclusive. The data identified below shows the racial and ethnic composition of Dublin and nearby jurisdictions using ACS; this allows residents to identify one's race, as well as one's ethnicity. Therefore, overlap may occur.

As shown in **Figure B-2**, persons who identify as Asian comprised the largest racial group in Dublin (50.9 percent), larger than the population of persons who identify as Asian in Alameda County (31.0 percent). The second largest population in Dublin is those who identify as White at 29.9 percent. A total of 10.2 percent of Dublin's population identifies as Hispanic or Latino of any race. The Hispanic or Latino population was smaller in Dublin than in Alameda County, with a difference of about 12 percent. Persons who identify as Black or African American made up 3.5 percent of the population in Dublin, which is smaller than the population who identifies as Black or African American in Alameda County at 10.1 percent. Overall, American Indian, Alaska Natives, Native Hawaiian and Other Pacific Islanders make up the smallest population groups with less than one percent combined – similar to Alameda County. **Table B-3** shows the same data for Dublin and Alameda County in comparison with neighboring jurisdictions. Dublin has the largest population of persons identifying as Asian, the second largest population of persons identifying as Black, and one of the smallest population of persons identifying as White.

Figure B-2: Racial Ethnic Composition



	White (Non-Hispanic)	Black or African American (Non-Hispanic)	American Indian and Alaska Native (Non-Hispanic)	Asian (Non-Hispanic)	Native Hawaiian and Other Pacific Islander (Non-Hispanic)	Some other race (Non-Hispanic)	Two or more races (Non-Hispanic)	Hispanic or Latino
Dublin	29.9%	3.5%	0.3%	50.9%	0.4%	0.3%	4.4%	10.2%
Alameda County	30.6%	10.1%	0.3%	31.0%	0.8%	0.4%	4.6%	22.2%

Source: American Community Survey, Table B03002, 5-Year Estimates, 2020.

Table B-3: Racial/Ethnic Composition								
Jurisdiction	White*	Black*	American Indian/ Alaska Native*	Asian*	Native Hawaiian/ Other Pacific Islander*	Some Other Race*	Two or More Races*	Hispanic or Latino (of any race)
Dublin	**29.9%**	**3.5%**	**0.3%**	**50.9%**	**0.4%**	**0.3%**	**4.4%**	**10.2%**
San Ramon	36.8%	2.6%	0.2%	47.4%	0.5%	0.1%	4.7%	7.7%
Livermore	59.1%	1.7%	0.1%	12.9%	0.5%	0.1%	4.3%	21.3%
Pleasanton	46.2%	1.4%	0.3%	37.4%	0.1%	0.2%	3.9%	10.4%
Alameda County	30.6%	10.1%	0.3%	31.0%	0.8%	0.4%	4.6%	22.2%

*Non-Hispanic

Source: American Community Survey, Table B03002, 5-Year Estimates, 2020.

Table B-4 shows the City experienced significant changes in racial and ethnic demographics, between 2010 and 2020. The population that identifies as White decreased from 50.8 percent to 29.9 percent. Those who identify as Black and Native Hawaiian/Other Pacific Islander also experienced decreases from 7.9 percent to 3.5 percent and 1.5 percent to 0.4 percent, respectively. Those who identify as Asian experienced the largest population increase, from 23.2 percent in 2010 to 50.9 percent in 2020. The Hispanic and Latino population decreased from about 12.8 percent in 2010 to 10.2 percent in 2020.

Table B-4: Racial/Ethnic Composition of Dublin (2010-2020)			
Race/Ethnicity	2010	2015	2020
White*	50.8%	42.3%	29.9%
Black*	7.9%	6.1%	3.5%
American Indian and Alaska Native*	0.3%	0.4%	0.3%
Asian*	23.2%	33.8%	50.9%
Native Hawaiian or Other Pacific Islander*	1.5%	0.3%	0.4%
Some Other Race*	0.2%	0.3%	0.3%
Two or More Races*	3.3%	5.0%	4.4%
Hispanic or Latino	12.8%	11.7%	10.2%

*Non-Hispanic

Source: American Community Survey, Table B03002, 5-Year Estimates, 2010, 2015, and 2020.

Housing needs may vary between ethnic or racial groups due to different cultural norms or preferences. An example of this is the tendency for Asian or Hispanic families to live within a single household. Unaccounted for, housing availability could lead to overcrowding within housing units if suitably sized housing units are not provided.

B. Economic Characteristics

In addition to demographics and culture, economic characteristics also dictate demand for different types of housing. The affordability of housing units is critical in ensuring all community members have their needs met.

Economic data provides valuable insight into the Dublin population's ability to enter the housing market and identifies financial constraints related to housing needs and accommodations. Incomes associated with different types of employment and the number of workers in a household affect housing affordability and choice. Therefore, to consider a healthy balance between jobs and housing, it is important to consider the community's employment characteristics. Local employment growth is linked to local housing demand, and the reverse being true when employment rates decrease.

1. Employment and Wage Scale

Employment can directly affect the housing needs for a city as employment and income provides different abilities for a population to purchase housing as well as influences the types of housing residents can afford. Job growth refers to the number of jobs created in the jurisdiction whereas employment growth refers to the number of residents in a jurisdiction that are employed. **Table B-5** outlines job growth from 2010 through 2040 for Dublin and nearby jurisdictions. The City is forecasted to experience a 45.9 percent job growth from 2020 to 2040 (9,785 jobs). Compared to the nearby jurisdictions, Dublin is forecasted to experience the greatest percentage of overall job growth. **Table B-6** outlines employment growth through 2040 with an overall increase of approximately 74 percent, or 13,690 persons. As compared to nearby jurisdictions, Dublin has the highest percentage of change in both job growth and employment growth between 2010 to 2020 and between 2020 and 2040. The figures listed in **Table B-5** and **Table B-6** provide a deeper understanding of economic growth as compared to forecasted population growth, shown in **Table B-1**. The City is projected to experience the largest job and employment growth from 2020 to 2040 with a significantly greater percentage increase than the other nearby jurisdictions.

Table B-5: Total Jobs Growth (2010-2040)

Jurisdiction	2010	2020	2025	2030	2035	2040	% Change 2010-2020	% Change 2020-2040	Numeric Change 2020-2040
Dublin	**18,085**	**21,330**	**21,815**	**24,205**	**30,325**	**31,115**	**17.9%**	**45.9%**	**9,785**
San Ramon	70,500	76,485	78,430	79,520	81,955	84,165	8.5%	10.0%	13,665
Livermore	42,705	43,025	43,335	43,950	45,105	45,870	0.7%	6.6%	2,845
Pleasanton	60,095	65,185	65,445	66,940	72,480	75,440	8.5%	15.7%	10,225
Alameda County	705,540	858,685	877,220	901,080	933,725	952,940	27.7%	11.0%	92,255

Source: Plan Bay Area 2040/ABAG Projections 2040 by Jurisdiction.

Table B-6: Employed Persons Growth (2010-2040)									
Jurisdiction	2010	2020	2025	2030	2035	2040	% Change 2010-2020	% Change 2020-2040	Numeric Change 2010-2040
Dublin	**15,325**	**18,490***	**20,040**	**27,925**	**30,610**	**32,180**	**20.7%**	**74.0%**	**13,690**
San Ramon	49,030	53,850	54,340	55,330	62,735	71,775	9.8%	33.3%	22,745
Livermore	39,605	45,420	47,505	51,790	54,680	57,315	14.7%	26.2%	11,895
Pleasanton	36,345	46,990	47,100	47,770	49,840	51,545	29.3%	9.7%	4,555
Alameda County	723,810	911,725	929,230	959,745	985,760	1,022,040	26.0%	12.1%	110,315

*According to 2020 ACS data, the civilian labor force was 33,664 persons, reflecting that the ABAG projections are under-estimated in part due to the significant recent growth within Dublin.

Source: Plan Bay Area 2040/ABAG Projections 2040 by Jurisdiction.

Based on the 2020 ACS, 67.1 percent of Dublin's population aged 16 and over are employed. Employment in Dublin increased by 48.9 percent from 2010 to 2019. **Table B-7** shows the employment growth in Dublin between 2010 to 2020 by industry sector. Persons employed in professional, scientific, management, and administrative services represented the largest percentage of the City's employment, followed by education services, health care, and social assistance. Between 2010 and 2020, most employment sectors experienced a decline in percentage of overall employment rates – with retail trade undergoing the greatest change with a loss of 3.1 percent. The industry with the lowest employment rate in Dublin (0.4 percent in 2019) is agriculture, forestry, fishing and hunting, and mining as it employed 95 people in 2020.

Table B-7: Employment by Sector (2010-2020)					
Industry Sector	2010		2020		% Change 2010-2020
	People Employed	% of City Employment	People Employed	% of City Employment	
Agriculture, forestry, fishing and hunting, and mining	29	0.1%	95	0.3%	**0.2%**
Construction	930	4.7%	1,267	3.9%	**-0.8%**
Manufacturing	2013	10.1%	2,990	9.2%	**0.1%**
Wholesale trade	930	4.7%	711	2.2%	**-2.5%**
Retail trade	2718	13.6%	3,400	10.5%	**-3.1%**
Transportation and warehousing, and utilities	889	4.4%	1,101	3.4%	**-1.0%**
Information	1071	5.4%	1,803	5.6%	**0.2%**
Finance and insurance, real estate, and rental leasing	1776	8.9%	2,595	8.0%	**-0.9%**
Professional, scientific, management, and administrative services	3240	16.2%	9,104	28.1%	**11.9%**
Education services, health care, and social assistance	3209	16.1%	5,682	17.5%	**1.4%**
Arts, entertainment, recreation, accommodation, and food services	1277	6.4%	1,724	5.3%	**-1.1%**
Other services (except public administration)	1027	5.1%	837	2.6%	**-2.5%**
Public Administration	877	4.4%	1,128	3.5%	**-0.9%**
Total	**19,986**	**100%**	**31,335**	**100%**	**48.9%**

Source: American Community Survey, Table S2405, 5-Year Estimates, 2010 and 2020.

In addition to reporting and analyzing employment sector trends, analyzing the unemployment rate is essential to understanding current housing affordability and needs, as well as projected needs. Economists identify a 3.5 to 4.5 percent unemployment rate as natural, in that it reflects the real voluntary economic forces within a city or county[1]. **Table B-8** shows the City had an unemployment rate of 3.6 percent in 2020, which is lower than the Alameda County average (4.7 percent) but remains healthy.

Table B-8: Unemployment Rate

Jurisdiction	Unemployment Rate
Dublin	**3.6%**
San Ramon	4.3%
Livermore	3.0%
Pleasanton	3.5%
Alameda County	4.7%

*Population 16 years and over
Source: American Community Survey, Table DP03, 5-Year Estimates, 2020.

Incorporating economic characteristics, such as unemployment rates, is essential for assessing the housing needs of Dublin, particularly the demand for affordable housing. Based on the data summarized in **Table B-8**, approximately 3.5 percent of the population was unemployed in 2019. For those employed, income level can further identify housing types that may need to be provided within Dublin. According to the ABAG Final Regional Housing Needs Allocation (RHNA), housing needs by income are broken down into four income categories:

- Very Low-Income (50 percent or less of median income)
- Low-Income (51 to 80 percent of median income)
- Moderate-Income (81 to 120 percent of median income)
- Above Moderate-Income (greater than 120 percent of median income)

Dublin's area median income for a household of four is $125,600, according to the 2021 Income Limits published by the California Department of Housing and Community Development (HCD). As shown in **Table B-9**, the majority of occupational salaries in Alameda County fall below 50 percent of the area median income (AMI) if salary trends are applied to Dublin. Based on these salaries, housing stock in the City would need to be affordable to accommodate lower-income households.

[1] Natural Rate of Unemployment, Its Components, and Recent Trends, Kimberly Amadeo, ed. Eric Estevez, August 30, 2020.

Table B-9: Median Salary by Occupation in Alameda County	
Occupation	**Salary**
Management	$137,618
Legal	$108,348
Healthcare Practitioners and Technical	$106,907
Architecture and Engineering	$101,273
Computer and Mathematical	$115,395
Life, Physical and Social Sciences	$94,563
Business and Financial Operations	$83,777
Construction and Extraction	$71,055
Installation, Maintenance and Repair	$59,483
Education, Training and Library	$57,683
Community and Social Service	$57,108
Arts, Design, Entertainment, Sports and Media	$56,923
Protective Services	$51,757
Office and Administration Support	$49,465
Production	$43,804
Building, Grounds Cleaning, and Maintenance	$41,931
Transportation and Material Moving	$39,702
Sales	$37,731
Farming, Fishing and Forestry	$35,142
Personal Care and Service	$32,841
Healthcare Support	$32,020
Food Preparation and Serving Related	$30,985
Source: California Employment Development Division, Long-Term Occupational Employment Projections data, 2018-2028.	

C. Household Characteristics

Household characteristics consider the number of individuals that occupy a single housing unit in a shared state whether they are single occupants, families, or unrelated people. Household trends can be observed throughout Dublin and provide useful information that can then be used to predict the City's future housing needs. Past behavior for household composition can be applied to future growth and could inform the types of housing units that Dublin may need.

Information on household characteristics is important in analyzing and understanding growth and determining the housing needs of a community. Income and affordability are best measured at the household level, as well as the special needs of certain groups, such as large families, single-parent households, or low-, very low-, and extremely low-income households.

1. Household Type

According to 2020 ACS data, there are 20,883 households in Dublin, representing 3.5 percent of the total Alameda County households. As shown in **Table B-10** and **Figure B-3**, married-couple family households make up 67 percent of the total households in Dublin. Married-couple households tend to seek occupancy in single-family residences with multiple bedrooms. In contrast, 21.8 percent of the total households in Dublin are non-family households, which may include unrelated persons living together or persons living

alone. Non-family households tend to occupy multifamily residential units or seek out more affordable housing options.

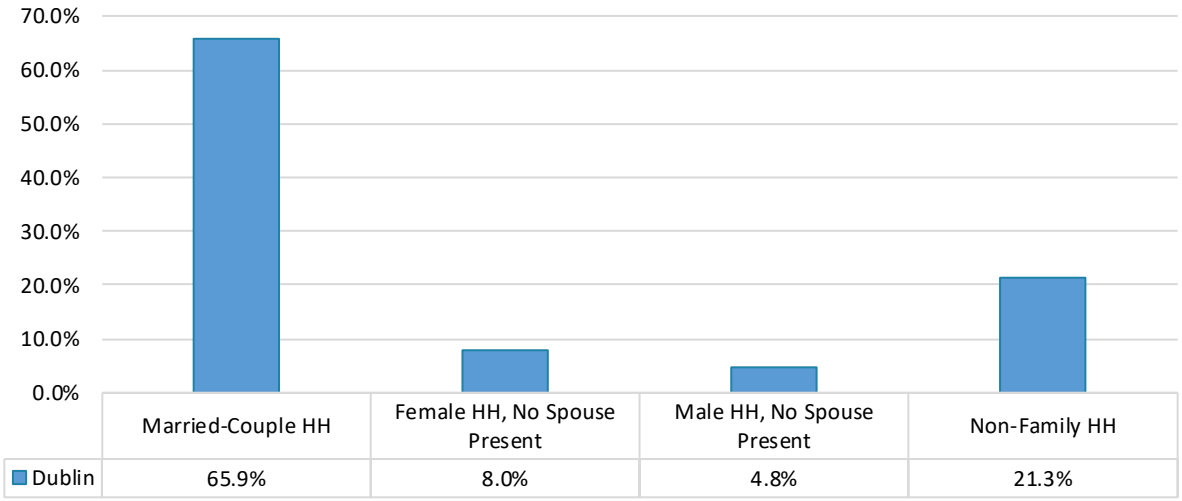
Table B-10: Household Characteristics

Jurisdiction	Married-Couple Family HH	% of Total HH	Female HH, No Spouse Present	% of Total HH	Non-Family HH	% of Total HH	Total HH
Dublin	**13,753**	**65.9%**	**1,680**	**8.0%**	**4,450**	**21.3**	**20,883**
San Ramon	18,865	73.9%	2,198	8.0%	5,752	20.9%	27,524
Livermore	20,105	62.4%	2,716	8.4%	8,382	26.0%	32,196
Pleasanton	19,151	68.9%	1,891	6.8%	5,980	21.5%	27,815
Alameda County	289,283	50.5%	64,454	11.2%	191,964	33.5%	573,174

Note: HH = Households

Source: American Community Survey, Table B11001, 5-Year Estimates, 2020.

Figure B-3: Dublin Household Characteristics in Percent



Source: American Community Survey, Table B25011, 5-Year Estimates, 2020.

Table B-11 summarizes household changes from 2010 through 2020. During this time, Dublin grew by approximately 5,503 new households. From 2010 to 2019, male households with no spouse present and married-couple family households experienced the largest growth at 179.1 percent and 64.2 percent, respectively.

Table B-11: Changes in Household Types

Household Types	2010	2015	2020	Percent Change
Married-couple Family Households	8,250	10,704	13,753	**66.7%**
Female Households, No Spouse Present	1,081	1,222	1,680	**55.4%**
Male Households, No Spouse Present	363	1,001	1,000	**175.5%**
Non-Family Households	3,579	4,394	4,450	**24.3%**
Total Households	**13,273**	**17,321**	**20,2883**	**57.3%**

Source: American Community Survey, Table B11001, 5-Year Estimates, 2010, 2015, 2020.

2. Household Size

Household size represents the most basic unit of demand for housing as it identifies the type and size of housing needed in a community. Household size is also an indicator of both population growth and household character. While there can be more than one family in a housing unit, the measure of persons per household provides an indicator of the number of persons residing in a housing unit. Average household size can be both a result and indicator of housing affordability and other household economic conditions and is important in understanding housing need by size and type of housing. For example, data reflecting household size in a community can help identify issues of overcrowding, which is a result of inadequate space for members of a household and considered a burden on a household.

Table B-12 below identifies household size for the City and nearby jurisdictions. At approximately 2.99 persons per household and 2.95 persons per household, the Cities of Dublin and San Ramon, respectively, have the largest household size in the area.

Table B-12: Average Household Size

Jurisdiction	Average Persons per Household
Dublin	**2.99**
San Ramon	2.95
Livermore	2.84
Pleasanton	2.86
Alameda County	2.84

Source: US Census, QuickFacts 2016-2020.

3. Household Income

Household income is an important indicator of housing needs in a community because household income is directly connected to affordability. As household income increases, households are more likely to afford market-rate units, larger units, and/or pursue ownership opportunities. As household income decreases, households tend to pay a disproportionate amount of their income for housing. This may influence increased incidences of overcrowding and substandard living conditions.

HCD has identified the following income categories based on AMI for Alameda County:

- Extremely Low-Income: households earning up to 30 percent of the AMI
- Very Low-Income: households earning between 31 and 50 percent of the AMI
- Low-Income: households earning between 51 percent and 80 percent of the AMI
- Moderate-Income: households earning between 81 percent and 120 percent of the AMI
- Above Moderate-Income: households earning over 120 percent of the AMI

Combined, the extremely low-, very low-, and low-income categories are referred to as lower income.[2] Comprehensive Housing Affordability Strategy (CHAS) estimates based on 2014-2018 ACS data are used below. The CHAS, developed by the Census Bureau for the U.S. Department of Housing and Urban Development (HUD), provides detailed information on housing needs by income level for different types of households in Dublin. The most recent available CHAS data for Dublin was published in September 2021. Housing problems considered by CHAS included:

- Units with physical defects (lacking complete kitchen or bathroom);
- Overcrowded conditions (housing units with more than one person per room);
- Housing cost burdens, including utilities, exceeding 30 percent of gross income; or
- Severe housing cost burdens, including utilities, exceeding 50 percent of gross income.

Table B-13 shows a majority of Dublin households have an above moderate-income (77.64 percent). Approximately 15.51 percent of Dublin households are estimated to have a lower income – with 5.07 percent earning an extremely low income.

Table B-13: Households by Income Category

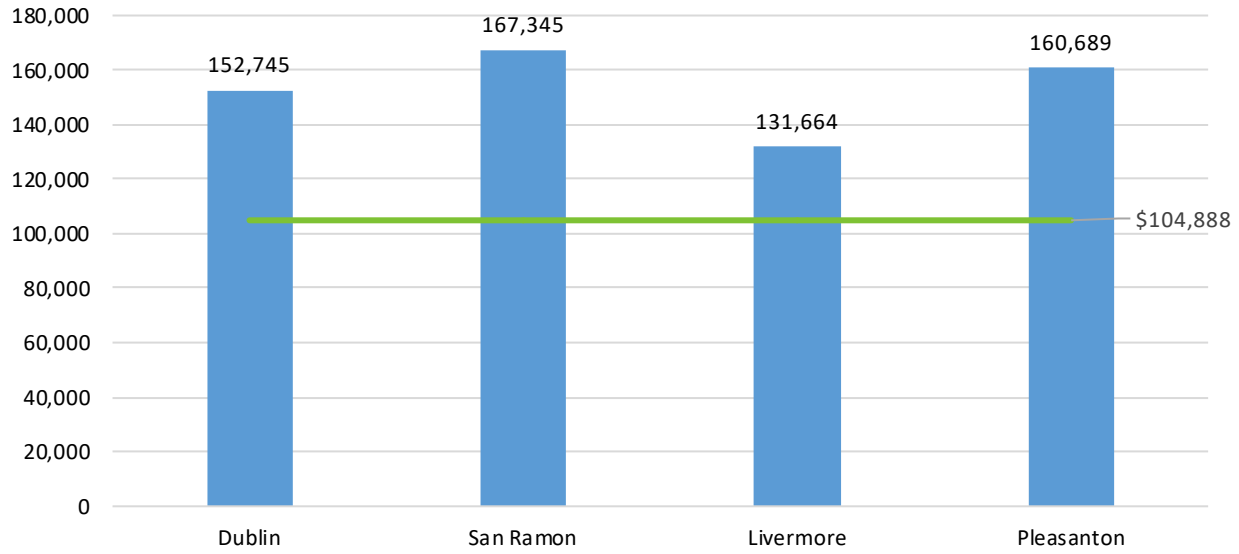
Income Category (% of County AMI)	Households	Percent
Extremely Low (30% AMI or less)	995	5.07%
Very Low (31 to 50% AMI)	960	4.89%
Low (51 to 80% AMI)	1,090	5.55%
Moderate or Above (over 80% to 100% AMI)	1,345	6.85%
Above (over 100% AMI)	15,245	77.64%
Total	**19,635**	**100%**

Source: HUD Comprehensive Housing Affordability Strategy (CHAS), 2014-2018.

According to the 2020 ACS data, the City has a median household income of $152,745, which is $47,857 higher than Alameda County. **Figure B-4** compares Dublin's household income to that of nearby jurisdictions; the City has the third highest household income for the area behind San Ramon and Pleasanton. Larger household income allows for more flexibility and opportunity of housing choice. Households with lower median incomes are more susceptible to housing cost burdens and may have fewer choices. Additionally, lower-income households may not be able to afford adequate housing. Low-income households may have a challenging time finding housing that can fit the needs of a larger household because larger housing tends to be owned, rather than rented, and is more expensive than smaller rental units. As a result, cost burden, displacement, and overcrowding may occur.

[2] Federal housing and community development programs typically assist households with incomes up to 80 percent of the AMI and use different terminology. For example, the Federal Community Development Block Grant (CDBG) program refers households with incomes between 51 and 80 percent AMI as moderate-income (compared to low-income based on State definition).

Figure B-4: Median Household Income by City



Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

Table B-14 outlines the median income of nearby jurisdictions and compares the percentage difference with the Alameda County median income. As shown, Dublin's median household income is 45.6 percent above that of Alameda County. This implies a better ability to facilitate housing units at a wide range of pricing and values.

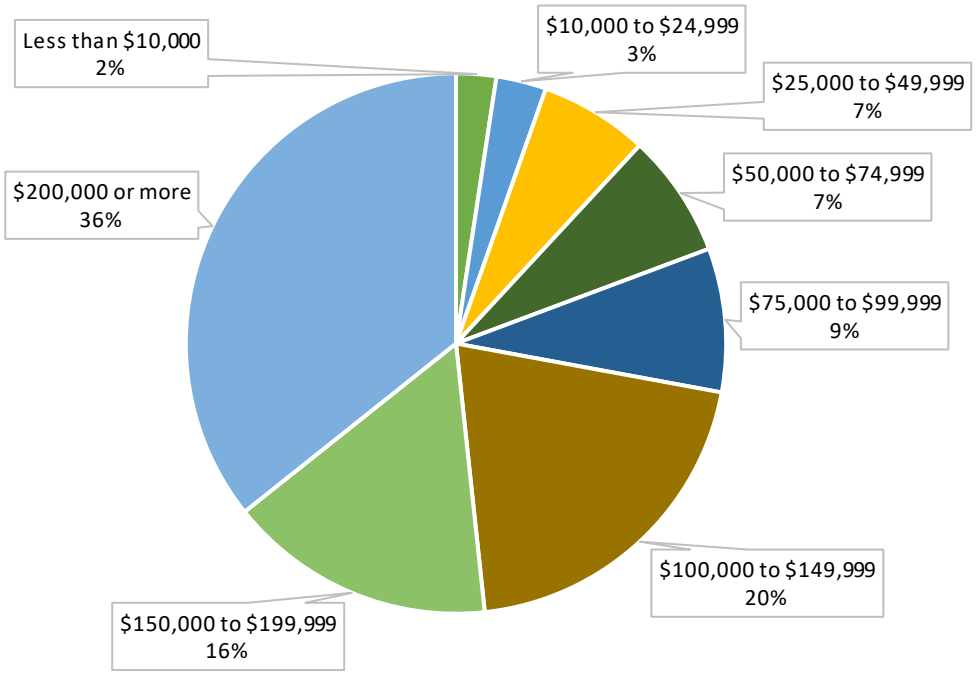
Table B-14: Median Household Income

Jurisdiction	Median Income	Percent Above/Below Alameda County Median
Dublin	**$152,745**	**45.6%**
San Ramon	$167,345	59.5%
Livermore	$131,664	25.5%
Pleasanton	$160,689	53.2%
Alameda County	$104,888	--

Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

Figure B-5 below illustrates Dublin's income, broken down by income level. Households earning less than $122,196 are considered lower income. Forty-eight percent of Dublin households earn an income below $150,000, with 12 percent earning less than $50,000 and two percent earning less than $10,000. Approximately 36 percent of Dublin households earn $200,000 or more annually.

Figure B-5: Dublin Household Income Breakdown by Category



Source: American Community Survey, Table S1901, 5-Year Estimates, 2020.

D. Housing Challenges

Some households in Dublin face housing-related challenges. The types of housing challenges in Dublin vary according to household income, type, and tenure, as shown in **Table B-15**. The four housing challenges identified by HCD include incomplete kitchen facilities, incomplete plumbing facilities, overcrowding (more than one person living per room), and a cost burden greater than 30 percent. Severe housing challenges also include incomplete kitchen and plumbing facilities and have severe overcrowding (more than 1.5 persons living per bedroom) and a cost burden greater than 50 percent.

In general, there are more owner-occupied households (67.4 percent) than renter households (32.6 percent) in Dublin. Approximately 17.4 percent of owner-occupied households experience at least one housing problem. For renters, 15.2 percent of households experience at least one housing problem. An estimated 14.3 percent of Dublin households experience at least one severe housing challenges. More renters (7.7 percent) than owners (6.6 percent) experience a severe housing challenge. These findings may reflect the level of control over maintenance and repairs. Renters typically rely on property owners and management companies to provide repair services and maintenance, which can result in higher levels of housing problems.

In addition, as part of **Section F.4** of this Appendix, the City estimates 21.7 percent of the housing stock was built prior to 1980 and may be in need of some rehabilitation needs. **Section 3 Summary of Quantified Objectives in Chapter 2** outlines the City aims to provide rehabilitation assistance to 32 households over the 6th planning period. **Program A.1** establishes funds and methods to support Dublin households in receiving assistance.

Table B-15: Housing Assistance Needs of Lower-Income Households						
Housing Challenge	**Owner**	**% of total HH**	**Renter**	**% of total HH**	**Total**	**% of total HH**
Housing Challenge Overview*						
Household has at least one of four Housing Challenge	3,420	17.4%	2,985	15.2%	6,405	32.6%
Household has no Housing Challenges or cost burden not available, no other challenges	9,500	48.4%	3,730	19.0%	13,230	67.4%
Total	**12,920**	**65.8%**	**6,715**	**34.2%**	**19,635**	**100.0%**
Severe Housing Challenge Overview**						
Household has at least one of four Severe Housing Challenges	1,290	6.6%	1,515	7.7%	2,805	14.3%
Household has no Severe Housing Challenges or cost burden not available, no other challenges	11,630	59.2%	5,200	26.5%	16,830	85.7%
Total	**12,920**	**65.8%**	**6,715**	**34.2%**	**19,635**	**100.0%**

Note: "% of total HH" equals Percent of total households in the City of Dublin

* The four housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than one person living per room, and cost burden greater than 30 percent.

** The four severe housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50 percent.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

1. Overcrowding

"Overcrowding" is generally defined as a housing unit occupied by more than one person per room in a unit (including bedrooms, living room, and dining room, but excluding hallways, the kitchen, and bathrooms). An overcrowded household results from either a lack of affordable housing (which forces more than one household to live together) and/or a lack of available housing units of adequate size, especially for large families.

Overcrowded (more than one person per room) and severely overcrowded (more than 1.5 persons per room) households can lead to neighborhood deterioration due to the intensive use of individual housing units leading to excessive wear and tear, and the potential cumulative overburdening of community infrastructure and service capacity. Furthermore, overcrowding in neighborhoods can lead to an overall decline in social cohesion and environmental quality. Such decline can often spread geographically and impact the quality of life and the economic value of property. The combination of lower incomes and high housing costs results in many households living in overcrowded housing conditions.

Table B-16 below illustrates overcrowding tendencies in Dublin and shows that overcrowding disproportionately affects renters. About two percent of renter-occupied units experience overcrowding, while 0.8 percent of owner-occupied units experience overcrowding. Additionally, 0.9 percent of renter-occupied units experience severe overcrowding, while 0.03 percent of owner-occupied units experience severe overcrowding. Overall, 3.8 percent, or 805 units experience some form of overcrowding in Dublin.

The existence of overcrowded units can be mitigated by increased opportunities for housing of all types and appropriate sizes for different households.

Table B-16: Overcrowding by Tenure in Dublin

Tenure	Overcrowded Units (1.0 to 1.50 persons/room)		Severely Overcrowded Units (>1.51 persons/room)		Total Overcrowded Occupied Units	
	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units	Count	Percent of Total Occupied Units
Owner Occupied	163	0.8%	6	0.03%	169	0.8%
Renter Occupied	448	2.1%	188	0.9%	636	3.0%
Total	**611**	**2.9%**	**194**	**0.93%**	**805**	**3.8%**

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

As seen in **Table B-17**, owner-occupied housing units make up 21 percent of overcrowded units in the City. In comparison, renter-occupied units account for a much larger 79 percent of overcrowded units. In comparison to nearby jurisdictions, Dublin experiences the second highest percentage of renter-occupied overcrowded units. Home ownership generally allows for higher-income households to participate while renting is sought more often by those who have insufficient income for home buying.

Table B-17: Overcrowded Housing Units by Tenure

Jurisdiction	Owner-Occupied Overcrowded Units		Renter-Occupied Overcrowded Units	
	Count	% of Overcrowded Units	Count	% of Overcrowded Units
Dublin	**169**	**21.0%**	**636**	**79.0%**
San Ramon	260	29.6%	617	70.4%
Livermore	318	30.2%	736	69.8%
Pleasanton	147	15.9%	779	84.1%
Alameda County	11,403	25.2%	33,833	74.8%

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

Table B-18 below compares the data for total overcrowded housing units in Dublin with nearby jurisdictions. According to the data, the City experiences the highest rate of overcrowding (3.9 percent) compared to nearby jurisdictions, except for the County, which has a total of 7.9 percent of housing units considered overcrowded.

Table B-18: Overcrowded Housing Units

Jurisdiction	Total Overcrowded Units	Percent
Dublin	**805**	**3.9%**
San Ramon	877	3.2%
Livermore	1,054	3.3%
Pleasanton	926	3.3%
Alameda County	45,236	7.9%

Source: American Community Survey, Table B25014, 5-Year Estimates, 2020.

2. Overpayment (Cost Burden)

Overpayment is an important factor in understanding housing needs and affordability. State and federal standards indicate that a household paying more than 30 percent of its income for housing is overpaying and considered cost burdened. A household paying more than 50 percent of its income for housing is considered severely cost burdened. Overpayment for housing can cause an imbalance on the remainder of a household's budget. Understanding and measuring overpayment for housing is also an indicator of supply and demand.

Table B-19 below summarizes Dublin's cost burdened households. Renters disproportionately experience cost burdens compared to homeowners. In Dublin, 39 percent of renters are cost burdened, and 15 percent are severely cost burdened. In comparison, 25.3 percent of homeowners are cost burdened, and 8.7 percent are severely cost burdened. The data shows that as income increases, renters are less likely to experience a severe cost burden but still may experience a cost burden. For homeowners, a cost burden is more common for lower-income households, except for those earning over 100 percent of the HUD area median family income (HAMFI).

Table B-19: Summary of Housing Overpayment

Income by Cost Burden*	Owner				Renter			
	Cost Burden > 30%	% of Owner HH	Cost Burden > 50%	% of Owner HH	Cost Burden > 30%	% of Renter HH	Cost Burden > 50%	% of Renter HH
Household Income is ≤ 30%	405	3.1%	325	2.5%	430	6.4%	335	5.0%
Household Income is 31% to 50% HAMFI	415	3.2%	335	2.6%	360	5.4%	255	3.8%
Household Income is 51% to 80% HAMFI	235	1.8%	150	1.2%	465	6.9%	250	3.7%
Household Income is 81% to 100% HAMFI	350	2.7%	120	0.9%	515	7.7%	95	1.4%
Household Income is >100% HAMFI	1,865	14.4%	195	1.5%	850	12.7%	70	1.0%
Total	**3,270**	**25.3%**	**1,125**	**8.7%**	**2,620**	**39.0%**	**1,005**	**15.0%**

Note: HAMFI equals HUD area median family income, this is the median-family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.

* Cost burden is the ratio of housing costs to household income. For renters, housing cost is gross rent (contract rent plus utilities). For owners, housing cost is "select monthly owner costs", which includes mortgage payment, utilities, association fees, insurance, and real estate taxes.

Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

E. Special Needs Groups

State law recognizes that certain households may have more difficulty finding adequate and affordable housing due to special circumstances. Special needs groups include seniors, persons with disabilities, single-parent households, large households, and farmworkers. Special circumstances may be related to employment and income, family characteristics, disability, household characteristics, or other factors. Consequently, certain residents in Dublin may experience higher incidences of housing overpayment (cost burden), overcrowding, or other housing problems. The special needs groups analyzed in this section include seniors, persons with disabilities (including developmental disabilities), persons experiencing homelessness, single parents, large households, farmworkers, and students. These categories may also overlap with one another; for example, seniors may also have disabilities. These special needs groups could be assisted by increasing the available affordable housing and adopting programs that offer financial assistance or community resources. **Appendix A: Review of Past Performance** provides a summary of resources that were provided for each special needs group throughout the 5th Planning Cycle.

1. Seniors

The senior population, generally defined as those 65 years or older, may have several concerns: limited and fixed incomes, high health care costs, higher incidence of mobility and self-care limitations, and transit dependency. Specific housing needs of the senior population include affordable housing, supportive housing (such as intermediate care facilities), and other housing that includes planned service components. As shown in **Table B-20**, the City has the lowest percentage of persons aged 65 and over, compared to nearby jurisdictions.

Table B-20: Persons Aged 65 and Over

Jurisdiction	Population Count	Percent
Dublin	**5,891**	**9.2%**
San Ramon	9,115	11.2%
Livermore	12,083	13.2%
Pleasanton	12,085	15.1%
Alameda County	231,186	13.9%

Source: American Community Survey, Table S0101, 5-Year Estimates, 2020.

Federal housing data defines the household type as 'elderly family' if it consists of two persons with one or both residents aged 62 or over. **Table B-21** summarizes the income and tenure of elderly family households in Dublin. Of Dublin elderly households, 15.9 percent earn less than 30 percent of the HAMFI, and 30.1 percent earn less than 50 percent of the HAMFI.

Table B-21: Elderly Households by Income and Tenure				
Income Category	**Owner**	**Renter**	**Total**	**Percent of Total Elderly Households**
Extremely Low (≤30% HAMFI)	245	235	480	**15.9%**
Very Low (31% to 50% HAMFI)	310	119	429	**14.2%**
Low (51% to 80% HAMFI)	315	64	379	**12.6%**
Moderate (81% to 100% HAMFI)	235	30	265	**8.8%**
Above Moderate (>100% HAMFI)	1,220	240	1,460	**48.5%**
Total	**2,325**	**688**	**3,013**	**100%**
Source: HUD CHAS, 2013-2017, (Reported by the ABAG MTC Housing Needs Data 2022).				

In addition to overpayment problems faced by seniors due to their relatively fixed incomes, many seniors are also faced with disabilities. In 2020, ACS reported 3,207 seniors with disabilities (or 9.9 percent of the total population). Amongst these disabilities, the most common were ambulatory difficulties (having serious difficulty walking or climbing stairs) at 14.8 percent and independent living difficulties at 13.1 percent.

2. Persons with Physical and Developmental Disabilities

Physical and developmental disabilities can hinder access to traditionally designed housing units as well as potentially limit the ability to earn adequate income. Physical, mental, and/or developmental disabilities may deprive a person from earning income, restrict mobility, or make self-care difficult. Thus, persons with disabilities often have special housing needs related to limited earning capacity, a lack of accessible and affordable housing, and higher health costs. Some residents suffer from disabilities that require living in a supportive or institutional setting.

Although no current comparisons of disability with income, household size, or race/ethnicity are available, it is reasonable to assume that a substantial portion of persons with disabilities would have annual incomes within Federal and State income limits, especially those households not in the labor force. Furthermore, many lower-income persons with disabilities are likely to require housing assistance and services. Housing needs for disabled persons are further compounded by design issues and location factors. For example, special needs of households with wheelchair-bound or semi-ambulatory individuals may require ramps, holding bars, special bathroom designs, wider doorways, lower cabinets and counters, elevators, and other interior and exterior design features.

Housing opportunities for persons with disabilities can be addressed through the provision of affordable, barrier-free housing. Rehabilitation assistance can be targeted toward renters and homeowners with disabilities for unit modification to improve accessibility.

The ACS identifies six disability types: hearing, vision, cognitive, ambulatory, self-care, and independent living. The U.S. Census and ACS provide clarifying questions to determine persons with disabilities and

differentiate disabilities within the population. The ACS defines a disability as a report of one of the six disabilities identified by the following questions:

- Hearing Disability: Is this person deaf or do they have serious difficulty hearing?
- Visual Disability: Is this person blind or do they have serious difficulty seeing even when wearing glasses?
- Cognitive Difficulty: Because of a physical, mental, or emotional condition, does this person have serious difficulty concentrating, remembering, or making decisions?
- Ambulatory Difficulty: Does this person have serious difficulty walking or climbing stairs?
- Independent Living Difficulty: Because of a physical, mental, or emotional condition, does this person have difficulty doing errands alone such as visiting a doctor's office or shopping?

According to the 2020 ACS, about 11.1 percent of the Dublin population has a disability (**Table B-22**). Of this percentage, almost 21 percent have ambulatory difficulties and 21.3 percent have challenges living independently. For those ages 18 to 64, independent living and cognitive disabilities are the most common. It should also be noted that these numbers may be counted multiple times as an individual may fall into multiple disability categories.

Table B-22: Disability Status

Disability Type	Under 18 with a Disability	18 to 64 with a Disability	65 years and Over with a Disability	Total	Percent of Population with Disability	Percent of Total Population
Population with a Hearing Difficulty	22	208	581	**811**	11.7%	1.3%
Population with a Vision Difficulty	92	582	328	**1,002**	14.5%	1.6%
Population with a Cognitive Difficulty	425	708	222	**1,355**	19.6%	2.2%
Population with an Ambulatory Difficulty	8	564	872	**1,444**	20.9%	2.3%
Population with a Self-care Difficulty	264	129	431	**824**	11.9%	1.3%
Population with an Independent Living Difficulty	--	698	773	**1,471**	21.3%	2.4%
Total	**811**	**2,889**	**3,207**	**6,907***	**100.0%**	**11.1%**

*This number may be counted multiple times as some persons report having one or more disabilities.
Source: American Community Survey, Table S1810, 5-Year Estimates, 2020.

State law requires that the Housing Element discuss the housing needs of persons with developmental disabilities. As defined by federal law, "developmental disability" means a severe, chronic disability of an individual that:

- Is attributable to a mental or physical impairment or combination of mental and physical impairments
- Is manifested before the individual attains age 22
- Is likely to continue indefinitely
- Results in substantial functional limitations in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency
- Reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic services; individualized supports; or other forms of assistance that are of lifelong or extended duration and are individually planned and coordinated

According to the Regional Center of the East Bay *Purchase of Services Expenditure and Demographic Data Report for 2020-2021*, a total of 24,481 individuals from the East Bay diagnosed with developmental disabilities received services. Of those individuals, the majority have been diagnosed with Autism (40.3 percent). The rest were diagnosed with an intellectual disability (31.6 percent); Cerebral Palsy (4.2 percent); Epilepsy (1.3 percent); conditions closely related to intellectual disability (5.9 percent); and 16.7 percent reported some other disability. Of those who received services, 25.6 percent were White, 23.9 were Hispanic or Latino, 18.9 percent were Asian, 15.7 percent reported Other, 15.4 percent were Black, and the remaining half a percent were other races. A number of those who received services were between the age of three and 21 years old (44.6 percent), 39.8 percent were over the age of 22, and 15.6 percent were two years old or younger. A total of 80.2 percent of individuals who received services live at home with their parent(s) or guardian(s), followed by 8.4 percent of individuals living at a Community Care Facility.

The California Department of Developmental Services (CDDS) provides estimates of persons with developmental disabilities in Dublin, as shown in **Table B-23** below. As of December 2020, CDDS identified 259 juvenile persons and 194 adults as having a developmental disability in the ZIP code 94568.

Table B-23: Developmental Disability Status for ZIP Code 94568 (2020)

Disability Type	Number of Residents
BY RESIDENT	
Home of Parent/Guardian	354
Independent/Supported Living	35
Community Care Facility	38
Intermediate Care Facility	21
Foster/Family Home	11
Other	11
BY AGE	
0-17 Years Old	259
18* Years Old	194

Source: CA DDS data by ZIP Code, December 2020.

Many people with developmental disabilities can live and work independently within a conventional housing environment. Individuals with more severe developmental disabilities may require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for persons with developmental disabilities is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

There are resources that may be beneficial for people living with a development disability, including rent subsidized homes, licensed and unlicensed single-family residences, inclusionary housing, Section 8 vouchers, special programs for home purchase, HUD housing, and SB 962 (veterans) homes. The design of housing-accessibility modifications, the proximity to services and transit, and the availability of group living opportunities represent some of the types of considerations that are important in serving the needs of this group. Incorporating 'barrier-free' design in new multifamily residences (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for residents with disabilities. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income.

3. Large Households

Large households are defined as those consisting of five or more members. These households comprise a special needs group because many communities have a limited supply of adequately sized, affordable housing units. To save for other necessities such as food, clothing, and medical care, it is common for lower-income large households to reside in smaller units with an inadequate number of bedrooms, which frequently results in overcrowding and can contribute to fast rates of deterioration.

Securing housing large enough to accommodate all members of a household is more challenging for renters, because multifamily rental units are typically physically smaller than single-family ownership units. While apartment complexes offering two and three bedrooms are common, apartments with four or more bedrooms are rare. It is more likely that large households will experience overcrowding in comparison to smaller households. Additionally, throughout the region, single-family residences with higher bedroom counts, whether rental or ownership units, are rarely affordable to lower-income households.

Table B-24 below provides a breakdown of large households by tenure in Dublin. The data identifies the household size of homeowners and renters living in large households. About 10.2 percent of all households in Dublin are large households. There are more owner-occupied units with five or more occupants, six or more occupants, or seven or more occupants than renter-occupied households.

Table B-24: Large Households (by Tenure)						
Household Size	Owner		Renter		Total	
	Count	Percent of Owner HH	Count	Percent of Renter HH	Count	Percent of Total HH
5-Person Household	690	5.2%	456	6.0%	1,146	5.5%
6-Person Household	421	3.2%	192	2.5%	613	2.9%
7-or-More Person Households	121	0.9%	14	0.2%	135	0.6%
Total	**1,232**	**9.3%**	**662**	**8.7%**	**1,894**	**9.0%**

HH = Households
Source: American Community Survey, Table B25009, 5-Year Estimates, 2020.

4. Single-Parent Households

Single-parent households often require special consideration and assistance due to their greater need for affordable and accessible day care, health care, and other supportive services. Many female-headed households are susceptible to having lower incomes than similar two-parent households. Single mothers often face social pressures that limit their occupational choices and income earning potential, housing options, and access to supportive services.

The City has 1,775 single-parent households, as shown in **Table B-25**. Out of the total Dublin households, 7.0 percent are single-parent females and 3.8 percent are single-parent males. The percentages of single-parent households in Dublin are similar to the percentages for Alameda County. In Dublin, about 1.4 percent of single-parent households were estimated to be living in poverty in 2020.

Table B-25: Single Parent Households								
Jurisdiction	Single-Parent Male, No Spouse Present		Single Parent-Female, No Spouse Present		Single-Parent HH Living in Poverty		Single Parent HH	Percent of Total HH
	Count	Percent[1]	Count	Percent[1]	Count	Percent[1]		
Dublin	621	3.8%	1,154	7.0%	284	1.7%	1,775	10.8%
Alameda County	12,852	3.4%	35,198	9.2%	9,464	2.5%	48,050	12.6%

Note: HH = Households
1. Percent of Total Households
Source: American Community Survey, Table B17010, 5-Year Estimates, 2020.

Table B-25b shows the breakdown of female-headed households in the City. Out of the total Dublin households, 10.2 percent are single female households with no spouse present. Of these households, 15.5 percent are single female households living in poverty, which is 1.6 percent of total households in Dublin. The percentage of total female headed households in Dublin is lower than the percentage for Alameda County. However, the percentages of single female households and single parent female households living in poverty are similar to the percentages for Alameda County. In Dublin, about 1.4 percent of total households were estimated to be single parent female households living in poverty in 2020.

Table B-25b: Female Headed Households									
Jurisdiction	Single Female HH, No Spouse Present		Single Female HH Living in Poverty		Single Parent Female, No Spouse Present		Single Parent Female HH Living in Poverty		Percent of Total HH
	Count	Percent[1]	Count	Percent[1]	Count	Percent[1]	Count	Percent[1]	
Dublin	1,680	10.2%	261	1.6%	1,154	7.0%	237	1.4%	10.2%
Alameda County	64,454	16.9%	10,068	2.6%	35,198	9.2%	8,176	2.1%	16.9%

Note: HH = Households
1. Percent of Total Households
Source: American Community Survey, Table B17012, 5-Year Estimates, 2020.

5. Farmworkers

Farmworkers are traditionally defined by HCD as people whose primary incomes are earned through permanent or seasonal agricultural labor. Generally, permanent farmworkers (working 150 days or more) work in the fields, processing plants, or support activities on a year-round basis. When workload increases during harvest periods, the labor force is supplemented by seasonal farmworkers, often supplied by a labor contractor. For some crops, farms may hire migrant farmworkers, defined as those whose travel distance prevents them from returning to their primary residence daily. Farmworkers have special housing needs because they earn lower incomes than many other workers and move throughout the year from one harvest location to the next.

The U.S. Department of Agriculture, National Agriculture Statistics provides data on hired farmworkers across the United States at both a state and county level. Within the County of Alameda, there were a total of 593 hired farmworkers in 2017. A total of 305 are considered permanent and 288 were considered seasonal (working less than 150 days annually). Additionally, the County of Alameda reported 34 total migrant farmworkers.

According to ACS, there were 95 people (0.3 percent) employed in agriculture, forestry, fishing, hunting, and mining in Dublin in 2019. According to the California Employment Development Department, Dublin residents employed in the Farming, Fishing and Forestry occupation earn one of the lowest salaries in comparison to other occupations, with an estimated median income of $35,142. This is considered an extremely low-income for Dublin as it represents 28 percent of the median income for the City.

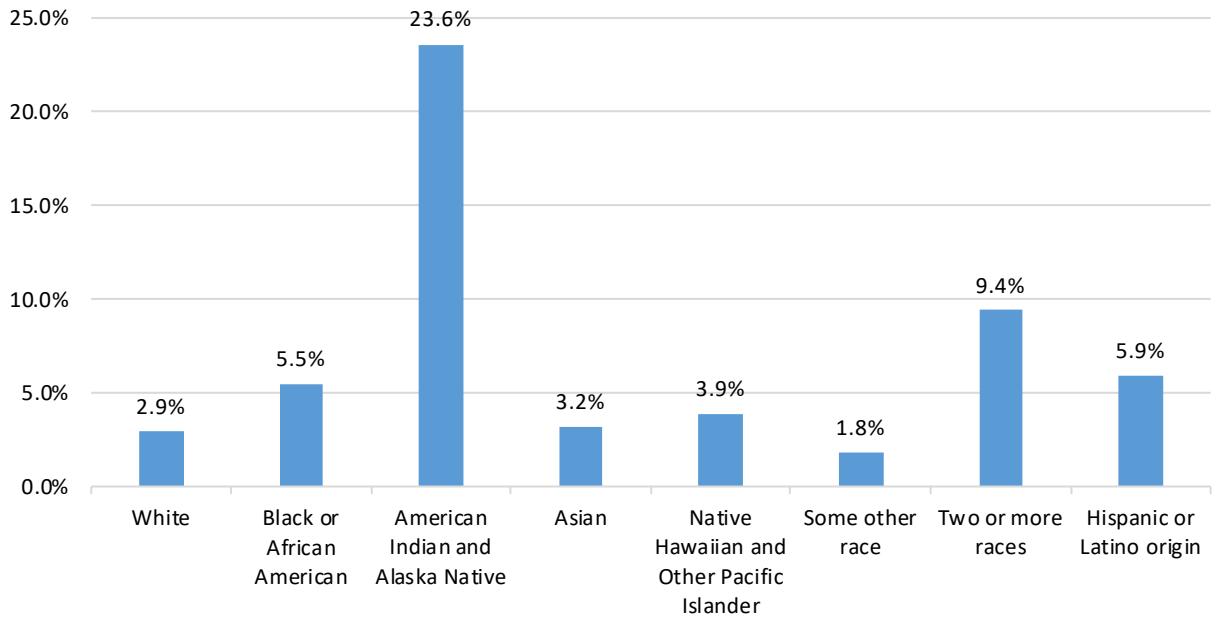
6. Extremely Low-Income Household and Poverty Status

CHAS data indicates there are approximately 1,090 low-income households and 960 very low-income households in Dublin. Very low-income households are those households that earn 50 percent or less than the HAMFI for Alameda County. Extremely low-income households are those households that earn less than 30 percent of the HAMFI. Extremely low-income households are generally more likely to experience overpayment, overcrowding, or substandard housing conditions, and are more likely to include transition and supportive housing.

According to CHAS, there are approximately 1,295 extremely low-income households in Dublin (renters and owners). **Table B-26** includes data characterizing affordability and cost burden for various income groups. More renters than homeowners are subject to at least one housing challenge in Dublin. The extremely low-income household need is generally estimated as 50 percent of the very low-income RHNA. The City's very low-income RHNA is 1,295 units; therefore, the projected housing need for extremely low-income households is 647 units.

According to 2020 ACS data, four percent of the Dublin population lives in poverty. **Figure B-6** illustrates the percentage of people within each racial and ethnic group living below the poverty level. The values shown in **Figure B-6** when compared with **Figure B-2** show a disproportional ratio of certain racial groups experiencing higher rates of poverty. Persons identifying as American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Some Other Race represent one percent of the population when combined; however, they represent 23.6 percent of Dublin residents living in poverty.

Figure B-6: Percent below Poverty Level, by Race and Hispanic or Latino Origin



Source: American Community Survey, Table S1701, 5-Year Estimates, 2020.

Table B-26: Housing Challenges for All Households (by Income Category)				
Income Category	Owner			
	Household has at least one of four Housing Challenges	% of Owner HH	Household has no Housing Challenges OR cost burden not available	% of Owner HH
Extremely Low (≤30%)	415	3.2%	70	0.5%
Very Low (31% to 50% HAMFI)	420	3.3%	135	1.0%
Low (51% to 80% HAMFI)	235	1.8%	290	2.2%
Moderate (81% to 100% HAMFI)	360	2.8%	290	2.2%
Above Moderate (>100% HAMFI)	1,995	15.4%	8,705	67.3%
Total	**3,420**	**26.5%**	**9,500**	**73.5%**
Income Category	Renter			
	Household has at least one of four Housing Challenges	% of Renter HH	Household has no Housing Challenges OR cost burden not available	% of Renter HH
Extremely Low (≤30%)	425	6.3%	85	1.3%
Very Low (31% to 50% HAMFI)	365	5.4%	40	0.6%
Low (51% to 80% HAMFI)	470	7.0%	90	1.3%
Moderate (81% to 100% HAMFI)	525	7.8%	165	2.5%
Above Moderate (>100% HAMFI)	1,200	17.9%	3,345	49.8%
Total	**2,985**	**44.4%**	**3,730**	**55.5%**
Total Households (Owner and Renter)	**6,405**	**32.6%**	**13,230**	**67.4%**

* The four housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room, and cost burden greater than 30 percent.
** The four severe housing challenges are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1.5 persons per room, and cost burden greater than 50 percent.
Note: HAMFI equals HUD Area Median Family Income, this is the median family income calculated by HUD for each jurisdiction, to determine Fair Market Rents (FMRs) and income limits for HUD programs. HAMFI will not necessarily be the same as other calculations of median incomes (such as a simple Census number), due to a series of adjustments that are made.
Source: Source: U.S. Department of Housing and Urban Development (HUD), Comprehensive Housing Affordability Strategy (CHAS) 2014-2018.

7. Persons Experiencing Homelessness

Homelessness has become an increasingly important issue across the State and the region. General factors contributing to the rise in homelessness include increased unemployment and underemployment, a lack of housing affordable to lower- and moderate-income persons (especially extremely low-income persons), reductions in public subsidies to the poor, and the de-institutionalization of the mentally ill.

State law mandates that municipalities address the special needs of homeless persons within their jurisdictional boundaries. "Homelessness" as defined by HUD has been updated to include the following descriptions for homeless:

- People who are living in a place not meant for human habitation, in an emergency shelter, in transitional housing, or exiting an institution where they temporarily resided.
- People who are losing their primary nighttime residence, which may include a motel or hotel or a doubled-up situation, within 14 days and lack resources or support networks to remain in housing.

- Families with children or unaccompanied youth who are unstably housed and likely to continue in that state. This applies to families with children or unaccompanied youth who have not had a lease or ownership interest in a housing unit in the last 60 days or more, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment.
- People who are fleeing or attempting to flee domestic violence, have no other residence, and lack the resources or support networks to obtain other permanent housing.

These definitions do not include persons living in substandard or overcrowded housing units, persons being discharged from mental health facilities (unless the person was homeless when entering and is considered homeless at discharge), or persons who may be at risk of homelessness.

The EveryoneCounts! Point in Time Count is conducted by Alameda County in accordance with HUD guidelines and identifies where homeless individuals are living in the County. HUD requires communities to conduct the Point in Time Count every two years. The 2021 count was postponed to 2022 due to the COVID-19 global pandemic. In February 2022, over 500 volunteers across the County counted 9,747 individuals experiencing homelessness in Alameda County. Of those counted, 2,612 were sheltered and 7,135 were unsheltered. The count results are shown in **Table B-27**.

Table B-27: Homelessness in Dublin and Surrounding Cities (2017-2019)

Jurisdiction	2017	% of County	2019	% of County	2022	% of County	Count Change (2017-2022)
Dublin	**21**	**0.4%**	**8**	**0.1%**	**29**	**0.3%**	**8**
Livermore	243	4.3%	264	3.3%	242	2.5%	1
Pleasanton	18	0.3%	70	0.9%	72	0.7%	52
Alameda County	5,629	100%	8,022	100%	9,747	100%	2,393

Source: EveryoneCounts! Point in Time Count – Alameda County, 2017, 2019, 2022.

In all three survey years included above, Dublin had the lowest rate of homelessness compared to nearby jurisdictions. Of those counted throughout Alameda County, 62 percent identified as male, 37 percent as female, and less than one percent identified as transgender/gender non-conforming/questioning. The majority of persons experiencing homelessness were over 25 years of age (86 percent); eight percent were 18 to 24 years of age, and six percent were under 18. The population of persons experiencing homelessness in Alameda County is racially and ethnically made up of 43 percent Black or African American, 39 percent White, and 25 percent Hispanic or Latino. A total of 33 percent of persons counted also reported having a physical disability, 49 percent experiencing psychiatric or emotional conditions, 30 percent experiencing alcohol and drug use, and 42 percent experiencing post-traumatic stress disorder. Individuals counted reported that homelessness could have been prevented by rent assistance (49 percent), employment assistance (37 percent), mental health services (27 percent), and/or benefits and income (26 percent).

It is important to promote and provide adequate resources to continue combating homelessness. This can be done through the provision of affordable housing and resources, which will allow for stable housing for individuals to then continue advancements in other sectors of their life. The Housing Plan includes

several programs which provide for a variety of housing options for persons experiencing homelessness, such as emergency shelters, transitional and supportive housing, and low-barrier navigation centers.

8. Students

The need for student housing is another significant factor affecting housing demand. Student housing often only produces a temporary housing need based on the educational institution enrollment duration. Typically, lower-income students are affected by a lack of affordable housing, especially within easy commuting distance from campus. Students often seek shared housing situations to decrease expenses. Students living independently have varied needs and may live on fixed incomes.

According to ACS data, Dublin has approximately 3,043 persons enrolled in college or graduate school, which represents approximately 19 percent of the total population. Of the Dublin residents enrolled in higher education, 79.2 percent are enrolled in public institutions and 20.8 percent are enrolled in private institutions. Several large universities are located within a 30-minute drive of Dublin, including the University of California at Berkeley and California State University East Bay.

A report by the California Community College Chancellor's Office studied 70 community colleges and found that 56 percent of students were food insecure, 35 percent were experiencing housing insecurity, and 14 percent were homeless.[3] Students often require affordable rental housing; the City recognizes that housing affordability and availability may provide a burden on students in Dublin.

9. Summary of Special Needs Groups Analysis

The following findings are based on the data presented in this Community Profile:

- Dublin's population is showing aging trends – housing goals should consider the needs of seniors who may have less flexible income, need accessibility accommodations, or may seek assisted living options. **The City has established Housing Program B.2 to address this finding.**
- Approximately 11 percent of Dublin's population have a disability, indicating that production and access to affordable housing and resources including assisted living facilities and housing-accessibility modifications should be considered. **The City has established Housing Programs B.2 and E.5 to address this finding.**
- Dublin's population is showing trends in single-parent households and female-headed households. Housing goals should consider the needs of single parents and female-headed households who may have greater need for affordable housing, accessible resources, and other supportive services. **The City has established Housing Programs B.2 and E.3 to address this finding.**
- Approximately four percent of Dublin's population lives in poverty. Persons identifying as American Indian/Alaska Native, Native Hawaiian/Other Pacific Islander, and Some Other Race represent one percent of the population when combined; however, they represent 23.6 percent

[3] California Community Colleges, Chancellor's Office, Basic Needs Survey report, 2018.

of Dublin residents living in poverty. Housing needs should account for affordability needs and resources to assist in the location of affordable housing within different communities. **The City has established Housing Programs B.2, B.4, B.6, E.1, and E.2 to address this finding.**

- Approximately 19 percent of the total population is enrolled in college or graduate school. Housing needs for students often include affordable rental housing and availability. **The City has established Housing Program D.1 and E.2 to address this finding.**

F. Housing Stock Characteristics

Growth, type, availability and tenure, age and condition, housing costs, and affordability are important characteristics affecting how well the housing stock meets current needs for the community. This section details Dublin's housing stock characteristics.

1. Housing Growth

Table B-28 below displays housing stock growth data for Dublin and nearby jurisdictions. According to ACS data, Dublin added 7,446 additional housing units between 2010 and 2020, a 53.2 percent increase and the highest in the area. Of the nearby communities, Dublin has consistently remained at the top in the number of housing units added between 2010 and 2020.

Table B-28 Housing Unit Growth (Growth Trends)

Jurisdiction	2010	2015	2020	Percent Change 2010 to 2015	Percent Change 2015 to 2020
Dublin	**14,061**	**18,030**	**21,507**	**28.2%**	**19.3%**
San Ramon	24,809	25,950	28,370	4.6%	9.3%
Livermore	29,796	31,378	33,330	5.3%	6.2%
Pleasanton	24,486	26,852	29,069	9.7%	8.3%
Alameda County	577,538	589,858	605,767	2.1%	2.7%

Source: American Community Survey, Table DP04, 5-Year Estimates, 2010, 2015, and 2020.

2. Housing Types

Table B-29 provides a breakdown of number of housing units by type for Dublin and Alameda County. Housing in Dublin is predominantly detached single-family residences (55.3 percent). About 29.4 percent of Dublin housing units are multi-family residences. A wider range of housing types is important in providing for the diverse housing needs of the Dublin population.

Table B-29: Total Housing Units by Type

Jurisdiction	Single- Family Detached		Single-Family Attached		Multi-Family		Mobile Homes, Boats, and other Types of Housing	
	Count	Percent	Count	Percent	Count	Percent	Count	Percent
Dublin	11,309	54.2%	3,325	15.9%	6,225	29.8%	24	0.1%
Alameda County	304,285	53.1%	50,561	8.8%	211,039	36.9%	7,289	1.3%

Source: American Community Survey, Table S2504, 5-Year Estimates, 2020.

3. Housing Availability and Tenure

Housing tenure and vacancy rates generally influence the supply and cost of housing. Housing tenure defines if a unit is owner occupied or renter occupied. The tenure characteristics in a community can indicate several aspects of the housing market, such as affordability, household stability, and availability of unit types, among others. In many communities, tenure distribution generally correlates with household income, composition, and age of the resident.

Homeowners tend to gravitate towards single-family, detached residences as they are typically better suited for larger households and more affordable to home buyers rather than renters. **Table B-30** shows that in Dublin 70 percent of renters live in multi-family residences as opposed to 18.8 percent who live in single-family, detached residences. For homeowners, about 74 percent live in single-family, detached residences.

Table B-30: Occupied Housing Units by Type and Tenure

Tenure	Single-Family Detached	Single-Family Attached	Multi-Family	Mobile Homes, Boats, and other Types of Housing	Total Number of Occupied Units	Total Percent of Occupied Units
Owner Occupied	74.3%	18.6%	6.9%	0.1%	13,295	**63.7%**
Renter Occupied	18.8%	11.1%	70.0%	0.1%	7,588	**36.3%**

Source: American Community Survey Table B25032, 5-Year Estimates, 2020.

While multi-family residences are typically more affordable to renters, the average household size in Dublin is one of the largest in the area. **Table B-31** shows that owner-occupied households in Dublin exceed the average household size in the County, and renter-occupied household sizes are consistent with the County average. Dublin has about 3.15 persons per owner-occupied household and 2.71 per renter-occupied household.

Table B-31: Average Household Size by Tenure

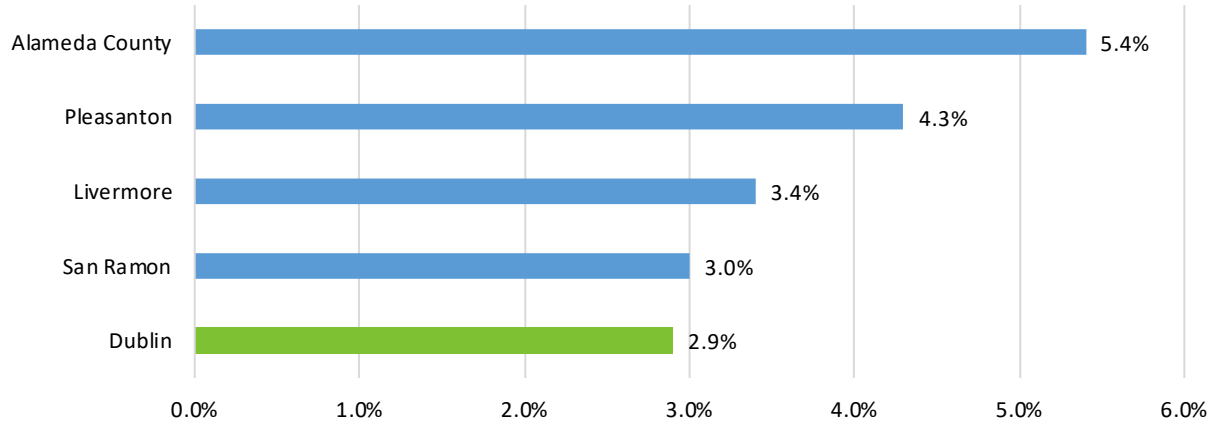
Jurisdiction	Owner-Occupied Households[1]	Average Owner Household Size	Renter-Occupied Households[1]	Average Renter Household Size
Dublin	63.7%	3.15	36.3%	2.71
San Ramon	71.8%	3.15	28.2%	2.44
Livermore	72.6%	2.87	27.4%	2.75
Pleasanton	67.9%	3.02	32.1%	2.53
Alameda County	53.6%	2.91	46.4%	2.63

1. Percent of total households
Source: American Community Survey, Table CP04, 5-Year Estimates, 2020.

Vacancy rates are also an important housing indicator as they indicate the degree of housing choices available. High vacancy rates usually indicate low demand and/or high supply conditions in the housing market. High vacancy rates can be difficult for owners trying to sell or rent. Low vacancy rates usually indicate high demand and/or low supply conditions in the housing market. Low vacancy rates can inflate prices making it more difficult for lower- and moderate-income households to find housing. Vacancy rates

between two to three percent are usually considered healthy for single-family or ownership housing, and vacancy rates of five to six percent are usually considered healthy for multi-family or rental housing. Vacancy rates must be viewed in the context of all local and regional market characteristics. Dublin has the lowest vacancy rate (including for-sale and rental units) compared to the nearby jurisdictions, as illustrated in **Figure B-7**.

Figure B-7: For-Sale and Rental Unit Vacancy Rates by Jurisdiction



Source: American Community Survey, CP04, 5-Year Estimates, 2020.

Table B-32 below displays ACS data for vacancy rates in Dublin. The largest housing type that is vacant is for housing units for rent (50.6 percent), followed by those that remain vacant for unknown reasons (24.2 percent). Seasonal, recreational, or occasional use units may include secondary vacation homes or short-term rental homes; these homes often do not contribute to the housing needs of a community as they are not considered valuable for long-term rental or occupancy purposes.

Table B-32: Vacant Housing Units by Type in Dublin

Type of Housing	Estimate	Percent of Vacant
For rent	316	50.6%
Rented, not occupied	17	2.7%
For sale only	70	11.2%
Sold, not occupied	26	4.2%
For seasonal, recreational, or occasional use	44	7.1%
Other vacant	151	24.2%
Total	**624**	**100%**

Source: American Community Survey, Table B25004, 5-Year Estimates, 2020.

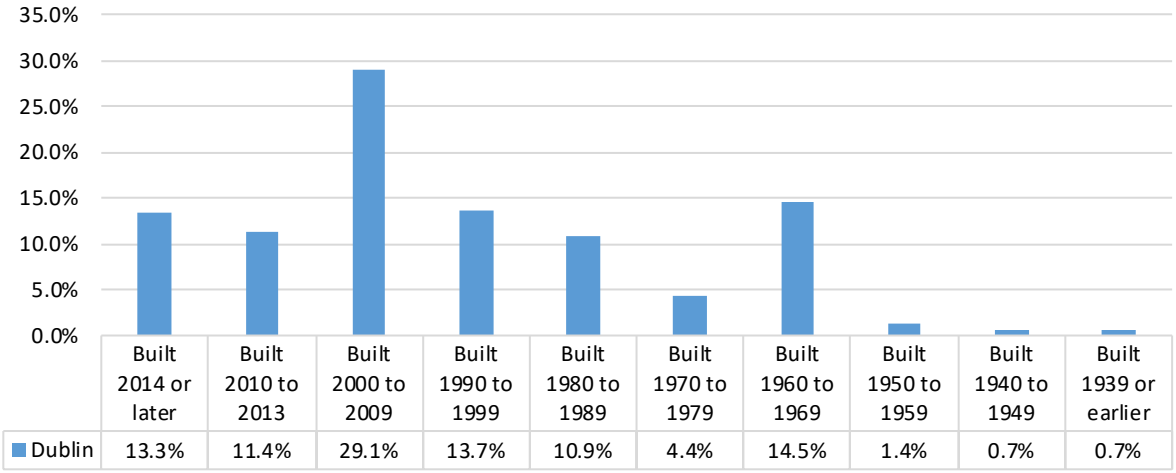
4. Housing Age and Conditions

Housing age can be an important indicator of housing conditions within a community. Housing that is over 30 years old is typically in need of major rehabilitation, such as a new roof, foundation, or plumbing. **Figure B-8** illustrates the housing stock age in Dublin. The majority of the housing stock was built after the City incorporated in 1982 with the greatest housing boom between 2000 and 2009 when 29.1 percent of

existing units were built. Approximately 21.7 percent of the housing stock was built prior to 1980 and may be in need of some form of rehabilitation.

The City's Code Enforcement Staff estimates a total of 36 housing units are in need of rehabilitation assistance. As such, the City established a goal of assisting 36 households in accessing rehabilitation support services and resources throughout the planning period. **Program A.1** establishes funds and methods to support Dublin households in receiving assistance.

Figure B-8: Housing Stock Age

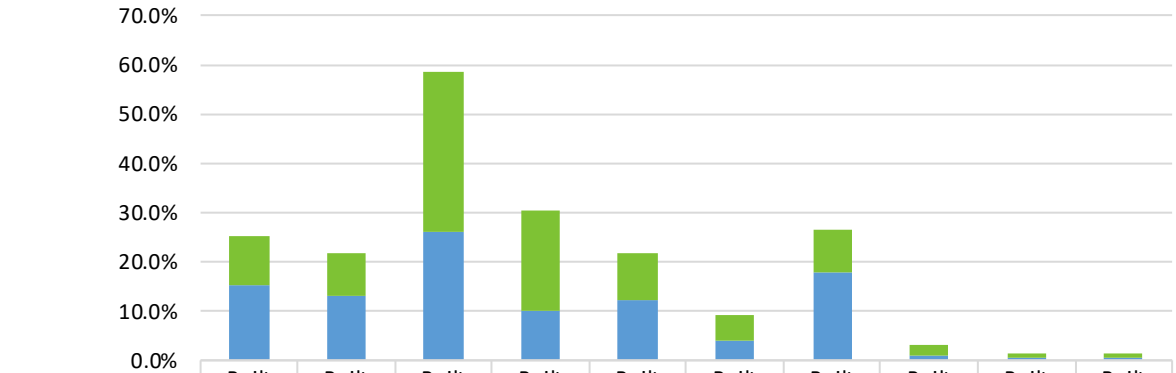


	Built 2014 or later	Built 2010 to 2013	Built 2000 to 2009	Built 1990 to 1999	Built 1980 to 1989	Built 1970 to 1979	Built 1960 to 1969	Built 1950 to 1959	Built 1940 to 1949	Built 1939 or earlier
Dublin	13.3%	11.4%	29.1%	13.7%	10.9%	4.4%	14.5%	1.4%	0.7%	0.7%

Source: American Community Survey, Table B25034, 5-Year Estimates, 2020.

Figure B-9 below displays housing units by the year they were built and sorted by whether they are currently occupied by homeowners or renters. Based on the data below, renters and owners tend to live in units built after 2000. However, owners are more likely than renters to live in units built prior to 2000. Approximately forty-five percent of homeowners live in housing units built prior to 2000.

Figure B-9: Tenure by Year Structure Built



	Built 2014 or later	Built 2010 to 2013	Built 2000 to 2009	Built 1990 to 1999	Built 1980 to 1989	Built 1970 to 1979	Built 1960 to 1969	Built 1950 to 1959	Built 1940 to 1949	Built 1939 or earlier
Renter Occupied	10.1%	9.0%	32.4%	20.6%	9.6%	5.4%	8.7%	2.3%	1.1%	0.9%
Owner Occupied	15.3%	12.9%	26.0%	10.0%	12.2%	3.9%	17.8%	0.9%	0.5%	0.6%

Source: American Community Survey, Table B25036, 5-Year Estimates, 2020.

5. Housing Costs and Affordability

Housing costs reflect the supply and demand of housing in a community. The following summarizes the cost and affordability of Dublin housing stock.

Table B-33 below shows the median home value in Dublin was $934,500 in 2020. This is above the regional median for Alameda County ($825,300).

Table B-34 below shows average monthly rental rates for units in Dublin. The monthly rental rates for all unit types increased from 2016 to 2020, with the highest increase to one-bedroom units. Units containing five or more bedrooms were the only unit type to have experienced a decrease in costs; however, between 2018 and 2020 the cost increased.

Table B-33: Median Home Value by Community

Jurisdiction	Median Home Value
Dublin	**$934,500**
San Ramon	$1,001,600
Livermore	$806,100
Pleasanton	$1,056,100
Alameda County	$825,300

Source: American Community Survey, Table DP04, 5-Year Estimates, 2020.

Table B-34: Monthly Rental Rates (2016-2020)

Unit Type	2016	2017	2018	2019	2020	% Change 2016-2020
Studio	2,080	2,221	2,173	2,227	2,332	12.1%
1 bedroom	1,770	2,018	2,124	2,236	2,293	29.5%
2 bedrooms	2,193	2,378	2,623	2,761	2,799	27.6%
3 bedrooms	2,627	2,788	2,987	3,076	3,135	19.3%
4 bedrooms	2,777	2,914	3,035	3,177	3,500+	26.0%
5 or more bedrooms	3,500+	3,500+	3,403	3,429	3,500+	0.0%

Source: American Community Survey, Table B25031, 5-Year Estimates, 2016, 2017, 2018, 2019, 2020.

Housing affordability can be inferred by comparing the cost of renting or owning a home with the maximum affordable housing costs for households at different income levels. Taken together, this information can generally show who can afford what size and type of housing and indicate the type of households most likely to experience overcrowding and overpayment.

HUD conducts annual household income surveys nationwide to determine the HAMI and a household's eligibility for federal housing assistance. Based on this survey, HCD developed income limits, which can be used to determine the maximum price affordable to households in the upper range of their respective income category. The maximum affordable housing costs for homeowners and renters in Alameda County are shown in **Table B-35** and **Table B-36,** respectively.

The data shows the maximum amount that a household can pay for housing each month without incurring a cost burden (overpayment). This amount can be compared to median home value (**Table B-33**) and monthly rental rates (**Table B-34**) to determine what types of housing opportunities a household can afford.

Extremely Low-Income Households

Extremely low-income households earn less than 30 percent of the County HAMI – up to $28,800 for a one-person household and up to $44,400 for a five-person household in 2022. Extremely low-income households cannot afford market-rate rental or ownership housing in Dublin without assuming a substantial cost burden.

Very Low-Income Households

Very low-income households earn between 31 percent and 50 percent of the County HAMI – up to $47,950 for a one-person household and up to $74,000 for a five-person household in 2022. The maximum affordable price for very low-income households is $236,000 for a one-person household and $365,000 for a five-person household. A one-person very low-income household can afford to pay up to $1,199 in monthly rent and a five-person very low-income household can pay up to $1,850 in monthly rent. Given housing costs, very low-income households cannot afford market-rate rental or ownership housing in Dublin without assuming a substantial cost burden.

Low-Income Households

Low-income households earn between 51 percent and 80 percent of the County's HAMI - up to $76,750 for a one-person household and up to $118,400 for a five-person household in 2022. The maximum affordable home price for a low-income household is $378,000 for a one-person household and $584,000 for a five-person household. Based on the median home value in Dublin in 2019 (**Table B-33**, homeownership is not affordable to low-income households. A one-person low-income household could afford to pay up to $1,919 in rent per month and a five-person low-income household could afford to pay as much as $2,960 per month. Low-income households in Dublin would not be able to find adequately sized affordable apartment units (**Table B-35**).

Moderate-Income Households

Persons and households of moderate-income earn between 81 percent and 120 percent of the County's HAMI – up to $162,750, depending on household size in 2022. The maximum affordable home price for a moderate-income household is $520,000 for a one-person household and $802,000 for a five-person household. Moderate income households may be able to purchase a home in Dublin, depending on the household size. The maximum affordable rent payment for moderate-income households is between $2,426 and $3,661 per month. Appropriately sized, market-rate rental housing is generally affordable to moderate-income households.

Table B-35: Affordable Housing Costs for Homeowners (2022)						
Annual Income		Mortgage	Utilities[1]	Tax and Insurance	Total Affordable Monthly Housing Cost	Affordable Purchase Price
Extremely Low-Income (30% of HAMI)						
1-Person	$28,800	$400	$212	$108	$720	$142,000
2-Person	$32,900	$451	$248	$123	$823	$162,000
3-Person	$37,000	$473	$313	$139	$925	$182,000
4-Person	$41,100	$518	$355	$154	$1,028	$203,000
5-Person	$44,400	$536	$408	$167	$1,110	$219,000
Very Low-Income (50% of HAMI)						
1-Person	$47,950	$807	$212	$180	$1,199	$236,000
2-Person	$54,800	$917	$248	$206	$1,370	$270,000
3-Person	$61,650	$997	$313	$231	$1,541	$304,000
4-Person	$68,500	$1,101	$355	$257	$1,713	$338,000
5-Person	$74,000	$1,165	$408	$278	$1,850	$365,000
Low-Income (80% HAMI)						
1-Person	$76,750	$1,419	$212	$288	$1,919	$378,000
2-Person	$87,700	$1,616	$248	$329	$2,193	$433,000
3-Person	$98,650	$1,783	$313	$370	$2,466	$486,000
4-Person	$109,600	$1,974	$355	$411	$2,740	$540,000
5-Person	$118,400	$2,108	$408	$444	$2,960	$584,000
Moderate-Income (120% HAMI)						
1-Person	$105,500	$2,096	$212	$330	$2,638	$520,000
2-Person	$120,550	$2,389	$248	$377	$3,014	$595,000
3-Person	$135,650	$2,654	$313	$424	$3,391	$669,000
4-Person	$150,700	$2,942	$355	$471	$3,768	$743,000
5-Person	$162,750	$3,152	$408	$509	$4,069	$802,000

Assumptions: 2021 HCD income limits for Oakland-Fremont, CA HUD Metro FMR Area; 30 percent gross household income as affordable housing cost; 15 percent of monthly affordable cost for taxes and insurance; 10 percent down payment; and 4.5 percent interest rate for a 30-year fixed-rate mortgage loan. Utilities based on the Alameda County Housing Authority Utility Allowance Schedule (2022).

1. Utilities include heating, cooking, water heating, electric, air conditioning, water, sewer, trash collection, microwave, and refrigerator. All utilities are assuming natural gas.

Source: Alameda County Housing Authority Utility Allowance Schedule; California Department of Housing and Community Development, 2021 Income Limits, and Kimley Horn and Associates.

Table B-36: Affordable Monthly Housing Cost for Renters (2022)				
Annual Income		Rent	Utilities[1]	Total Affordable Monthly Housing Cost
Extremely Low-Income (30% of HAMI)				
1-Person	$28,800	$508	$212	$720
2-Person	$32,900	$575	$248	$823
3-Person	$37,000	$612	$313	$925
4-Person	$41,100	$673	$355	$1,028
5-Person	$44,400	$702	$408	$1,110
Very Low-Income (50% of HAMI)				
1-Person	$47,950	$987	$212	$1,199
2-Person	$54,800	$1,122	$248	$1,370
3-Person	$61,650	$1,228	$313	$1,541
4-Person	$68,500	$1,358	$355	$1,713
5-Person	$74,000	$1,442	$408	$1,850
Low-Income (80% HAMI)				
1-Person	$76,750	$1,707	$212	$1,919
2-Person	$87,700	$1,945	$248	$2,193
3-Person	$98,650	$2,153	$313	$2,466
4-Person	$109,600	$2,385	$355	$2,740
5-Person	$118,400	$2,552	$408	$2,960
Moderate-Income (120% HAMI)				
1-Person	$105,500	$2,426	$212	$2,638
2-Person	$120,550	$2,766	$248	$3,014
3-Person	$135,650	$3,078	$313	$3,391
4-Person	$150,700	$3,413	$355	$3,768
5-Person	$162,750	$3,661	$408	$4,069

Assumptions: 2021 HCD income limits for Oakland-Fremont, CA HUD Metro FMR Area; and 30% gross household income as affordable housing cost. Utilities based on the Alameda County Housing Authority Utility Allowance Schedule (2022).

1. Utilities include heating, cooking, water heating, electric, air conditioning, water, sewer, trash collection, microwave, and refrigerator. All utilities are assuming natural gas.

Source: Alameda County Housing Authority Utility Allowance Schedule; California Department of Housing and Community Development, 2021 Income Limits and Kimley Horn and Associates.



APPENDIX C:

HOUSING CONSTRAINTS, RESOURCES, AND AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH)

A. Housing Constraints

There are multiple potential factors that may affect the provision of adequate housing or access to opportunities for current and future residents in Dublin. These factors may include non-governmental, governmental, infrastructure, and environmental constraints, such as:

- Non-Governmental Constraints:
  - Land costs
  - Constructions costs
  - Availability of financing
- Governmental Constraints:
  - Land use controls
  - Development standards
  - Permitting processes and fees
  - Local ordinances
- Infrastructure Constraints:
  - Dry utilities
  - Water supply
  - Fire and emergency services
  - Police Services
- Environmental Constraints:
  - Geologic hazards
  - Flood hazards
  - Fire hazards

Combined, these factors may create barriers for current and future residents to access adequate and affordable housing options, especially for lower- and moderate-income households.

1. Non-Governmental Constraints

Non-governmental constraints largely affect the cost of housing in Dublin and can produce barriers to housing production and affordability. These constraints may include real wages, land cost and availability, housing demand, financing and lending, construction costs, and labor availability, which can make it financially challenging to build any housing, especially affordable housing. The following highlights the primary market factors that affect housing production in Dublin.

Land Costs and Construction Costs

Construction costs vary widely according to the type of development, with multi-family housing generally less expensive to construct than single-family residences. However, there is wide variation within each construction type, depending on the size of the unit and the number and quality of amenities provided. A key indicator of construction costs is Building Valuation Data compiled by the International Code Council (ICC). The ICC updates the estimated cost of construction at six-month intervals and provides estimates for the average cost of labor and materials for typical Type VA protected wood-frame construction. Estimates are based on "good-quality" construction, providing materials and fixtures well above state and

local building code requirements. In February 2021, the ICC estimated that the average cost for good-quality housing was $125.18 per square foot for multi-family residences, $138.79 per square foot for single-family residences, and $156.95 per square foot for residential care/assisted living facilities, which are expected to be higher due to inflation. Construction costs for custom homes and units with extra amenities run even higher. Construction costs are also dependent upon materials used and building height, as well as regulations set by the Building Code. Although construction costs are a significant portion of the overall development cost, they are consistent throughout the region and, especially when considering land costs, are not considered a major constraint to housing production in Dublin.

Construction costs may also result in housing developers proposing residential projects below maximum densities permitted. The City's land use designations include minimum and maximum density requirements which preclude development applications being proposed at lower densities. As such, residential projects over recent years have been proposed at or above the City's identified densities. This is therefore not considered a constraint to future housing development.

Land costs may also create a constraint to the development of affordable housing. Land costs may vary depending on whether the site is vacant or has an existing use that must be removed. Similarly, site constraints such as environmental issues (e.g., steep slopes, soil stability, seismic hazards, and flooding) can be a factor in land cost. A Zillow search for vacant lots sold between 2019 and 2022 returned four lots between 0.1 acres at $1,180,000 to 7.5 acres at $1,430,000; however, three of those lots were under construction and are therefore not reflected in the table. **Table C-1** shows the average cost of vacant land in Dublin and nearby jurisdictions, including the one vacant lot sold within Dublin since 2019. While only one lot is listed in Table C-1, it is possible additional vacant lots were sold in recent years but are not reflected on Zillow. The City does not have further data available on the potential sale of unlisted vacant lots. As such this cost estimate for vacant land is only used for comparative purposes with similar data available on Zillow in neighboring communities. Notably, lots sold in neighboring communities were located in rural regions, while the City's vacant land is located in developed neighborhoods. Given the size of lots and location in comparison to neighboring communities, the cost of land is not deemed a constraint to the development of housing in Dublin.

Table C-1: Vacant Land Cost – Zillow

Jurisdiction	Average Lot Size (Acres)	Average Cost Per Square-Foot
Dublin	7.5	$4.39
748 San Ramon Road	7.5	$4.39
Pleasanton	2.9	$702
San Ramon	27.2	$233
Livermore	30	$24

Source: Zillow.com, accessed February 10, 2022.

Availability of Financing

The availability of financing in a community depends on multiple factors, including the type of lending institutions active in a community, lending practices, algorithms, rates, and fees charged, laws and regulations governing financial institutions, and equal access to such loans. Additionally, availability of

financing affects a person's ability to purchase or improve a home. Under the Home Mortgage Disclosure Act (HMDA), lending institutions are required to disclose information on the disposition of loan applications and the income, gender, and race of loan applicants. The primary concern in a review of lending activity is to determine whether home financing is available to all residents of a community, regardless of income, sex, race, or ethnicity. The data presented in this section include the disposition of loan applications submitted to financial institutions for home purchase, home improvement, and refinancing in the San Jose-San Francisco-Oakland Metropolitan Statistical Area/Metropolitan Division (MSA/MD).

Table C-2 displays the disposition of loan applications for the San Jose-San Francisco-Oakland MSA/MD, per the 2016 Home Mortgage Disclosure Act Report. Applicants with at least a 120 percent MSA/MD median income had the highest rates of loan approval. Of that income category, applicants who identify as White had the highest percentage of approval and number of applications. Applicants with less than 50 percent of the MSA/MD median income had the highest percentage of denied loans than the other income categories. Applicants who identify as White were more likely to be approved for a loan than other races or ethnicities. Applicants who identify as American Indian and Alaska Native were the most likely to be denied for a loan than another race or ethnicity. Given the generally high loan approval rates, home financing is typically available and not considered to be a constraint in Dublin.

Table C-2: Disposition of Loan Applications by Race/Ethnicity – San Jose-San Francisco-Oakland MSA/MD				
Applications by Race/Ethnicity	**Percent Approved**	**Percent Denied**	**Percent Other***	**Total Applications**
LESS THAN 50% OF MSA/MD MEDIAN				
American Indian and Alaska Native	34.7%	36.4%	28.9%	121
Asian	43.2%	31.0%	25.8%	3,320
Black or African American	41.5%	28.9%	29.6%	1,260
Native Hawaiian or Other Pacific Islander	40.2%	30.7%	29.1%	127
White	48.3%	25.3%	26.5%	7,678
Hispanic or Latino	41.5%	30.7%	27.8%	2,509
50-79% OF MSA/MD MEDIAN				
American Indian and Alaska Native	51.1%	19.6%	29.3%	184
Asian	63.6%	14.7%	21.6%	7,727
Black or African American	56.1%	17.9%	25.9%	2,515
Native Hawaiian or Other Pacific Islander	54.8%	18.4%	26.9%	294
White	65.8%	12.0%	22.2%	16,372
Hispanic or Latino	59.7%	15.4%	24.8%	5,994
80-99% OF MSA/MD MEDIAN				
American Indian and Alaska Native	63.5%	21.6%	14.9%	74
Asian	67.4%	11.0%	21.6%	3,236
Black or African American	59.6%	14.3%	26.1%	819
Native Hawaiian or Other Pacific Islander	56.0%	15.6%	28.4%	109
White	68.4%	9.4%	22.2%	6,573
Hispanic or Latino	63.4%	12.0%	24.6%	1,933
100-119% OF MSA/MD MEDIAN				
American Indian and Alaska Native	58.4%	17.3%	24.3%	173
Asian	69.8%	9.1%	21.1%	11,974
Black or African American	60.7%	14.2%	25.1%	2,258
Native Hawaiian or Other Pacific Islander	66.3%	10.8%	22.9%	297
White	72.4%	7.7%	20.0%	18,195
Hispanic or Latino	65.5%	11.7%	22.8%	4,327
120% OR MORE OF MSA/MD MEDIAN				
American Indian and Alaska Native	62.7%	11.5%	25.8%	330
Asian	68.4%	7.8%	23.8%	50,498
Black or African American	60.5%	12.9%	26.6%	3,508
Native Hawaiian or Other Pacific Islander	64.2%	11.8%	24.0%	483
White	71.2%	7.3%	21.6%	50,678
Hispanic or Latino	64.6%	10.2%	25.2%	5,862

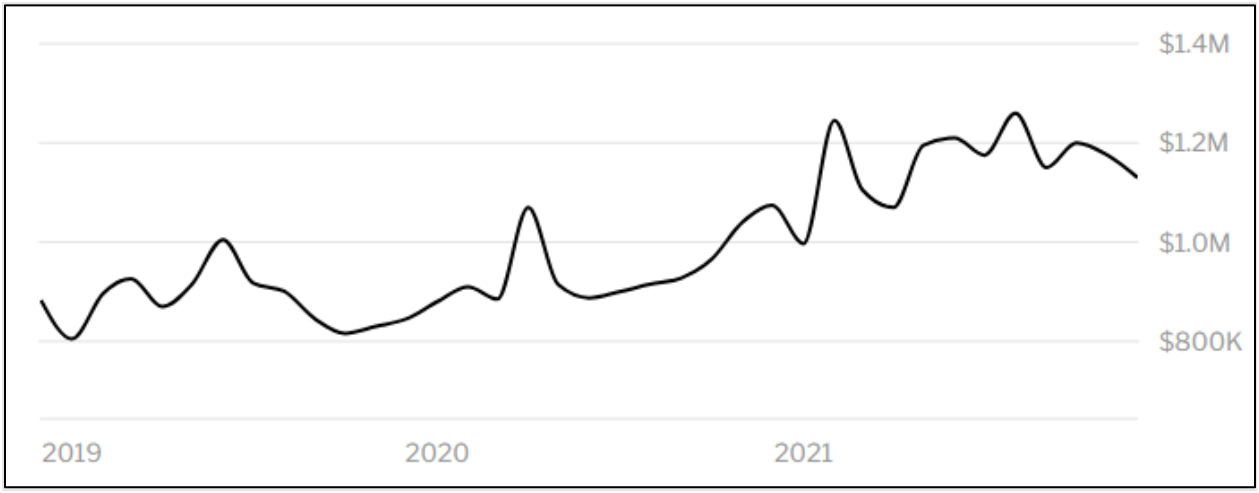
** Percent Other includes applications approved but not originated, applications withdrawn, and files closed for incompleteness.*

Source: Consumer Financial Protection Bureau, Disposition of loan applications, by Ethnicity/Race of applicant, 2020.

Economic Constraints

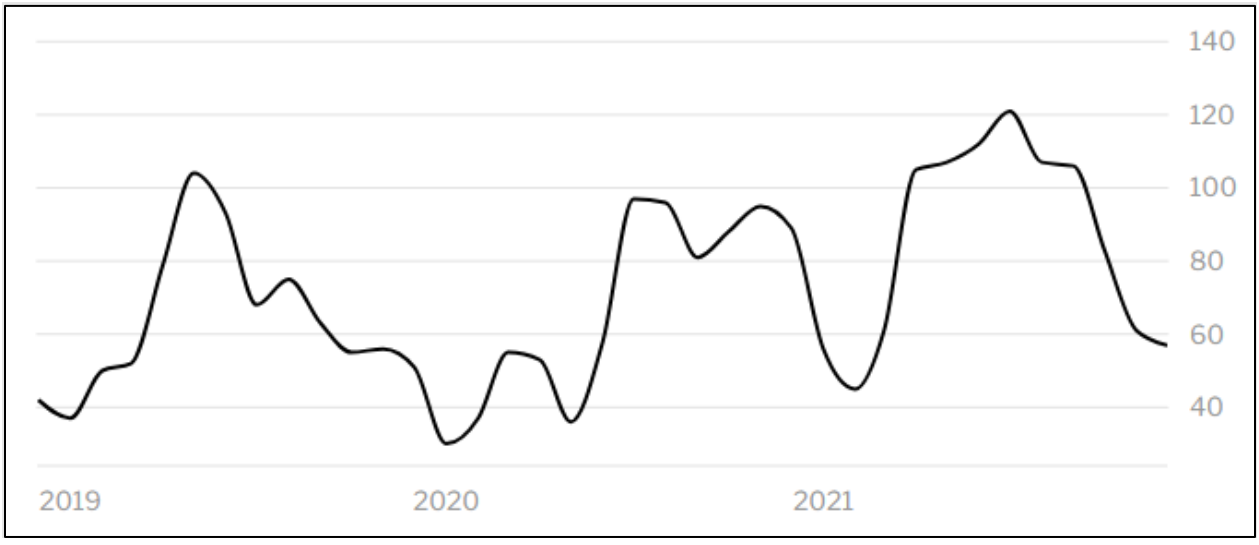
Market forces on the economy and the trickle-down effects on the construction industry can act as a barrier to housing construction and especially to affordable housing construction. It is estimated that housing price growth will continue in the City and the region for the foreseeable future. Moving into 2020, California was seeing a 1.6 percent growth in jobs from 2019 and experiencing an all-time low in unemployment rates. The COVID-19 pandemic had stalled much of the economy in early 2020. However, as **Figure C-1** below shows, the Dublin housing market experienced an overall sustained growth with a 5.2 percent year-over-year growth since 2019. According to Redfin's Housing Market Insights, homes spent a median seven days on the market. A total of 57 homes were sold in December 2021, which represents a 36 percent decrease year-over-year as shown in **Figure C-2**.

Figure C-1: Dublin Housing Market Trends – Median Sale Price (2019-2021)



Source: Redfin – Dublin Housing Market Insights (Accessed: February 2022)

Figure C-2: Dublin Housing Market Trends – Number of Homes Sold (2019-2021)



Source: Redfin – Dublin Housing Market Insights (Accessed: February 2022)

A December 2021 California Association of Realtors (CAR) report found that the average cost of single-family residences in Alameda County was $1,200,000, which experienced a 13.2 percent year-to-year increase from 2020. Comparably, the State-wide average cost for a Single-family residence was $796,570.

According to a CAR First-Time Buyer Housing Affordability Index Report for the fourth quarter of 2021, the median price for a single-family residence, purchased by first-time homebuyers, was $1,075,250 with monthly payments of $5,080 (including taxes and insurance). This required a minimum qualifying income of $152,400. In comparison, the State-wide median cost for a single-family residence, purchased by first-time homebuyers, was $677,850 with monthly payments of $3,200 and a minimum qualifying income of $96,000.

In conclusion, Dublin households must earn a higher income to be able to participate in the current housing market. Given this is not a phenomenon unique to Dublin and jurisdictions State-wide are experiencing high market costs, this is not considered a constraint. However, policies and programs are included in the Housing Plan to provide households with assistance in entering the market.

2. Governmental Constraints

Land Use Controls

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. The Land Use Element of the General Plan establishes permitted land uses and development density throughout the City. These land uses provide a wide variety of housing types while also ensuring compatibility between neighboring uses. **Table C-3** lists the land uses that permit residential development and their density ranges. Due to the City's flexible PD zoning, no requests have been made to develop at densities below those identified in **Table C-3**, nor below the densities identified as part of the candidate sites analysis. Additionally, all development standards and land use controls have been applied to candidate sites and it was determined that future residential projects could feasibly develop at an assumed density of 80 percent of the maximum permitted density in any given land use designation regardless, whether the designation is residential or not.

Table C-3: Residential Land Uses and Density Ranges	
General Plan Land Uses	**Dwelling Units/Acre**
Rural Residential / Agriculture	0.01
Estate Residential	0.01-0.8
Low-Density Single Family Residential	0.5-3.8
Single Family Residential	0.9-6.0
Medium –Density Residential	6.1-14.0
Medium/High-Density Residential	14.1-25.0
Medium/High-Density Residential and Retail Office	14.1-25.0
General Commercial/DC Medium-High Density Residential	14.1-25.0
General Commercial/DC High Density Residential	20.1-60.0
High-Density Residential	25.1+
Mixed Use	6.1-25.0
Downtown Dublin Specific Plan	6.1-25.1+
Campus Office	Not specified
General Commercial	Not specified
Neighborhood Commercial	Not specified
Public/Semi-Public	Not specified
Source: Dublin General Plan, Chapter 2: Land Use Element.	

Variety of Housing Types Permitted

Cities are required by California Housing Law to make sites available through zoning for the development of a variety of housing types for all socioeconomic levels of the populations. Housing types include single-family residences, multi-family housing, accessory dwelling units, factory-built homes, mobile homes, employee and agricultural workforce housing, transitional and supportive housing, single-room occupancy (SRO) units, and housing for persons with disabilities. **Table C-4** provides the housing types permitted through the Dublin Municipal Code in the following zoning districts:

- **A – Agricultural District**: The purpose and intent of the Agricultural Zoning District is to establish regulations which preserve and protect agricultural lands that are being used for the commercial production of agricultural commodities consistent with the General Plan and applicable Specific Plans and appropriate standards of public health, safety, welfare, and aesthetics, as well as encourage compatibility of all Agriculture use types with the surrounding neighborhood.
- **R-1 – Single-Family Residential District**: The R-1 zoning district is intended to provide for and protect neighborhoods that include detached, single-family homes and residential use types compatible with a quiet, family-living environment. The R-1 zoning district is consistent with the Low-Density Single-Family Residential, Single Family-Residential, and Medium Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.
- **R-2 – Two Family Residential District**: The R-2 zoning district is intended to provide for and protect neighborhoods that include single-family dwellings, two family dwellings that have development characteristics similar to single-family neighborhoods, duplexes, and residential use types compatible with a quiet, family-living environment. The R-2 zoning district is consistent with

the Medium Density Residential and Medium-High Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.

- **R-M – Multi-Family Residential**: The R-M zoning district is intended to provide for and protect neighborhoods that include single-family residences, two family residences, and multi-family residences that are clustered to provide generous open space areas for common use, and that are generally close to transit, shopping, and public facilities. The R-M zoning district is consistent with the Medium Density Residential, Medium-High Density Residential, and High-Density Residential designations of the General Plan depending on the Lot Square Footage Per Dwelling Unit selected for the development.
- **C-1 – Retail Commercial District**: The C-1 zoning district is intended to provide for the continued use, expansion, and new development of retail commercial use types along major transportation corridors and intersections, and to ensure compatibility with adjacent residential and commercial uses. The C-1 zoning district is consistent with the Retail/Office and General Commercial designations of the General Plan.
- **C-2 – General Commercial District**: The C-2 zoning district is intended to provide for the continued use, expansion, and new development of general commercial use types along major transportation corridors and intersections, and to ensure compatibility with adjacent residential and commercial uses. The C-2 zoning district is consistent with the Retail/Office, Retail/Office and Automotive, and General Commercial designations of the General Plan.
- **M-P – Industrial Park District**: The M-P zoning district is intended to provide for the continued use, expansion, and new development of industrial park use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-P zoning district is consistent with the Business Park/Industrial, Industrial Park, and Industrial/Campus Office designations of the General Plan.
- **M-1 – Light Industrial District**: The M-1 zoning district is intended to provide for the continued use, expansion, and new development of light industrial use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-1 zoning district is consistent with the Business Park/Industrial, Business Park/Industrial and Outdoor Storage and Industrial Park designations of the General Plan.
- **M-2 – Heavy Industrial District**: The M-2 zoning district is intended to provide for the continued use, expansion, and new development of heavy industrial use types in proximity to major transportation corridors, and to ensure compatibility with adjacent residential and commercial uses. The M-2 zoning district is consistent with the Business Park/Industrial: Outdoor Storage designation of the General Plan.
- **PD – Planned Development Zoning District**: The City utilizes Planned Development (PD) zoning districts as a means of providing property owners/developers with maximum flexibility to create development standards tailored to different product types and site characteristics. PD zoning also helps to create a more desirable use of the land, more coherent and coordinated development, and overall a better physical environment than would result under traditional zoning. A PD zoning district is established by the adoption of an Ordinance classifying the property as a PD and

adopting a Development Plan, which establishes regulations for the use, development, improvement, and maintenance of the property within the requested PD zoning district, and may be adopted in stages, as follows:

1. A Stage 1 Development Plan may be adopted for the entire site and establishes permitted, conditionally permitted, and accessory uses; Stage 1 site plan; site area and proposed densities; maximum number of residential units and nonresidential square footage; a phasing plan and a Master Landscaping Plan; statements regarding consistency with General Plan and Specific Plans, and consistency with Inclusionary Zoning Regulations; an aerial photo, other information necessary for the review of the proposed project; and any provisions as further described in the Dublin Municipal Code.
2. A Stage 2 Development Plan may be adopted concurrently with the Stage 1 Development Plan at the time of establishing the PD zoning district or may be adopted at a subsequent time. A Stage 2 Development Plan may establish permitted, conditionally permitted, and accessory uses; Stage 2 site plan; site area and maximum proposed densities; maximum numbers of residential units by type and nonresidential square footages for each use; development regulations; architectural standards; preliminary landscape plan; other information necessary for the review of the proposed project; and any provisions as further described in the Dublin Municipal Code. All Subdivision Maps, Conditional Use Permits, and Site Development Review Permits must be consistent with the Stage 2 Development Plan. Where phased development of a PD zoning district is proposed, Stage 2 Development Plans may be requested by the developer for portions of the property within the PD zoning district. Ministerial and discretionary permits may be issued only for those portions of a PD zoning district for which a Stage 2 Development Plan has been adopted.

The minimum area for a PD zoning district is four acres; however, a district may be less than four acres in size upon a finding by the Director of Community Development that there is a unique character to the site, to the proposed land use, or to the proposed improvements for which the Planned Development zoning district is better suited than conventional zoning. The densities in residential areas, and floor area ratios and square footages in nonresidential areas may not exceed the densities, floor area ratios, or square footages permitted in the Dublin General Plan and applicable Specific Plans for such uses. Except as specifically modified by a Stage 2 Development Plan, all development in the PD shall be subject to the regulations of the closest comparable zoning district as determined by the Director of Community Development. Maintenance of all lands included within a PD not utilized for building sites, public roads and public uses shall be assured by recorded land agreements, covenants, proprietary control or other stated devices which attain this objective. The proposed method of assuring the maintenance of such lands shall be included as part of the provisions of the Stage 2 Development Plan. The Planning Commission and the City Council must review any proposed PD zoning district Ordinance in accordance with the provisions of DMC Chapter 8.120, Zoning Ordinance Amendment, and must affirmatively make all of the required findings below:

- The proposed PD zoning district meets the purpose and intent of DMC Chapter 8.32, Planned Development Zoning District;

- Development under the Planned District Development Plan would be harmonious and compatible with existing and future development in the surrounding area;
- The proposed amendment would be harmonious and compatible with existing and potential development in surrounding areas;
- The subject site is physically suitable for the type and intensity of the zoning district being proposed;
- The proposed amendment will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety and welfare; and
- The proposed amendment is consistent with the Dublin General Plan and any applicable Specific Plans.

The Director of Community Development by administrative action and/or the Planning Commission by means of a Conditional Use Permit may approve minor amendments to an adopted Development Plan upon a finding that the amendment substantially complies with and does not materially change the provisions or intent of the adopted Planned Development zoning district. All other amendments to the adopted PD zoning district shall be pursuant to DMC Chapter 8.120, Zoning Ordinance Amendment.

Table C-4: Permitted Housing Types by Zoning District											
Residential Uses	**A**	**R-1**	**R-2**	**R-M**	**C-O**	**C-N**	**C-1**	**C-2**	**M-P**	**M-1**	**M-2**
Accessory Dwelling Unit	P	P	P	P	-	-	P	-	-	-	-
Agricultural Housing	C/ZA	-	-	-	-	-	-	-	-	-	-
Animal Keeping – Residential	P	P	P	P	-	-	-	-	-	-	-
Boarding House	-	C/ZA	C/ZA	C/ZA	-	-	-	-	-	-	-
Caretaker Residence	C/ZA	-	-	-	-	-	C/PC	C/PC	C/PC	C/PC	C/PC
Community Care Facility (Small)	P	P	P	P	-	-	-	-	-	-	-
Community Care Facility (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Cottage Food Operations	ZC/MUP	ZC/MUP	ZC/MUP	ZC/MUP	-	-	-	-	-	-	-
Duplex	-	-	P	P	-	-	-	-	-	-	-
Emergency Shelter	-	-	-	-	-	-	-	-	-	P	-
Farm Mobile Home	C/ZA	-	-	-	-	-	-	-	-	-	-
Junior Accessory Dwelling Unit	P	P	P	P	-	-	-	-	-	-	-
Mobile Home	P	P	P	-	-	-	-	-	-	-	-
Mobile Home/Manufactured Home Park	-	C/PC	C/PC	-	-	-	-	-	-	-	-
Multi-Family Residence	-	-	P	P	-	-	-	-	-	-	-
Residential Use Secondary to Commercial Use	-	C/PC	-	-	-	-	C/PC	-	-	-	-
Residential Conversion of Garage to Living Space	-	P	-	-	-	-	-	-	-	-	-
Single Family Residence	P	P	P	P	-	-	-	-	-	-	-

Table C-4: Permitted Housing Types by Zoning District											
Residential Uses	**A**	**R-1**	**R-2**	**R-M**	**C-O**	**C-N**	**C-1**	**C-2**	**M-P**	**M-1**	**M-2**
Single Room Occupancy Units	-	-	-	-	-	-	-	C/PC	-	-	-
Supportive Housing (Small)	P	P	P	P	-	-	-	-	-	-	-
Supportive Housing (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Temporary Mobile Home/Manufactured Home	TUP	TUP	TUP	-	-	-	-	-	-	-	-
Tract and Sales Offices/Model Home Complex	-	TUP	TUP	TUP	-	-	-	-	-	-	-
Transitional Housing (Small)	P	P	P	P	-	-	-	-	-	-	-
Transitional Housing (Large)	-	C/PC	C/PC	C/PC	-	-	C/PC	C/PC	C/PC	C/PC	-
Low Barrier Navigation Centers	-	-	-	-	-	-	-	-	-	-	-

Notes:
P – Permitted
(-) – Not Permitted
ZC – Zoning Clearance
MUP – Minor Use Permit
C/ZA – Conditional Use Permit/Zoning Administrator
C/PC – Conditional Use Permit/Planning Commission
Temporary Use Permit – TUP
Source: Dublin Municipal Code Section 8.12.050

SINGLE-FAMILY RESIDENCE

The term Single-Family Residence is defined by the Dublin Municipal Code as a building designed for and/or occupied exclusively by a single housekeeping unit. This includes factory-built housing, modular housing, manufactured housing, mobile homes, and the rental of bedrooms within a single-family dwelling to no more than four boarders. A residence with more than four boarders where residents do not live as a single housekeeping unit constitutes a boarding house.

A Single Housekeeping Unit refers to a residence with two or more members, whose members are a non-transient interactive group of persons jointly occupying a single dwelling unit, including but not limited to the joint use of common areas and sharing household activities and responsibilities such as meals, chores, and expenses.

Single-Family Residences are permitted in all residential zoning districts.

MULTI-FAMILY RESIDENCE

The term Multi-family Residence is defined as a building or a portion of a building used and/or designed as residences for two or more families living independently of each other. A Multi-Family Residence includes:

- Half-plex structures (a half-plex is a single residential unit that is half of a two-unit building where a property line separates the two units)
- Duplexes, triplexes, and fourplexes (detached buildings under one ownership with two, three, or four residential units (respectively) in the same building)
- Apartments (five or more units under one ownership in a single building)
- Attached unit projects such as condominiums and townhouses
- Boarding House

This use type may include other residential use types determined by the Director of Community Development to be substantially similar to the use types listed above. Multi-Family Residences are permitted in the R-2 and R-M zoning districts.

ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS

The term Accessory Dwelling Unit (ADU) is defined as a residential unit that provides independent living facilities for one or more persons and includes separate kitchen, sleeping, and bathroom facilities. An ADU may be a part of, attached to, or detached from a single-family, two-family, or multi-family residence and is subordinate to the principal residence. An ADU also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

The term Junior Accessory Dwelling Unit (JADU) is defined as a unit that is no more than 500 square feet in size that is contained entirely within the walls of a single-family residence, including attached garages, and that has a separate entrance. At a minimum, a JADU must include an efficiency kitchen with a food preparation counter, cooking facility with appliances and storage cabinets, and may include separate sanitation facilities or may share sanitation facilities within the existing single-family residence.

ADUs are permitted in all residential zoning districts and in the C-1 zoning district. JADUs are permitted in all residential zoning districts. As of February 2022, ADU and JADU zoning and development requirements are compliant with current State mandates.

MOBILE HOME/ MANUFACTURED HOME

The term Mobile Home is defined as a vehicle designed and equipped for human habitation, and for being drawn behind a vehicle. Such mobile home must either be constructed after September 15, 1971, and issued an insignia of approval by the California Department of Housing and Community Development and permanently located on a permanent foundation system, or be constructed after July 15, 1976, and issued an insignia of approval by the U.S. Department of Housing and Urban Development and permanently located on a permanent foundation system, or other type of housing determined to be substantially similar by the Director of Community Development.

A Mobile Home Park or Manufactured Home Park is also defined as a development or subdivision of an existing parcel, or contiguous parcels, of land for the purpose of separate sale, lease, or financing to allow the installation of mobile homes or manufactured homes.

Mobile Home and Manufactures Homes are permitted in the A, R-1, and R-2 zoning districts. Mobile Home Parks and Manufactured Home Parks are permitted in the R-1 and R-2 zoning districts with approval of a Conditional Use Permit by the Planning Commission. There are currently no Mobile Home Parks located within Dublin.

FARM MOBILE HOME

The term Farm Mobile Home is defined as a mobile home which is used for the housing of a full-time employee (and family) of the farm on which it is located where that farm has a minimum size of 50 acres and where it can be demonstrated that security cannot be obtained by existing single-family dwelling occupancy.

Farm Mobile Homes are permitted in the Agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator.

AGRICULTURAL HOUSING

The term Agricultural Housing is defined as dwellings and/or living quarters for farm laborers, or other types of dwellings determined to be substantially similar by the Director of Community Development. Agricultural Housing may not be in addition to a Caretaker Residence or a Farm Mobile Home.

Agricultural Housing is permitted in the Agricultural zoning district with approval of a Conditional Use Permit by the Zoning Administrator. The California Health and Safety Code Sections 17021.5 and 17021.6 requires farmworker and employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. Program E.6 is included in the **Housing Plan** to ensure the City's zoning and development standards for farmworker/agricultural housing is compliant with State law.

SINGLE ROOM OCCUPANCY (SRO)

The term Single Room Occupancy (SRO) Unit is defined as a building or buildings constructed or converted for residential living consisting of one-room dwelling units, where each unit is occupied by a single individual or two persons living together as a domestic unit, and where the living and sleeping space are combined. A one-room dwelling unit is not required to contain a bathroom or a kitchen; if a bathroom or kitchen is not provided within the unit, common facilities shall be provided on-site for residents. A unit that contains both a bathroom and kitchen shall be considered a studio unit and not an SRO Unit. Common facilities for laundry may or may not be provided on-site.

SRO Units are permitted in the C-2 zoning district with approval of a Conditional Use Permit by the Planning Commission. Program B.12 is included in the **Housing Plan** to consider permitting procedures and technical assistance for potential SRO unit developers.

COMMUNITY CARE FACILITY – SMALL

The term Community Care Facility/Small is defined as a 24-hour residential facility providing care for six or fewer persons, including:

- The elderly
- Persons in an alcoholism or drug abuse recovery or treatment facility
- Persons in a facility for mentally disordered
- Handicapped persons or dependent and neglected children
- Persons in an intermediate care facility/developmentally disabled-habilitative
- Intermediate care facility/developmentally disabled-nursing
- Congregate living health facilities

A Community Care Facility/Small may be located in any type of residence. A Community Care Facility/Small shall be considered a residential use of property and is permitted in all residential zoning districts and the agricultural zoning district.

COMMUNITY CARE FACILITY – LARGE

The term Community Care Facility/Large is defined as a 24-hour residential facility providing care for seven or more persons, including:

- The elderly
- Persons in an alcoholism or drug abuse recovery or treatment facility
- Persons in a facility for mentally disordered
- Handicapped persons or dependent and neglected children
- Persons in an intermediate care facility/developmentally disabled-habilitative
- Intermediate care facility/developmentally disabled-nursing
- Congregate living health facilities

A Community Care Facility/Large may be permitted in any type of residence. A Community Care Facility/Large is permitted with approval of a Conditional Use Permit (CUP) by the Planning Commission

in all residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts. Required findings for the approval of a CUP, pursuant to DMC Section 8.100.060, include the following:

1. The proposed use and related structures are compatible with other land uses, transportation, and service facilities in the vicinity.
2. It will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety, and welfare.
3. It will not be injurious to property or improvements in the neighborhood.
4. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure the proposed use and related structures would not be detrimental to the public health, safety, and welfare.
5. The subject site is physically suitable for the type, density, and intensity of the use and related structures being proposed.
6. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located.
7. It is consistent with the Dublin General Plan and with any applicable Specific Plans.

SUPPORTIVE HOUSING – SMALL

The term Supportive Housing - Small is defined as a dwelling unit occupied by a target population of six or fewer persons, with no limit on the length of stay, that is linked to on-site or off-site services that assist the supportive housing resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. A target population means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code Section 4500) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Government Code Section 65583(a)(5) requires supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Supportive Housing - Small is permitted in the agricultural zoning district and in all residential zoning districts, in compliance with State law.

SUPPORTIVE HOUSING - LARGE

The term Supportive Housing - Large is defined as a dwelling unit occupied by a target population of seven or more persons, with no limit on length of stay, that is linked to on-site or off-site services that assist the supportive housing resident(s) in retaining the housing, improving their health status, and maximizing their ability to live and, when possible, work in the community. A target population means persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Welfare and Institutions Code Section 4500) and may include, among other populations, adults, emancipated youth, families, families with children, elderly persons,

young adults aging out of the foster care system, individuals exiting from institutional settings, veterans and homeless people.

Government Code Section 65583(a)(5) requires supportive housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Supportive Housing – Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P and M-1 zoning districts. **Program B.11** is included in the **Housing Plan** to allow for by-right approval of permanent supportive housing in zones where housing is permitted.

TRANSITIONAL HOUSING – SMALL

The term Transitional Housing - Small is defined as a dwelling unit occupied by six or fewer homeless persons or families, which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Government Code Section 65583(a)(5) requires Transitional Housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Transitional Housing - Small is permitted in the agricultural zoning district and in all residential zoning districts, in compliance with State law.

TRANSITIONAL HOUSING – LARGE

The term Transitional Housing - Large is defined as a dwelling unit occupied by seven or more homeless persons or families, which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Government Code Section 65583(a)(5) requires Transitional Housing to be permitted in all residential zoning districts under the same restrictions as other residential dwellings of the same type in the same zone. Transitional Housing - Large is currently permitted with approval of a Conditional Use Permit by the Planning Commission in all residential zoning districts and the C-1, C-2, M-P and M-1 zoning districts. **Program B.11** is included in the **Housing Plan** to allow for by-right approval of permanent transitional housing in zones where housing is permitted.

LOW-BARRIER NAVGIATION CENTERS

AB 101 states that "The Legislature finds and declares that Low Barrier Navigation Center developments are essential tools for alleviating the homelessness crisis in this state and are a matter of statewide concern." California Government Code Section 65660 identifies Low Barrier Navigation Centers as a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. Low-Barrier Navigation Centers are required as a use by right in areas zoned for mixed uses and non-residential zones permitting multifamily uses if it meets specified requirements. The Dublin Municipal Code does not currently identify,

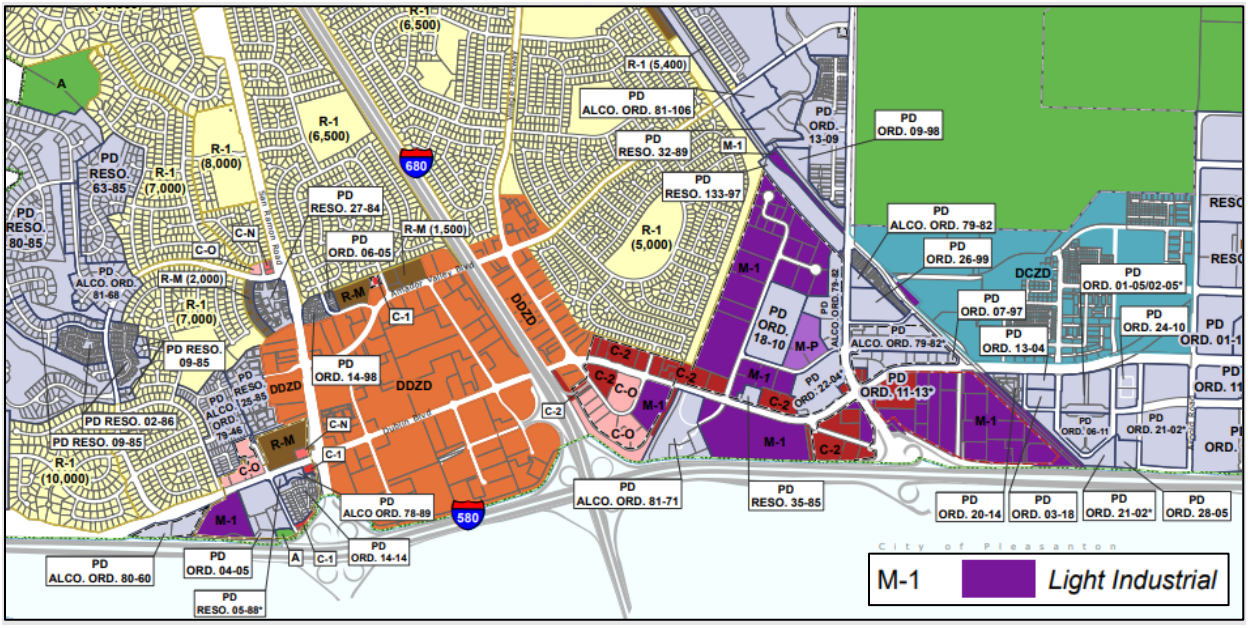
nor zone for, Low-Barrier Navigation Center. As such, **Program B.12** is included in the **Housing Plan** to ensure compliance with State law

EMERGENCY SHELTER

The term Emergency Shelter is defined as a facility that provides temporary, short-term housing, with minimal supportive services, for homeless individuals or families, provided that no facility shall be used as temporary, short-term housing by any individual or family for more than 30 consecutive days.

Per Assembly Bill 139 (AB 139), emergency shelters must be permitted in at least one zoning district without approval of any discretionary permits. Emergency Shelters are permitted in the M-1 zoning districts, in compliance with State law. There are approximately 28 parcels within the M-1 zoning district, covering a total of 96.6 acres. The parcels range from 0.1 to 20.9 acres and the average parcel size is 2.5 acres. Of these parcels, four are currently vacant and cumulatively total five acres. All M-1 zoning districts are reflected in **Figure C-3**.

Figure C-3: Dublin Zoning Map – Light Industrial (M-1) Zoning District



Source: City of Dublin Zoning Map

The development standards for emergency shelters are provided in DMC Chapter 8.28, Industrial Zoning Districts, Chapter 8.36, Development Regulations, and Chapter 8.45, Emergency Shelters, as summarized below.

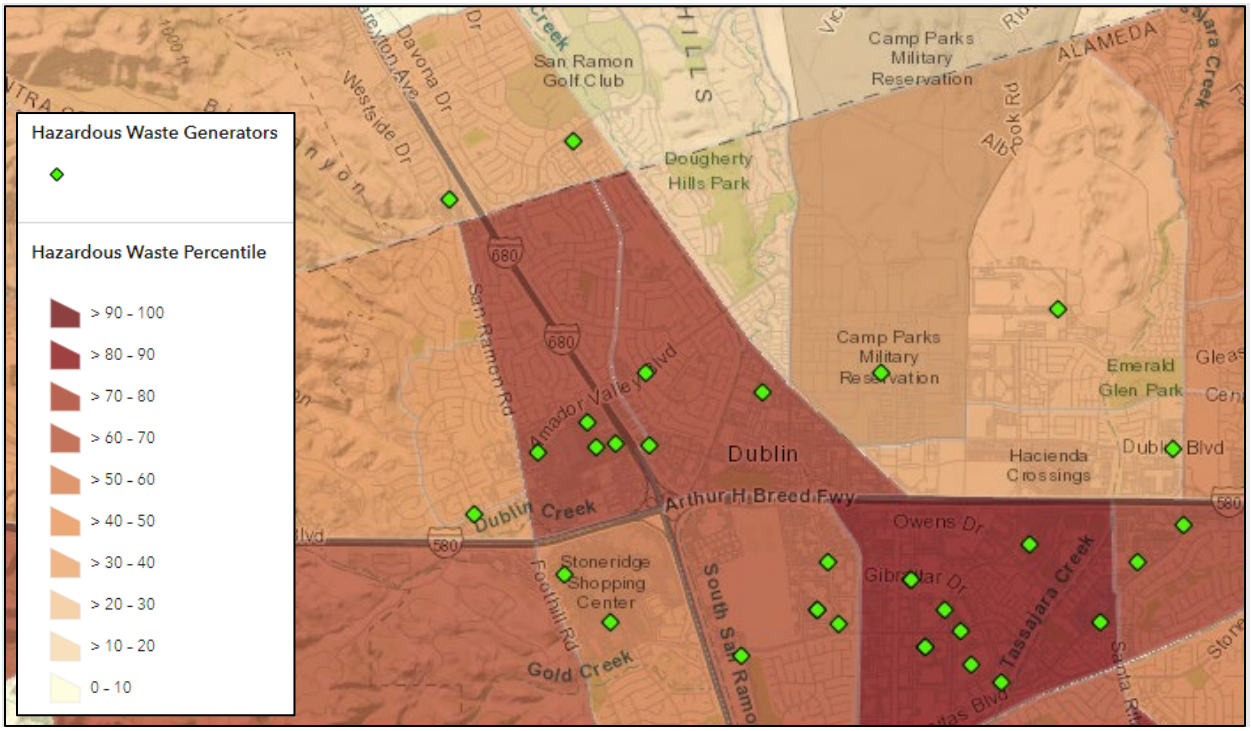
- Minimum Setbacks
  - Front, Side, Street Side: 10 feet
  - Rear: 20 feet
- Maximum Building Height: 45 feet
- Landscape Buffer: 10 feet wide along all roadways
- Enclosure: Open areas used for storage or for parking and loading shall be enclosed by a solid wall or fence at least six feet in height with solid entrance and exit gates.

Emergency shelters that meet the development standards and regulations above may be approved ministerially with a Zoning Clearance. No constraints on the development of emergency shelters are identified because no discretionary review or public hearing is required.

Additionally, AB 139 states that jurisdictions may only apply objective standards that provide sufficient parking to accommodate emergency shelter staff. The City currently requires one parking space for every 20 beds plus one parking space for each employee on the largest shift plus one parking space for each company vehicle. **Program D.3** is included in the **Housing Plan** to update the Emergency Shelters Ordinance and Zoning Ordinance to comply with parking requirements established by AB 139.

Figure C-4 shows the location of hazardous waste generators and hazardous waste percentile for the region surrounding the M-1 zoning district. According to CalEnviroScreen 4.0, this indicator is calculated by considering the number of permitted Treatment, Storage and Disposal Facilities (TSDFs), generators of hazardous waste or chrome plating facilities, the weight of each generator or site, and the distance to the census tract. The figure shows two hazardous waste generators located in the M-1 zoning district. As of February 2022, these generators include Valent Dublin Laboratories (which manufactures herbicides, insecticides, fungicides, plant growth regulators, and other product types for crop production and pest management) and Hexel Research and Development (a research laboratory). These businesses, and all within the M-1 zone, are light-industrial uses and do not create an environment unfit for human habitation. Furthermore, existing housing units are close to the M-1 zone and the two identified generators. As such, the hazardous waste generators identified by CalEnviroScreen 4.0 do not pose a threat to the development and use of future emergency shelters in the area.

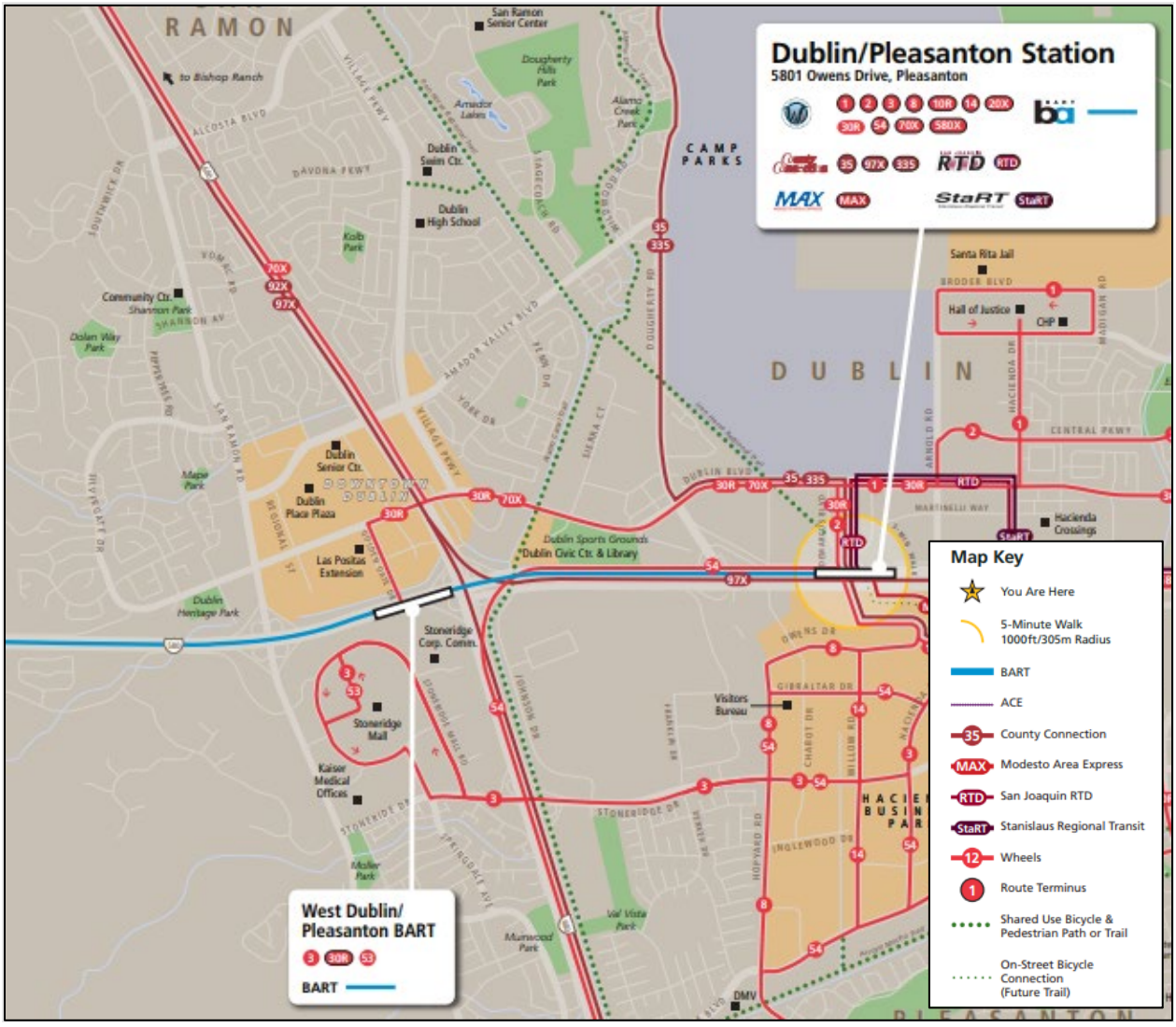
Figure C-4: CalEnviroScreen 4.0 – Hazardous Waste



Source: CalEnviroScreen 4.0

Additionally, the M-1 zoning district is located near existing commercial and retail resources, as well as existing public transportation routes. **Figure C-5** shows the two Bay Area Rapid Transit (BART) stations located near the M-1 zoning district and the transit routes and stops running through the area. As the figure shows, the M-1 zoning district and potential emergency shelter occupants are located within a short distance to public transportation with destinations throughout the City and the Bay Area region.

Figure C-5: Transit Routes – Dublin/Pleasanton BART Stations



Source: 511 Free Bay Area Transit Information – Transit Routes

.

Residential Development Standards

The City establishes development standards through the Zoning Ordinance to regulate development of the uses listed above. The development standards include minimum lot size and width, minimum setbacks, and maximum lot coverage, height limits and density. **Table C-5** below provides the Dublin Municipal Code standards established for each zoning district which permits residential developments. The City also utilizes Planned Development Zoning, as further discussed below, which provides significant flexibility regarding development standards.

Table C-5: Development Standards for Residential Developments

Zoning District	Minimum Lot Area					Minimum Setbacks (Feet)				Maximum Construction Standards		
	Lot Size		Lot Width		Lot Depth (Feet)	Front	Side	Street Side	Rear	Lot Coverage	Height Limit (Feet)	Units Per Lot
	Interior Lot	Corner Lot	Interior Lot	Corner Lot								
A	100 acres	100 acres	300 ft.	300 ft.	N/A	50	30	50	50	N/A	25/35[4]	1
R-1	4,000 sq. ft.	5,000 sq. ft.	50 ft.	60 ft.	100	18[1]	5[2]	10	20	1 story: 40% 2 story: 35%	25/35[4]	1
R-2	8,000 sq. ft.	9,000 sq. ft.	80 ft.	90 ft.	100	18[1]	10	10	20	1 story: 40% 2 story: 35%	25/35[4]	2
R-M	5,000 sq. ft.	6,000 sq. ft.	50 ft.	60 ft.	100	20	10[3]	10	30	1 story: 40% 2 story: 35%	25/35[4]	1/750 sq. ft.
C-O	10,000 sq. ft.	11,000 sq. ft.	70 ft.	80 ft.	100	20	10	10	10	N/A	35	N/A
C-N	5,000 sq. ft.	6,000 sq. ft	50 ft.	60 ft.	100	20	0[5]	10	0[6]	N/A	35	N/A
C-1	5,000 sq. ft.	6,000 sq. ft	50 ft.	60 ft.	100	0[7]	0[5]	0[8]	0[6]	N/A	45[9]	N/A
C-2	6,000 sq. ft.	7,000 sq. ft	50 ft.	60 ft.	100	0[7]	0[5]	0[8]	0[6]	N/A	45[9]	N/A
M-P	40,000 sq. ft.	40,000 sq. ft	150 ft.	150 ft.	100	50	20	20	40	N/A	35	N/A
M-1	20,000 sq. ft.	20,000 sq. ft	100 ft.	100 ft.	100	10	10	10	20	N/A	45	N/A
M-2	5,000 sq. ft.	6,000 sq. ft	150 ft.	150 ft.	100	10	10	10	10	N/A	45	N/A

Notes:

1. Minimum setback
2. Side Yard setbacks in the R-1 zoning district shall be a minimum of five feet plus one foot for each full 10 feet by lot width exceeds minimum lot width up to a maximum of 10 feet.
3. Buildings with four or more residences in the R-M zoning district shall have a 15-foot Side Yard on one side.
4. West of Dougherty Road 25 feet and two stories; may be increased to 35 feet and two stories pursuant to a Site Development Review approval by the Zoning Administrator. East of Dougherty Road; 35 feet and two stories.
5. 0 feet except, if abutting an R zoning district, the same as the Side Yard Setbacks of that district.
6. 0 feet except, 15 feet if a C-1 or C-2 zoning district backs up on an R zoning district
7. 0 feet except, if abutting an R zoning district or C-O or C-N zoning district, the same as the Front Yard Setback of that zoning district.
8. 0 feet except, if the Street Side Yard of a corner lot in a C-1 or C-2 zoning district abuts a Key Lot in any R, C-O or C-N zoning district, not less than half of the Front Yard setback required for the Key Lot.
9. 45 feet, except 35 feet if the principal structure in a C-1 or C-2 zoning district is within 50 feet of an R zoning district.

Source: Dublin Municipal Code Section 8.36.020.

All development standards have been applied to the candidate sites and it was determined that future residential projects could feasibly develop at an assumed density of 80 percent of the maximum permitted density in any given zoning district that allows residential development, whether the district is residential or not. Based on this, future residential development would meet assumed densities without needing exceptions such as Conditional Use Permits or Variances. Development standards would not impact the cost or supply of housing in Dublin, impact the length or timing of plan review nor affect project certainty.

YARD REQUIREMENTS

The term Yard is defined by the Dublin Municipal Code as open space on a lot, other than a court, unobstructed and unoccupied from the ground upward. A Yard refers to the area between the lot line and the structural setback line. The term Setback is defined as the required distance that a building, structure, or other designated item must be located from a lot line. Yard and setback requirements are established to allow for light and air, circulation, emergency access, and aesthetic improvements. Dublin's yard requirements are not considered a constraint

LOT COVERAGE

The term Lot Coverage is defined as the maximum lot area which may be covered with buildings and structures. Buildings and structures include all land covered by Principal Buildings, garages and carports, Accessory Structures, covered decks and gazebos, and other enclosed and covered areas; but not standard roof overhangs, cornices, eaves, uncovered decks, swimming pools, paved areas such as walkways, driveways, patios, uncovered parking areas or roads. All areas of coverage are computed in terms of net lot area at ground level. Dublin's lot coverage standards are not considered a constraint.

OPEN SPACE

The Dublin Municipal Code defines "Common Useable Open Space" as minimum useable open space within the area of a Building Site designed and reserved for outdoor living, recreation, pedestrian access, and landscaping. The calculation of Common Useable Open Space is made by deducting from the total area of the building site:

- Maximum Lot Coverage.
- Paved parking areas, driveways, and maneuvering areas.
- Areas having a slope in excess of 20 percent.
- Any open space less than 10 feet in its smallest dimension.

Dublin's open space requirements are not considered a constraint.

MAXIMUM BUILDING HEIGHT

The term Height is defined as the height limits for buildings and structures and is measured as the vertical distance from the highest point of the structure to the average of the highest and lowest points where the exterior walls touch the natural grade. Dublin's building height standards are not considered a constraint.

PARKING STANDARDS

The City establishes off-street parking regulations to ensure adequate parking availability, prevent interference with circulation and create a safe environment, and to protect surrounding uses from adverse noise and visual impacts. **Table C-6a** provides the number of parking spaces required for residential uses throughout the City. In comparison, **Table C-7** provides the off-street parking requirements for neighboring communities. The City has greater parking requirements for new single-family residences; however, multi-family residences generally have the lowest parking requirements compared to nearby cities. The City's parking requirements are more nuanced than neighboring communities and require differing parking requirements for rental multi-family residences and for-sale multi-family residences.

Table C-6a: Residential Off-Street Parking Requirements

Residential Use Types		Number of Parking Spaces Required
Accessory Dwelling Unit		See DMC Section 8.80.030 of the Zoning Ordinance
Agricultural Housing		2 per dwelling
Boarding House		2 per dwelling, plus .5 per sleeping room
Caretaker Residence		2 per dwelling
Community Care Facility/Small		2 per dwelling
Cottage Food Operations		Provide the number of spaces required for the type of residential dwelling plus 1 space for an employee not residing in the home (if applicable) plus 1 space for a company vehicle (if applicable). A company vehicle that also serves as the day-to-day personal vehicle of the individual conducting the cottage food operation shall not require an additional parking space.
Emergency Shelter		1 parking space for every 20 beds plus 1 parking space for each employee on the largest shift plus 1 parking space for each company vehicle.
Farm Mobile Home		2 per dwelling
Family Day Care Home/Large (up to 14)		Not regulated
Family Day Care/Small (up to 8)		Not regulated
Junior Accessory Dwelling Unit		See DMC Section 8.80.030 of the Zoning Ordinance
Mobile Home		2 per dwelling
Mobile Home Park		2 per dwelling, plus 1 guest space for every 2 dwellings
Apartments	Studio and 1 Bedroom	1 covered or garaged per dwelling plus 1 parking space for unreserved and guest parking.
	2+ Bedrooms	
Condominium	Studio and 1 Bedroom	1 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
	2+ Bedrooms	2 covered or garaged per dwelling plus 1 guest parking space per dwelling which shall be marked as a guest parking space
SB 9 Unit Developments		See DMC Section 8.81.060 relating to SB 9 Unit parking.
Senior Citizen Apartments		1 covered or garaged per dwelling plus one guest parking space for every three dwelling units.
Residential Use Secondary to Commercial Use		2 per residence
	Lots 4,000 square feet or less	2 in an enclosed garage per dwelling* plus one on-street parking space per dwelling unit within 150 feet of that dwelling unit.

Table C-6a: Residential Off-Street Parking Requirements		
Residential Use Types		**Number of Parking Spaces Required**
Single-Family/ Duplex/ Townhouse	Lots greater than 4,000 square feet	2 in enclosed garage per dwelling* plus one parking space per dwelling unit provided in the driveway or on-street within 150 feet of that dwelling unit.
Single Room Occupancy Units		1 per unit plus 1 guest parking space for every 3 units
Supportive Housing - Small		2 per dwelling
Supportive Housing - Large		1 per 3 employees on largest shift, plus 1 per 3 beds
Transitional Housing - Small		2 per dwelling
Transitional Housing - Large		1 per 3 employees on largest shift, plus 1 per 3 beds
* Except if two, full-size, unenclosed parking spaces are provided elsewhere on a lot for the purposes of converting a residential garage to living space pursuant to Chapter 8.78 of the Dublin Zoning Ordinance. *Source: Dublin Municipal Code Section 8.76.080.*		

Table C-6b: Parking Structures		
Project	**Spaces**	**Project Status**
Amador Station (BRIDGE Housing)	245	Entitled
Ashton at Dublin Station	331	Under Construction
Avalon West (Saint Patrick Way)	781	Under Construction

Table C-7: Residential Off-Street Parking Requirements for Nearby Jurisdictions		
Residential Use Types		**Number of Parking Spaces Required**
Pleasanton		
One-family dwelling units*		2 spaces
Condominiums, community apartments and separately owned townhouses		2 spaces per unit
Apartments with two bedrooms or less*		2 spaces per unit for the first 4 units; 1.5 spaces per unit for additional units
Apartments with three or more bedrooms*		2 spaces per unit
Visitor parking		1 space per 7 units
*At least one space per dwelling unit must be located in a garage or carport.		
San Ramon		
Live/work units		2 spaces per unit
Mobile homes		2 spaces per unit, with at least 1 covered 1 space per 4 units for guest parking
Multi-family	Studio/ 1-bedroom	1 covered space per unit
	2- and 3-bedroom	2 spaces per unit, with at least 1 covered
	4-bedroom or more	3 spaces per unit, with at least 1 covered
	Guest parking	1 space per 4 units
Residential care homes	6 or fewer clients	2 covered spaces
	7 or more clients	1 space per 3 beds 1 space per 4 units for guests and employees
Rooming and boarding houses		1 space per bedroom
Single-family dwellings	Up to 4 bedrooms	2 covered spaces within a garage
	5 bedrooms	3 covered spaces within a garage
	6 or more bedrooms	4 covered spaces within a garage
Livermore		
Studio		1 space
1 bedroom		1 space
2 or more bedrooms		2 spaces

Table C-7: Residential Off-Street Parking Requirements for Nearby Jurisdictions	
Residential Use Types	**Number of Parking Spaces Required**
Guest spaces (multiple family)	1 space per 4 units
Mobile homes	2 spaces per unit
Source: Pleasanton Municipal Code; San Ramon Municipal Code; City of Livermore Development Code.	

Multi-family residential developments require one covered or garage parking space per residential unit plus one guest parking space per residential unit, which must be marked as a guest parking space. Parking requirements are reduced to 1.5 spaces (covered or uncovered) per residential unit in the Downtown Dublin - Transit Oriented District and at the Transit Center. While required covered or garage parking may be more costly to housing developers, it has not been identified as a constraint by the development community and is consistent with the parking requirements for the Cities of Pleasanton and San Ramon. Additionally, qualifying affordable housing projects are entitled to parking reductions pursuant to State Density Bonus Law (Government Code Section 65915-69518). The City recently approved two affordable housing projects (Amador Station and Regional Street Senior Affordable Housing) that requested parking reductions. In both cases, the parking requirement was reduced to 0.5 parking spaces per residential unit. As mentioned above, parking requirements may increase the cost of housing but have not been identified as a constraint to housing supply, nor an impact on the financial feasibility and approval certainty of multi-family residential development projects in the City.

Recent multi-family residential developments in Dublin, as outlined in **Table C-6b**, have proposed parking structures in place of surface lots with covered spaces.

Assembly Bill 2097

In September 2022, AB 2097 was signed into law establishing provisions for vehicle parking requirements based on proximity to public transit. Specifically, AB 2097 prohibits public agencies from imposing minimum vehicle parking requirements for developments located within half-a-mile of public transit. "Public transit" means a major transit stop as defined by Public Resources Code Section 21155:

- An existing rail of bus rapid transit station,
- A ferry terminal served by either a bus or rail transit service, and
- The intersection of two or more bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute period.

Jurisdictions may impose or enforce minimum parking requirements on housing developments if findings are made (within 30 days of a completed application) that not imposing minimum parking requirements on the development would have substantially negative impacts on the jurisdiction's ability to meet its RHNA or existing residential or commercial parking within half-a-mile of the housing development. These findings must be supported by a preponderance of the evidence in the record. Pursuant to AB 2097, the projects listed below are exempt from imposed or enforced minimum parking requirements:

- Housing development projects that dedicate a minimum of 20 percent of the total number of housing units to very low-, low-, or moderate-income households; students; the elderly; or persons with disabilities.

- Housing developments with fewer than 20 housing units.
- Housing developments subject to parking reductions based on any other applicable law.

AB 2097 prohibits these provisions from reducing, eliminating, or precluding the enforcement of any requirement imposed on a housing development project that is located within half-a-mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities.

Program D.6 is included in the **Housing Plan** to amend the Zoning Ordinance to comply with AB 2097.

Definition of Family

Under the right of privacy, the California Constitution prohibits a restrictive definition of "Family" which limits the number of unrelated persons and differentiates between related and unrelated individuals living together. The City defines "Family" as one or more persons occupying a dwelling and living as a single, non-profit housekeeping unit, including any servants. This is distinguished from a group occupying a boarding house, community care facility, supportive or transitional housing when configured as group housing, hotel or motel, club, fraternity, or sorority house.

The exclusion of boarding homes, community care facilities, and supportive or transitional housing from the definition of "Family" may be considered a constraint to persons with disabilities. As such, **Program B.17** is included in the **Housing Plan** to provide for the review and revision of the definition of "Family."

State Density Bonus Law

Dublin Municipal Code Chapter 8.52 establishes density bonus regulations to provide for the development of affordable housing. The State-mandated density bonus provides incentives to developers to produce housing affordable to very low-income households, low-income households, moderate-income households, senior citizens, transitional foster youth, disabled veterans, and persons experiencing homelessness, as well as for the development of childcare facilities.

An applicant proposing a density bonus may submit a Preliminary Application prior to the submittal of a formal application. Once ready, the applicant must submit a complete application with fees and/or a deposit. The application must state what density bonus, incentives, concessions, waiver or modifications of development standards, or favorable parking requirements are being requested from the City and the rationale for the request.

The application must also include a statement describing whether residential development is proposed on any property that:

1. Includes parcel(s) on which rental dwelling units are, or if the dwelling units have been vacated or demolished in the five-year period preceding the application, have been subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to very low- or low-income households;

2. Has been subject to any other form of rent or price control through a public agency's exercise of its police power; or
3. Has been occupied by very low- or low-income households.

The Community Development Director evaluates the application based on the following criteria:

1. The requested density bonus meets all the requirements of the State Density Bonus Law.
2. The requested incentives and concessions result in identifiable and actual cost reductions to provide for affordable housing costs or rents for the target dwelling units, and whether such incentives and concessions would have a specific adverse impact upon public health and safety, or the physical environment, or on any real property that is listed in the California Register of Historical Resources and/or National Register of Historic Places, and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households, or violates such other requirements as may be set forth in the State Density Bonus Law for incentives and concessions.
3. The City's development standards physically preclude the construction of the development project at the density and with the concessions and incentives to be provided to the proposed project pursuant to this Chapter, and whether the requested waiver or modifications are necessary to enable the construction of the development project at such density and with such concessions and incentives.
4. The density bonus housing project complies with the General Plan, any applicable specific plans, zoning, and development policies and standards of the City.
5. Any conversion of apartment units to condominiums will result in a reduction in the affordable housing stock for lower-income groups, as of most recent inventory.

AB 2345 states that all jurisdictions in California are required to process projects proposing up to 50 percent additional density provided those projects produce the additional below market rate (BMR) units in the "base" portion of the project, unless the locality already allows a bonus above 35 percent. The bill also lowered the BMR thresholds for concessions and incentives for projects with low-income BMRs. As of 2021, Government Code Section 65915 authorizes an applicant to receive two incentives or concessions for projects that include at least 17 percent of the total units for lower-income households, at least 10 percent of the total units for very low-income households, or at least 20 percent moderate-income households. It also allows an applicant to receive up to three incentives or concessions for projects that include at least 24 percent of the total units for lower-income households, at least 15 percent of the total units for very low-income households, or at least 30 percent for persons or families of moderate-income households. The Dublin Municipal Code refers to the State Density Bonus Law for specificity on the density bonus allowances.

Reasonable Accommodations

Both the Federal Fair Housing Act and the California Fair Employment and Housing Act direct local governments to make reasonable accommodations (modifications or exceptions) to their zoning laws and other land use regulations when such accommodations may be necessary to afford disabled persons an equal opportunity to use and enjoy a dwelling. For example, it may be reasonable to accommodate

requests from persons with disabilities to waive a setback requirement or other standard of the Zoning Ordinance to ensure that homes are accessible for the mobility impaired.

Dublin Municipal Code Chapter 8.38 establishes procedures and requirements for reasonable accommodation applications for persons with disabilities. An application for reasonable accommodations is reviewed ministerially through a Zoning Clearance and is not subject to discretionary review or a public hearing. A Zoning Clearance is issued if the request complies with the following development standards and regulations:

- **Zoning Districts.** The request for reasonable accommodation is for a legally established residential dwelling located in an agricultural, residential, or comparable Planned Development zoning district.
- **Occupancy.** The residential dwelling is the primary residence of the person(s) requesting reasonable accommodations and such persons have been determined to be protected under Fair Housing Laws.
- **Design Compatibility.** Any exterior modification to the dwelling is designed to be compatible with the architectural character, colors, and texture of the dwelling and surrounding neighborhood.
- **Side Yard Setbacks.** For additions to a dwelling, a minimum side yard setback of five feet is maintained.
- **Rear Yard Setbacks.** For additions to a dwelling, a minimum rear yard setback of 10 feet is maintained.
- **Lot Coverage.** The maximum lot coverage does not exceed 50 percent for a one-story dwelling or 45 percent for a two-story dwelling.
- **Uncovered Access Ramp.** An uncovered access ramp may be located within a front, side, or rear yard setback so long as the height of the ramp does not exceed the grade level finish floor of the dwelling.

As of July 2022, the City has not received any 5th Cycle reasonable accommodation applications and, in addition, does not have a history of denying reasonable accommodation applications. The City has never received feedback from housing developers or property owners indicating the presence of a constraint to this application and process; however, following HCD feedback, the City has included provisions in **Program E.3** of the **Housing Plan** to review and amend the Dublin Municipal Code, as appropriate, to remove potential constraints for reasonable accommodation requests.

On-/Off-Site Improvements

New subdivisions may be required to improve streets, highways, public ways, and easements, as well as improvements that may not be part of the subdivision but are affected by the subdivision. Thus, these are costs that may influence the sale or rental price of housing. Dublin Municipal Code Chapter 9.16 establishes the required on- and off-site improvements below:

- **Streets and Roads.** Grading; curbs and gutters; and surfacing of streets, highways and public ways, and the drainage thereof.

- **Grading Lots.** The grading of the lots and the drainage may be required by the design of the approved tentative map.
- **Stormwater Control and Treatment.** Stormwater control measures in compliance with the Dublin Municipal Code, the latest Regional Water Quality Control Board clean water construction general permit, and the latest Municipal Regional Stormwater National Pollution Discharge Elimination System (NPDES) Permit. The control and treatment measures shall reduce erosion and sedimentation from entering the storm drain system from the subdivision site (point source).
- **Water Supply and Sanitary Sewer.** Subdivisions shall be served with water and sanitary sewer connections in the manner approved by the Dublin San Ramon Services District unless an alternative design is proposed and approved by the City Engineer.
- **Utilities.** Subdivisions shall be served by public utilities (gas, electricity, Internet/cable/phone) unless an alternative design is proposed and approved by the City Engineer.
- **Public Safety.** Construction of such structures necessary for public safety, including but not limited to local neighborhood drainage, traffic safety signs and devices, and street lighting.
- **Fire Hydrants.** Fire hydrants shall be furnished and installed as approved by the local water district, Fire Marshal, and City Engineer.
- **Trails and Bikeways.** Trails and bikeways as designated on the General Plan or applicable Specific Plan, or the City's adopted Bicycle and Pedestrian Master Plan.

Additionally, as a condition of approval of a tentative map, the City may impose a requirement that the subdivider install improvements for the benefit of the subdivision, property not within the subdivision, and the public. If the improvements are dedicated to the public, then the City will enter into an agreement to reimburse the subdivider for that portion of the cost of those improvements, including an amount attributable to interest, in excess of the construction required for the subdivision.

Further conditions of approval may include, but are not limited to:

- Dedication and improvement of streets, alleys, including access rights and abutters' rights, drainage, public utility, and other public easements;
- Reservations;
- The design and improvement of subdivisions;
- Requirements to implement California Environmental Quality Act (CEQA mitigation measures;
- Ensuring proper grading and erosion control, prevention of sedimentation or damage to off-site property;
- Energy conservation; and
- Ensuring compliance with adopted development standards.

Because residential development cannot take place without the addition of adequate infrastructure, site improvement requirements are considered a regular component of housing development and are not considered a constraint to development.

Local Ordinances

URBAN GROWTH BOUNDARIES (UBG)

Growth management measures are techniques used by a government to regulate the rate, amount, location, and type of development. Growth management measures allow cities to grow responsibly and orderly; however, they can produce constraints to the development of housing if overly restrictive. This may be particularly restrictive for accessible and affordable housing.

Dublin residents approved Measure M in 2000 to create an Urban Growth Boundary (UBG) on the western limits of the City. Measure M restricts residential development on the foothills by requiring voter approval of any proposed residential project. As such, the foothills were preserved as agricultural and open space areas.

In addition, the Dublin Open Space Initiative of 2014 was adopted to preserve the Doolan Canyon area east of the City and on the foothill area to the west. This initiative prevents urban development (residential and commercial) without voter approval. As the City does not currently provide services to the Doolan Canyon area, proposed development in the area would also need to fund new infrastructure and public services. The ballot measure requirement to allow residential development outside the UBG and cost of adding infrastructure and services are together considered a constraint to the development of housing, and specifically affordable housing.

SHORT-TERM RENTALS

Short-Term Rental Ordinances are commonly defined as an accessory use of a primary residence for the purposes of providing temporary lodging for compensation for up to 30 days. A Short-Term Rental Ordinance establishes regulations, standards, and a permitting process for the renting or leasing of the privately owned, visitor-serving dwelling unit. Short-Term Rental Ordinances are often established to safeguard residents by ensuring that short-term rental activities do not threaten the character of neighborhoods and that such short-term rental activities do not become a nuisance, or threaten the public health, safety, or welfare of neighboring properties. The City does not currently have an adopted Short-Term Rental Ordinance, but short-term rentals are defined as Bed and Breakfast Inn, which require approval of a Conditional Use Permit by the Planning Commission in the agricultural and residential zoning districts and the C-1, C-2, M-P, and M-1 zoning districts.

INCLUSIONARY ZONING ORDINANCE

Dublin Municipal Code Chapter 8.68 establishes the requirements and procedures for the City's Inclusionary Zoning Ordinance, which assists the City in producing residential units affordable to lower-income and moderate-income households. The purpose of the Ordinance is to contribute to the City's housing goals and ensure future development occurs in a manner consistent with the City's housing policies and needs.

The City's Inclusionary Zoning Ordinance requires all new residential development projects of 20 units or more, designed and intended for permanent occupancy, to designate 12.5 percent of the total number of dwelling units within the development as affordable units. Affordable units shall be allocated to households with very low-, low- and moderate-income levels as follows:

Table C-8: Inclusionary Zoning Requirements		
	Rental Units	Owner-Occupied Units
Very low-income households	30%	0%
Low-income households	20%	40%
Moderate-income households	50%	60%

All affordable units in a project or phase of a project are the be constructed concurrently with market-rate units, unless the City Manager determines in writing that extenuating circumstances exist that make concurrent construction infeasible or impractical. In addition, all affordable units shall reflect the range and number of bedrooms provided in the project as a whole and shall not be distinguished by exterior design, construction, or materials. Affordable units may be of smaller size than the units in the project and may have fewer amenities than the market rate units in the project. All affordable units shall be reasonably dispersed throughout the project.

Residential development projects subject to the Inclusionary Zoning Ordinance may seek approval from the City Council to instead use an exception listed below:

- **Payment of Fees In Lieu of Creation of Affordable Units.** Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40 percent of the affordable units that the developer would otherwise be required to construct pursuant to Dublin Municipal Code Section 8.68.030.A. The amount of the fee shall be as set forth in a resolution of the City Council, which may be amended from time to time to reflect inflation and changed conditions in the City and the region. In lieu fees must be paid in the amount set forth in the resolution in effect at the time of issuance of the building permit.
- **Off-Site Projects.** An applicant may construct the affordable units not physically within the development in lieu of constructing some or all affordable units within the development, with the approval of the City Council, if the City Council finds:
    - Construction of the units off-site in lieu of constructing units on-site is consistent with the chapter's goal of creating, preserving, maintaining, and protecting housing for very low-, low- and moderate-income households.
    - The units to be constructed off site are consistent with Dublin Municipal Code Section 8.68.030.E.
    - It would be infeasible or impractical to construct affordable units on-site.
    - Conditions of approval for the project require the off-site affordable units to be governed by the terms of a deed restriction and, if applicable, rental restrictions similar to on-site affordable units.
    - The conditions of approval for the project, or other security such as a cash deposit, bond, or letter of credit, are adequate to require the construction of the off-site affordable units concurrently with the completion of the construction of the residential development or within a reasonable period (not to exceed five years).
- **Land Dedication.** An applicant may dedicate land to the City or city-designated local non-profit housing developer in lieu of construction of some or all required affordable units, if the Council finds:

- That dedication of land in lieu of constructing units is consistent with the chapter's goal of creating, preserving, maintaining, and protecting housing for very-low, low- and moderate-income households.
- That the dedicated land is useable for its intended purpose, is free of toxic substances and contaminated soils, and is fully improved, with infrastructure, adjacent utilities, grading, and all development-impact fees paid excluding any inclusionary zoning ordinance fees.
- That the proposed land dedication is of sufficient size to meet the following requirements:
  - The dedication includes land sufficient to construct the number of units that the applicant would otherwise be required to construct by Dublin Municipal Code Section 8.68.030.A, based on the size of lots in the subdivision for which the applicant is meeting its obligation; and

The dedication includes such additional land where the market value is equal to or exceeds the difference between the value of a 1,200-square-foot unit and the price at which such a unit could be sold as an affordable unit times the number of units required.

- **Credit Transfers.** An applicant may fully or partially satisfy the requirements of Dublin Municipal Code Section 8.68.030.A by using transfer credits created pursuant to Section 8.68.060. Credit certificates are presented to the Community Development Director, who shall note at the time of project approval the credit certificate by number. Credit certificates may only be used to satisfy the requirements for Inclusionary Units for the income category and number of bedrooms for which they are issued.
- **Waiver of Requirements.** The City Council, at its discretion, may waive, wholly or partially, the requirements of the Inclusionary Zoning Ordinance and approve alternate methods of compliance with Dublin Municipal Code Chapter 8.68 if the applicant demonstrates, and the City Council finds, that such alternate methods meet the purposes of the Chapter.

However, the City may also offer incentives or financial assistance to encourage the development of on-site affordable units in excess of the 12.5 percent inclusionary requirement. These incentives may include, but are not limited to:

- Fee deferral for development processing fees and development impact fees.
- Design modifications such as reduced lot sizes, reduced setback requirements, reduced open space requirements, reduced landscaping requirements, reduced interior or exterior amenities, reduction in parking requirements, and/or height restriction waivers.

Residential development projects requesting a density bonus by providing a percentage of affordable units pursuant to State Density Bonus Law may count the affordable units toward the project's inclusionary requirement. The City's Inclusionary Zoning Ordinance works together with State Density Bonus Law.

Prior to issuance of a building permit for an affordable unit, the City must establish resale restrictions, rental controls, or both, in an agreement between the City and the developer. The agreement must be executed by the City Manager, and its requirements run with the land and bind future property owners. Agreements involving rental units shall require the owner of the affordable units to ensure that the units

are occupied by tenants whose monthly income levels do not exceed very low-, low-, or moderate-income levels, and preclude the tenants from subletting or subleasing the unit. The agreement also requires the owner of the affordable unit to submit an annual report to the City Manager including, but not be limited to, an identification of the affordable units within the project; the monthly rents charged and proposed to be charged; vacancy information for the prior year; and the monthly income for tenants of each affordable unit throughout the prior year. Agreements for ownership units must specify that the inclusionary units must be occupied by the owner(s) and may not be leased or rented without the written approval of the City. The resale restrictions must provide that in the event of the sale of an affordable unit, the City will have the right to purchase any affordable owner-occupant unit at the maximum price that could be charged to an eligible household.

The Inclusionary Zoning Ordinance requires households to receive eligibility approval prior to occupying an affordable unit. Potential eligible occupants of affordable units will be qualified based on household income, the median combined household income statistics for Alameda County published periodically by HCD, all sources of household income and assets, the relationship between household size and the size of available units, and any further criteria required by law. The developer is also required to use an equitable selection method established in conformance with the terms of the Inclusionary Zoning Ordinance. The selection criteria may not distinguish between adults and children. Selection of qualified person is based on priorities established using the point system described below:

- Employed within the boundaries of Dublin for at least six months prior (three points, one per household)
- Public Service employee working in Dublin (one additional point)
- Dublin resident for at least one year prior (three points, one per household)
- Seniors (one point per household)
- Permanently disabled (one point per household)
- Immediate family member of Dublin resident (one point per household)
- Required to relocate from current Dublin residence due to demolition of dwelling or conversion of dwelling from rental to for-sale unit (one point per household)

In general, the City's Inclusionary Zoning Ordinance is not considered a constraint as it contributes to the development of affordable housing throughout the City.

Specific Plans

The City utilizes specific plans as a tool to implement the guiding policies contained in the General Plan. The City adopted four specific plans that encompass specific geographic areas. Each specific plan contains policies and design guidelines that are tailored to implement the community's vision for the future of these areas and to ensure a coordinated development scheme. Physical improvements to property within each of these plan areas must comply with the policies contained in the General Plan and the corresponding specific plan.

DOWNTOWN DUBLIN SPECIFIC PLAN (DDSP)

The Downtown Dublin Specific Plan (DDSP) guides the creation of a vibrant and dynamic commercial and mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living, and entertainment in a pedestrian-friendly and aesthetically pleasing setting.

The DDSP area is 284 acres in size and includes three districts – the Retail District, the Transit-Oriented District, and the Village Parkway District. **Table C-9a** provides the permitted residential uses in each district and **Table C-9b** provides the development standards. In total, 2,500 net new residential dwelling units are permitted in the DDSP with the following densities:

- Retail District: 22 units per net acre with no maximum density
- Transit-Oriented District: 30 to 85 units per net acre
- Village Parkway District: No minimum density to 15 units per acre

Table C-9a: Downtown Dublin Specific Plan - Permitted Residential Uses

Building Uses	Retail District	Transit-Oriented District	Village Parkway District
Live-Work[1]	Allowed[2]	Allowed	CUP/PC[3]
Multi-Family Residential[1]	Allowed[2]	Allowed	Allowed
Mixed-Use Residential[1]	Allowed[2]	Allowed	Allowed

Notes:
1. Subject to additional development standards if located within 1,000 feet of I-580 or I-680.
2. Allowed throughout the Retail District except on those properties west of San Ramon Road.
3. May be permitted with a CUP/PC in a mixed-use development.

CUP – Conditional Use Permit
PC – Planning Commission
Source: City of Dublin Downtown Specific Plan

Table C-9b: Downtown Dublin Specific Plan – Development Standards

Feature	Minimum Standard	Feature	Minimum Standard
Lot Width[1]	50 ft.	**Internal Setback from Property Lines shared with Residential Uses**	15 ft.
Lot Depth[1]	80 ft.	**Internal Setback from Property Lines shared with Non-Residential Uses**	Per Building Code
Lot Size[1]	10,000 sq. ft.	**Freeway/Drainage Channel Setback**	10 ft. minimum from property lines adjacent to freeway or drainage channel
Street Setback from Dublin Boulevard and San Ramon Road	10 ft. min. The street setback may be improved as an extension of the public sidewalk if accessible to the public through an established easement	**Required Frontage Buildout[2]**	Not Required
Street Setback from Other Streets	5 ft. min. The street setback may be improved as an extension of the public sidewalk if accessible to the public through an established easement	**Building Height**	6 floors and 75 ft. max. (tower elements, architectural and articulated design features, solar panels, and small-scale wind

Table C-9b: Downtown Dublin Specific Plan – Development Standards			
Feature	**Minimum Standard**	**Feature**	**Minimum Standard**
			turbines may extend 10 ft. max. beyond this height) Minimum building height in "The Core" is 40 feet
Density	Not permitted west of San Ramon Road. Allowed at a minimum density of 22 units per net acre. • Permitted within a mixed-use development if designed based on the following standards: The development includes ground floor retail or office space that equals an FAR of 0.3 min. • Retail or office space is built along at least 80 percent of the property's total street frontage and set back no more than 10 ft. from the building setback requirement. • Common open space for the residential units are provided at a rate of 15 percent of the site's total area. Projects that include residential development within 1,000 ft. of either Interstate 580 or 680 (or less per Bay Area Air Quality Management District's current guidelines) shall incorporate the following standards to minimize potentially adverse air quality affects: • Configure the proposed buildings so that the bulk of the building is located farther from the highway. • Place heating ventilation and air conditioning (HVAC) system intakes as far away from highway as feasible. • Include high efficiency filters in the HVAC system (rated with a minimum efficiency rating value [MERV] of at least 13). This would also include a commitment to regular maintenance and replacement of filters as needed. • Provide positive pressure with the HVAC system in all occupied spaces to prevent the incursion of outside air that bypasses the HVAC filters. • To reduce the amount of outside unfiltered air indoors, do not place operable windows in close proximity to the highway. In addition, signs should be posted to keep exterior doors closed when not in use.		
Notes: 1. These standards only apply to new land subdivisions and do not apply to condominium subdivisions. 2. If residential units are provided, see buildout requirements in the Building Design table of the Specific Plan. *Source: City of Dublin Downtown Specific Plan*			

DUBLIN VILLAGE HISTORIC AREA SPECIFIC PLAN

The Dublin Village Historic Area Specific Plan guides future development in the specific plan area to be sensitive to the area's historic past and to preserve and enhance the area's historical, cultural, and archaeological resources.

The Dublin Village Historical Area consists of approximately 38 acres of land and includes commercial, residential, public, and business park/industrial uses. **Table C-10** outlines the permitted residential land uses and the total development potential. Dublin Village Historical Area does not establish its own development standards.

Table C-10: Dublin Village Historic Area Specific Plan - Permitted Residential Uses		
Residential Land Uses	**Density Range**	**Maximum Development Potential**
Medium Density Residential	6.1 – 14 units/acre	Up to 83 units
Medium/High Density Residential	14 – 25 units/acre	Up to 207 units
	TOTAL	**290 units**
Source: Dublin Village Historical Area Specific Plan		

EASTERN DUBLIN SPECIFIC PLAN

The Eastern Dublin Specific Plan provides a planning framework for the future growth and development of approximately 3,300 acres that lie to the east of the Camp Parks Reserve Forces Training Area. As provided in the Eastern Dublin Specific Plan, the residential land use category has six classifications: High Density, Medium High Density, Medium Density, Single Family, Estate Residential and Rural Residential/Agricultural. Taken together, the Specific Plan projects a total of 13,950 housing units at "buildout." Approximately 58 percent of the new housing units are single-family residential character; however, to encourage affordability, many are smaller units on smaller lots. **Table C-11** outlines the permitted residential land uses and the total development potential. Eastern Dublin Specific Plan does not establish its own development standards.

Table C-11: Eastern Dublin Specific Plan - Permitted Residential Uses

Residential Land Uses	Land Area	Density	Unit Yield
Rural Residential/Agricultural	539.55 acres	0.01 units/acre	5 units
Estate Residential	30.4 acres	0.13 units/acre	4 units
Single Family[1]	947.25 acres	4 units/acre	3,789 units
Medium Density[2]	492.71 acres	10 units/acre	4,744 units
Medium High Density	156.61 acres	20 units/acre	3,132 units
High Density	58.74 acres	35 units/acre	2,056 units
Mixed Use	0 acres	15 units/acre	115 units
TOTAL	**2,225.26 acres**	**--**	**13,950 units**

1. The Eastern Dublin Specific Plan originally considered 68 units on the Dublin Ranch North (Redgewick) property. The land use designation was amended to allow development of four units. This change results in 64 excess single-family units than what was analyzed in the 1993 Eastern Dublin Environmental Impact Report.
2. 50 percent of the units within the Medium Density land use designation on the East Ranch and Jordan properties shall have private, flat yards.

Source: Eastern Dublin Specific Plan

In east Dublin, higher density housing is in the flatter areas where there are fewer environmental and development constraints, and in proximity to commercial centers where the concentration of population will contribute to the social and economic vitality of the area.

DUBLIN CROSSING SPECIFIC PLAN

The Dublin Crossing Specific Plan area is located in the heart of the City and seeks to provide a vibrant neighborhood where people can work, live, and play. The large central park will serve as a gathering place for the entire City, with direct access to the Iron Horse Regional Trail and links to the Dublin/Pleasanton BART station.

The Dublin Crossing Specific Plan accommodates up to 1,995 residential units with densities ranging from six to 60 units per acre, as shown in **Table C-12**. The Dublin Crossing Specific Plan allows for a variety of housing types throughout the project area, including single-family detached and attached, as well as multi-family units located near the existing high-density residential development adjacent to the BART station and the existing medium-density residential neighborhood. Residential density ranges within each residential neighborhood are allowed to provide flexibility of subdivision design and to adapt to changing future housing market conditions.

Table C-12a: Dublin Crossing Specific Plan - Permitted Residential Uses		
Residential Land Uses	**Net Acreage[1]**	**Density**
Dublin Crossing Medium Density Residential (DC MDR)	43.4 acres	6 – 14 units/acre
Dublin Crossing Medium High Density Residential (DC M-HDR)	46.5 acres	14.1 – 25 units/acre
General Commercial/ DC Medium High Density Residential (GC/DCM-HCD)[2]	9.1 acres	14.1 – 25 units/acre
General Commercial/ DC High Density Residential (GC/DC HDR)[2]	23.1 acres	20.1 – 60 units/acre
	TOTAL UNIT POTENTIAL	**1,995 units**

1. Net acreage is defined as the gross acreage less backbone street, public street, and right-of-way area.
2. Can have commercial only, mixed-use, or residential-only uses.

Source: Dublin Crossing Specific Plan

Table C-12a: Dublin Crossing Specific Plan – Development Standards								
Feature	**Minimum Standard by Residential Product Type**							
	Single-Fam (Detached)	**Alley Loaded Home (Detached)**	**Duet Home (Attached)**	**Rowhouse (Attached)**	**Green Court Home (Detached)**	**Motorcourt Home**	**Townhome (Attached)**	**Multi-Fam (Attached)**
Lot Size	3,000 sq.ft.	2,200 sq.ft.	3,000 sq.ft.	1,600 sq.ft.	1,800 sq.ft.	1,800 sq.ft.	1,000 sq.ft.	None
Lot Width	35 ft.	30 ft.	35 ft.	20 ft.	30 ft.	30 ft.	20 ft.	None
Setbacks								
Front – Living	10 ft.	10 ft.	10 ft.	10 ft.	10 ft.	-	-	-
Front – Garage	18 ft.	-	18 ft.	-	-	-	-	-
Front – Porch	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	-	-	-
Front Street Facing - Living	-	-	-	-	-	10 ft.	-	-
Front Street Facing – Porch	-	-	-	-	-	5 ft.	-	-
Front Interior – Living	-	-	-	-	-	5 ft.	-	-
Front Interior – Porch	-	-	-	-	-	4 ft.	-	-
Front Interior – Garage	-	-	-	-	-	5 ft.	-	-
Side – Interior	4 ft.	4 ft.	0 ft.	0 ft.	-	-	-	-
Side – Corner Living	8 ft.	8 ft.	8 ft.	8 ft.	-	10 ft.	-	-
Side – Corner Porch	5 ft.	5 ft.	5 ft.	5 ft.	-	5 ft.	-	-
Side - Yard	-	-	4 ft.	-	4 ft.	4 ft.	-	-
Street – Living	-	-	-	-	8 ft.	-	10 ft.	-
Street – Porch	-	-	-	-	5 ft.	-	5 ft.	-
Street – Side	-	-	-	-	-	-	10 ft.	-
Rear	10 ft.	3 ft.	10 ft.	3 ft.	3 ft.	-	3 ft.	-
Rear – Living	-	-	-	-	-	4 ft.	-	-
Rear – Garage	-	-	-	-	-	5 ft.	-	-
Building to Property Line	-	-	-	-	-	-	-	10 ft.
Building to Parking and Drive Isle	-	-	-	-	-	-	-	5 ft.
Drive Isle or Parking to Property Line	-	-	-	-	-	-	-	5 ft.
Building Separation Provisions								
Building Face to Building Face	-	-	-	-	-	-	30 ft.	-

Table C-12a: Dublin Crossing Specific Plan – Development Standards								
Feature	Minimum Standard by Residential Product Type							
	Single-Fam (Detached)	Alley Loaded Home (Detached)	Duet Home (Attached)	Rowhouse (Attached)	Green Court Home (Detached)	Motorcourt Home	Townhome (Attached)	Multi-Fam (Attached)
Porch to Porch	-	-	-	-	-	-	20 ft.	-
Garage to Garage	-	-	-	-	-	-	27 ft.	30 ft.
Side to Side	-	-	-	-	-	-	20 ft.	-
Building to Building (2 stories or less)	-	-	-	-	-	-	-	10 ft.
Building to Building (3-4 stories)	-	-	-	-	-	-	-	20 ft.
Building to Building (5-6 stories)	-	-	-	-	-	-	-	3 ft.
Maximum Number of Stories	3	3	3	3	3	3	3	6
Source: Dublin Crossing Specific Plan								

Local Processing and Permit Procedures

The development community commonly cites the permit processing time as a contributor to the high cost of housing in California. Depending on the magnitude and complexity of the development proposal, the time that elapses from application submittal to project approval may vary considerably. Factors that can affect the length of development review on a proposed project include the completeness of the development application and the responsiveness of developers to staff comments and requests for information. Approval times are substantially lengthened for projects that are not exempt from CEQA, require rezoning or general plan amendments, or encounter community opposition. Applicants for all permits or reviews are recommended to request a meeting with the respective department to confirm City requirements as they apply to the proposed project; discuss the City's review process, possible project alternatives, or revisions; and identify information, submittal requirements, and any necessary technical studies and information relating to the environmental review of the project.

All new residential projects, unless eligible for streamlined approval, require a Site Development Review Permit. The Site Development Review Permit may be reviewed concurrently with other required permits, as applicable. The following findings must be made for approval of a Site Development Review Permit and must be supported by substantial evidence in the public record:

1. The proposal is consistent with the purposes of DMC Chapter 8.104, the General Plan, and any applicable Specific Plans and design guidelines.
2. The proposal is consistent with the provisions of this Title, Zoning. For new multifamily residential development only, the proposal is either consistent with all of the Citywide Multifamily Objective Design Standards adopted pursuant to DMC Section 8.36.020(B); alternatively, if the proposal deviates from one or more objective design standards, then the proposal is consistent with the purpose and intent of the applicable standard.
3. The design of the project is appropriate to the City, the vicinity, surrounding properties and the lot in which the project is proposed.

4. The subject site is physically suitable for the type and intensity of the approved development.
5. Impacts to existing slopes and topographic features are addressed.
6. Architectural considerations including the character, scale and quality of the design, site layout, the architectural relationship with the site and other buildings, screening of unsightly uses, lighting, building materials and colors and similar elements result in a project that is harmonious with its surroundings and compatible with other development in the vicinity.
7. Landscape considerations, including the location, type, size, color, texture and coverage of plant materials, and similar elements have been incorporated into the project to ensure visual relief, adequate screening and an attractive environment for the public.
8. The site has been adequately designed to ensure proper circulation for bicyclists, pedestrians and automobiles.
9. Approval of this application complies with DMC Chapter 8.58 relating to the Public Art Program Contribution.

The required Site Development Review Permit findings are established to ensure consistency amongst all residential developments. Required findings are reviewed periodically to ensure they are not a constraint to the development of housing. Required findings may increase the cost of development but not enough to be considered a constraint. Findings do not impact the supply of housing but may cause review processes to last longer than a ministerial approval. Although the process may be longer, the timing does not affect approval certainty.

Table C-13a provides additional planning applications that may apply to residential projects, their review process, and typical review time of each, while **Table C-13b** provides the review timeframes for specific projects recently submitted. **Table C-13b** also details the time between planning approval and submittal of building permit applications. As shown, the gap between the two is generally short – 43 percent of projects submitted a building permit application within a year of receiving planning approval. Of these, one project had a gap of six months, two had a seven-month gap, and three had an 11-month gap. Six projects had submittal gaps of over a year with most being a few months past one year and one project reaching about seven years. Two projects listed in **Table C-13b** had concurrent review of planning and building permit applications. Overall, the gap between receiving planning approval and submitting for a building permit was not found to be caused by the City's review processes.

Table C-13a: Planning Application Review Process						
Planning Application	Public Notice	Community Development Director	Zoning Administrator	Planning Commission	City Council	Typical Review Time
Conditional Use Permit[1]	Yes	X[2]	X	X		4-6 months
Minor Use Permit	Yes	X				3-4 months
Planned Development Stage 1 Development Plan	Yes	X[2]		X	X	6-12 months
Planned Development Stage 2 Development Plan	Yes	X[2]		X	X	6-12 months
Site Development Review[1]	Yes	X	X	X		3-8 months
Site Development Review Waiver	No	X				<2 weeks
Temporary Use Permit	No	X				<1 week
Variance[1]	Yes		X	X	X	4-6 months
Zoning Clearance	No	X				<1 week
Zoning Ordinance Amendment	Yes			X	X	6-12 months

Note: Decision-maker may refer decision making on applications to a higher body (i.e., the Community Development Director may refer a Minor Use Permit to the Planning Commission).

1. Review body is dependent on project-specific requests.
2. Minor amendments.

Table C-13b: Example Planning Project Review Timelines				
Project	Planning Application Submission Date	Planning Application Approval Date	Building Permit Submission Date	Building Permit Issuance Date
Amador Station (BRIDGE Housing)	5/5/2021	8/10/2021	Awaiting submittal	Awaiting submittal
Aster (Bay West)	10/23/2012	12/15/2015	1/26/2015	8/28/2015
Avesta	12/4/2015	3/22/2016	11/14/2017	10/25/2018
Camellia Place	1/14/2004	4/3/2004	11/4/2004	8/25/2005
Carlow Court at Emerald Vista	5/23/2007	4/28/2009	12/23/2010	6/8/2011
Connelly Station	11/22/2006	12/4/2007	3/31/2008	8/4/2011
East Ranch	7/18/2020	12/21/2022 and 5/3/2022	Awaiting submittal	Awaiting submittal
Oak Grove at Dublin Ranch	4/22/2003	7/8/2003	6/17/2004	7/8/2004
Pine Grove at Dublin Ranch	4/22/2003	7/8/2003	6/17/2004	7/8/2004
Regional Street Senior Affordable Apartments	8/23/2021	11/23/2021	Awaiting submittal	Awaiting submittal
Tralee Village - Condos	6/18/2003	6/22/2004	4/13/2012	10/10/2012
Tralee Village - Townhomes	6/18/2003	36/22/2004	3/1/2011	3/31/2011
The Perch / Trumark	4/30/2015	10/13/2015	5/26/2016	1/20/2017
Valor Crossing	10/23/2012	12/15/2015	5/8/2015	11/9/2015
Wexford Way at Emerald Vista	5/23/2007	4/28/2009	11/23/2010	6/8/2011
Wicklow Square Senior Apartments	5/24/2002	6/3/2003	11/25/2003	2/23/2004

Development Fees

Residential developers are subject to a variety of fees and exactions to process permits and provide necessary services and facilities as allowed by State law. All information regarding the City's development fees is available to the public on the City's website as required pursuant to Government Code Section 65940.1 (a)(1)(B). Development fees can be a constraint to the maintenance, improvement, and development of housing because the added costs for developers may result in higher housing unit costs. Development fees are, however, necessary to provide planning and public services. **Table C-14** provides the planning processing fees and **Tables C-15** and **C-16** provide the development impact fees.

Table C-14: Planning Division Fees

Permit	Fee
Use Permits (TUP/CUP)	
Minor Use Permit	$1,086
Minor Use Permit – Minor Amendment	$286
Minor Use Permit – Major Amendment	$1,146
Non-Residential Conditional Use Permit (CUP) (Approval considered by Planning Commission)	$1,719
Non-Residential Conditional Use Permit (CUP) (Can be approved by Zoning Administrator)	$1,719
Residential Conditional Use Permit (CUP) (Approval considered by Planning Commission)	$2,865
Residential Conditional Use Permit (CUP) (Can be approved by Zoning Administrator)	$2,865
Conditional Use Permit – Minor Amendment (Administrative Determination)	$573
Conditional Use Permit – Time Extension (Administrative Determination)	$401
Conditional Use Permit – Time Extension (Planning Commission Determination)	$1,719
Temporary Use Permit - Minor	$286
Temporary Use Permit – Major	T&M
Zoning Clearance – General	
Reasonable Accommodations	No fee
Indoor Recreational Facilities/Day Care Center/Scarlett Court	$573
Zoning Clearance – General	$85
Zoning Clearance – Housing Projects Eligible for Streamlined Approval	T&M
Zoning Clearance – SB 9 Unit Developments	T&M
Variance	
Non-Residential Variance	T&M
Residential Variance	T&M
Site Development Review (SDR)	
Site Development Review - General	T&M
Site Development Review – Residential Additions > 500 sq. ft.	T&M
Site Development Review – Single Sign (Master Sign Program is handled as a Site Development Review-General)	$372
Site Development Review Waiver	$401
Site Development Review Waiver for Projects with Development Deposit Account	T&M
Site Development Review – Time Extension (Administrative Determination)	$257
Site Development Review – Time Extension (Planning Commission Determination)	$1,289
Planned Development (PD) Processing	

Table C-14: Planning Division Fees	
Permit	**Fee**
Planned Development Application (Stage 1 / Stage 2)	T&M
Planned Development Minor Amendment – (Administrative Determination)	$586
Planned Development Minor Amendment for Project's with Development Deposit Account	T&M
Planned Development Minor Amendment – (Planning Commission Determination)	T&M
Planned Development Major Amendment – (City Council Determination)	T&M
Other Charges	
Appeal of Action by Applicant	T&M
Appeal of Action by member of public (non-applicant)	$229
Estoppel Certificate – Development Agreement	$267
Heritage Tree Removal Permit	$286
Preparation of Mailing Address Labels (Noticing Requirements)	$74
Equivalent Fees and Charges	As determined by City Manager or designee based on actual costs and rates plus general overhead
General Plan Amendment	T&M
Specific Plan Amendment	T&M
Tentative Map	T&M
Development Agreement	T&M
Lot Line Adjustment	T&M
Building Division permit referral[1]	$155
Planning Composite Hourly Rates & Overhead	
Composite City Planning Staff Hourly Rate (Includes Overhead)	$316
Overhead Rate - Applied to actual costs incurred for consultant services and expenses billed under T&M	30%

1. In order to incentivize accessory dwelling units (ADUs): 1) an ADU less than 750 square feet; and 2) ADUs 750 square feet or larger that are deed-restricted as lower-income units for a period of 55 years are not subject to these City permit fees, effective for building permits applied for between January 1, 2022, and December 31, 2026. ADUs required to satisfy Dublin Municipal Code Chapter 8.68 (Inclusionary Zoning Regulations), the scope of work beyond the establishment of the ADU, and/or enforcement fees are not eligible for this fee waiver.
2.T&M - Time and Materials (i.e., staff/consultant/contractor costs, reimbursable expenses, and general overhead applied to City costs). A deposit amount, determined by the Planning Division based on the application type and complexity, required with application submittal.
Source: City of Dublin Master Fee Schedule, FY 2022-2023.

Table C-15: Development Impact Fees by Housing Type				
Residential	**Single Family & Townhome**	**Other Multi Family**	**Senior Housing**	**ADU[1]**
Public Facility Impact Fees				
Aquatic Center	$406	$247	$147	$247
Civic Center	$1,799	$1,099	$653	$1,099
Community Buildings	$4,513	$2,755	$1,640	$2,755
Community Nature Parks, Improvement	$346	$211	$125	$211
Community Parks, Improvements	$5,464	$3,333	$1,986	$3,333
Community Parks, Land	$9,030	$5,512	$3,282	$5,512
Libraries	$325	$199	$118	$199
Neighborhood Parks, Improvements	$3,193	$1,949	$1,162	$1,949
Neighborhood Parks, Land	$4,067	$2,483	$1,478	$2,483
Public Facility Total	**$29,143**	**$17,788**	**$10,591**	**$17,788**
Fire Impact Fee				
Per Unit	$339	$207	$207	$123
Tri-Valley Transportation Development Fee				
Per Unit	$6,596.40	$3,889.20	--	$0
Affordable Housing In Lieu Fee				
Residential – $228,994.42 per unit				
Public Art In Lieu Fee				
Residential - Project of more than 20 units may make a monetary contribution to the City equal to five-tenths percent (0.5%) of the development project's building valuation (exclusive of land).				
1. Effective January 1, 2020, through January 1, 2025, an accessory dwelling unit (ADU) less than 750 square feet is not subject to impact fees. An ADU 750 square feet or larger are subject to impact fees that are proportional in relation to square footage of the primary dwelling unit or based on the impact fee per ADU, whichever is less.				
Source: City of Dublin Impact Fees, FY 2022-2023.				

Table C-16: Development Impact Fees by Residential Density						
Fee Type		**Low (<6 units/ acre)**	**Medium (6.1-14 units/ acre)**	**Med/High (14.1-25 units/ acre)**	**High (>25.1 units/ acre)**	**ADU[1]**
Eastern Dublin Traffic Impact Fees						
Outside Transit Center	EDTIF	$14,773	$14,773	$8,357	$6,566	$6,566
	BART Garage	$887	$887	$502	$394	$394
	Total Fee	**$15,660**	**$15,660**	**$8,859**	**$6,960**	**$6,960**
Inside Transit Center						
	Total Fee	**$14773**	**$14,773**	**$8,357**	**$6,566**	**$6,566**
Western Dublin Traffic Impact Fee						
Per Unit		$7,392.23	$7,392.23	$4,582.50	$3,843.85	$3,843.85
Dublin Crossing Transportation Fee						
Per Unit		$9,476	$9,476	$6,633	$5,685	$5,685
Eastern Dublin Freeway Interchange Fee (Sept. 1, 2022 – Aug. 31, 2023)						
Base Fee		$214.60	$214.60	$150.22	$128.76	$128.76
Escalator		$148.08	$148.08	$103.65	$88.84	$88.84
Total Fee		**$362.68**	**$362.68**	**$253.87**	**$217.60**	**$217.60**
Eastern Dublin Noise Mitigation Fee						
Per Unit		$4.74	$4.74	$3.32	$2.85	$2.85

1. Effective January 1, 2020, through January 1, 2025, an accessory dwelling unit (ADU) less than 750 square feet is not subject to impact fees. An ADU 750 square feet or larger are subject to impact fees that are proportional in relation to square footage of the primary dwelling unit or based on the impact fee per ADU, whichever is less.

Source: City of Dublin Impact Fees, FY 2022-2023.

The development impact fees associated with each project are dependent on the housing type, density, intensity of use, and location. In addition to these direct fees, the total cost of development is contingent on the project meeting the City's policies and standards, as well as the applicant submitting necessary documents and plans in a timely manner.

Estimated total development and impact fees for a typical single-unit residential project measuring 3,000 square feet, assuming it is not part of a subdivision and is consistent with existing city policies and regulations is approximately $61,572. The estimated total development and impact fees for a typical multi-unit residential project with ten market-rate units measuring a total of 34,848 square feet, assuming it is consistent with existing City policies and regulations is approximately $491,250.

Both estimates are illustrative in nature and actual costs are contingent upon unique circumstances of individual development project applications. Considering the cost of land in Dublin, and the International Code Council (ICC) estimates for cost of labor and materials, the combined costs of permits and fees range from approximately 2.3 percent of the direct cost of development for a single-unit residential project and 3.2 percent for a multi-unit residential project. Direct costs do not include, landscaping, connection fees, on/off-site improvements, shell construction or amenities, therefore the percentage of development and impact fees charged by the City may be smaller if all direct and indirect costs are included.

Program D.4 is included in the **Housing Plan** to evaluate the impact of development fees on housing development and adjust or mitigate as appropriate.

3. Infrastructure Constraints

Another factor that could constrain new residential construction is the requirement and cost to provide adequate infrastructure (I.e., major and local streets; water and sewer lines; and street lighting) needed to serve new residential development. In most cases, where new infrastructure is required, it is funded by the developer and then dedicated to the City, which is then responsible for its maintenance. Because the cost of these facilities is generally borne by developers, it increases the cost of new construction, with much of that increased cost often "passed on" as part of home rental or sales rates.

Dry Utilities

ELECTRICAL

East Bay Community Energy (EBCE) is the County of Alameda's Community Choice Aggregation (CCA) program, a community-governed power supplier that provides cleaner electricity to Alameda County residents and businesses, at rates that are lower or comparable to PG&E. EBCE partners with PG&E, which continues to deliver electricity and gas, maintain the power lines, respond to outages, and provide billing and customer service. EBCE provides electricity generated from a high percentage of renewable sources, such as solar, wind, and geothermal energy. The goal is to have more local control over our community's sources of energy, which can lead to cleaner, greener, and more local electricity.

PG&E's distribution system delivers electricity directly to residential and commercial customers. Most electric power is brought to electric substations in the region via transmission lines connected to the statewide grid system. Electric power capacity is looked at on a subregional (rather than citywide) basis. Local electrical capacity is a function of: (1) transmission network capacity to bring this power to Dublin and the greater Tri-Valley area; (2) capacity of the local substations to lower the voltages (or step down the power) to deliverable suitable voltage; and (3) the ability of the local distribution network to deliver adequate power to customers.

NATURAL GAS

Natural gas is supplied directly to residential and commercial customers by PG&E. Natural gas is pumped from the underground reservoir into large transmission pipelines, which transport the gas to local distribution pipelines. Some local distribution systems lead to underground storage. These natural gas storage areas are utilized during seasonal peaks. Dublin General Plan Chapter 13 – Environmental Resources Management: Energy Conservation Element establishes policies and programs, which promote energy conservation and efficiency in new and existing buildings throughout the City.

Water Supply

According to Dublin General Plan Chapter 12 – Environmental Resources Management: Water Resources Element, the City does not control the supply or delivery of water to customers, nor does the City control cost and pricing mechanisms related to water supply. The City does not manage regional flood control facilities either. However, the City works in collaboration with other agencies that provide these services

and, therefore, the scope of the Water Resources Element reflects this reality. The scope of City influence extends mainly to promoting and encouraging water conservation among business and residential users, implementing Low Impact Development measures to help treat stormwater, and managing stormwater runoff and pipelines that lead to flood control facilities. The Water Resources Element is intended to guide these efforts.

DUBLIN WATER SOURCE

The Dublin San Ramon Services District (DSRSD) is the water retailer for residents in Dublin and the Dougherty Valley portion of the City of San Ramon. DSRSD buys wholesale potable water from Zone 7 of the Alameda County Flood Control and Water Conservation District (also referred to as the Zone 7 Water Agency, or Zone 7). Zone 7 obtains most of its water supply from the State Water Project (SWP), with additional supplies derived from the local watershed and the Byron Bethany Irrigation District. Zone 7 uses the main groundwater aquifers in the Tri-Valley area to store imported water. Approximately 80 percent of Zone 7's water comes from the SWP, traveling from the Sierra Nevada mountains through Lake Oroville and the Sacramento/San Joaquin Delta. The water is then pumped into the South Bay Aqueduct near Tracy, where it enters the Tri-Valley. Zone 7 also pumps DSRSD's groundwater quota for delivery to DSRSD customers.

WATER DEMAND

According to the Water Resources Element, potable and recycled water use in Dublin has generally increased since 2002 with much of the increased water usage as a result of planned growth. The Water Resources Element identifies residential users, specifically single-family residential users, as the largest consumer of water in the City. Although the total water demand has increased for the single-family residential category, the total number of single-family households has increased at a greater rate than the total water demand rate reported in the Water Resources Element. However, the average annual consumption of a single-family residence has decreased due to many factors, including a greater use of water efficient features, installation of more water-efficient landscapes, and greater public education regarding the importance of water conservation.

WASTEWATER

DSRSD owns and operates sanitary sewer facilities in Dublin and San Ramon and a wastewater treatment plant in Pleasanton. Two wastewater treatment plants serve Tri-Valley residents, businesses, and institutions. DSRSD operates the plant located in Pleasanton, which has a capacity of 17 million gallons per day (MGD). The City of Livermore operates the other plant, which has a capacity of eight MGD. Regional wastewater disposal matters are the business of the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers authority formed in June 1974 between DSRSD and the cities of Pleasanton and Livermore. LAVWMA is responsible for maintaining the pipeline that transports treated wastewater from the two treatment plants to San Lorenzo. It is discharged into San Francisco Bay by the East Bay Dischargers Authority, another joint powers authority formed by cities and agencies in the East Bay, which operates and maintains a large outfall system to the Bay.

Fire and Emergency Services

According to Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element, the Alameda County Fire Department provides all fire prevention, fire protection, and First Responder Emergency Medical Services including advanced life support (paramedics) within Dublin.

DSRSD supplies water to the City for both domestic use and fire protection purposes through a series of pipelines, pump stations, and reservoirs. For fire protection, the Alameda County Fire Department specifies the required fire flows, which the DSRSD system is designed to provide. For non-sprinklered buildings, Alameda County Fire requires a minimum of 1,500 gallons of water per minute for two hours. For sprinklered buildings, up to 2,000 gallons of water per minute is needed for four hours. DSRSD maintains separate fire protection water storage with an adequate volume to abate two simultaneous fires.

FIRE SERVICES

The Alameda County Fire Department includes four organizational branches: Operations, Communications and Special Operations, Administrative Support Services, and Fire Prevention. The Fire Chief provides overall leadership and is responsible for the effective management, coordination, and service delivery of all aspects of the Department. The Deputy Fire Chiefs, Fire Marshal, and Administrative Services Director oversee their respective organizational branches ensuring the overall day-to-day readiness of all aspects of the organization. The following summarizes the responsibilities of the four Alameda County Fire Department branches:

- **Operations Branch.** The Operations Branch is responsible for emergency response and incident mitigation for fires, medical emergencies, hazardous materials, urban search, rescue, and other emergencies. The Operations Branch is charged with ensuring that personnel meet established training guidelines so the Department can meet any emergency response challenge. The Operations Branch is also responsible for the management of the Reserve Program which provides a cadre of individuals who volunteer their time and skills to assist front line firefighters. First-responder paramedic services are always available throughout the unincorporated areas of the County (excluding Fairview) as well to the cities of Dublin, Newark and San Leandro, the Lawrence Berkeley National Laboratory, and Lawrence Livermore National Laboratory. The goal of the Operations Branch is to contribute to the safety of the citizens of Alameda County by safely providing emergency response and incident management for fires, rescues, medical emergencies, hazardous materials incidents, and disasters.
- **Communications and Special Operational Branch.** The Communications and Special Operational Branch is responsible for the operations of the Alameda County Regional Emergency Communications Center (ACRECC), the Emergency Medical Services Division, Hazardous Material and Water Rescue Programs, and Emergency Preparedness. The goal of the Communications and Special Operations Branch is to administer special fire operational programs to ensure that local, State, and federal mandated and discretionary service levels are maintained within the communities served and to dispatch all fire emergency calls quickly and efficiently.

- **Administrative Support Services Branch.** The Administrative Support Services Branch is responsible for a broad array of administrative, financial, and programmatic service areas that are essential for maintaining operational readiness. These areas include Fleet Management (Apparatus Maintenance and Repair), Financial Services, Facilities, and Human Resources. The goal of the Administrative Support Services Branch is to administer support service activities and programs that are essential for maintaining operational readiness.
- **Fire Prevention Branch.** The primary responsibilities of Fire Prevention Branch are the enforcement of all applicable State and local fire codes and standards, and fire investigations. Code enforcement is accomplished through the review and approval of building and facility plans, inspection of completed work, and certification of occupancy. The goal of the Fire Prevention Branch is to provide fire prevention services to meet the current and future needs of communities served.

Police Services

The Dublin Police Services contracts with the Alameda County Sheriff's Office (ACSO) for police services. The Sheriff's Office Commander assigned to Dublin Police Services (DPS) serves as the Chief of Police and within the Sheriff's Office, reports to the Assistant Sheriff of Law Enforcement Services. Since 1982, the City and ACSO have renewed and/ or extended the agreement between the two organizations 11 times. Most recently, the City renewed its contract with Alameda County Sheriff's Office through June 30, 2030. The Dublin City Manager may request modifications to the level of service provided at any time.

Dublin Police Services has 59 sworn personnel and eight professional staff members who provide public safety to the City. The Operations Division consists of the Patrol and Traffic Units. There are five sergeants who serve as the supervisor and shift watch commanders. They are responsible for Patrol Operations and the 28 officers who are assigned to Patrol. Two of those officers are police service dog handlers (K9 Unit). The Traffic Sergeant is responsible for four traffic officers. The Investigative Services Unit and the Special Investigations Unit make up the Investigations Division. Each Unit is supervised by a sergeant. The Investigative Services Unit consists of five detectives who investigate major crimes. The Special Investigations Unit investigates narcotics and other quality of life-related incidents. In 2020, Dublin Police Services drove 455,955 miles, and maintained a presence in business and commercial districts, residential areas, and parks. Specifically, Dublin Police Services responded to 30,706 service calls with an average response time of 5.3 minutes. Dispatch Services are provided by Alameda County Sheriff's Office.

4. Environmental Constraints

The City may be susceptible to several environmental constraints to the development of housing. This section details potential environmental factors in Dublin. Overall, sites identified as part of the adequate sites analysis are not environmentally constrained and do not have any known conditions precluding development on the identified sites.

Geologic Hazards

The City is located between the western hills that form part of the ridgelands extending from Contra Costa County to Santa Clara County and the eastern hillside. The City is also situated along major fault traces, similar to most California jurisdictions.

According to Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element, the City has potential geologic hazards commonly found in California. Specifically, downslope movement and surface fault rupture due to earthquakes pose significant constraints on the location of urban development. Downslope movement includes landslides, rockfalls, debris flows, and soil creep. Factors affecting downslope movement are groundwater, rock and soil type, slope angle, propensity to erosion, seismic activity, vegetation, and grading or other human alterations. **Figure C-6** shows fault traces and boundaries within the City. The Safety Element identifies policies and programs aimed at mitigating potential damage and constraints from these geologic hazards.

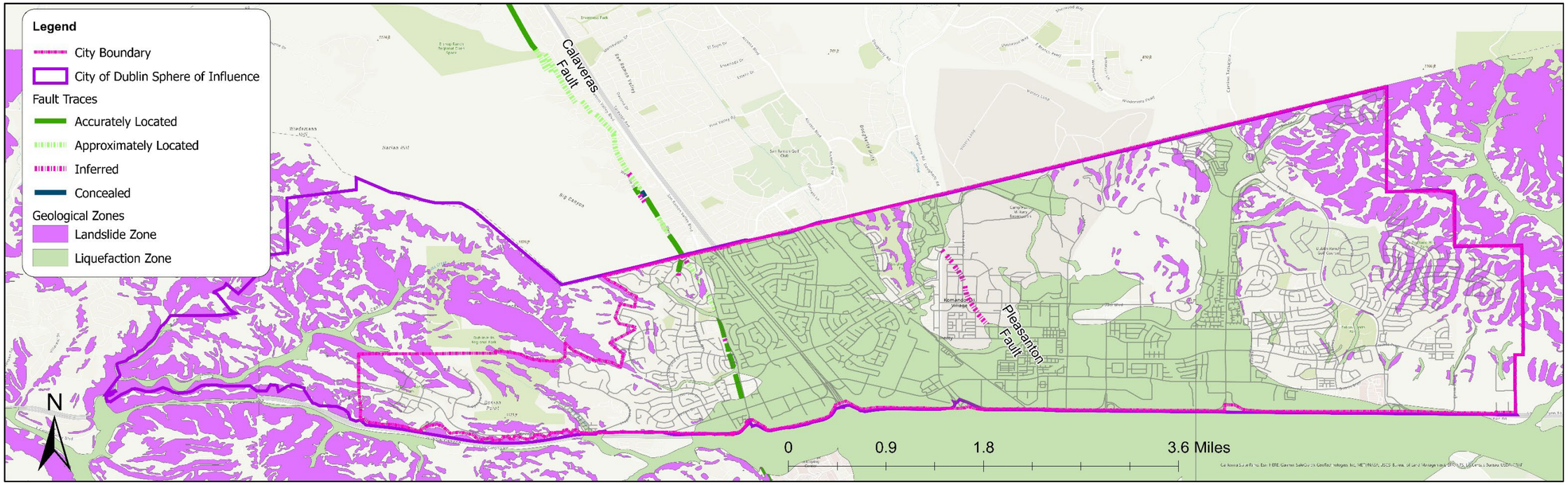
Seismic Hazards

The California Earthquake Authority (CEA) provides risk identification and mapping throughout the State. The CEA identifies a 76 percent likelihood of one or more magnitude-7.0 quakes striking Northern California as it straddles the San Andreas fault system—the major geologic boundary between the North American and Pacific tectonic plates. The San Andreas and Hayward faults are the most notable faults in the vicinity. The Calaveras and Hayward faults extend up the east side of the San Francisco Bay. These and several other major faults in the region are part of the San Andreas fault system and can cause damaging earthquakes, like the 1989 Loma Prieta earthquake. According to the CEA, there is a 51 percent chance that the San Francisco region specifically will experience one or more magnitude-7.0 or greater earthquake by 2044. There's a 98 percent chance of one or more magnitude-6.0 or greater earthquake occurring in the San Francisco area during that same timeframe.

Liquefaction

Due to the potential for seismic activity and soil type in the region lowland areas away from major faults may be subject to liquefaction, according to the CEA. Residences on liquefied soil may settle or even move laterally on gentle slopes. Landslides are also possible on steep slopes. **Figure C-6** illustrates liquefaction and landslide areas within Dublin. The City is heavily impacted by potential risks, but the Safety Element identifies policies and programs that address the risk factor, such as requiring new residential developments to comply with the Building Code, which includes earthquake safety provisions.

Figure C-6: Geologic Hazards and Constraints (2022)

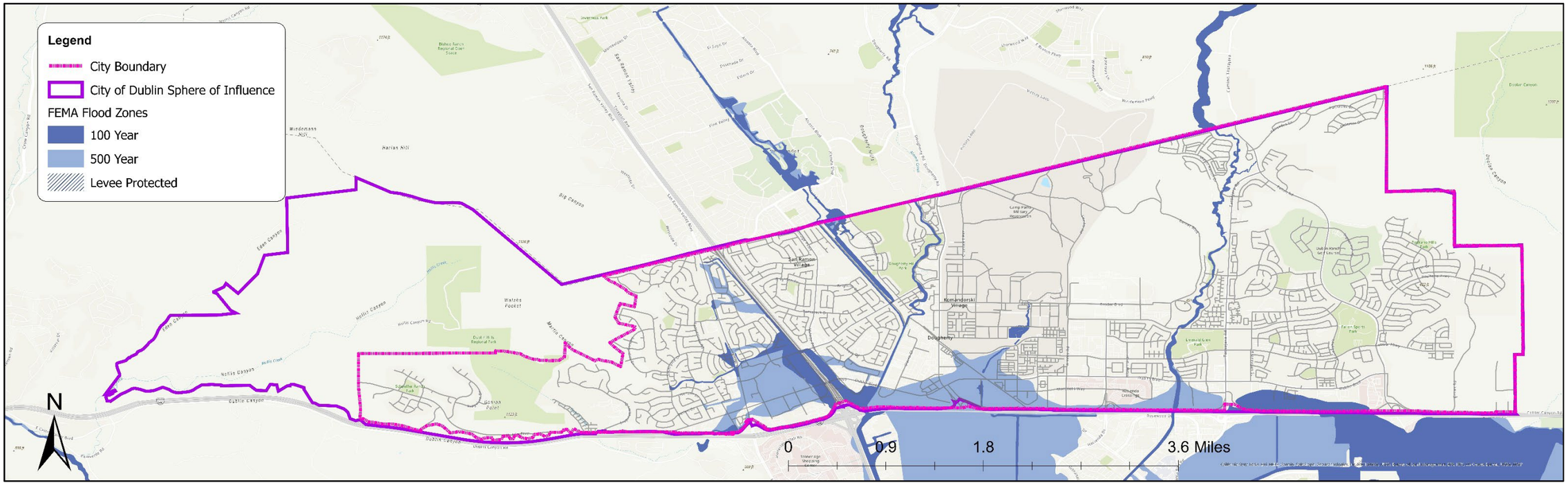


Source: Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element

Flood Hazards

According to the Safety Element, and as illustrated in **Figure C-7**, the City faces flood hazards from 100- and 500-year floods. According to the Safety Element, most of the areas in the 100-year flood plain have been developed. Any new construction in flood prone areas must comply with Dublin Municipal Code Chapter 7.24 (Flood Control) including constructing the first floor above the floodplain level. A number of channel improvements have been implemented since the early 1990s as a result of local developments partnering with Zone 7, the City, and Caltrans. Channel improvements have been made along Tassajara Creek (Line K), Alamo Creek (Line F), and Big Canyon Creek (Line J-1). In addition to the major creeks in Dublin, several tributaries have undergone improvements as well. While no major flood improvement projects have been identified in the City, Zone 7 is updating their Stream Management Master Plan (SMMP), which will consider new, innovative approaches to providing regional flood protection. Areas along Chabot Canal located in Camp Parks and upland areas along Tassajara Creek will likely present partnering opportunities for Zone 7 and the City.

Figure C-7: Potential Flooding – FEMA Flood Insurance Rate Map (2022)

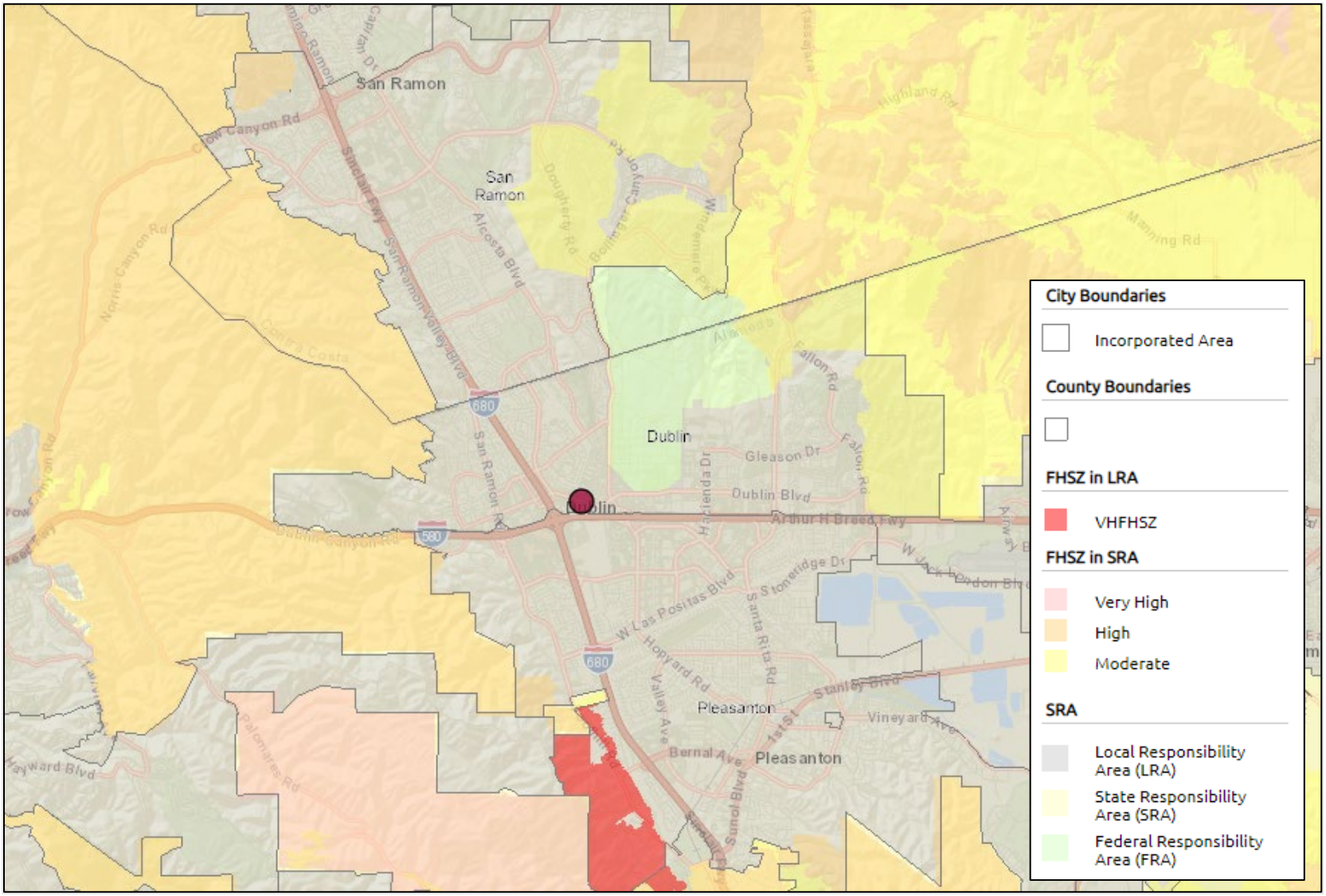


Source: Dublin General Plan Chapter 8 – Environmental Resources Management: Seismic Safety and Safety Element

Fire Hazards

According to the Safety Element, steep, inaccessible slopes and brush pose a potential high fire hazard in the western hills. Additionally, areas within the Extended Planning Areas adjacent to open space are susceptible to fire hazards. **Figure C-8** shows Fire Hazard Severity Zones as identified by CalFire. Alameda County Fire reviews development projects to address any potential fire hazards. As shown, Moderate and High Fire Hazard Severity Zones exist in the eastern region of the City. For projects that are constructed outside a fire station service area (greater than 1.5 miles from the nearest fire station) and/or interface with open space, Alameda County Fire imposes certain built-in fire protection measures to ensure safety and mitigate fire hazards.

Figure C-8: CalFire – Fire Hazard Severity Zones



Source: CalFire Fire and Resource Assessment Program – FHSZ Viewer (Accessed February 2022)

B. Financial Resources

Providing an adequate supply of decent and affordable housing requires funding from various sources. This section provides an overview of funding sources available to increase and maintain affordable housing options.

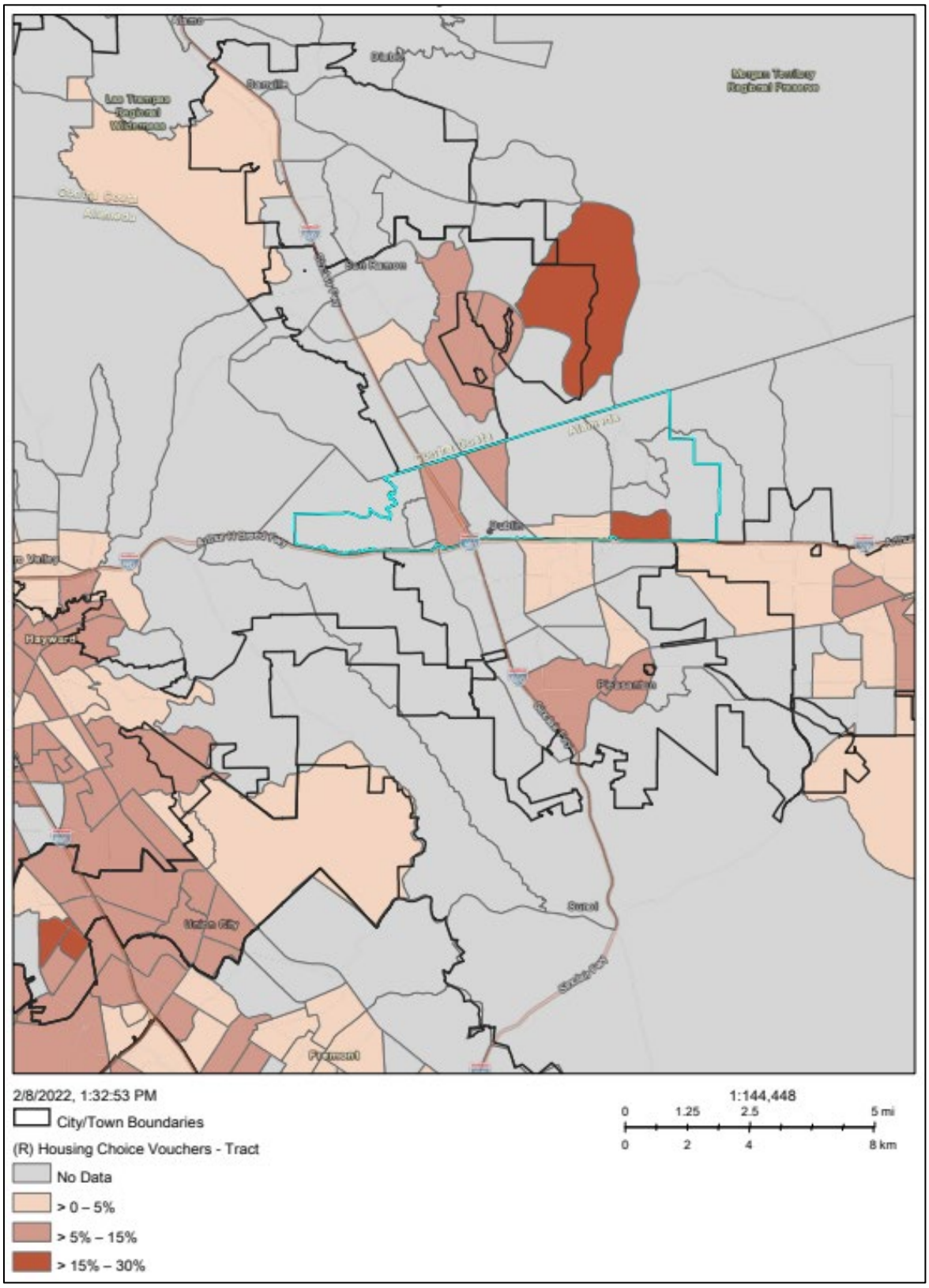
1. Housing Choice Voucher Program (HCVP)

The Housing Choice Voucher Rental Assistance Program (HCVP) extends rental subsidies to extremely low- and very low-income households, including families, seniors, and the disabled. HCVP participants can choose any housing that meets the requirements of the program and are not limited to units located within subsidized housing projects. Participants typically pay 30 to 40 percent of their income for rent and utilities.

The Housing Authority of the County of Alameda (HACA) operates programs funded by U.S. Department of Housing and Urban Development (HUD) to provide rental housing or rental assistance for lower-income households, the elderly, and people with disabilities. HACA's programs include the distribution of Housing Choice Vouchers. According to HACA, over 7,000 households and 3,500 homeowners participate in the HCVP. **Figure C-9** displays the percentage of vouchers throughout the City and in the surrounding region. The City has two areas where five to 15 percent of households use housing choice vouchers and one area where less than five percent use the vouchers. The area with a higher concentration of voucher use includes numerous multi-family residential developments.

Affordable units have been strategically placed to improve access to resources and opportunities for all residents but specifically for areas that currently experience less access to resources and opportunity. Three candidate sites selected to accommodate affordable units are found in block groups where five to 15 percent of households use housing choice vouchers. The placement of candidate sites in the block group where five to 15 percent of households use housing choice vouchers will not create a concentration or segregation of affordable units as candidate sites have been distributed strategically in order to improve access to resources and opportunities.

Figure C-9: Housing Choice Vouchers



Source: California Department of Housing and Community Development – AFFH Data Viewer

2. Community Development Block Grants (CDBG)

The Community Development Block Grants (CDBG) Program provides annual grants on a formula basis to cities to develop viable urban communities by providing a suitable living environment and by expanding economic opportunities, principally for low- and moderate-income households (up to 80 percent AMI). CDBG funds can be used for a wide array of activities, including:

- Housing rehabilitation;
- Lead-based paint screening and abatement;
- Acquisition of buildings and land;
- Construction or rehabilitation of public facilities and infrastructure, and
- Public services for low-income households and those with special needs.

Alameda County administers CDBG funds on behalf of the City through the CDBG Urban County Program. Using these funds, the Alameda County Community Development Agency administers the minor home rehabilitation grants and home improvement loan assistance. The Alameda County Healthy Homes Department Minor Home Rehabilitation Program provides grants of up to $3,000 to low-income homeowners for minor plumbing, carpentry, and electrical repairs and can be used for railings, grab bars, toilets, water heaters, doors, locks, and more. Renew Alameda County is a home improvement loan assistance program for low-income homeowners, which aims to help keep existing homeowners in their homes and maintain existing housing stock in a safe, livable condition. Additionally, in 2020, the City created and began administering the Dublin Home Rehabilitation Program to provide supplemental assistance to homeowners that may have received a grant or loan through the County's programs and need additional funding assistance or were turned down because they were not able to meet all of the County's criteria. The program provides grants of up to $5,000 for rehabilitation and beautification projects.

3. HOME Program

HOME Investment Partnerships provides federal funds for the development and rehabilitation of affordable rental and ownership housing for households with incomes not exceeding 80 percent of area median income. The program gives local governments the flexibility to fund a wide range of affordable housing activities through housing partnerships with private industry and non-profit organizations. HOME funds can be used for activities that promote affordable rental housing and homeownership by low-income households.

The City does not currently receive funding from the HOME Program.

C. Opportunities for Energy Conservation

1. Energy Use and Providers

The primary uses of energy in urban areas are for transportation, lighting, water heating, and space heating and cooling. The high cost of energy demands that efforts be taken to reduce or minimize the overall level of urban energy consumption. Energy conservation is important in preserving non-renewable fuels to ensure that these resources are available for use by future generations. There are also benefits associated with energy conservation including improved air quality and lower energy costs.

According to Dublin General Plan Chapter 13 – Environmental Resources Management: Energy Conservation Element, regulatory and service agencies, including California Energy Commission (CEC), the California Public Utilities Commission (CPCU), and PG&E, play roles in decreasing energy consumption. In 2011, the CPUC's California Energy Efficiency Strategic Plan envisioned California's local governments would be leaders in using energy efficiency to reduce energy use and global warming emissions both in their own facilities and throughout their communities. The CPUC sees local governments taking a very active role in energy efficiency improvements through efforts to provide both incentives and regulatory requirements to mandate decreased energy consumption.

Alternative Sources

East Bay Community Energy's power mix is mostly sourced from renewable energy and large hydropower. Our Board of Directors have established the goal of purchasing 100 percent clean power by 2030 — a full 15 years before the State's goal date. Meanwhile, the City of Dublin took the bold action of transitioning residential customers onto 100 percent renewable energy service effective in January 2022, to accelerate the reduction of emissions and hasten the investment in wind, solar, and battery storage projects. In doing so, the City set the "default" service level for customers as Renewable 100, EBCE's service sourced from 100 percent California wind and solar, including the output of EBCE's Scott Haggerty Wind Center in Livermore. Any EBCE customer can choose our Bright Choice service, sourced from renewable energy, large hydroelectric, natural gas, and nuclear energy, if they prefer to save money on their PG&E bill each month.

According to the Energy Conservation Element, common uses of solar energy are solar water heating systems and photovoltaic facilities. The Tri-Valley climate is suitable for the implementation of solar energy technologies. In addition to more alternative sources being used by the utility provider, individual properties are increasingly generating their own power and drawing less off the grid. The City currently generates 19 percent of its energy needs from solar voltaic arrays. The remaining energy comes East Bay Community Energy (EBCE), which provides the City with 100 percent renewable energy. Of the energy consumed by City-owned buildings, 57 percent is produced by the solar arrays at the Civic Center, Dublin Library, Fire Station 16, Fire Station 17, Fire Station 18, Shannon Center, and the Senior Center.

Wind energy is also a viable option in Dublin. There are currently no wind energy facilities in the City.

As part of the Energy Conservation Element, the City has adopted the following guiding policies:

- Educate Dublin residents and local businesses on the variety of energy programs available.

- Encourage energy efficient improvements be made when residential and commercial properties change ownership.
- Explore additional ways to support solar and wind power generation options.
- Encourage the installation of alternative energy technology in new residential and commercial development.
- Encourage designing for solar access.
- Encourage energy efficient improvements on residential and commercial properties.
- Serve as a model for residents, local businesses, and public agencies by continuing to reduce the City's energy demand.

2. Electric Vehicle Chargers and Solar

In addition to the base requirements of California Green Building Standards Code (CGBSC), the City adopted the CalGreen Tier 2 requirements for electric vehicle (EV) charger space calculations. The adoption of Tier 2 requires double the amount of non-residential "EV capable" stalls than before (10 percent of stalls to 20 percent of stalls). The adoption of Tier 2 requirements also increases the multi-family residential standard from six percent to 10 percent for EV "capable" stalls. To be considered "EV capable," a parking stall must have an installed "raceway" (the enclosed conduit that forms the physical pathway for electrical wiring to protect it from damage) and adequate panel capacity to accommodate future installation of a dedicated branch circuit and charging station(s).

Most new residential dwelling units are required to install solar panels. For residential projects that qualify for an exception and commercial development, the City requires future access to solar systems by installing conduit from the solar zone (as defined by the CA Energy Code, Title 24 Part 6) to a location within the building that is suitable for future controllers and inverters. The conduit shall be installed as part of the original construction and prior to first occupancy.

D. Affirmatively Furthering Fair Housing (AFFH)

AB 686 established new requirements for all California jurisdictions to ensure that local laws, programs, and activities affirmatively further fair housing. All Housing Elements due on or after January 1, 2021, must contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Further Fair Housing Final Rule of July 16, 2015.

Under State law, affirmatively further fair housing means "taking meaningful actions, in addition to combatting discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." These characteristics can include, but are not limited to race, religion, sex, marital status, ancestry, national origin, color, familiar status, or disability.

1. Fair Housing Laws

The following lists State and local fair housing laws and specifies how the City complies:

State

- **California Fair Employment and Housing Act (FEHA**): The City continues to implement and update programs that promote fair and equal access to housing. The City also continues to review standards and requirements that may constrain equal access to housing and the development of affordable housing.
- **Government Code Section 65008:** The City continues to implement programs that encourage affordable housing development. Programs A.2, A.5, B.4, D.1, D.2, D.4, and E.1 ensure compliance with the State's requirement for fair review of affordable housing development.
- **Government Code Section 8899.50:** The City implements programs and actions in compliance with State law that affirmatively furthers fair housing. As detailed in Appendix C, the City administers programs to promote equal housing access and affordable resources.
- **Government Code Section 11135:** The City promotes state-funded programs, such as the First-Time Homebuyer Loan Program, on the City's website and at the public counter. The City continues to implement and encourages programs that promote full and equal access to all programs and activities.
- **Density Bonus Law:** The City has an adopted Density Bonus Ordinance consistent with State Density Bonus Law. The City provides incentives to developers to produce affordable housing to very low-income households, low-income households, moderate-income households, senior citizens, transitional foster youth, disabled veterans, and persons experiencing homelessness, as well as for the development of childcare facilities. Chapter 2: Housing Plan, details the City's compliance with State law with Program B.3: Density Bonus.
- **No-Net-Loss Law:** Chapter 2: Housing Plan, and Appendix D: Adequate Sites Analysis details how the City maintains adequate sites to meet its RHNA.
- **Excessive Subdivision Standards:** The City continues to update its Zoning Ordinance, waive certain development fees, and offer incentive packages to facilitate housing development.
- **Housing Element Law:** The City identifies and includes an analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs.

Local

- **Alameda County COVID-19 Eviction Moratorium:** No landlord in Alameda County may evict a tenant who has experienced a substantial hardship or inability to make rent payments due to the COVID-19 pandemic. The City also provided an emergency rental assistance program and promoted other rental assistance resources on its website.
- **Local Ordinances:** The City has multiple local ordinances that establish procedures for rezoning, development permit processing, affordable housing fees, and other programs that encourage fair housing practices.

- **Housing Plan Programs:** Chapter 2: Housing Plan, and Appendix E: Housing Plan Programs Summary detail the City's goals, policies, programs, and objectives. The City addresses the need to provide additional housing opportunities, remove constraints to affordable housing, improve the existing housing stock, and provide equal opportunities for current and future residents of Dublin.

2. Fair Housing Enforcement and Outreach Capacity

The City partners with the Eden Council for Hope and Opportunity (ECHO) for fair housing resources and services. ECHO provides information for tenants on their housing rights and provides mediation services between landlords and tenants. ECHO's goal is to promote equal housing access and provide support services to prevent homelessness and promote permanent housing conditions. Programs organized by ECHO relating to fair housing include the following:

- Fair Housing Services
- First-Time Home Buyer Counseling
- First Time Homebuyer Education
- Homeseeking Counseling
- Shared Housing Counseling and Placement
- Rent Review and Relocation Programs
- Rental Assistance Program
- Tenant/Landlord Services

Additional fair housing organizations with services available to Dublin residents include the following:

- **Housing and Economic Rights Advocates (HERA)** – HERA is a California statewide, not-for-profit legal service and advocacy organization dedicated to helping Californians — particularly those most vulnerable — build a safe, sound financial future, free of discrimination and economic abuses, in all aspects of household financial concerns. They provide free legal services, consumer workshops, training for professionals and community organizing support, create innovative solutions and engage in policy work locally, statewide and nationally.
- **Housing Equity Law Project (HELP)** – HELP seeks to expand legal protections in fair housing through advocacy, leadership training, education and outreach, and enforcement of anti-discrimination laws.
- **Project Sentinel** – Project Sentinel's Fair Housing Center provides education and counseling to community members, housing providers, and tenants about fair housing laws. They also investigate complaints and advocate for those who have experienced housing discrimination.

Fair Housing and Civil Rights Findings, Lawsuits, Enforcement, Settlements or Judgments

The City's Community Development Department works closely with residents, property owners, outside agencies, and other City departments to resolve health, safety, and public nuisance conditions that adversely affect the quality of life in Dublin and that are not in compliance with adopted regulations. Enforcement is provided proactively and on a complaint basis. Most code violations are resolved on the initial contact made by Staff. Staff generally works under the model of voluntary compliance within a reasonable amount of time allotted. In rare instances, penalties are assessed to those who fail to comply

with the Dublin Municipal Code. The Planning Division is primarily responsible for enforcing the provisions of the Zoning Ordinance and the Property Maintenance Ordinance, and the Building and Safety Division is primarily responsible for enforcing the provisions of the California Building Codes, the Dublin Municipal Code, and the Uniform Housing Code. In 2021, the City processed 134 code enforcement complaints relating to housing. These complaints addressed issues relating to property maintenance, access to heating and air conditioning, construction without building permits, and complete kitchen and plumbing facilities. None of the code enforcement complaints received by the City related to fair housing issues. Should a fair housing complaint be brought to the City's attention, the City would direct the complaint to ECHO for further assistance. During the 5th Cycle Housing Element, the City was not involved in any fair housing lawsuits, settlements, or judgments.

Between 2016 and 2021, ECHO received a total of 90 fair housing complaints from Dublin residents. In 2021, 19 complaints were filed on the basis of race (two), national origin (10), and disability (seven). Since 2016, a total of 57.3 percent of cases had insufficient evidence and the rest resulted in: 32.6 percent counseling, 3.4 percent successful conciliation, 1.1 percent dropped, 12.4 percent education to landlord, 2.2 percent referred to attorney/DFEH/HUD, and 12.4 percent are still pending.

The City is in compliance with existing fair housing laws. There have been no findings against the City of Dublin from the U.S. Department of Housing and Urban Development (HUD) Office of Fair Housing and Equal Opportunity (FHEO) or from the State Department of Fair Employment and Housing (DFEH).

Fair Housing Capacity

The Alameda County Housing Collaborative reports the following fair housing capacity findings from the 2020 Alameda County Analysis of Impediments to Fair Housing:

- Stakeholders and participating jurisdictions have commented that inadequate funding and organizational capacity are the primary limitations on expanding or improving fair housing enforcement. HUD directs recipients of CDBG funds to use the grant's administrative or social services allocations for fair housing activities, including creation of an analysis of impediments. However, HUD also caps those allocation amounts, which limits participating jurisdictions from using more of these funds on fair housing activities.
- Participating jurisdictions generally do not use any other public or private source of funding for their fair housing activities. While participating jurisdictions have limited funding to offer fair housing organizations, fair housing organizations have other funding sources, such as HUD's Fair Housing Initiatives Program (FHIP); however, these organizations generally do not have many other private funding sources. Other fair housing activities are funded from federal and state resources, such as services provided by the Office of Fair Housing and Equal Opportunity and Department of Fair Employment and Housing.
- The number of fair housing organizations and their respective capacities has also constrained the amount of fair housing activities. Participating jurisdictions commented that a reduction in the number of fair housing organizations has lessened fair housing activities overall.

- According to HUD guidance, a common factor for fair housing complaints can be a lack of affordable housing supply. According to the California Housing Partnership's Housing Emergency Update for Alameda County, federal and state funding to Alameda County for affordable housing has declined by 80 percent since 2008, leaving a deficit of approximately $124 million annually (California Housing Partnership, 2018). Additionally, while LIHTC production and preservation in Alameda County has increased by 67 percent overall from 2016, the state production and preservation has decreased by 23 percent. Lastly, the report finds that Alameda County needs 52,291 more affordable rental homes to meet the need. To combat this lack of state and federal funding, local tax initiatives have been approved, including the County's Measure AI, Berkeley's Measure O, and Emeryville's Measure C; however, due to the demand for affordable housing, the need still far exceeds these local measures.

In addition, ECHO reports the following capacity constraints:

- **Inadequate funding** – Funding from a couple jurisdictions in the County is insufficient.
- **HUD capping allocation amounts** – The 15 percent public services allocation should be increased.
- **Reduction in the number of fair housing organizations in the region** – At least two fair housing agencies in the East Bay have closed their doors.
- **Lack of affordable housing supply** – Affordable housing must be affordable to persons on public assistance and be accessible for persons with disabilities and senior citizens.
- **Findings, lawsuits, enforcement actions, settlements, or judgments related to fair housing or civil rights** – ECHO has not filed any administrative complaints in recent years as mediation attempts, in place of litigation, has been very successful.

Housing Element Outreach

During preparation of the 2023-2031 Housing Element, the City solicited input and feedback from the community. This included targeted outreach to special needs populations through local organizations, community groups, and agencies. Details on the outreach conducted are provided in Appendix F – Community Engagement Summary.

During the April 26, 2022, Planning Commission meeting, the City received the following public comment: "Persons with disabilities will benefit greatly from assisted living projects. It is very important that people with disabilities have access to safe housing with available services. In Dublin many persons with disabilities have problems affording disability services. These services sometimes cost too much, especially for disabled individuals with many medical needs. Assisted living projects can help these residents afford the care that they need. Some disabled residents would like to see more assisted living projects with services rather than new housing projects that do not accommodate services for persons with disabilities." The City recognizes the importance of providing a variety of housing types to address the differing needs of Dublin residents. Chapter 2: Housing Plan includes Programs B.2, B.17, D.6, E.1, E.3, and E.5 to address this comment and the needs of persons with disabilities.

No further comments or feedback were submitted regarding other fair housing topics or issues.

3. Analysis of Federal, State, and Local Data and Knowledge

Integration and Segregation Patterns and Trends

To ensure equal representation of all segments of the community, the Dublin City Council approved the transition to district-based elections, effective in 2024 and 2026, as shown in the figure below. With the division of the City into four separate voting districts of approximately equal population, residents will be represented by one Councilmember who resides in that district and is elected by the voters of that district. The Mayor will continue to be elected at large every two years. The City conducted a robust community engagement process to notify residents of this change in voting procedure and to encourage residents to participate in the map-drawing process. It should be noted that the City of Dublin experienced rapid growth over a short period of time. A 2022 study by Quicken Loans reported Dublin's population as the 11th fastest growing in the United States. The Dublin population grew by 6.05 percent in 2018, 4.5 percent in 2021, and a total of 50 percent since 2010. Dublin was the only city in California to make the top 20 list. As such, the City's new district-based elections will provide a more integrated community.

Figure C-10a: Dublin 2022 Districting



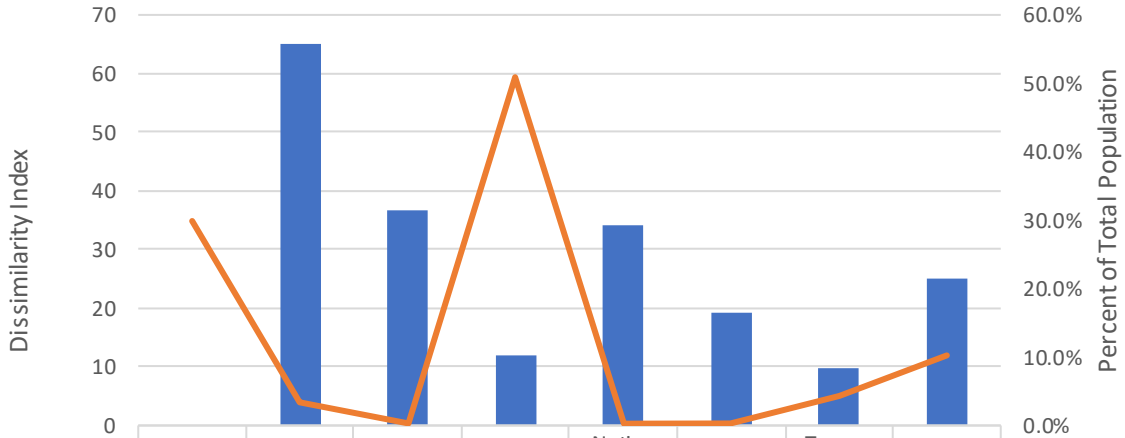
Race and Ethnicity

The dissimilarity index is the most-commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods (as defined by census tracts). The index represents the percentage of the minority group that would have to move to new neighborhoods to achieve perfect integration of that group. An index score can range in value from 0 percent, indicating complete integration, to 100 percent, indicating complete segregation. An index number above 60 is considered to show high similarity and a segregated community.

Figure C-10 shows the dissimilarity index for racial and ethnic groups in the City. The figure shows segregation for the City's Black population, which has a dissimilarity index of 64.9. No other racial or ethnic group scored above 60. When compared to the overall population, persons who identify as Black represent only 3.5 percent of the total City population. Similarly, those who identify as American Indian

and Native Hawaiian had higher dissimilarity indices of 36.6 and 34.2, respectively, despite making up a combined six percent of the total population. When a racial or ethnic population is small, its dissimilarity index may be high even if the racial or ethnic group members are evenly distributed throughout the area. Thus, when a group's population is less than 1,000, exercise caution in interpreting its dissimilarity indices.

Figure C-10b: Dissimilarity Index with White Population, Dublin



	White*	Black*	American Indian*	Asian*	Native Hawaiian *	Other*	Two or More Races*	Hispanic
Dissimilarity Index		64.9	36.6	12.1	34.2	19.4	9.8	25.2
% of Population	29.9%	3.5%	0.3%	50.9%	0.4%	0.3%	4.4%	10.2%

*Non-Hispanic only.

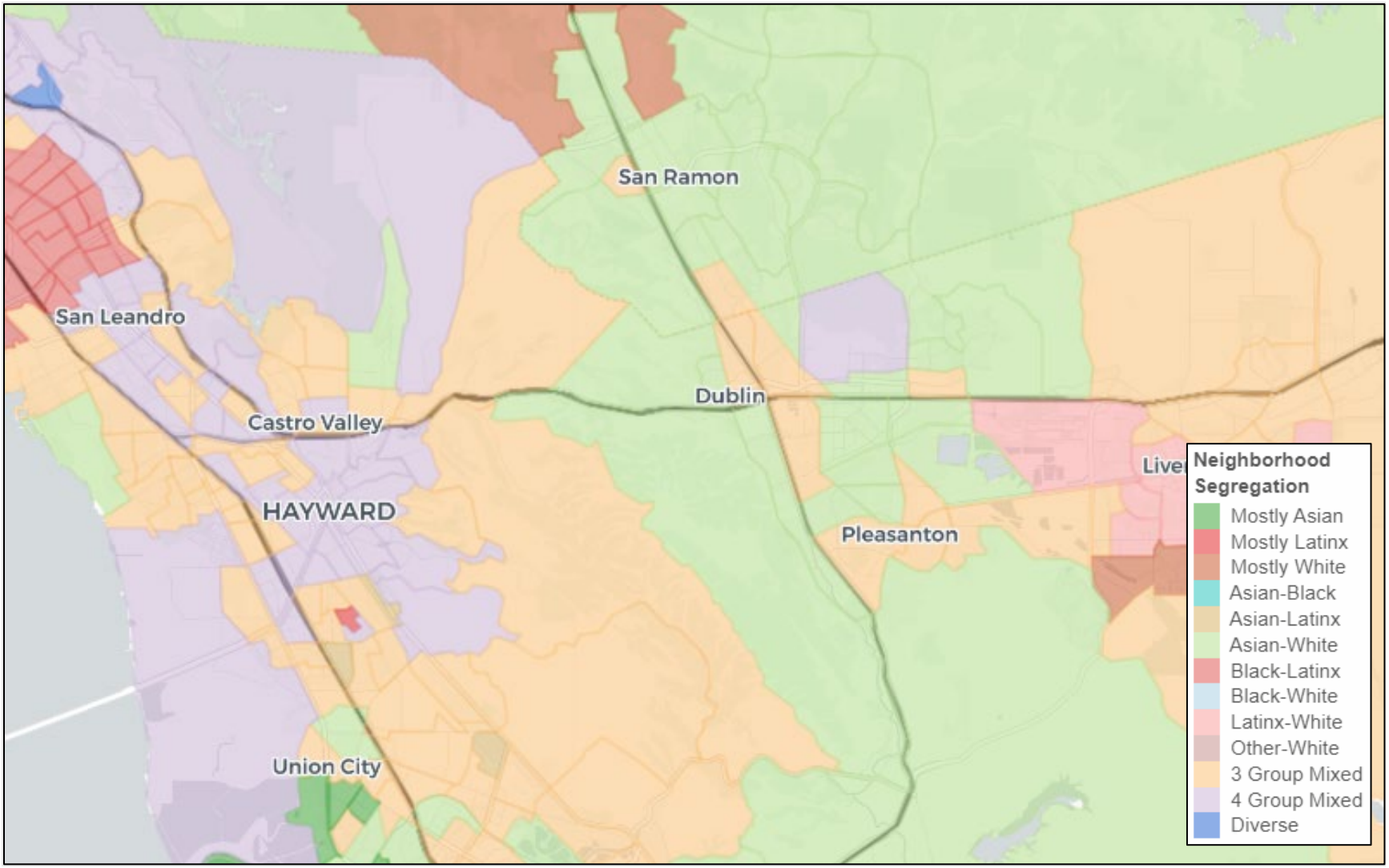
Source: Census Scope, Social Science Data Analysis Network

Figure C-11 also shows spatial mapping of neighborhood segregation for the City and surrounding region. As shown, the City is made up of "Mostly Asian" areas with some areas of "Asian-White" and "4 Group Mixed." During the last decade, the Tri-Valley region has seen an increase in population identifying as Asian. Some areas in the region have experienced more significant increases in Asian populations than others. The increase is coupled with the decrease in population of other groups such as Black and White populations. **Table B-4** in **Appendix B** highlights the shift in racial/ethnic composition of Dublin from 2010 to 2020. The most significant change is the more than doubling of the Asian population in Dublin. During the same period, the population of Black residents reduced by more than half and the population of White residents followed a similar trend. While not as dramatic as Dublin, the region followed a similar trend. The dramatic increase of one ethnic group, coupled with the decrease of another ethnic group, can create a higher dissimilarity index. This is consistent with the rest of the region to the north and to the south of the City and correlates with the data in **Figure C-10b** showing more than half of the City's population is made up of persons who identify as Asian.

It is important to note that segregation is a complex topic, difficult to generalize, and is influenced by many factors. Individual choices can be a cause of segregation, with some residents choosing to live among people of their own race or ethnic group. For instance, recent immigrants often depend on nearby relatives, friends, and ethnic institutions to help them adjust to a new country. Alternatively, when white

residents leave neighborhoods that become more diverse, those neighborhoods can become segregated. Another major factor is the concentration and availability of affordable housing, which the City deliberately chose to disperse when selecting properties for the Sites Inventory (as shown in **Appendix D**). Other factors include housing market dynamics, availability of lending to different ethnic groups, availability of affordable housing, and discrimination can also cause residential segregation.

Figure C-11: Neighborhood Segregation (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

Disability

In 1988, Congress added protections against housing discrimination for persons with disabilities through the FHA, which protects against intentional discrimination and unjustified policies and practices with disproportionate effects.

Table C-17 displays the data for persons with disabilities in the City, County, and State. Overall, about 10.6 percent of the California population reported having at least one disability. In the City, about 5.4 percent of persons reported at least one disability. The County reported a higher percentage than the City at 9.2 percent. Of the 5.4 percent of Dublin residents who reported a disability, the most common disability were independent living and ambulatory difficulties, which could be tied to the City's senior population. Ease of reasonable accommodation procedures and opportunity for accessible housing can provide increased housing security for the population with disabilities.

Table C-17: Population by Disability Type, Compared by Geography, 2019

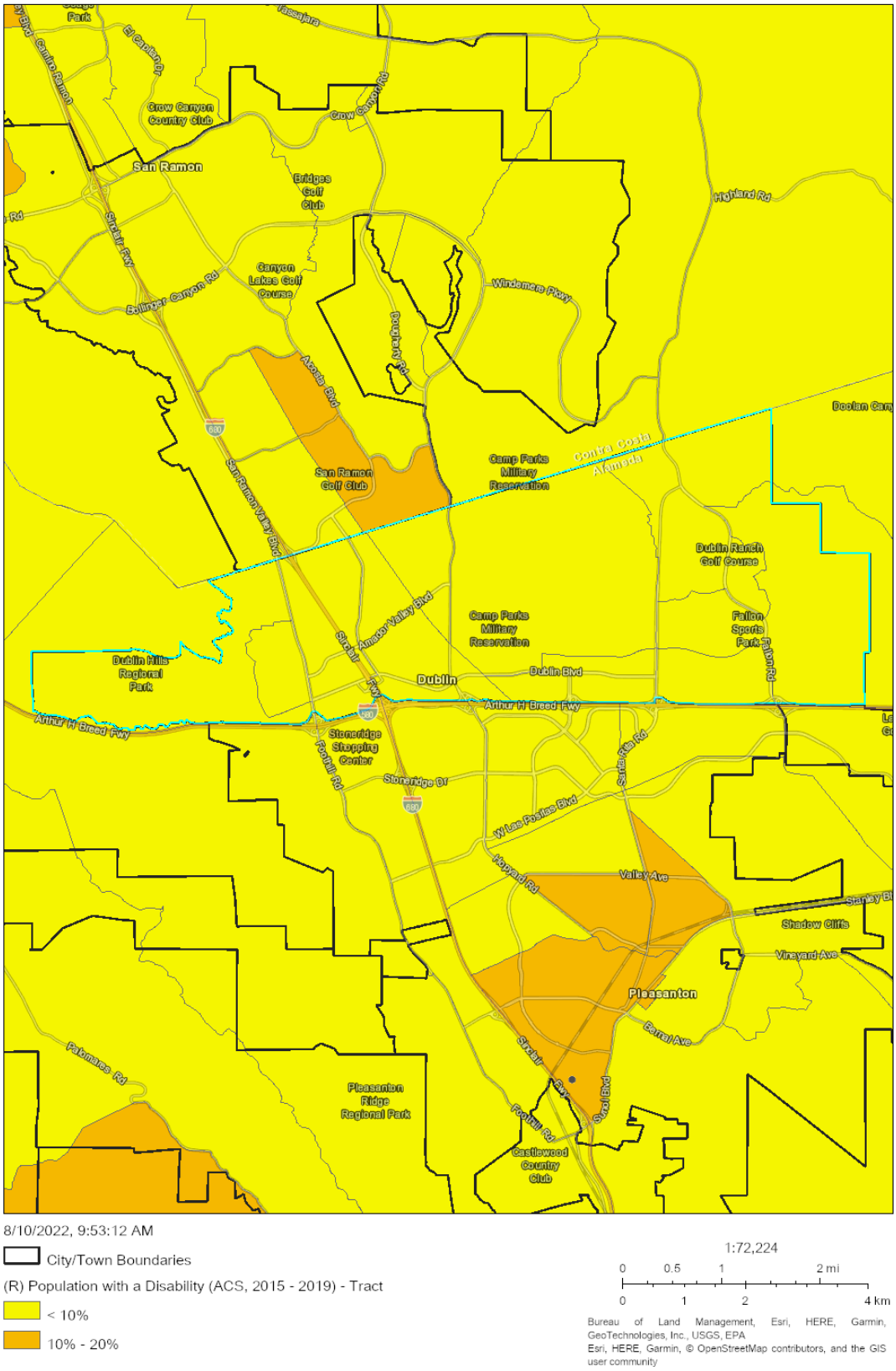
Disability	City of Dublin	Alameda County	California
Total with a Disability	5.4%	9.2%	10.6%
Hearing Difficulty	1.5%	2.5%	2.9%
Vision Difficulty	1.1%	1.6%	2.0%
Cognitive Difficulty	2.1%	3.7%	4.3%
Ambulatory Difficulty	2.8%	5.0%	5.8%
Self-care Difficulty	1.5%	2.4%	2.6%
Independent Living	3.3%	4.9%	5.5%

Source: American Community Survey, 5-Year Estimates, 2019.

The data in **Figure C-12** below displays data for disability status in Dublin by census tract. The data shows that in Dublin all of the census tracts report under 10 percent of the population to have at least one disability. Overall, majority of the surrounding areas shows less than 10 percent of the population has reported at least one disability with some pockets of the region which have a population between 10 and 20 percent that reports a disability.

Although there is no concentration of the population to have at least one disability, it is the policy and practice of the City to take all reasonable steps to ensure its services, programs and activities are accessible to all members of the public including persons with disabilities. Community resources and services are located near community parks, fire and police services, grocery stores and commercial uses, and medical offices. Approximately 94.6 percent of residents are located within half a mile of transit. Within the City are two Bay Area Rapid Transit (BART) stations – the Dublin/Pleasanton Station and West Dublin/Pleasanton Station – which operate between 5:00am to 12:00am on weekdays with 15-minute headways during the week and 30-minute headways during the weekend.

Figure C-12: Persons with Disabilities, Dublin



Source: California Department of Housing and Community Development – AFFH Data Viewer

Familial Status

Table C-18 displays household type for the State, County, and City. Overall, Dublin has the largest percentage of married-couple family households (67 percent) and the State has the smallest with approximately 17 percent less. Dublin has the lowest percentage of female households without a spouse with children. Non-family households represent the smallest household type in Dublin at 5.1 percent. Approximately 29.2 percent of households in the State and 27.1 percent in the County have at least one person above the age of 65, while there are 18.5 percent of households in Dublin with at least one person over the age of 65. Different household types have varying housing needs – senior households may benefit from reasonable accommodation procedures and being located near medical facilities, single-parent households may benefit from affordable housing options due to limited income, and family households may benefit from larger housing units located near community areas and schools.

Table C-18: Population by Familial Status, Compared by Geography, 2019

Familial Status	City of Dublin	Alameda County	California
Total Households	20,235	577,177	13,044,266
Married-Couple Family Households	67.0%	50.6	49.8%
With Children	39.4%	23.4%	21.5%
Non-Family Households	5.1%	8.9%	N/A
Households with one or more people 65 years+	18.5%	27.1%	29.2%
Female Headed Households, No Spouse Present with Children	2.6%	4.1%	4.8%

Source: American Community Survey, 5-Year Estimates, 2019.

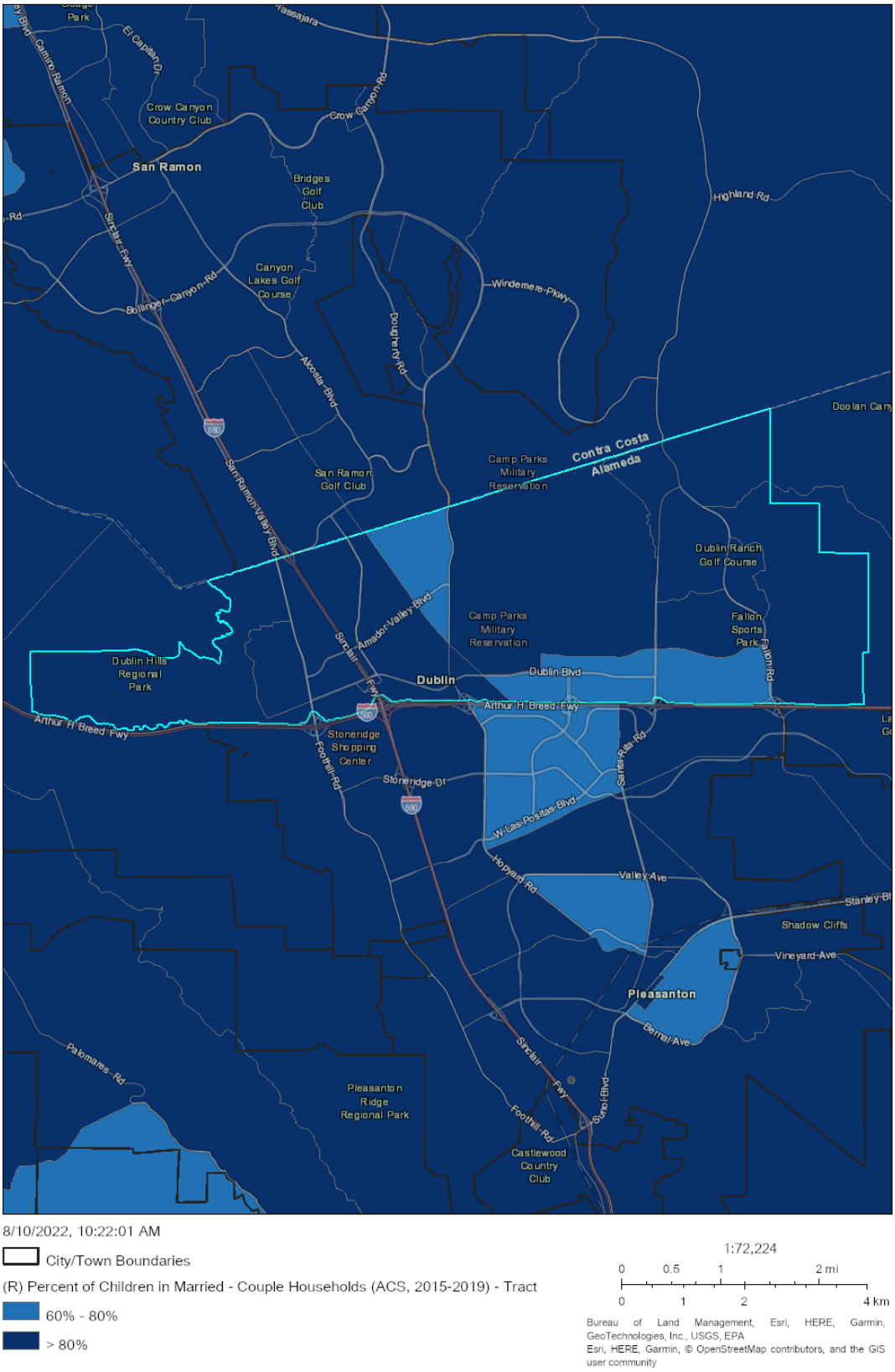
The data in **Figure C-18** and **Figure C-13** below shows living arrangements of children by census tract in Dublin. **Figure C-13** shows the percent of children in married couple households by census tract in Dublin. The data shows that most census tracts have children living in married couple households (above 80 percent per tract). There are three census tracts in Dublin where between 60 and 80 percent have children living in married couple households.

The City deliberately chose to disperse affordable housing when selecting properties for the Sites Inventory (as shown in **Appendix D**). In the three census tracts where 60 and 80 percent have children living in married couple households there are six candidate sites meant to accommodate low and very low-income units. Affordable units have been strategically placed to improve access to resources and opportunities for all residents but specifically for areas that currently experience less access to resources and opportunity.

Figure C-14 shows the percent of children in female headed households with no spouse/partner by census tract in Dublin. The data shows that the City has no census tracts where female headed households with no spouse and children present are more than 20 percent.

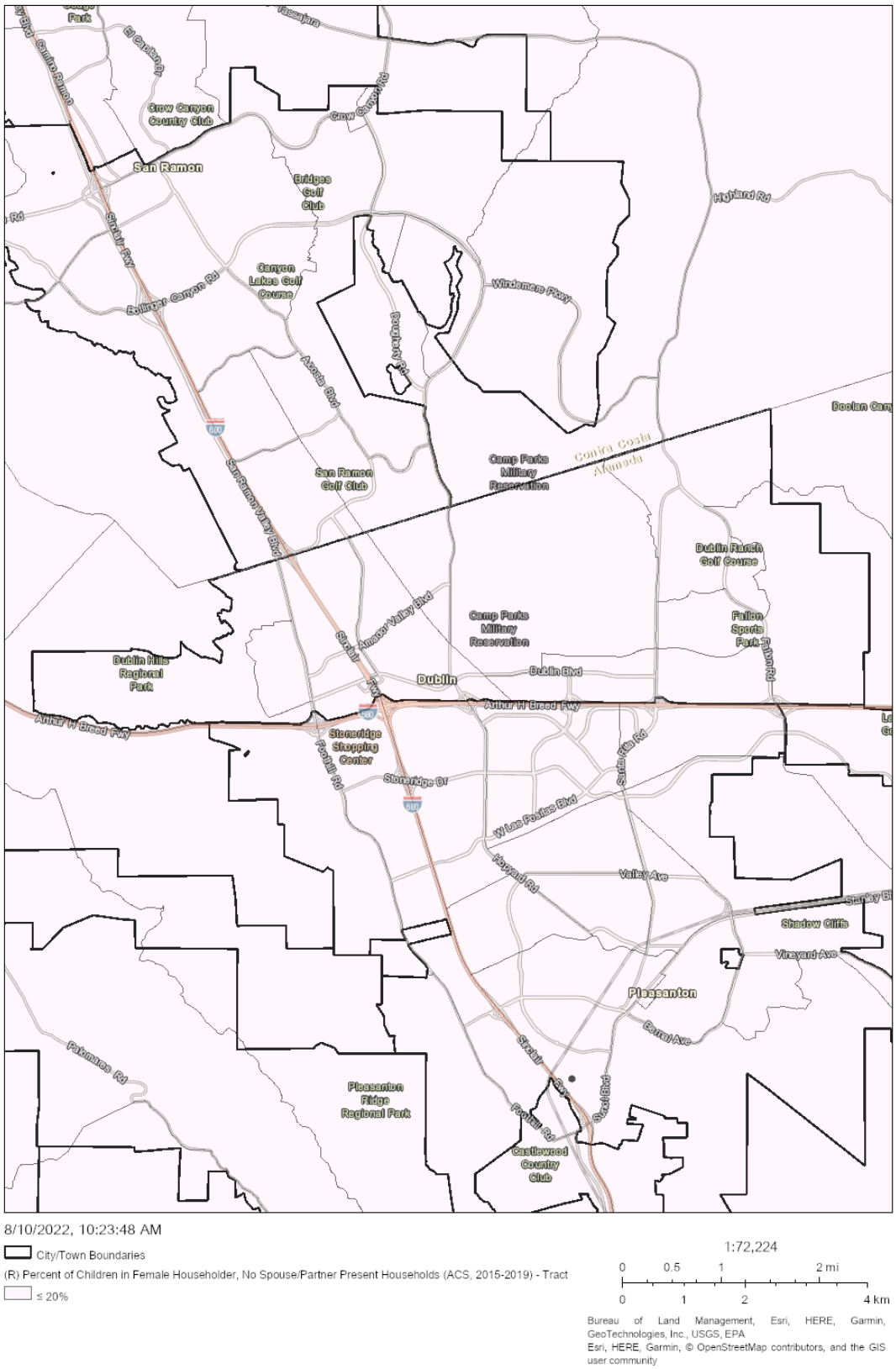
Although there is no concentration of female headed households with no spouse and children present, affordable units have been strategically placed to improve access to resources and opportunities for all residents but specifically for areas that currently experience less access to resources and opportunity. Female headed households with no spouse and children present may benefit from increased access.

Figure C-13: Married Couple Households with Children



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-14: Female Headed Households, No Spouse/Partner Present with Children



Source: California Department of Housing and Community Development – AFFH Data Viewer

Household Income

Regarding household income, the City had a significantly higher median household income than the County and State in 2019 ($152,745 in the City compared to $104,888 in the County and $75,235 in the State). As **Table C-19** shows, majority of the City's households are higher earning; in total 81.1 percent of households in Dublin earn more than the State median-income. Additionally, over 34 percent of households in Dublin earn $200,000 or more annually. Just over 12 percent of City residents earn less than $50,000 annually, compared to 26.3 percent and 34 percent for the County and State, respectively.

Table C-19: Households by Income, Compared by Geography, 2019

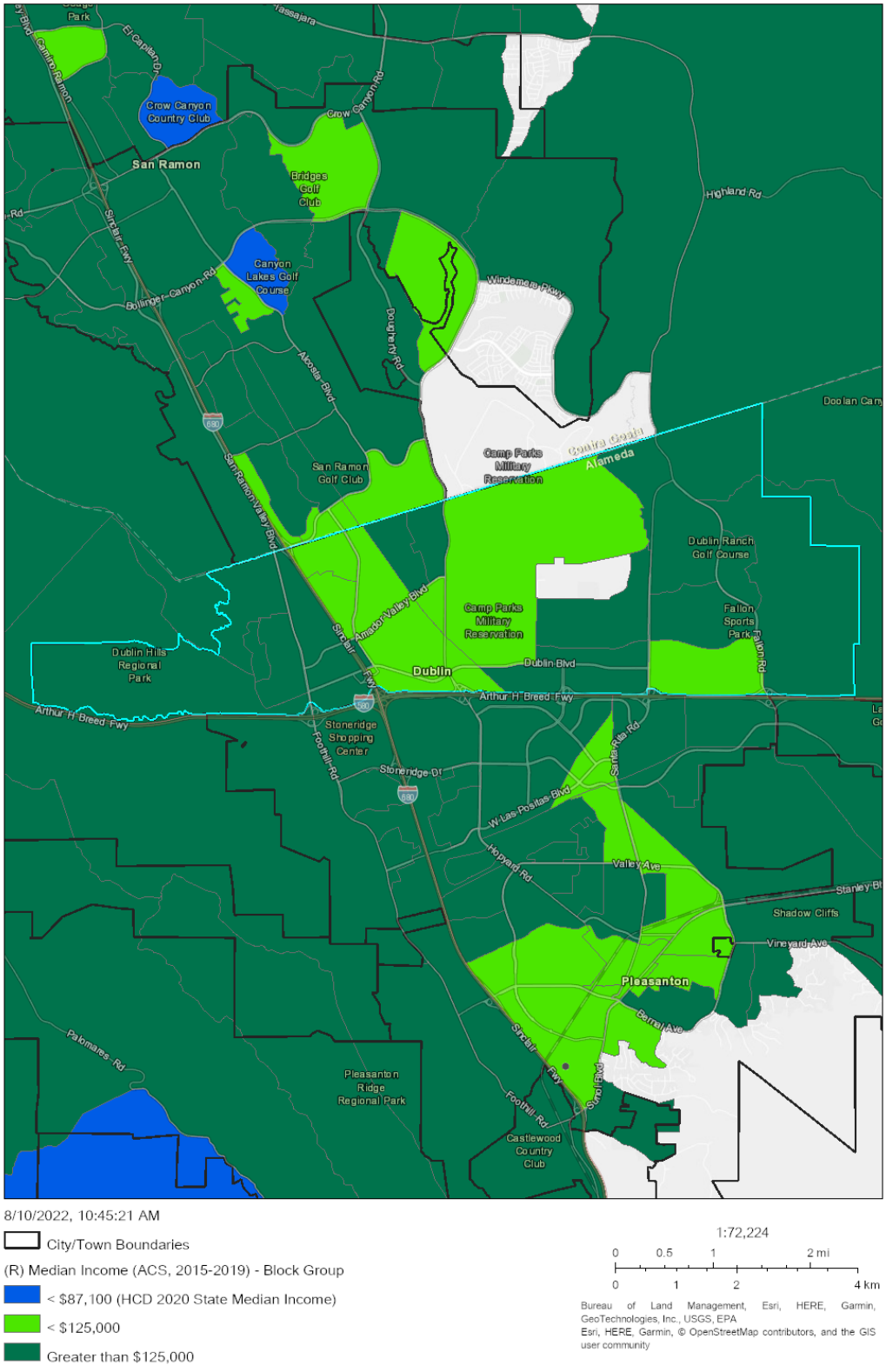
Households Income	City of Dublin	Alameda County	California
Less than $10,000	1.8%	4.1%	4.8%
$10,000-$14,999	1.2%	3.5%	4.1%
$15,000-$24,999	2.3%	5.5%	7.5%
$25,000-$34,999	2.3%	5.5%	7.5%
$35,000-$49,999	4.7%	7.7%	10.5%
$50,000-$74,999	6.5%	12.5%	15.5%
$75,000-$99,999	8.8%	11.5%	12.4%
$100,000-$149,999	22.2%	18.1%	16.6%
$150,000-$199,999	15.9%	12.3%	8.9%
$200,000 or More	34.2%	19.4%	12.2%

Source: American Community Survey, 5-Year Estimates, 2019.

Figure C-15a shows median household income by block group in Dublin. The data shows that Dublin has a small range of median income levels. There is a large number of block groups in Dublin whose median income for households is greater than $125,000. The remaining block groups range from $87,100 to $125,000. There are no block groups in the City with a majority of residents earning a median household income less than $87,100. **Figure C-15b** shows that there were more census blocks earning $125,000 in 2014 than in 2019. This may indicate that census blocks are becoming more diverse based on household income.

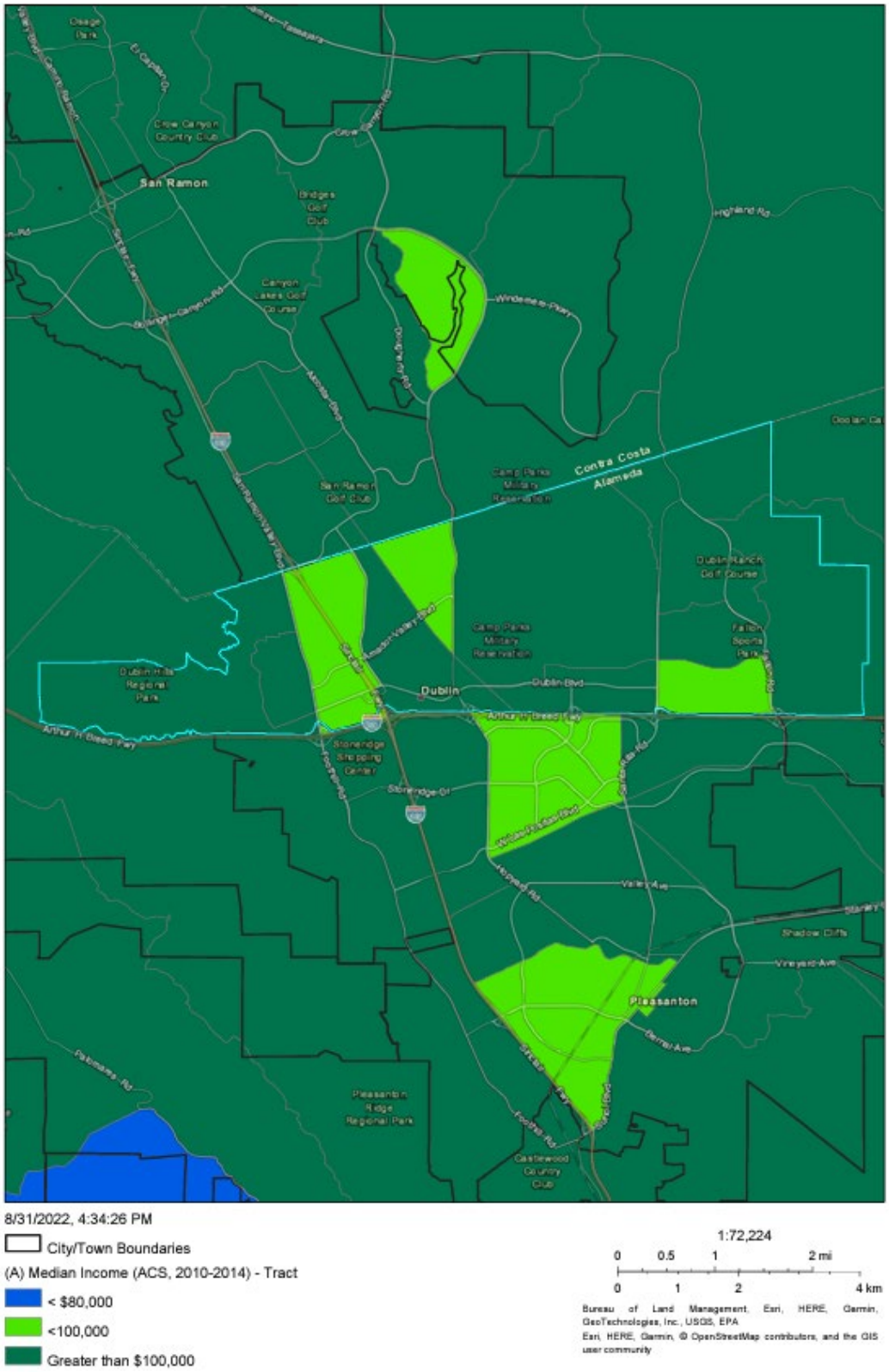
Although Dublin experiences higher median incomes, it is still important to provide improved access to resources and opportunities to all households. Affordable units have been strategically placed to improve access to resources and opportunities for all residents but specifically for areas that currently experience less access to resources and opportunity. Lower-income households will benefit from increased access to resources and opportunities

Figure C-15a: Median Income for Households in Dublin, 2019



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-15b: Median Income for Households in Dublin, 2014



Source: California Department of Housing and Community Development – AFFH Data Viewer

Hate Crimes

Hate crimes are violent acts against people, property, or organizations because of the group to which they belong or identify. The Federal Fair Housing Act makes it illegal to threaten, harass, intimidate, or act violently toward a person who has exercised their right to free housing choice.

As shown in **Table C-20**, between 2014 and 2020, a total of four hate crimes were reported in Dublin, which were all based on race, ethnicity, and ancestry. Specifically, the hate crimes that occurred in 2014 related to anti-Black or African American actions, the hate crime reported in 2017 related to anti-Asian actions, and the hate crime reported in 2019 related to anti-Hispanic or Latino. No further details are available as the Federal Bureau of Investigation (FBI) does not make case-specific data available.

Table C-20: FBI Hate Crimes by Bias (2014-2020)

Year	Race/ Ethnicity/ Ancestry	Religion	Sexual Orientation	Disability	Gender	Gender Identity	Total
2014	2	0	0	0	0	0	2
2015	0	0	0	0	0	0	0
2016	0	0	0	0	0	0	0
2017	1	0	0	0	0	0	1
2018	0	0	0	0	0	0	0
2019	1	0	0	0	0	0	1
2020	0	0	0	0	0	0	0
Total	**4**	**0**	**0**	**0**	**0**	**0**	**4**

Source: Federal Bureau of Investigation, Crime Data Explorer, 2014-2020.

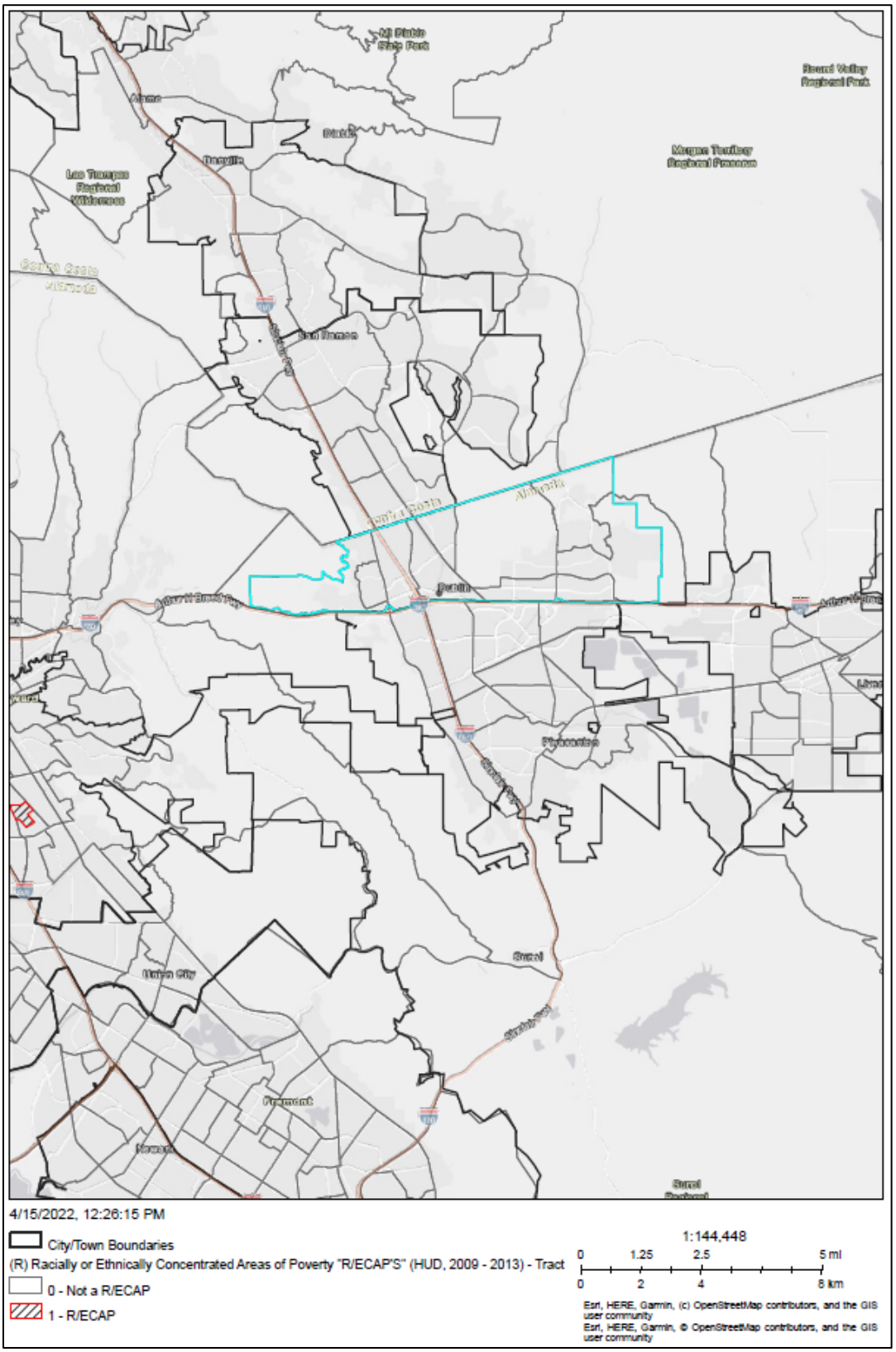
Racially and Ethnically Concentrated Areas of Poverty (R/ECAP)

To assist communities in identifying racially/ethnically concentrated areas of poverty (R/ECAPs), HUD has developed a census tract-based definition of R/ECAPs. The definition involves a racial/ethnic concentration threshold and a poverty test. The racial/ethnic concentration threshold is straightforward: R/ECAPs must have a non-white population of 50 percent or more. Neighborhoods of extreme poverty are defined as census tracts with 40 percent or more of individuals living at or below the poverty line. Because overall poverty levels are substantially lower in many parts of the country, HUD also defines a neighborhood as a R/ECAP if it has a poverty rate that exceeds 40 percent or is three or more times the average poverty rate for the metropolitan/micropolitan area, whichever threshold is lower.

Location can have a substantial effect on mental and physical health, education opportunities, and economic opportunities. Urban areas that are more residentially segregated by race and income tend to have lower levels of upward economic mobility than other areas. Research has found that racial inequality is thus amplified by residential segregation. However, these areas may also provide different opportunities, such as ethnic enclaves providing proximity to centers of cultural significance, business, social networks, and communities to help immigrants preserve cultural identify and establish themselves in new places. Overall, it is important to study and identify these areas to understand patterns of segregation and poverty in a city.

Figure C-16 shows there are no R/ECAPs located in Dublin, nor in the surrounding communities.

Figure C-16: R/ECAP in Dublin and Neighboring Communities



Source: California Department of Housing and Community Development – AFFH Data Viewer

Racially and Ethnically Concentrated Areas of Affluence (RCAA)

Racially or Ethnically Concentrated Areas of Poverty are a long-standing, contributing factor to segregation. However, patterns of segregation in the United States show that of all racial groups, the White population is the most severely insulated (separated from other racial groups). Research also identifies segregation of affluence to be greater than the segregation of poverty. Racial and economic segregation can have significant effects on respective communities, including but not limited to, socioeconomic disparities, educational experiences and benefits, exposure to environmental conditions and crime, and access to public goods and services.

Data used in the analysis of Racially Concentrated Areas of Affluence (RCAA) is from the 2015-2019 American Community Survey and measured at the census tract level. HCD has created an RCAA metric to reflect California's relative diversity and regional conditions, and to aid local jurisdictions in their analysis of racially concentrated areas of poverty and affluence pursuant to AB 686 and AB 1304. HCD's RCAA metric is created by first calculating a Location Quotient (LQ) for each California census tract using data from the 2015-2019 ACS. This LQ represents the percentage of total white population (White Alone, Not Hispanic or Latino) for each census tract compared to the average percentage of total white population for all census tracts in a given Council of Governments (COG) region. For example, a census tract with a LQ of 1.5 has a percentage of total white population that is 1.5 times higher than the average percentage of total white population in the given COG region. To determine the RCAAs, census tracts with an LQ of more than 1.25 and a median income 1.5 times higher than the COG Area Median Income (AMI), or 1.5 times the State AMI, whichever is lower, are assigned a numeric score of 1. A score of 1 indicates that a census tract is an RCAA. Census tracts that did not meet this criterion are assigned a score of 0.

The nationwide RCAA analysis identifies the following:

- RCAA tracts have more than twice the median household income of the average tract in their metro area.
- Poverty rates in RCAAs are significantly lower and are, on average about 20 percent of a typical tract.
- RCAAs tracts are more income homogenous than R/ECAPs.
- The average RCAA is about 57 percent affluent, whereas the average R/ECAP had a poverty rate of 48 percent.

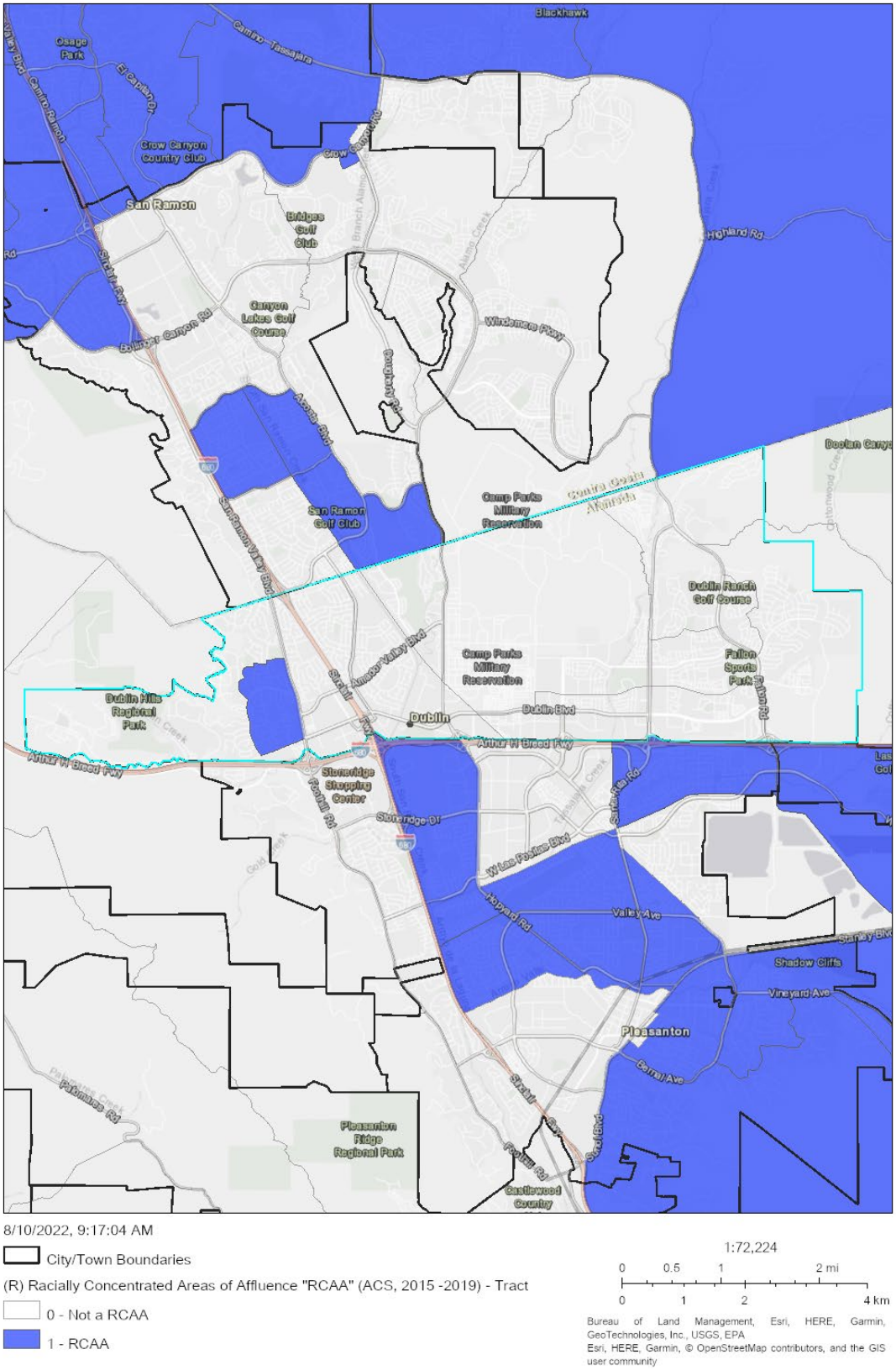
The typical RCAA tract has a rate of affluence 3.2 times that of a typical tract, whereas R/ECAPs on average had a poverty rate 3.2 times that of a typical tract. Overall, RCAAs may represent a public policy issue to the extent that they have been created and maintained through exclusionary and discriminatory land use and development practices. Postwar patterns of suburbanization in many metropolitan areas were characterized by White communities erecting barriers to affordable housing and engaging in racially exclusionary practices.

Figure C-17 shows census tracts that meet the RCAA criterion. As illustrated, there is one census tract on the western side of the City that would be classified as an RCAA under HCD's criterion. **Table C-21** highlights the demographic and income data of the census block classified as an RCAA. There are many RCAAs in the County and in jurisdictions surrounding Dublin.

By cross-referencing **Figure C-17a** and **Figure C-17b**, a string of RCAAs that run from Pleasanton to Walnut Creek and taper off towards Martinez emerges. Dublin is one of few jurisdictions in the Tri-Valley area that is not a majority RCAA. Although not all census tracts/block groups meet the criteria to qualify as RCAAs, there is a tendency for census block groups with higher White populations to have higher median incomes throughout the County. By cross-referencing **Figure C-15a and C-15b**, it is apparent that Dublin is becoming more diverse in income levels.

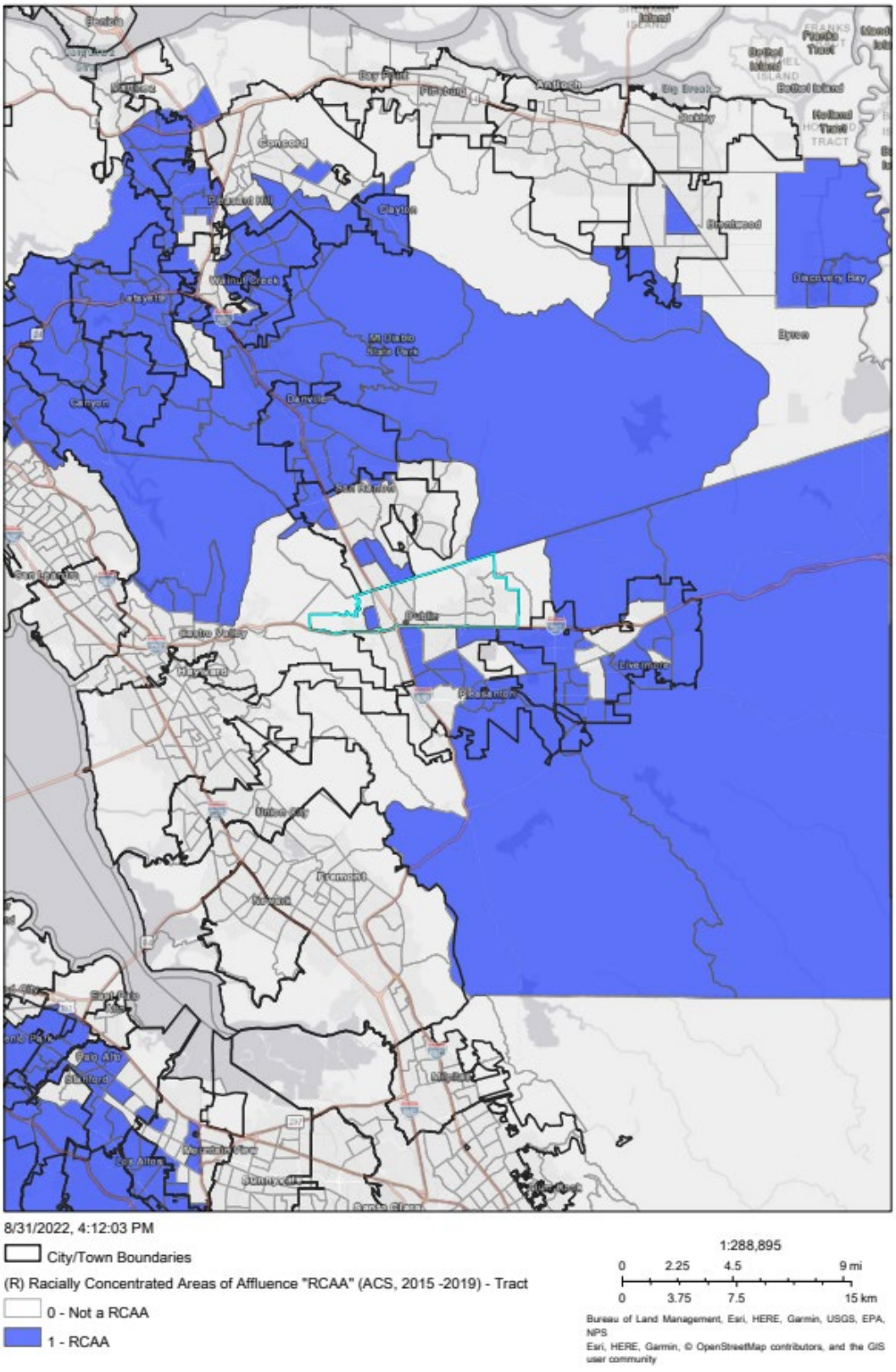
When compared to the County as a whole, the City's White population earns a median income of approximately $124,846 whereas the County's White population earns a median income of approximately $108,506 (**Table C-22**). In both jurisdictions, the White population represents just under half of the total population.

Figure C-17a: Racially Concentrated Areas of Affluence (RCAA), Dublin



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-17b: Racially Concentrated Areas of Affluence (RCAA), Dublin



Source: California Department of Housing and Community Development – AFFH Data Viewer

Table C-21: RCCAs - Median Household Income by Race by Block Group, Dublin		
Block Group	Percent Population White	Median Income
Block Group 1, Census Tract 4505.01	59.5%	$138,929
Block Group 2, Census Tract 4505.01	64.91%	$165,313
Source: (U.S. Census Bureau) from HCD AFFH Data Viewer, Accessed February 4, 2022.		

Table C-22: RCCAs - Median Household Income by Race, Dublin and Alameda County				
Race	Dublin		Alameda County	
	Median Income[1]	Population	Median Income [1]	Population
White	$124,846	45.7%	$108,506	46.8%
All Households	$150,299	--	$99,406	--
Notes: [1] Median income in the past 12 months (in 2019 inflation-adjusted dollars)				
Source: American Community Survey, 5-Year Estimates, 2019.				

Disparities in Access to Opportunities

REGIONAL OPPORTUNITY INDEX (ROI)

The University of California, Davis Center for Regional Change and Rabobank partnered to develop the Regional Opportunity Index (ROI) intended to help communities understand local social and economic opportunities. The goal of the ROI is to help target resources and policies toward people and places with the greatest need to foster thriving communities. The ROI incorporates both people and place components, integrating economic, infrastructure, environmental, and social indicators into a comprehensive assessment of the factors driving opportunity.

The ROI: People is a relative measure of people's education, economic, housing, mobility/transportation, health/environment, and civic life opportunities as follows:

- Education: Assesses people's educational success in the form of higher education, elementary school achievement, and elementary school attendance.
- Economic: Measures a community's economic well-being in the form of employment and income level.
- Housing: Measures a community's relative residential stability, in the form of homeownership and housing costs.
- Mobility/Transportation: Assesses a community's relative opportunities for overcoming rural isolation.
- Health/Environment: Measures a community's health, particularly infant, teen, and general health.
- Civic Life: Assesses social and political engagement in the form of households that speak English and voter turnout.

Figure C-18 illustrates the City's ROI: People results. As shown, Dublin residents generally have high assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities. This is consistent with neighboring communities that also report high opportunities.

The ROI: Place is a relative measure of an area's assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities as follows:

- Education: Assesses a census tract's relative ability to provide educational opportunity, in the form of high-quality schools that meet the basic educational and social needs.
- Economic: Measures the relative economic climate of a community, in the form of access to employment and business climate.
- Housing: Measures housing availability in a community, in the form of housing sufficiency and housing affordability.
- Health/Environment: Measures how well communities meet the health needs of their constituents, in the form of access to health care and other health-related environments.
- Civic Life: Measures the social and political stability of an area, in the form of neighborhood stability (living in same residence for one year) and citizenship.

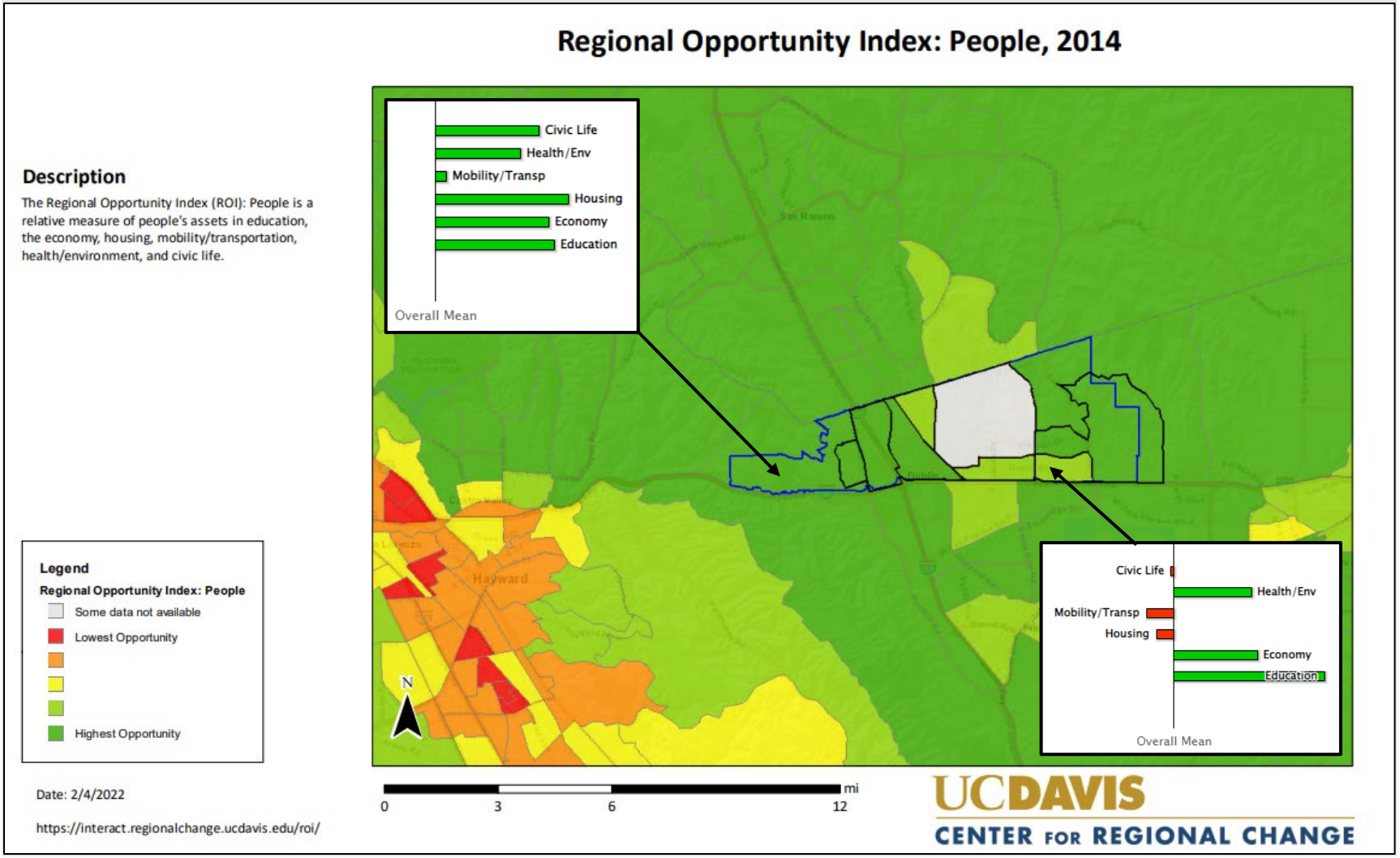
Figure C-19 illustrates the City's ROI: Place results. The City offers high to moderate assets in education, economic, housing, mobility/transportation, health/environment, and civic life opportunities. Areas of low opportunity exist in east Dublin. This is due to low health and environmental factors; all other assets remain highly rated. However, this data does not include the significant development in east Dublin, such as the Kaiser Medical Center and residential developments, since the data in 2014 was released

In addition, **Table C-23** displays specific ROI data for the City and the State. The data shows the following key findings:

- The City shows excellent educational scores with almost double the percent of college educated adults, greater high school graduation and University of California/California State University eligibility rates, and significantly higher proficiency levels.
- Dublin residents have a higher percentage of employment with greater incomes. Jobs in the City are generally higher quality and have been growing at a faster rate.
- While housing adequacy is greater in Dublin, a higher percentage of residents experience a cost burden.
- A greater percentage of Dublin residents have access to vehicles and commute less.
- General health and environmental factors in Dublin are highly rated. Infant health, prenatal care, years of life lost, and air quality are better rated in Dublin. The City does have less access to supermarkets, indicating a need for additional resources for existing residents. This data does not include the Whole Foods in Persimmon Place, which was opened in 2015, or Lucky's at Fallon Gateway, which opened in 2018.
- As it relates to civic involvement, almost all Dublin residents speak English and a high percentage vote.

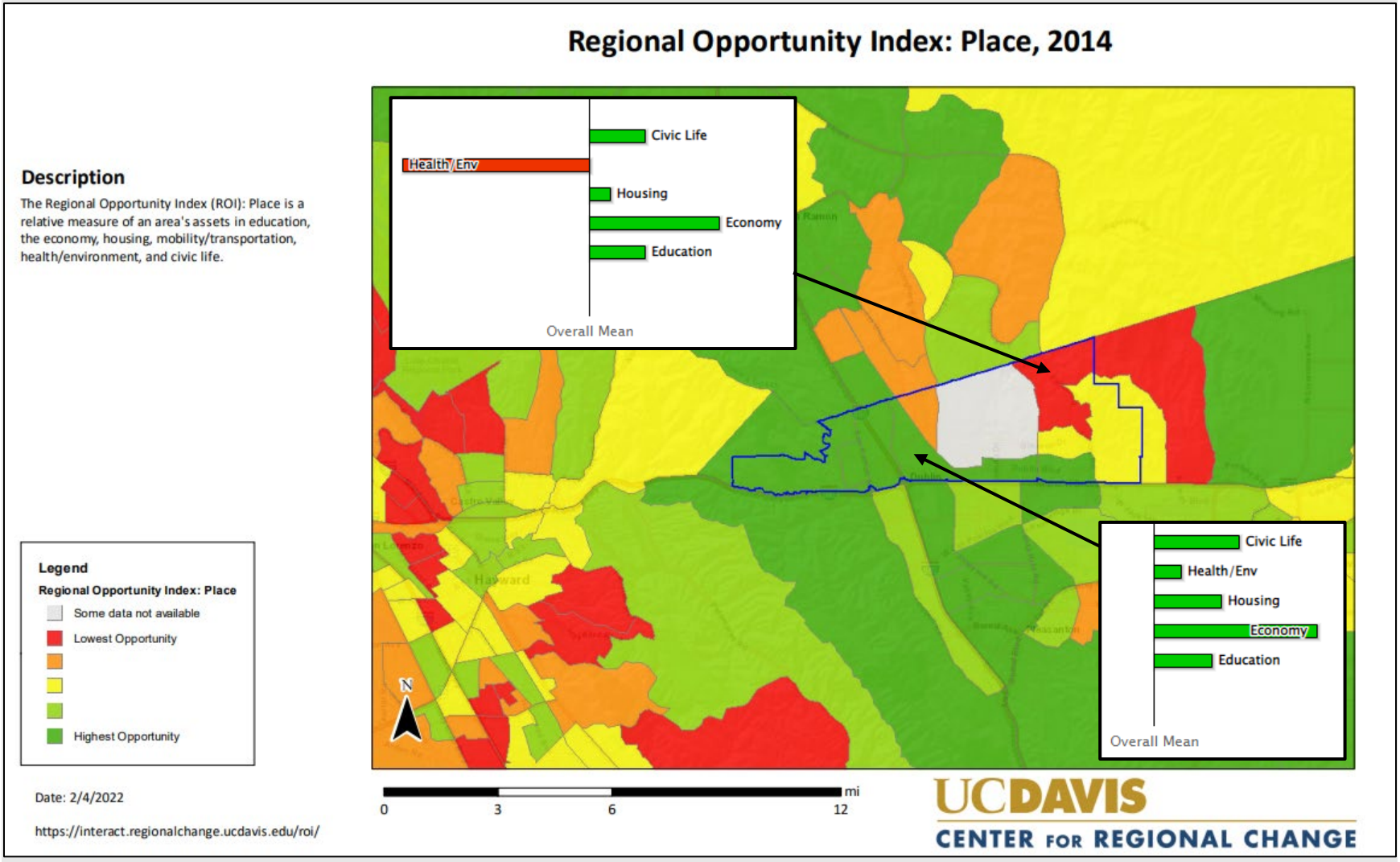
Overall, the City is shown to be a high opportunity city. As part of the candidate sites analysis, the City identified sites that can accommodate new housing units at a variety of income levels in areas where future residents will have access to high degrees of opportunity. By increasing stable and affordable housing options, the City hopes to further increase opportunities for current and future Dublin residents.

Figure C-18: Regional Opportunity Index, People – Dublin and Neighboring Communities



Source: UC Davis Center for Regional Change and Rabobank, 2014.

Figure C-19: Regional Opportunity Index, Place – Dublin and Neighboring Communities



Source: UC Davis Center for Regional Change and Rabobank, 2014.

Table C-23: Opportunity Indicators, Dublin and California			
	ROI Indicator	Dublin	California
Education	**People**		
	College Educated Adults	**63.2%**	38%
	Math Proficiency	**84.8%**	70.1%
	English Proficiency	**82.9%**	65%
	Elementary Truancy	**18.6%**	24.3%
	Place		
	High School Graduation Rate	**93.6%**	83.1%
	UC/CSU Eligibility	**62.9%**	41%
	Teacher Experience	**25.1%**	36.3%
	High School Discipline Rate	**1.3%**	6.4%
Economic	**People**		
	Employment Rate	**95.5%**	89.4%
	Minimum Basic Income	**88.4%**	63.5%
	Place		
	Job Availability	**977.4**	701.8
	Job Quality	**4.9%**	2.9%
	Job Growth	**56.4%**	40.4%
	Bank Accessibility	**0.4**	0.2
Housing	**People**		
	Home Ownership	**58.5%**	54.7%
	Housing Cost Burden	**59.5%**	51.6%
	Place		
	Housing Adequacy	**97.6%**	90.6%
	Housing Affordability	**0.2%**	0.2%
Mobility	**People**		
	Vehicle Availability	**92%**	86.4%
	Commute Time	**51.8%**	59.9%
	Internet Access	**5**	4
Health/Environmental	**Place**		
	Infant Health	**94.8%**	94.9%
	Birth to Teens	**0.9%**	6.6%
	Years of Life Lost	**17.2%**	29.8%
	Place		
	Air Quality	**8.6%**	10%
	Prenatal Care	**88.6%**	83.1%
	Access to Supermarket	**22.9%**	53.3%
	Health Care Availability	**1.8%**	1.8%
Civic Life	**People**		
	Voting Rates	**37.6%**	30.6%
	English Speakers	**95.9%**	88.1%
	Place		
	US Citizenship	**83.2%**	82.6%
	Neighborhood Stability	**80.6%**	84.9%
Source: UC Davis Center for Regional Change and Rabobank, 2014.			

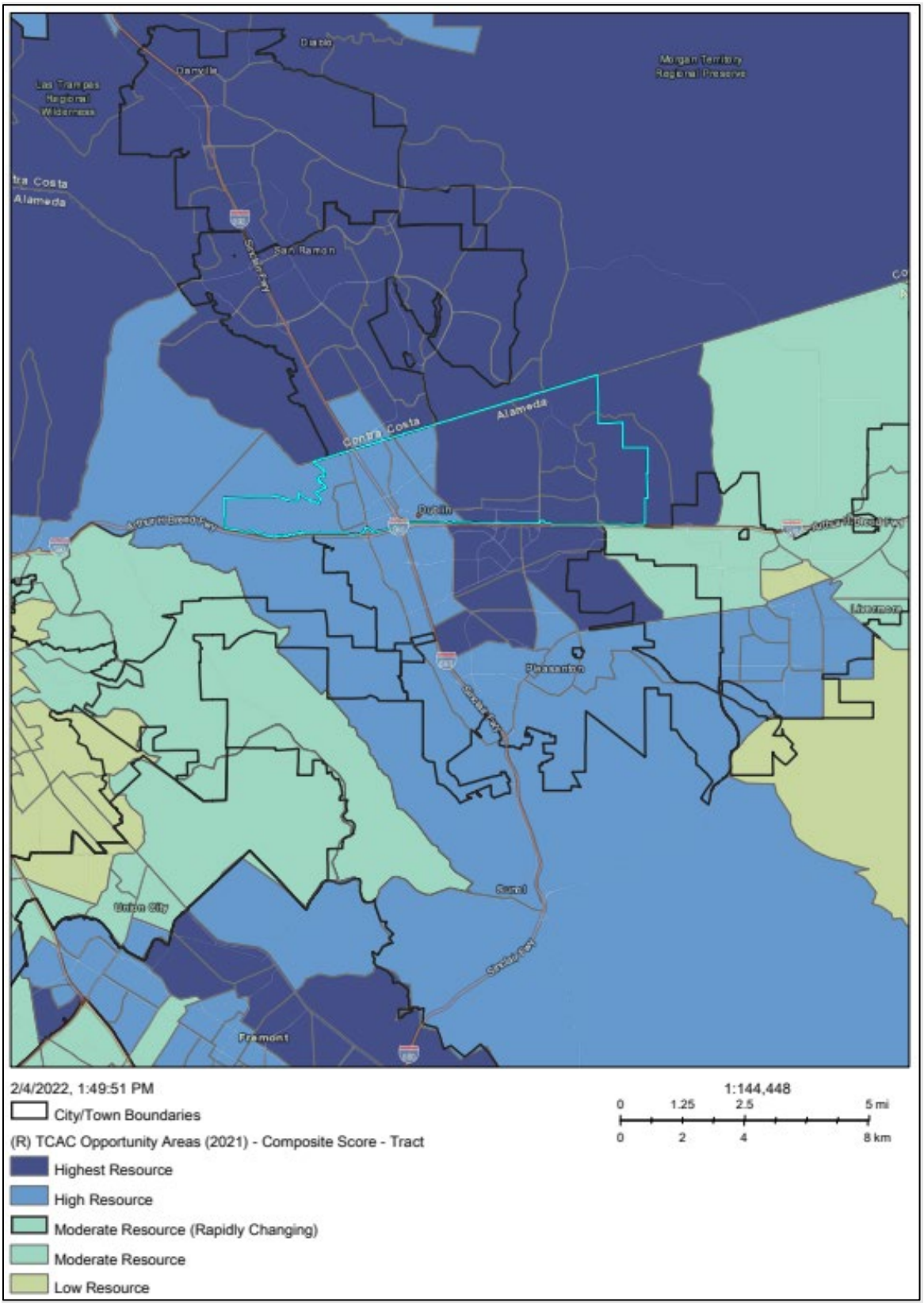
CALIFORNIA TAX CREDIT ALLOCATION COMMITTEE (TCAC/HCD) OPPORTUNITY AREA DATA

HCD together with the California Tax Credit Allocation Committee established the California Fair Housing Task Force to provide research, evidence-based policy recommendations, and other strategic recommendations to HCD and other related state agencies/departments to further the fair housing goals (as defined by HCD). The Task Force developed the TCAC/HCD Opportunity Area Maps to understand how public and private resources are spatially distributed. The Task Force defines opportunities as pathways to better lives, including health, education, and employment. Overall, opportunity maps are intended to display which areas, according to research, offer low-income children and adults the best chance at economic advancement, high educational attainment, and good physical and mental health.

According to the Task Force's methodology, the tool allocates 20 percent of the tracts in each region with the highest relative index scores to the "Highest Resource" designation and the next 20 percent to the "High Resource" designation. Each region then ends up with 40 percent of its total tracts as "Highest" or "High" resource. These two categories are intended to help State decision-makers identify tracts within each region where research suggests low-income families are most likely to thrive, and where they typically do not have the option to live—but might, if given the choice.

Figure C-20 shows the TCAC Opportunity Scores for the City and surrounding region. As illustrated, the City is categorized as High and Highest Resource. This is generally consistent with the region. The region to the east with moderate resource scores represents mostly undeveloped land. Overall, future housing developments within the City will benefit from access to high levels of resources, bringing additional opportunities for existing and future residents.

Figure C-20: TCAC/HCD Opportunity Map



Source: California Department of Housing and Community Development – AFFH Data Viewer

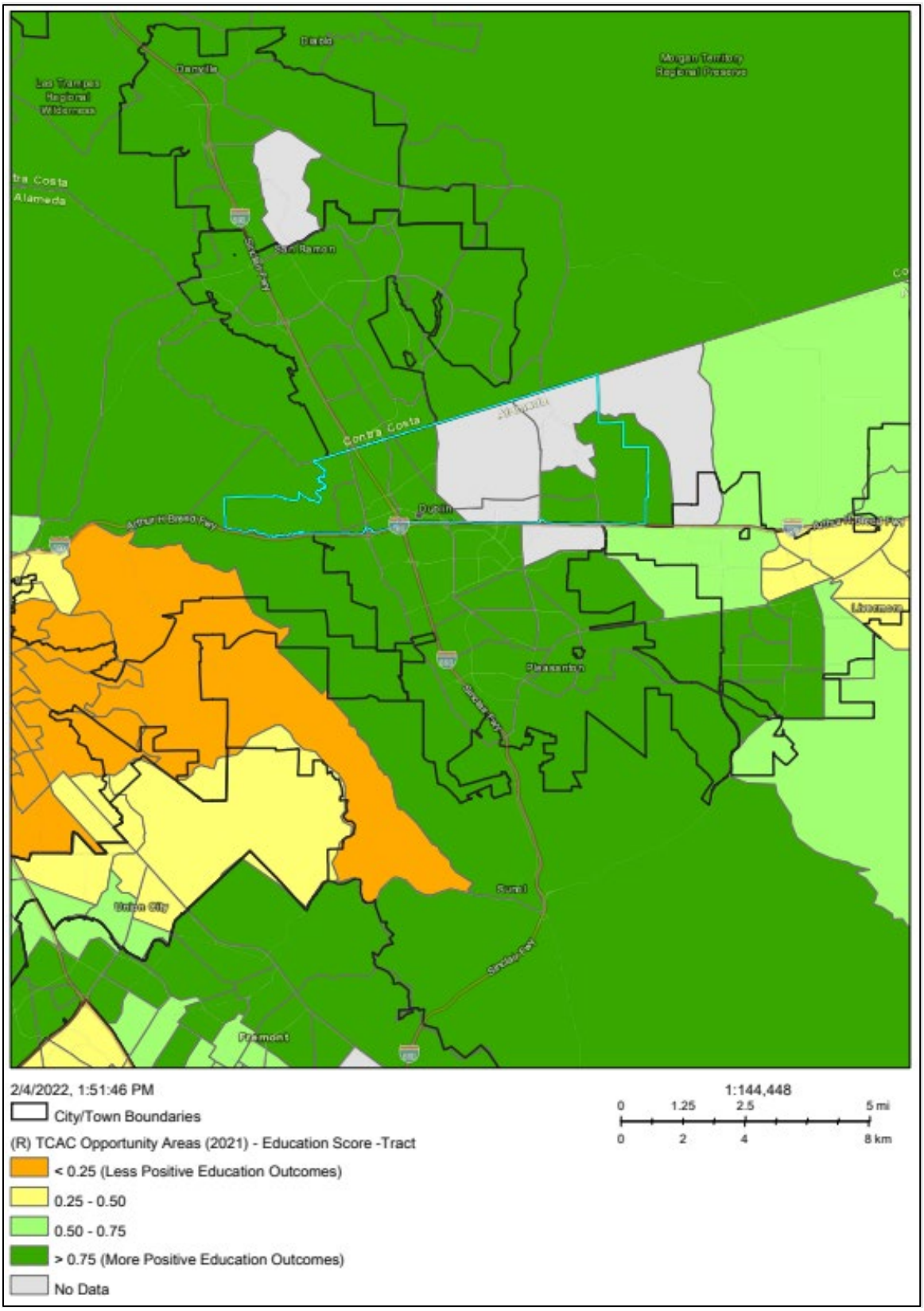
TCAC/HCD DATA – EDUCATIONAL OPPORTUNITIES

The TCAC/HCD Opportunity Area Maps include education data, as illustrated in **Figure C-21**. This data represents opportunity levels based on the following four factors:

- Math proficiency – Percentage of fourth graders who meet or exceed math proficiency standards.
- Reading proficiency – Percentage of fourth graders who meet or exceed literacy standards.
- High school graduation rates – Percentage of high school cohort that graduated on time.
- Student poverty rate – Percentage of students not receiving free or reduced-price lunch.

Figure C-21 shows educational scores for the City and surrounding region. As shown, a large portion of the City lacks adequate data to identify scores; however, the remainder of the City is scored at the highest positive educational outcomes. Overall, Dublin provides high opportunities for education achievement and in return Dublin residents show high educational achievements and successes in achieving college degrees. Overall, future housing developments within the City will benefit from access to high levels of resources, bringing additional opportunities for existing and future residents.

Figure C-21: TCAC/HCD Opportunity Map – Educational Opportunities



Source: California Department of Housing and Community Development – AFFH Data Viewer

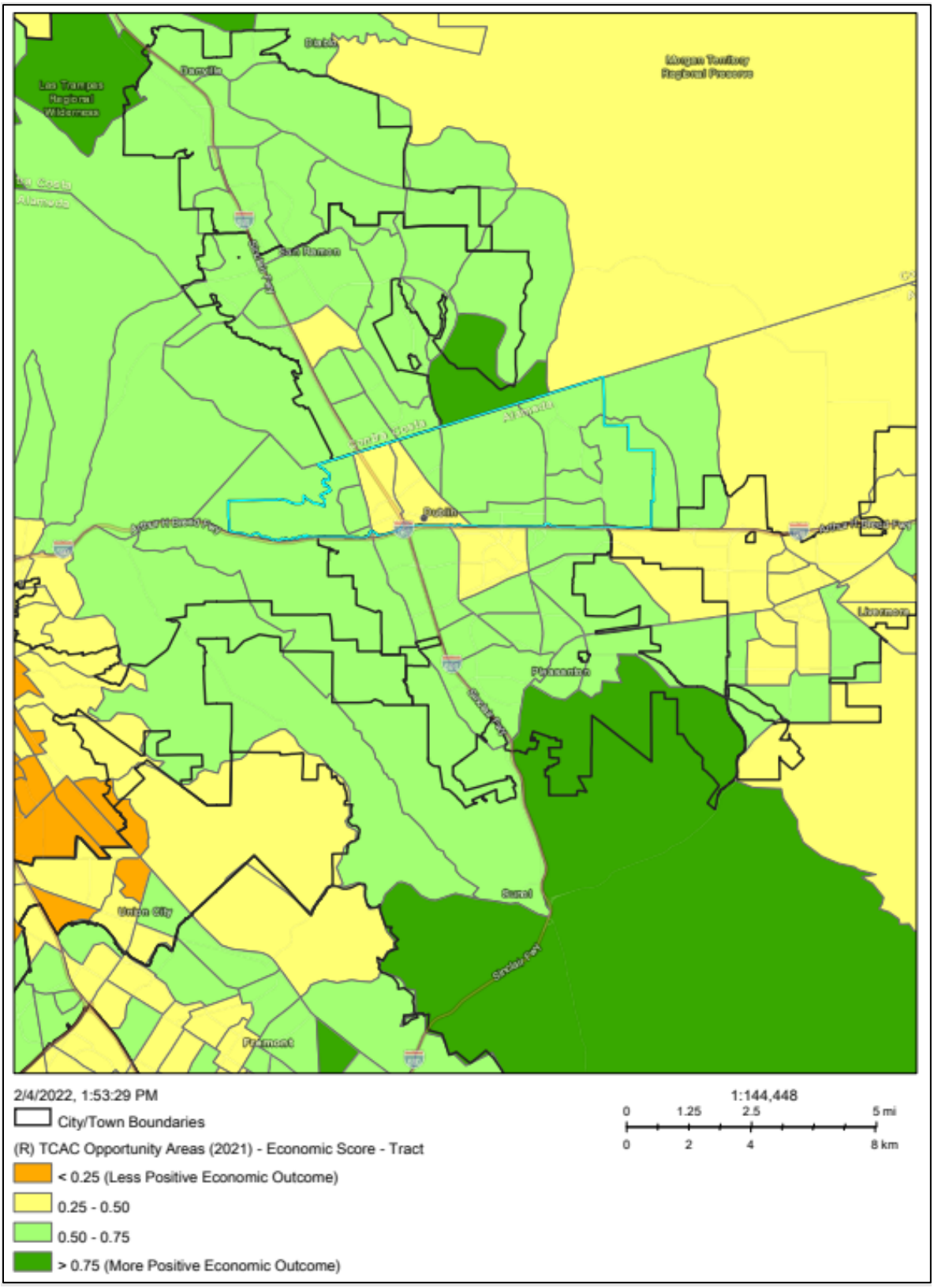
TCAC/HCD DATA – ECONOMIC OPPORTUNITIES

The TCAC/HCD Opportunity Area Maps include economic data, as illustrated in **Figure C-22**. This data represents opportunity levels based on the following five factors:

- Poverty – Percent of population with income above 200 percent of federal poverty line.
- Adult Education – Percent of adults with a bachelor's degree or above.
- Employment – Percent of adults aged 20-64 who are employed in the civilian labor force or in the armed forces.
- Job Proximity – Number of jobs filled by workers with less than a Bachelor of Arts degree that fall within a given radius (determined by the typical commute distance of low-wage workers in each region) of each census tract population-weighted centroid.
- Median Home Value - Value of owner-occupied units.

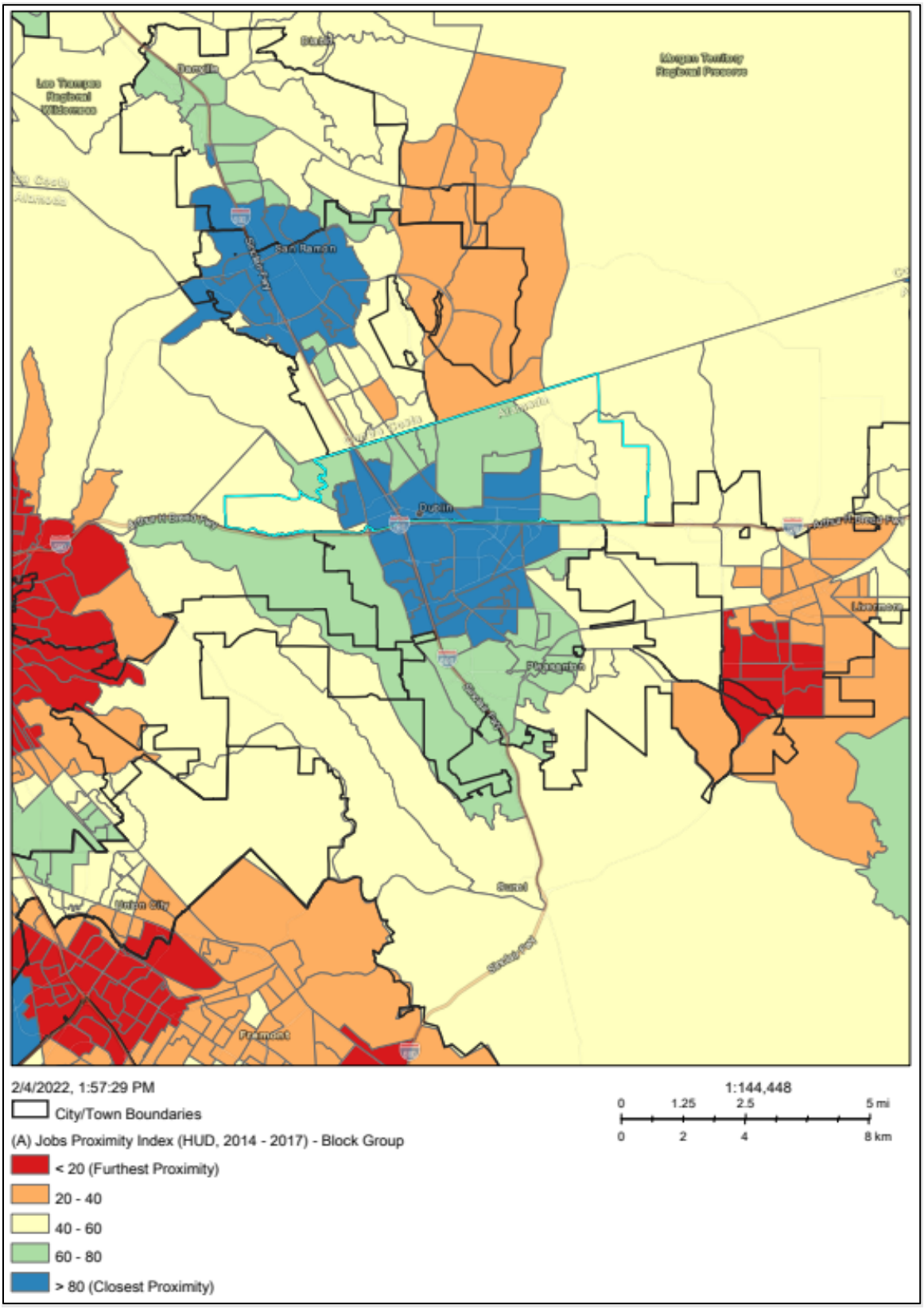
Figure C-22 shows economic opportunity scores for Dublin and the surrounding region. The majority of the City has a high level of positive economic outcome. The area of the City near Interstate-680 is shown to have moderate economic outcomes; this area includes a large percentage of residential uses as well as the City's downtown region and large commercial and industrial centers. When compared to proximity to jobs (**Figure C-23**), Dublin residents generally live close to employment. Overall, Dublin residents have high access to positive economic opportunities. Future housing development will add to opportunities for existing and future residents.

Figure C-22: TCAC/HCD Opportunity Map – Economic Opportunities



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-23: Jobs Proximity Index



Source: California Department of Housing and Community Development – AFFH Data Viewer

HUD OPPORTUNITY INDICATORS

Opportunity indicators also help inform communities about disparities in access to opportunity. HUD developed opportunity indicators to help inform communities about disparities in access to opportunity. The scores are based on nationally available data sources and assess resident's access to key opportunity assets in the County. **Table C-24** provides the index scores (ranging from zero to 100) for the following opportunity indicator indices for Alameda County:

- **Low Poverty Index**: The low poverty index captures the poverty rate at the census tract level. The higher the score, the less exposure to poverty in a neighborhood.
- **School Proficiency Index**: The school proficiency index uses school-level data on the performance of fourth grade students on state exams to describe which neighborhoods have high-performing elementary schools nearby and which are near lower-performing elementary schools. The higher the score, the higher the school system quality is in a neighborhood.
- **Labor Market Engagement Index**: The labor market engagement index provides a summary description of the relative intensity of labor market engagement and human capital in a neighborhood. This is based upon the level of employment, labor force participation, and educational attainment in a census tract. The higher the score, the higher the labor force participation and human capital.
- **Transit Trips Index**: The transit trips index is based on estimates of transit trips taken by a family that meets the following description: a three-person single-parent family with income at 50 percent of the median income for renters for the region (i.e., the Core-Based Statistical Area (CBSA)). The higher the transit trips index, the more likely residents in that neighborhood utilize public transit.
- **Low Transportation Cost Index**: The low transportation cost index is based on estimates of transportation costs for a family that meets the following description: a three-person single-parent family with income at 50 percent of the median income for renters for the region/CBSA. The higher the index, the lower the cost of transportation.
- **Jobs Proximity Index**: The jobs proximity index quantifies the accessibility of a given residential neighborhood as a function of its distance to all job locations within a region/CBSA, with larger employment centers weighted more heavily. The higher the index value, the better access to employment opportunities.
- **Environmental Health Index**: The environmental health index summarizes potential exposure to harmful toxins at a neighborhood level. The higher the index value, the less exposure to toxins harmful to human health.

Table C-24 displays the opportunity indicators by race and ethnicity for persons in Alameda County – data is not available for the City. There are lower school proficiency rates and labor market rates among the population identifying as Black non-Hispanic and Hispanic. In addition, Alameda County residents report low job proximity scores, which is not the case for Dublin residents who benefit from high proximity to employment.

Table C-24: Opportunity Indicators, Alameda County							
(Alameda County, CA CDBG) Jurisdiction	Low Poverty Index	School Proficiency Index	Labor Market Index	Transit Index	Low Transportation Cost Index	Jobs Proximity Index	Environmental Health Index
Total Population							
White*	74.5	64.8	69.0	62.5	88.4	41.6	50.0
Black*	59.4	46.9	47.4	66.1	90.4	36.0	50.7
Hispanic	58.3	39.9	48.6	70.0	90.1	31.0	50.3
Asian or Pacific Islander*	71.5	61.9	66.3	63.9	88.5	44.4	49.7
Native American*	63.5	50.9	49.7	63.1	89.7	37.9	51.1
Population Below Federal Poverty Line							
White*	63.7	50.6	58.0	69.8	90.1	32.1	47.8
Black*	46.2	32.8	42.9	74.6	92.5	26.3	48.3
Hispanic	44.9	29.4	45.6	76.1	91.6	29.1	49.6
Asian or Pacific Islander*	62.3	53.1	63.2	74.5	91.6	47.2	43.2
Native American*	42.1	18.3	43.3	76.7	91.9	12.8	52.8

*Non-Hispanic

Source: Department of Housing and Urban Development, Affirmatively Furthering Fair Housing Online Mapping Tool, Decennial Census; ACS; Great Schools; Common Core of Data; SABINS; LAI; LEHD; NATA

ACCESS TO TRANSIT

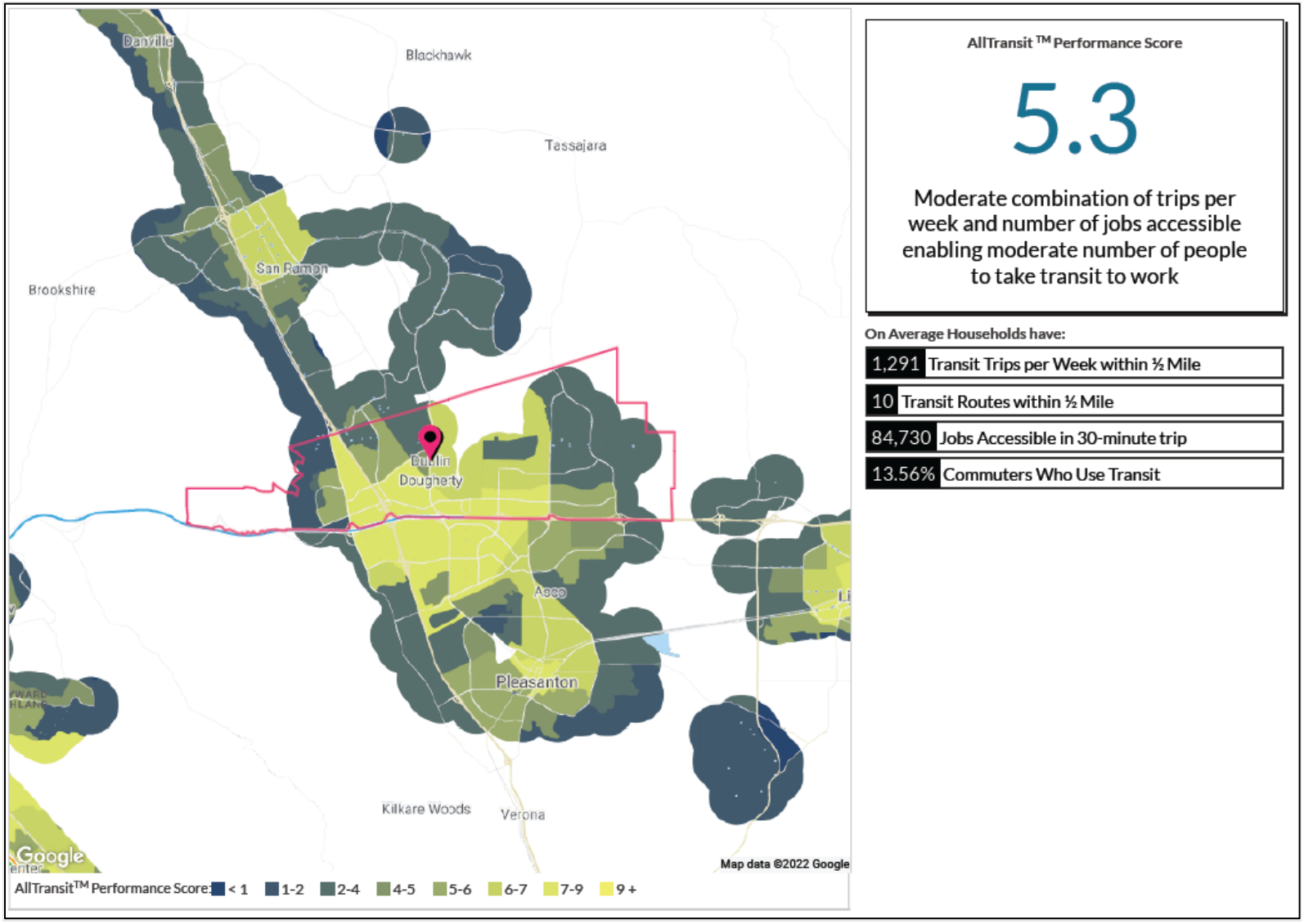
Access to transportation, specifically public transit, provides households with affordable and environmentally-friendly commuting options. It can also increase accessibility to essential retail, such as grocers and markets, and recreational activities.

AllTransit explores metrics that reveal the social and economic impact of transit, specifically looking at connectivity, access to jobs, and frequency of service. Dublin scored a AllTransit performance score of 5.3, as shown in **Figure C-24** below, illustrating moderate combination of trips per week and number of jobs accessible enabling a moderate number of people to take transit to work. Additionally, AllTransit identified the following transit related statistics for Dublin:

- 94.6 percent of all jobs in Dublin are located within half a mile of transit.
- There are 3,765 customer households within a 30-minute transit commute of local businesses.
- 1.11 percent of workers in Dublin walk to work.
- 0.41 percent of workers in Dublin bike to work.
- No low-income households (earning under $50,000) live within half a mile of high frequency full-day transit.

Within the City are two Bay Area Rapid Transit (BART) stations – the Dublin/Pleasanton Station and West Dublin/Pleasanton Station – which operate between 5:00am to 12:00am on weekdays with 15-minute headways during the week and 30-minute headways during the weekend. The Dublin/Pleasanton Station opened first; development patterns led to the addition of the West Dublin/Pleasanton Station later.

Figure C-24: All Transit Performance Score – Dublin (2021)



Source: AllTransit Fact Sheet, 2021.

CALENVIROSCREEN - ENVIRONMENTAL JUSTICE

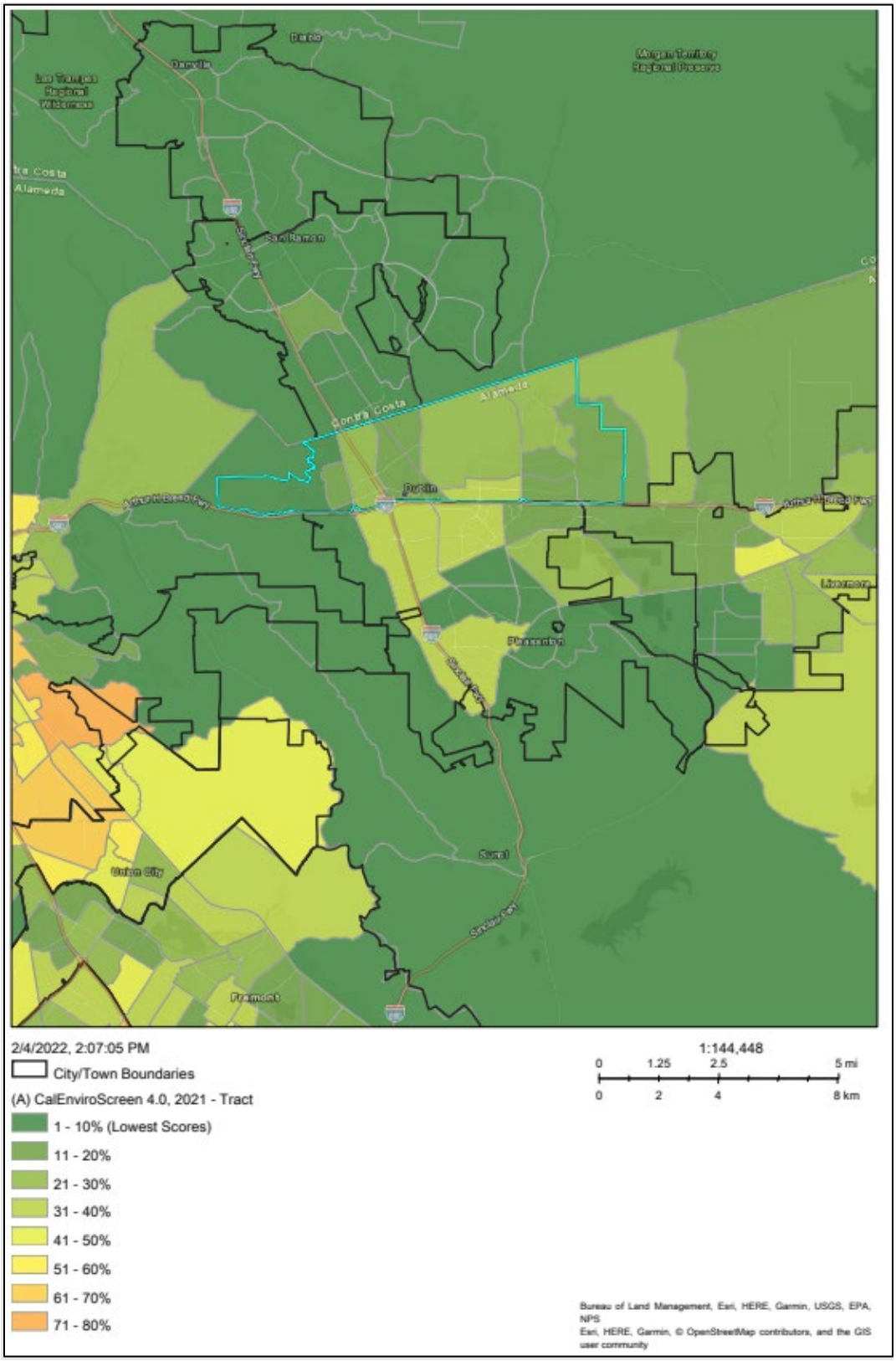
The California Office of Environmental Health Hazard Assessment (OEHHA) developed a screening methodology to help identify California communities disproportionately burdened by multiple sources of pollution, called the California Communities Environmental Health Screening Tool (CalEnviroScreen). In addition to environmental factors (pollutant exposure, groundwater threats, toxic sites, and hazardous materials exposure) and sensitive receptors (seniors, children, persons with asthma, and low birth weight infants), CalEnviroScreen also takes into consideration socioeconomic factors. These factors include educational attainment, linguistic isolation, poverty, and unemployment. Research has shown a heightened vulnerability of people of certain ethnicities and lower socioeconomic status to environmental pollutants.

The CalEnviroScreen 4.0 Model is made up of a suite of 20 statewide indicators of pollution burden and population characteristics associated with increased vulnerability to pollution's health effects. The model uses the following analysis and calculation to identify areas of health risk:

- Uses a weighted scoring system to derive average pollution burden and population characteristics scores for each census tract.
- Calculates a final CalEnviroScreen score for a given census tract relative to the other tracts by multiplying the pollution burden and population characteristics components together.
- Measures the relative pollution burdens and vulnerabilities in one census tract compared to others; the score is not a measure of health risk.

Figure C-25 displays mapped results of the CalEnviroScreen 4.0 for the City and surrounding region. The City has low to moderate levels of pollution burdens. **Tables C-25** and **C-26** compare two census tracts with the highest and lowest pollution burdens in the City. As detailed, Census Tract 6001450400 reports a higher pollution burden, but is still considered relatively low to moderate on the scale. The housing burden and unemployment percentile in this census tract is greater than that of Census Tract 6001450502. In general, new housing opportunities throughout the City would have access to low levels of pollution burdens.

Figure C-25: All Transit Performance Score – Dublin



Source: California Department of Housing and Community Development – AFFH Data Viewer

Table C-25: CalEnviro Screen 4.0 – Highest Scoring Census Tract (6001450400)			
Pollutant	**Percentile***	**Health Risk/Burden**	**Percentile***
CalEnviro Screen 4.0	29	Pollution Burden	41
Ozone	25	Asthma	18
Particulate Matter 2.5	25	Low Birth Weight	72
Diesel Particulate Matter	93	Cardiovascular Rate	10
Toxic Releases	42	Education	21
Traffic	86	Linguistic Isolation	47
Drinking Water	39	Poverty	14
Lead from Housing	33	Unemployment	53
Cleanup Sites	10	Housing Burden	32
Groundwater Threats	75		
Hazardous Waste	78		
Impaired Water	0		
Solid Waste	0		
*Percentile derived using a weighted scoring system to determine average pollution burden/ socioeconomic scores relative to other census tracts. *Source: CalEnviroScreen 4.0 (Accessed 2/7/2022)*			

Table C-26: CalEnviro Screen 4.0 – Lowest Scoring Census Tract (6001450502)			
Pollutant	**Percentile***	**Health Risk/Burden**	**Percentile***
CalEnviro Screen 4.0	4	Pollution Burden	26
Ozone	18	Asthma	12
Particulate Matter 2.5	20	Low Birth Weight	23
Diesel Particulate Matter	51	Cardiovascular Rate	6
Toxic Releases	44	Education	15
Traffic	99	Linguistic Isolation	31
Drinking Water	39	Poverty	3
Lead from Housing	3	Unemployment	11
Cleanup Sites	50	Housing Burden	4
Groundwater Threats	44		
Hazardous Waste	47		
Impaired Water	0		
Solid Waste	0		
*Percentile derived using a weighted scoring system to determine average pollution burden/ socioeconomic scores relative to other census tracts. *Source: CalEnviroScreen 4.0 (Accessed 2/7/2022)*			

Disproportionate Housing Needs and Displacement

Disproportionate housing needs refer to disparities in cost burden, overcrowding, substandard housing, and displacement risk for special needs populations in comparison to the rest of the population. Housing needs are assessed by the HUD Comprehensive Housing Affordability Strategy (CHAS), based on ACS data. Housing problems and severe housing problems include the following elements:

Housing Problem

- Incomplete kitchen facilities
- Incomplete plumbing facilities
- 1+ person per room
- Cost burden greater than 30 percent

Severe Housing Problem

- Incomplete kitchen facilities
- Incomplete plumbing facilities
- 1.5+ person per room
- Cost burden greater than 50 percent

Table C-27 shows a breakdown of housing challenges for Dublin and Alameda County households by race and ethnicity. Dublin residents experience lower rates of housing challenges for both owner and renter households. Renter households across both jurisdictions experience more housing challenges than owner households. Renters and homeowners who identify as White have the highest rates of household challenges and those who identify as Asian report the second highest rates of housing problems.

Table C-27: Housing Problems by Tenure and Race/Ethnicity

Has One or More Housing Challenges	White	Black or African American	Asian	American Indian	Pacific Islander	Hispanic or Latino
City of Dublin						
Owner Households	3.2%	0%	2.3%	0.1%	0%	0.9%
Renter Households	3.5%	0.4%	2.3%	0.1%	0.1%	0.8%
Alameda County						
Owner Households	2.6%	0.8%	2.5%	0%	0%	1.5%
Renter Households	3.8%	3.2%	3.5%	0.1%	0.1%	4.5%

Source: HUD, Consolidated Planning/CHAS Data, City of Dublin and Alameda County.

COST BURDEN

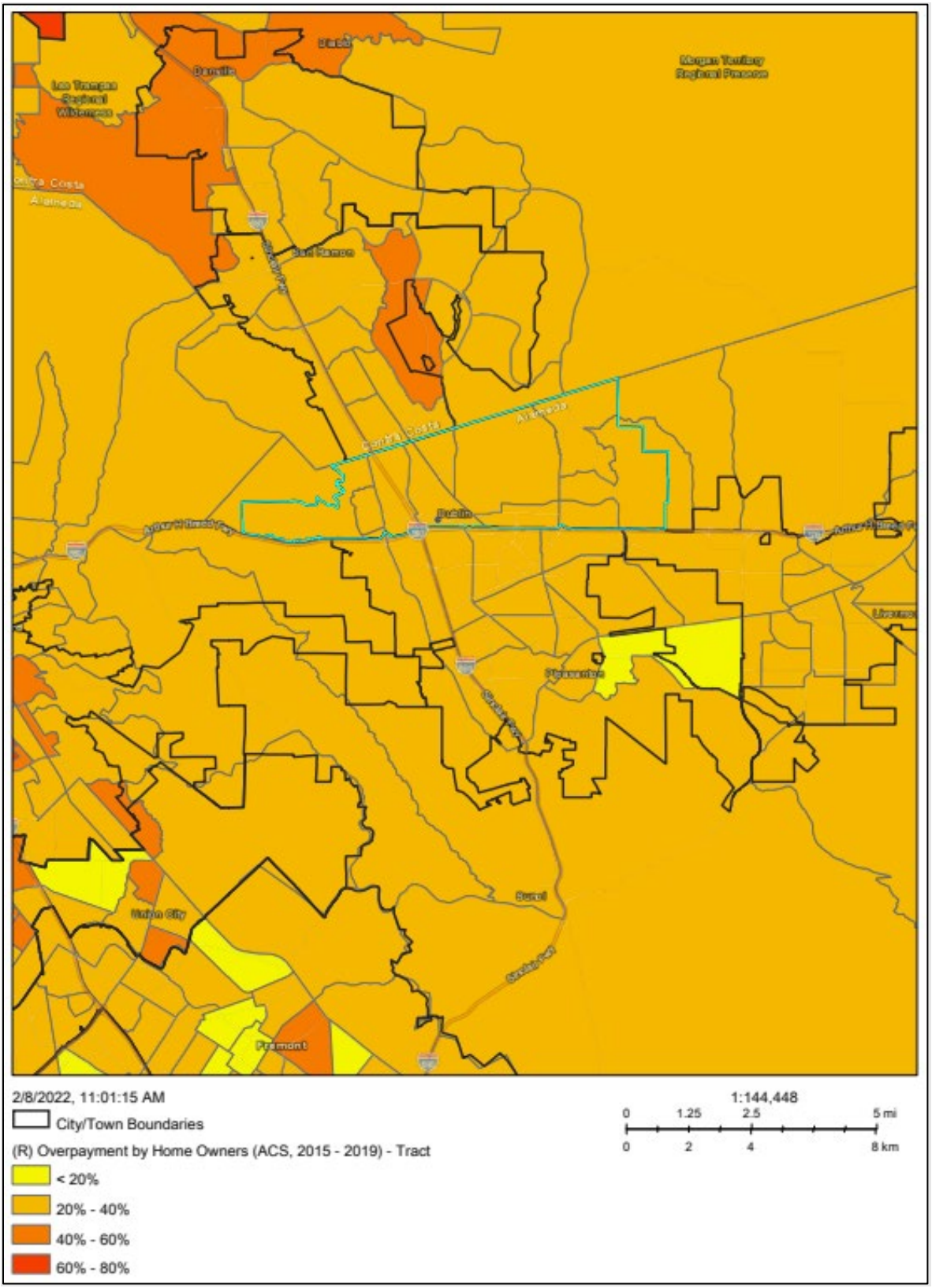
Table C-28 shows data for households experiencing overpayment and cost burden for Dublin, Alameda County, and the State of California. The City had the lowest rates of cost burden in 2019 after experiencing a four percent decrease for those with a cost burden over 30 percent between 2017 and 2019. Overall, jurisdictions have experienced cost burden decreases between 2017 and 2019. **Figures C-26** and C-**27** show overpayment by tenure. Both figures show there is a relatively similar percentage of overpayment between renters and homeowners throughout the City. The Primary Planning Area, as shown in General Plan Figure 1-2, experiences higher rates of overpayment at 40 to 60 percent. Both figures show consistency with neighboring communities, with **Figure C-27** showing a generally lower percentage of the City's renters overpaying for housing compared to the region.

Table C-28: Cost Burden Change Over Time by Geography (2017-2019)

Overpayment/ Cost Burden	City of Dublin		Alameda County		State of California	
	2017	2019	2017	2019	2017	2019
Cost Burden >30%	30%	26%	29%	28%	32%	31%
Cost Burden >50%	8%	8%	11%	11%	14%	13%
No Cost Burden	0.1%	0.3%	0.6%	0.5%	0.8%	0.8%

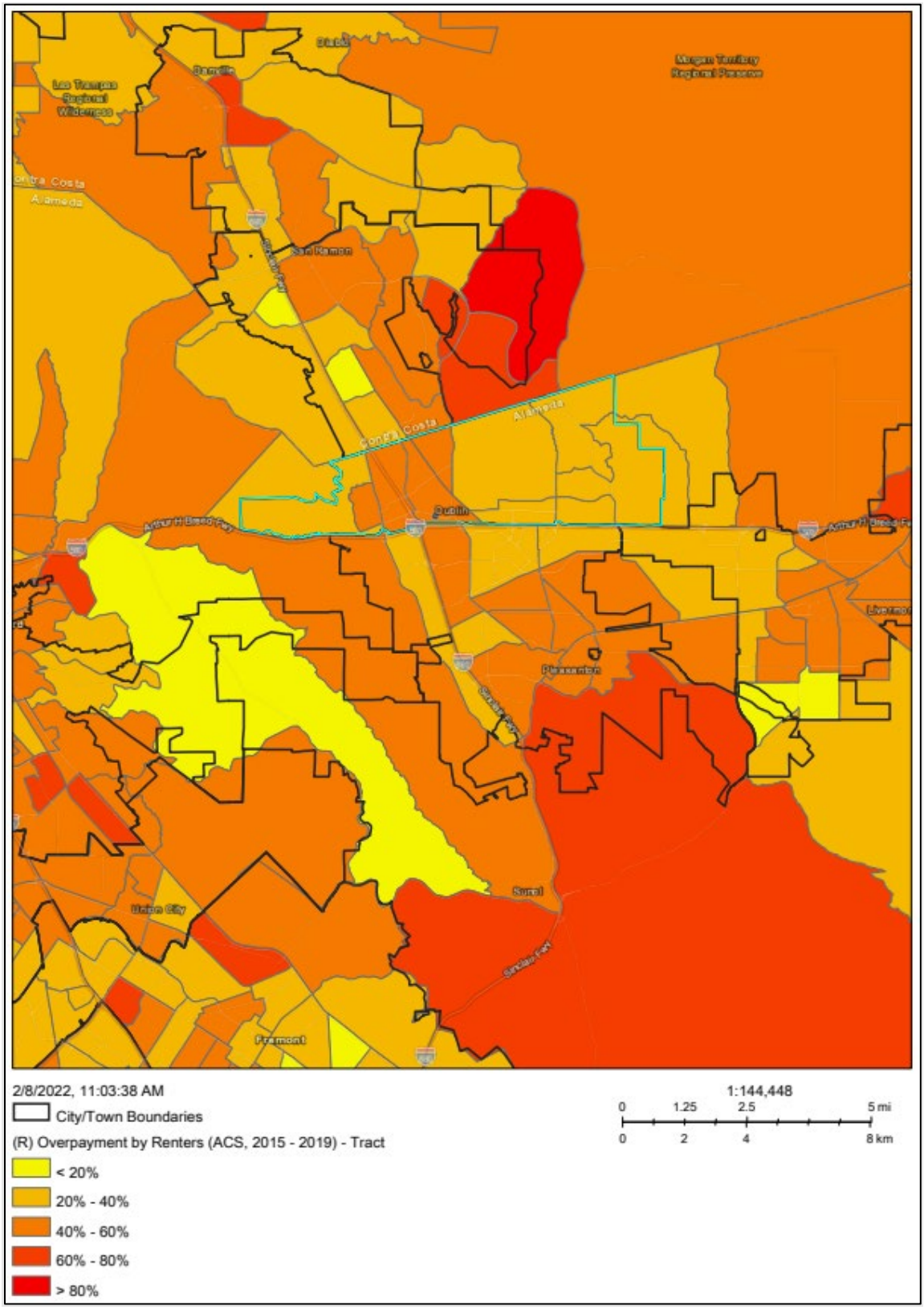
Source: American Community Survey, 5-Year Estimates, 2019 and 2017.

Figure C-26: Overpayment by Homeowners



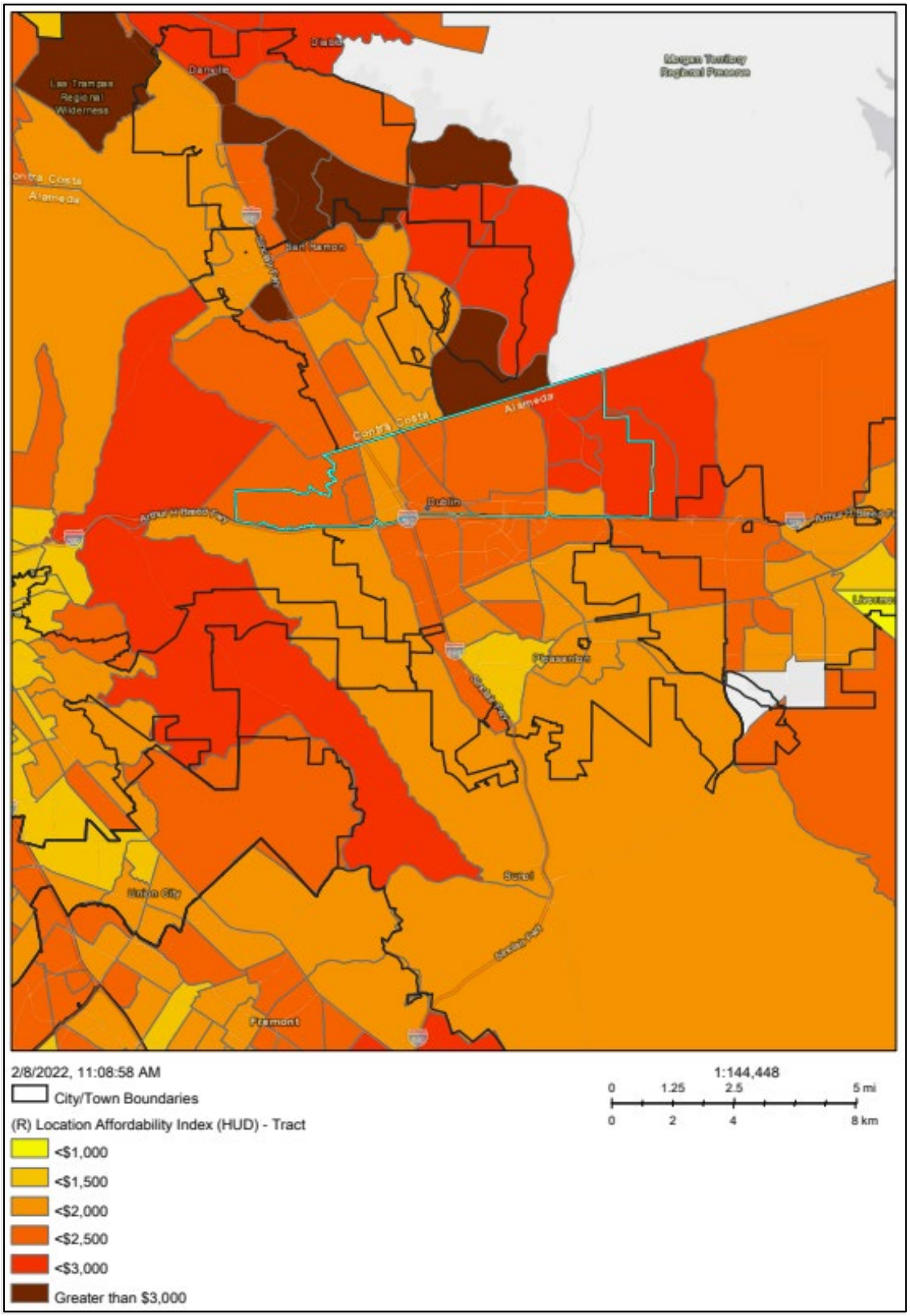
Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-27: Overpayment by Renters



Source: California Department of Housing and Community Development – AFFH Data Viewer

Figure C-28: Location Affordability by Median Gross Rent



Source: California Department of Housing and Community Development – AFFH Data Viewer

In addition to overpayment, general housing affordability is also an important factor. **Figure C-28** displays the location of affordable rents throughout the City and the surrounding region. In comparison to the area to the north of Dublin, the City has a higher rate of affordable rents. There is a pocket of median gross rent exceeding $3,000 in the eastern part of the City; however, the rest of the City has a median gross rent which does not exceed $2,500.

OVERCROWDING

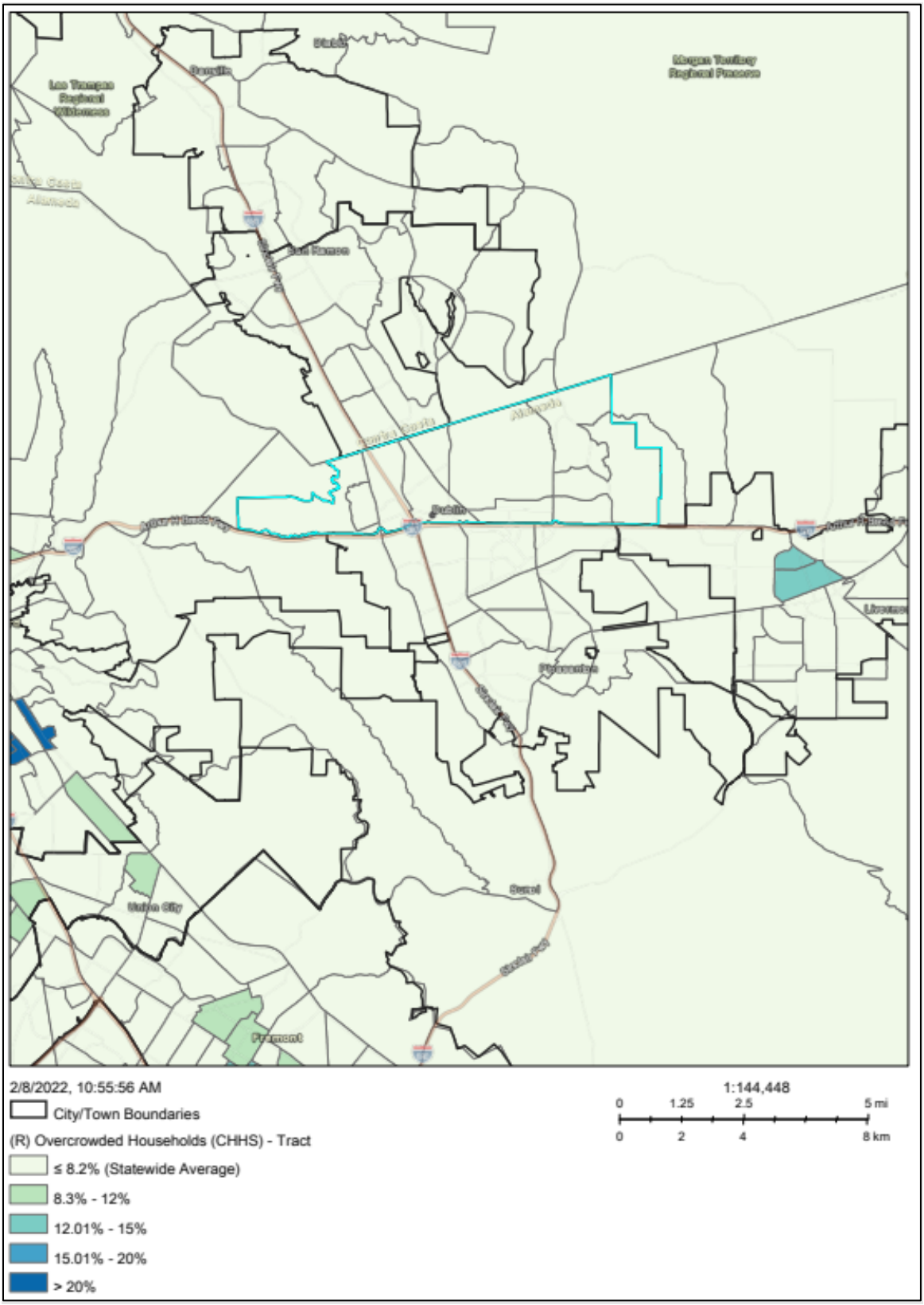
Table C-29 shows overcrowding trends for the City, County, and State from 2010 to 2019. Overcrowding in all three regions has increased to varying degrees. In the City, renter households experiencing overcrowding increased from 0.1 percent to one percent. Alameda County experienced a doubling of renter households experiencing overcrowding. In comparison, renter households across California remained about the same with a couple percentage increases. Severely overcrowded owner households in Dublin and owner households across the State experienced decreases, with Dublin's severely overcrowded owner households dropping from 0.1 percent to 0.02 percent. **Figure C-29** also shows overcrowded households in the City and the region. The City and the majority of the surrounding area does not have an overcrowding rate that exceeds the statewide average.

Table C-29: Overcrowding Change Over Time by Geography

Overcrowding and Tenure	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
Owner Households						
Overcrowded	0.8%	0.8%	1.3%	1.4%	1.8%	1.6%
Severely Overcrowded	0.1%	0.02%	0.4%	0.4%	0.5%	0.6%
Renter Households						
Overcrowded	0.7%	2%	2.4%	3.6%	3.5%	3.6%
Severely Overcrowded	0.1%	1%	1.2%	2.4%	2.2%	2.4%

Source: American Community Survey, 5-Year Estimates, 2019 and 2010.

Figure C-29: Overcrowded Households



Source: California Department of Housing and Community Development – AFFH Data Viewer

SUBSTANDARD HOUSING

Table C-30 below displays the City's housing stock by year built. Older housing may generally require more upkeep and regular maintenance and can cause a cost burden on both renters and homeowners. Units over 30 years of age are considered older and more at-risk of requiring upgrades. Approximately 20.8 percent of the City's housing stock was built prior to 1980. **Table C-31** provides specific figures on the number of units lacking complete plumbing facilities in comparison to year the residence was built. Most substandard housing units with incomplete plumbing were built after 1950. A total of 43 units are overcrowded, lack complete plumbing facilities, and were built prior to 1950. In total, **Table C-31** shows there are 103 units requiring additional care and maintenance to create a safe and livable environment for its tenants.

Table C-30: Age of Dublin Housing Stock

Year Built	Number of Occupied Housing Units	Percent
2014 or later	2,328	11.5%
2010 to 2013	2,470	12.2%
2000 to 2009	6,271	31%
1980 to 1999	4,949	24.5%
1960 to 1979	3,751	18.5%
1940 to 1959	339	1.7%
1939 or earlier	127	0.6%

Source: American Community Survey, 5-Year Estimates, 2019.

Table C-31: Plumbing Facilities by Occupants Per Room by Year Structure Built

Year Built	Number of Occupied Housing Units Lacking Plumbing Facilities
1.00 or Less Occupants Per Room	
Built 1950 or later	60
Built 1940 to 1949	0
Built 1939 or earlier	0
1.1 or More Occupants Per Room	
Built 1950 or later	0
Built 1940 to 1949	35
Built 1939 or earlier	8

Source: American Community Survey, 5-Year Estimates, 2019.

SENIOR HOUSEHOLDS

The senior population is generally regarded as those over the age of 65. Senior householders may be more at risk of requiring additional services, accessibility improvements, and be located near public transit or community resources and commercial and retail needs. **Table C-32** shows occupied household trends by age of householder for the City, County, and State from 2010 to 2019. The table shows an overall increase in senior householders between 2010 and 2019. Householders between the ages of 65 and 74 across the State had the greatest increase. In comparison, senior householders in Dublin increased by less than one percent for each age category. Senior households remain a small portion of the Dublin community, but still require additional attention when considering the location of future senior housing developments.

Table C-32: Occupied Households by Age of Households by Geography						
Age of Households	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
65 to 74 years	6.2%	7.7%	9%	12.8%	9.9%	13.7%
75 to 84 years	3.1%	3.8%	5.9%	6.2%	6.6%	7.1%
85 years and over	0.6%	0.9%	2.5%	2.9%	2.6%	3.2%
Source: American Community Survey, 5-Year Estimates, 2019.						

TENURE

Table C-33 displays tenure trends for the City, County, and State between 2010 and 2019. The City reports higher rates of home ownership than households in the County and across the State. While 53.5 percent of Alameda County households are owner-occupied, Dublin households are made up of 65.5 percent owner-occupied units. This represents a slight decrease of about one percent between 2010 and 2019. The trend is consistent across the County and the State where homeownership has decreased over the nine-year period.

Table C-33: Tenure Change Over Time by Geography						
Tenure	City of Dublin		Alameda County		State of California	
	2010	2019	2010	2019	2010	2019
Owner Households	66.3%	65.5%	55.1%	53.5%	57.4%	54.8%
Renter Households	33.7%	34.5%	44.9%	46.5%	42.6%	45.2%
Total Occupied Households	**13,273**	**20,235**	**532,026**	**577,177**	**12,392,852**	**13,044,266**
Source: American Community Survey, 5-Year Estimates, 2019.						

DISPLACEMENT

The potential for economic displacement risk can result from a variety of factors, including large-scale development activity, neighborhood reinvestment, infrastructure investments, and changes in local and regional employment opportunities. Economic displacement can be an inadvertent result of public and private investment, where individuals and families may not be able to keep pace with increased property values and market rental rates.

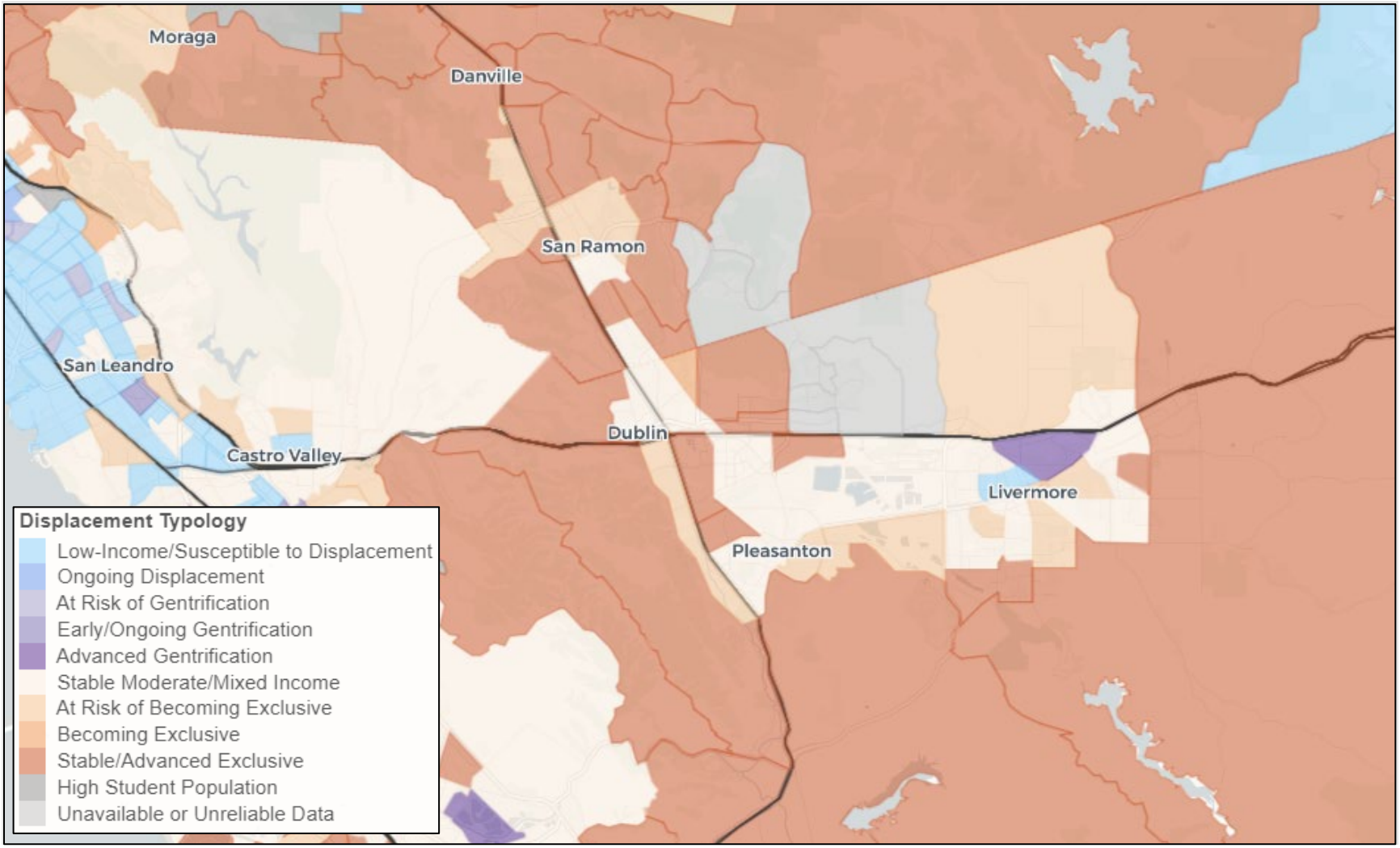
Urban Displacement

The U.C. Berkeley Urban Displacement Project developed a neighborhood change database to map neighborhood transformations and identify areas vulnerable to gentrification and displacement. This data was developed to assist local decision makers and stakeholders better plan for existing communities and provide additional resources to areas in need or at-risk of displacement and gentrification. The displacement typologies and the criteria used to identify each category are listed in **Table C-34** with the census tracts identified in each, as illustrated in **Figure C-30**.

Figure C-30 shows the City does not have any census tracts reporting displacement or gentrification risks. Over half of census tracks in Dublin report stability with either moderate/mixed income or advanced exclusivity. One census tract is currently becoming exclusive. Overall, the City is surrounded by areas of stable and advanced exclusivity. Stable mixed and moderate incomes exist throughout Pleasanton, as well as two areas of displacement and gentrification occurring in Livermore.

Table C-34: Displacement Typology Criteria and Dublin Census Tracts		
Modified Types and Criteria	**Dublin Census Tracts**	
Low-Income/Susceptible to Displacement • Low or mixed low-income tract in 2018.	--	
Ongoing Displacement of Low-Income Households • Low or mixed low-income tract in 2018. • Absolute loss of low-income households, 2000-2018.	--	
At Risk of Gentrification • Low or mixed low-income tract in 2018. • Housing affordable to low or mixed low-income households in 2018. • Did not gentrify 1990-2000 OR 2000-2018. • Marginal change in housing costs OR Zillow home or rental value increases in the 90th percentile between 2012-2018. • Local and nearby increases in rent were greater than the regional median between 2012-2018 OR the 2018 rent gap is greater than the regional median rent gap.	--	
Early/Ongoing Gentrification • Low or mixed low-income tract in 2018. • Housing affordable to moderate or mixed moderate-income households in 2018. • Increase or rapid increase in housing costs OR above regional median change in Zillow home or rental values between 2-12-2018. • Gentrified in 1990-2000 or 2000-2018.	--	
Advanced Gentrification • Moderate, mixed moderate, mixed high, or high-income tract in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Marginal change, increase, or rapid increase in housing costs. • Gentrified in 1990-2000 or 2000-2018.	--	
Stable Moderate/Mixed Income • Moderate, mixed moderate, mixed high, or high-income tract in 2018.	6001450300 6001450400	6001450501
At Risk of Becoming Exclusive • Moderate, mixed moderate, mixed high, or high-income traact in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Marginal change or increase in housing costs.	--	
Becoming Exclusive • Moderate, mixed moderate, mixed high, or high-income traact in 2018. • Housing affordable to middle, high, mixed moderate, and mixed high-income households in 2018. • Rapid increase in housing costs. • Absolute loss of low-income households, 2000-2018. • Declining low-income in-migration rate, 2012-2018. • Median income higher in 2018 than in 2000.	6001450200	
Stable/Advanced Exclusive • High-income tract in 2000 and 2018 • Affordable to high or mixed high-income households in 2018. • Marginal change, increase, or rapid increase in housing costs.	6001450502 6001450101 6001450102	
Unavailable or Unreliable Data	6001450750 6001450751	6001450752
Source: Urban Displacement Project, University of California Berkeley (2021).		

Figure C-30: Displacement and Gentrification Around the Dublin Region (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

In addition to displacement and gentrification data, the UC Berkeley Urban Displacement Project also analyzes the occurrence of anti-displacement policies, as defined below:

- **Just Cause Eviction Ordinance.** Just cause eviction statutes are laws that allow tenants to be evicted only for specific reasons. These "just causes" can include a failure to pay rent or violation of the lease terms.
- **Rent Stabilization or Rent Control.** Rent Control ordinances protect tenants from excessive rent increases, while allowing landlords a reasonable return on their investments. Such ordinances limit rent increase to certain percentages, but State law allows landlords to raise rents to the market rate once the unit becomes vacant.
- **Rent Review Board and/or Mediation.** Rent review boards mediate between tenants and landlords on issues related to rent increases and encourage them to come into voluntary agreement. As mediators, the board normally does not make binding decisions.
- **Mobile Home Rent Control.** Mobile home rent control places specific rent increase restrictions on the land rented by mobile homeowners, or the mobile homes themselves.
- **SRO (Single-Room Occupancy) Preservation.** Single room occupancies, also called residential hotels, house one or two people in individual rooms. Tenants typically share bathrooms and/or kitchens. These are often considered a form of permanent residence affordable for low-income individuals. SRO Preservation Ordinances help to preserve or create new SRO units.
- **Condominium Conversion Regulations.** In addition to state laws regulating the conversion of multi-family rental property into condominiums, many cities have enacted condominium conversion ordinances. These impose procedural restrictions and/or substantive restrictions on the ability to convert apartment units into condominiums to protect the supply of rental housing.
- **Foreclosure Assistance.** Many cities and counties have local programs that assist homeowners when they are at risk of foreclosure. These programs may be funded with federal grants.
- **Jobs-Housing Linkage Fee or Affordable Housing Impact/Linkage Fee.** Affordable housing impact/linkage fees are charges on developers of new market-rate, residential developments. They are based on the square footage or number of units in the developments and are used to develop or preserve affordable housing.
- **Commercial Linkage Fee/Program.** Commercial linkage fees are charged to developers per square foot of new commercial development. Revenues are used to develop or preserve affordable housing.
- **Housing Trust Fund.** A housing trust fund is a designated source of public funds—generated through various means—that is dedicated to creating affordable housing.
- **Inclusionary Zoning/Housing (Below Market Rate Housing).** Inclusionary housing policies require market-rate developers of rental or for-sale housing to rent or sell a certain percentage of units at affordable prices. Some policies include a provision for developers to pay "in-lieu fees" in place of building the housing; this revenue is used to develop affordable units elsewhere.

- **Density Bonus Ordinance.** Density bonuses allow developers of market-rate housing to build higher-density housing, in exchange for having a certain portion of their units offered at affordable prices. In this inventory, we only include a city as having this policy if they allow an additional density bonus beyond that mandated by the State.
- **Community Land Trusts.** Community land trusts are nonprofit, community-based organizations (supported by the city or county) whose mission is to provide affordable housing in perpetuity by owning land and leasing it to those who live in houses built on that land.
- **First Source Hiring Ordinances.** First Source hiring ordinances ensure that residents are given priority for new jobs created by municipal financing and development programs.

Table C-35 identifies which of these policies the City has adopted, according to the Urban Displacement Project as specified above. While the City is reported not having a Density Bonus Ordinance, Dublin Municipal Code Chapter 8.52 establishes regulations for implementing the City's Density Bonus Ordinance, which was adopted in March 2007 and updated in November 2019. **Figure C-31** illustrates the propensity of anti-displacement policies across jurisdictions surrounding Dublin. As shown, the Urban Displacement Project incorrectly identifies the City as having fewer anti-displacement policies than communities in the region.

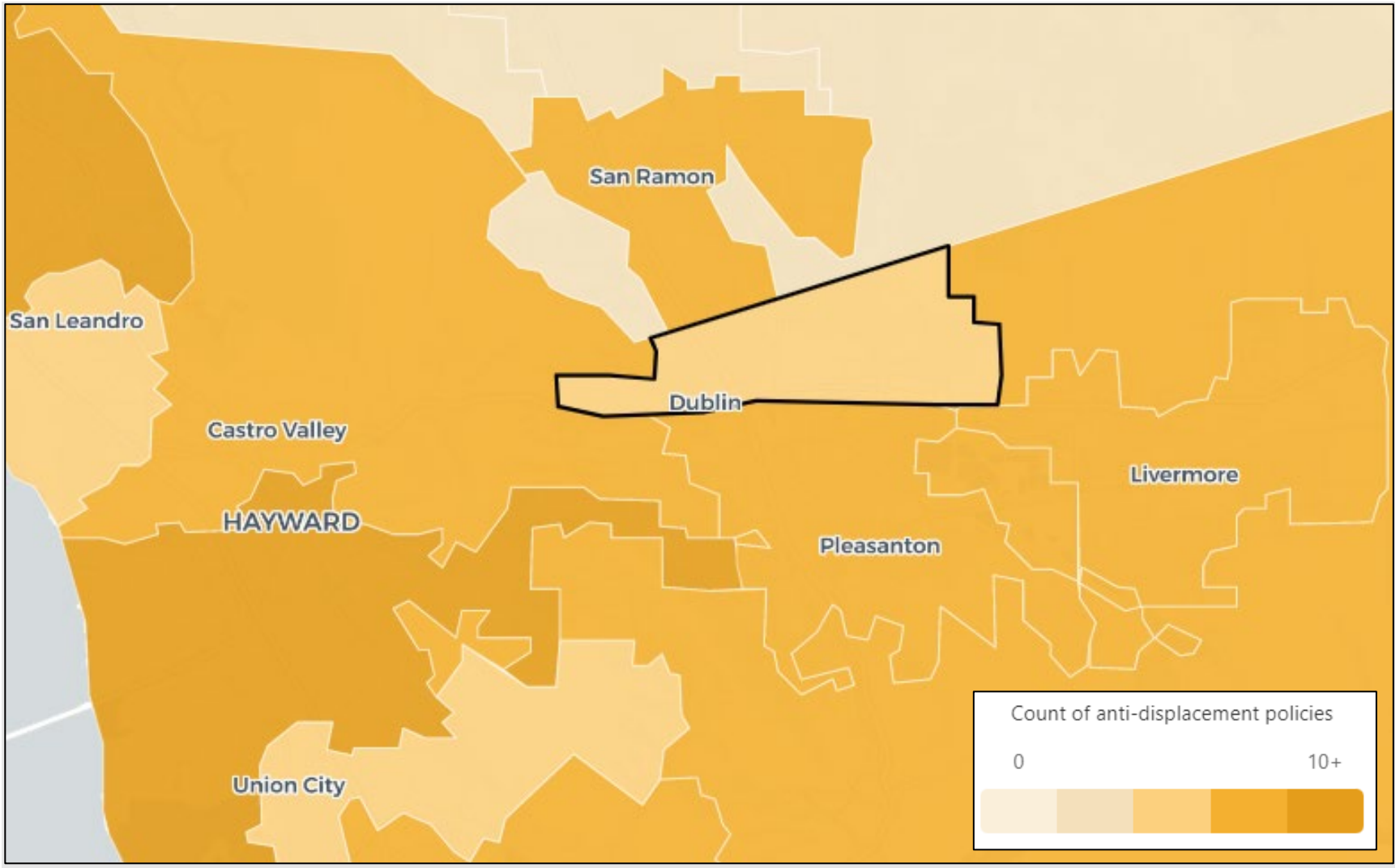
Table C-35: Anti-Displacement Policies

Anti-Displacement Measures	Dublin Policy Measure
Just Cause Eviction Ordinance	No
Rent Stabilization or Rent Control	No
Rent Review Board and/or Mediation	No
Mobile Home Rent Control	No
SRO Preservation	Yes
Condominium Conversion Regulations	Yes
Foreclosure Assistance	Yes
Jobs-Housing Linkage Fee	No
Commercial Linkage Fee	Yes
Housing Trust Fund	No
Inclusionary Zoning	Yes
Density Bonus Ordinance	Yes
Community Land Trusts	No
First Source Hiring	No

Source: Urban Displacement Project, University of California Berkeley (2021), and the City of Dublin.

The UC Berkely Urban Displacement Project provides data on redlining. According to the UC Berkely Project, redlining was a process in which the Home Owners' Loan Corporation (HOLC), gave neighborhoods ratings to guide investment. This policy is named for the practice of categorizing neighborhoods as red or "hazardous" on HOLC maps – riskiest in terms of loan issuance. The "hazardous" rating was in large part based on racial demographics; redlining was an explicitly discriminatory policy that made it hard for residents of color to get loans for homeownership or maintenance and led to cycles of disinvestment. According to the UC Berkely Urban Displacement Project research, the City of Dublin does not have redlined zones, nor was it identified as having historical policies that promoted redlining.

Figure C-31: Anti-Displacement Policies Around the Dublin Region (2021)



Source: Urban Displacement Project, University of California Berkeley (2021).

At-Risk Assisted Affordable Housing

Jurisdictions are required by State Housing Element Law to analyze government-assisted housing that is eligible to convert from affordable to market-rate housing over the next 10 years. State law identifies housing assistance as a rental subsidy, mortgage subsidy, or mortgage insurance to an assisted housing development. Government assisted housing may convert to market rate housing for several reasons, including expiring subsidies, mortgage repayments, or expiration of affordability restrictions. This section will provide:

- An inventory of assisted housing units that are at risk of converting to market-rate housing,
- An analysis of the costs of preserving and/or replacing these units,
- Resources that could be used to preserve at-risk units,
- Program efforts for preservation of at-risk housing units, and
- Quantified objectives for the number of at-risk units to be preserved during the Housing Element planning period.

Table C-36 below identifies deed-restricted, assisted rental properties within Dublin, of which 59 units are at-risk of converting from affordable to market-rate units between 2023 and 2033. Consistent with the requirements to analyze impacts of potential conversion of these units to market-rate units, this section provides an analysis to preserve these at-risk units.

Table C-36: Assisted Affordable Housing and At-Risk Units in Dublin

Project Name	Total Units	Assisted Units	Type	Unit Types	Funding Source	Earliest Date of Conversion	Units at Risk
Park Sierra at Iron Horse Trail	283	57	Senior/VLI Vouchers	1, 2	Tax Credits/ Bonds	2029	57
Pine Grove 55+ Apartments	322	292	Senior	1, 2	Tax Credits/ Bonds/ City Loan	2062	0
Wicklow Square Senior Apartments	54	53	Senior/ Disabled	1	Tax Credits/ City Loan	2075	0
Fairway Family Community	304	243	Family	1, 2, 3	Tax Credits/ Bonds/ City Loan	2062	0
Camellia Place	112	111	Senior/ Disabled/ Family	1, 2, 3	HCD MHP Grant/ Tax Credits/ CalHFA Bonds/ HOME	2062	0
Carlow Court Senior Apartments at Emerald Vista	50	49	Senior/ Disabled	1	City Loan/ Private	2067	0
Wexford Way at Emerald Vista	130	129	Family/ Disabled	1, 2, 3, 4	City Loan/ Private	2067	0
Avalon Dublin Station	505	50	Family	Studio, 1, 2, 3	Private	2067	0
Archstone Apartments	177	2	Senior/ Disabled	1, 2	Private	2033	2
Dublin Station by Windsor (Formerly Eclipse at Dublin Station)	305	30	Moderate Income	Studio, 1, 2, 3	Private	2063	0

Table C-36: Assisted Affordable Housing and At-Risk Units in Dublin							
Project Name	Total Units	Assisted Units	Type	Unit Types	Funding Source	Earliest Date of Conversion	Units at Risk
Tralee Village Apartments	130	16	Low/ Moderate Income	1, 2, 3	Private	2069	0
Tralee Townhomes	103	3	Moderate Income	3	Private	2063	0
Valor Crossing	66	65	Homeless Veterans	1, 2, 3	HCD Grant/ LIHTC	2072	0
Total	**2,541**	**1,100**					**59**

Cost of Preserving At-Risk Units

While there are many options to preserve at-risk units including providing financial incentives to property owners to extend lower-income use restrictions, purchasing affordable housing units by a non-profit or public agency, or providing local subsidies to offset the difference between the affordable and market rate units, the strategy considered below is to provide local rental subsidy to residents. The rent subsidy would provide financial assistance to residents if their affordable units converted to market-rate units. To determine the subsidy needed, fair market rents were compared to market-rate rents. **Table C.34** below outlines an estimated monthly subsidy that would be required to preserve these at-risk units.

Table C-37: Estimated Monthly Subsidy to Preserve At-Risk Units						
Unit Size	Monthly Rents		Number of Units At-Risk*	Difference	Monthly Subsidy	Annual Subsidy
	Fair Market Rents[1]	Market Rate Rents[2]				
Efficiency	$1,538	$2,726	0	$1,188	$0	$0
1-Bedroom	$1,854	$2,655	59	$801	$47,259	$567,108
2-Bedroom	$2,274	$3,173	0	$899	$0	$0
3-Bedroom	$3,006	$4,720	0	$1,714	$0	$0
4-Bedroom	$3,578	N/A	0	N/A	$0	$0
					Total	**$567,108**

*This is based upon the assumption that the units at-risk of converting to market rate at Archstone Apartments and Park Sierra at Iron Horse Trail are only 1-bedroom units.

Source:

1. *HUD FY 2022 Fair Market Rent Documentation System – Oakland-Fremont, CA HUD Metro FMR Area.*
2. *Kimley-Horn and Associates Analysis – based on apartments listed for rent across 15 properties on April 13, 2022.*

Cost of Replacing At-Risk Units

The City can also consider the cost of replacing the units with new construction. Construction cost estimates include all hard and soft costs associated with construction in addition to per unit land costs. The analysis assumes the replacement units are apartments with concrete block with steel frame buildings and parking provided on-site. Square footage estimates are based on estimated size of units to be replaced and assume housing units are developed on multi-family zoned properties. Land costs have been determined on a per unit basis. **Table C-38** below estimates that $7,980,812 would be required to replace the at-risk units.

Table C-38: Replacement Cost of At-Risk Units					
Unit Size	Cost per Square Foot[1]	Average Square Foot per Unit[2]	Replacement Cost per Unit	Number of Units At-Risk*	Total Replacement Cost
Efficiency	$179.40	629	$112,843	0	$0
1-Bedroom	$179.40	754	$135,268	59	$7,980,812
2-Bedroom	$179.40	1,041	$186,755	0	$0
3-Bedroom	$179.40	1,446	$259,412	0	$0
4-Bedroom	$179.40	N/A	N/A	0	$0
				Total	**$7,980,812**

*This is based upon the assumption that the units at-risk of converting to market rate at Archstone Apartments and Park Sierra at Iron Horse trail are only 1-bedroom units.

Source:

1. *International Code Council – August 2021.*
2. *Kimley-Horn and Associates Analysis – based on apartments listed for rent across 15 properties on April 13, 2022.*

Resources to Preserve At-Risk Units

A variety of programs exist to help cities acquire, replace, or subsidize at-risk affordable housing units. The following summarizes financial resources available:

- **Community Development Block Grant (CDBG).** CDBG funds are awarded to cities on a formula basis for housing activities. The primary objective of the CDBG program is the development of viable communities through the provision of decent housing, a suitable living environment and economic opportunity for principally low- and moderate-income persons. Eligible activities include administration, fair housing, energy conservation and renewable energy sources, assistance for economic development, public facilities and improvements, and public services.
- **HOME Investment Partnership.** Local jurisdictions can receive funds by formula from HUD to increase the supply of decent, safe, sanitary, and affordable housing to lower-income households. Eligible activities include housing acquisition, rehabilitation, development, homebuyer assistance, and rental assistance.
- **Section 8 Rental Assistance Program.** The Section 8 Rental Assistance Program provides rental assistance payments to owners of private, market-rate units on behalf of very low-income tenants, senior citizens, disabled persons, and other individuals for securing affordable housing.
- **Section 202/811 Program.** Non-profit and consumer cooperatives can receive no-interest capital advances from HUD under the Section 202 Program for construction of very low-income rental housing with the availability of supportive services for seniors and persons with disabilities. These funds can be used in conjunction with Section 811 funds, which can be used to develop group homes, independent living facilities, and immediate care facilities. The capital advance funding can also provide project rental assistance for the properties developed using the funds. Eligible activities include acquisition, rehabilitation, new construction, and rental assistance.
- **California Housing Finance Agency (CalHFA) Multifamily Programs.** CalHFA's Multifamily Programs provide permanent financing for the acquisition, rehabilitation, and preservation of new construction of rental housing that includes affordable rents for low- and moderate-income families and individuals. One of the programs is the Preservation Loan program which provides

acquisition/rehabilitation and permanent loan financing designed to preserve or increase the affordability status of existing multifamily housing projects.

- **Low-Income Housing Tax Credit (LIHTC).** This program provides tax credits to individuals and corporations that invest in low-income rental housing. Tax credits are sold to those with high tax liability and proceeds are used to create housing. Eligible activities include new construction, rehabilitation, and acquisition of properties.
- **California Community Reinvestment Corporation (CCRC).** The California Community Reinvestment Corporation is a multi-family affordable housing lender whose mission is to increase the availability of affordable housing for low-income families, seniors, and residents with special needs by facilitating private capital flow from its investors for debt and equity to developers of affordable housing. Eligible activities include new construction, rehabilitation, and acquisition of properties.

Qualified Entities to Preserve At-Risk Units

The following organizations have the experience and capacity to potentially assist in preserving future at-risk units:

- Eden Housing
- Mercy Housing
- BRIDGE Housing
- Allied Housing
- Building Opportunities for Self Sufficiency (BOSS)
- East Bay Asian Local Development Corporation
- Affordable Housing Associates
- Resources for Community Development

Quantified Objectives

State law requires that jurisdictions establish the maximum number of units that can be preserved over the planning period. The City's objective is to preserve the 59 affordable units at-risk of converting to market-rate units as outlined in Program A.5 the **Chapter 2: Housing Plan**.

Senate Bill 330 (SB 330)

Senate Bill 330 (SB 330) aims to increase residential unit development, protect existing housing inventory, and expedite permit processing. Under this legislation, local jurisdictions are restricted in the policies and regulations that can be applied to residential development. The revised definition of "Housing Development" now contains residential projects of two or more units, mixed-use projects (with two-thirds of the floor area designated for residential use), transitional, supportive, and emergency housing projects. SB 330 sets a temporary five-year prohibition of residential density reduction associated with a "housing development project," from January 1, 2020, to January 1, 2025. For example, during this temporary prohibition, a residential triplex cannot be demolished and replaced with a duplex as this would be a net loss of one unit.

The City has identified sites as part of its adequate sites analysis that have existing residential uses. Program B.15 is included in the Housing Plan to maintain compliance with SB 330.

4. Assessment of Contributing Factors to Fair Housing

HUD requires an analysis of impediments to fair housing every five years. The County of Alameda Regional Analysis of Impediments to Fair Housing Choice (AI), released January 2020, examines contributing factors to fair housing across the region, including Dublin. The AI includes goals and priorities the region and jurisdictions agree to implement to improve fair housing conditions following community feedback and analysis.

For Alameda County, the primary issue identified as part of the AI was housing affordability and availability. Additional issues found to affect the region include:

- Across the County, white residents make up the majority of homeowners, but only approximately a third of the County's population.
- Segregation between white residents and minority residents has increased in the last decade.
- The County's black resident population has decreased by nearly seven percent since 1990. Black residents are primarily located in Oakland and Berkeley, but the percentage of black residents in these areas has decreased by 19 percent and 10 percent, respectively, since 1990.
- Overall, minority residents are being displaced from areas with a traditionally large minority population. Some specific minority majority cities, however, are seeing increases in minority populations.
- Areas with higher levels of minority residents have less access to proficient schools, jobs, and environmental health.
- Median rents have risen an average of $1,000 (unadjusted for inflation) since 2010, representing an increase of 55 percent in a nine-year period.
- The average home sales prices have increased from approximately $300,000 to nearly $900,000 in less than 20 years (unadjusted for inflation).
- The wage needed to rent an average housing unit in the County is $44.79 an hour or $93,000 a year.
- Homelessness has increased by 42 percent since 2017.
- Minority households, especially black and Hispanic households, have the highest rate of disproportionate housing needs, which includes having incomplete kitchen facilities, incomplete plumbing facilities, more than one person per room, and households with a cost burden greater than 30 percent.
- Overall, the rate of mortgage approvals has gone up in the last seven years, but the disparities in the rate of approval across race and ethnicity have stayed relatively the same. Black applicants continue to have the lowest mortgage approval rate at 59.1 percent and Hispanic applicants the second lowest at 61.5 percent compared to white applicants at 70 percent.
- Based on community feedback, Housing Choice Voucher holders and those with disabilities often find it difficult to find an appropriate housing unit. Some find it difficult to find an appropriately sized unit that will take their voucher and others experienced that the vouchers will not cover the rent of an appropriately sized unit.

- Disability, race, and familial status are the most common bases of housing discrimination complaints forwarded to the California Department of Fair Employment and Housing and the Office of Fair Housing and Equal Opportunity.

The AI is required to identify specific contributing factors to the above issues. The contributing factors listed below were identified as creating, perpetuating, and/or increasing the severity of fair housing issues for the whole region.

- Contributing factors affecting segregation:
  - Displacement of residents due to economic pressures
  - Location and type of affordable housing
  - Historical discrimination against people of color
  - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting R/ECAPs:
  - Displacement of residents due to economic pressures
  - Lack of private investments in specific neighborhoods
  - Lack of public investment in specific neighborhoods, including services or amenities
  - Location and type of affordable housing
  - Lack of local taxation to support social services and affordable housing
  - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting access to opportunity:
  - Access to financial services
  - Lack of private investments in specific neighborhoods
  - Location of employers
  - Location of proficient schools and school assignment policies
  - Location and type of affordable housing
  - Limited supply of affordable housing in areas with access to opportunity
- Contributing factors affecting disproportionate housing needs:
  - The availability of affordable units in a range of sizes
  - Displacement of residents due to economic pressures
  - Lack of private investments in specific neighborhoods
  - Land use and zoning laws
  - Lending discrimination
  - High cost of developing affordable housing
  - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting publicly supported housing:
  - Land use and zoning laws
  - Community opposition
  - Source of income discrimination
  - Lack of federal, state, and local funding for publicly supported housing
- Contributing factors affecting disability and access:
  - Access to publicly supported housing for persons with disabilities

  - Lack of affordable housing for individuals who need supportive services
  - Lack of assistance for housing accessibility modifications
  - Location of accessible housing
  - Limited supply of affordable housing within neighborhoods
- Contributing factors affecting fair housing:
  - Lack of local private (nonprofit) fair housing outreach and enforcement
  - Lack of local public (local, state, federal) fair housing enforcement
  - Lack of resources for fair housing agencies and organizations
  - Lack of federal, state, and local funding to support affordable housing

As part of the City's 2023-2031 Housing Element AFFH Analysis, the following contributing factors have been identified to specifically affect fair housing in the City:

- **Displacement Risk Due to Economic Pressures.** Dublin residents generally earn a high annual income. As **Figure B-5** shows, approximately half of Dublin households earn over $150,000. Additionally, **Table B-33** states the median home value in Dublin is $934,500, which is the second highest value in the region and greater than Alameda County's median home value. Given the current housing market trends and the high propensity for greater incomes, lower income households may feel economic pressures to relocate out of the City. Lower-income households in the eastern and western parts of the City are most at risk of displacement due to rising housing costs and reduced affordability indices.
- **Location and Type of Affordable Housing.** As noted above, the Dublin community is generally affluent and has high housing costs, in addition to being a very high opportunity City. The retail trade and arts, entertainment, recreation, accommodation, and food service sectors represent about 15 percent of the City's total workforce but earn incomes that are much lower than the City's median income. Persons working in these sectors, as well as other sectors earning below the City's median income, may not have the opportunity to live in the City they work in and commute longer distances. Lower-income households are more susceptible to experiencing housing problems due to inability to repair housing issues or renting more affordable units with existing housing issues. **Figure C-28** indicates eastern and western parts of the City, including Racially Concentrated Areas of Affluence (RCAAs), are least affordable.
- **Access to Opportunities for Persons with Disabilities.** Affordability, design, and discrimination limit the supply of housing for persons with disabilities. Amendments to the Fair Housing Act, as well as State law, require ground-floor units of new multi-family construction with more than four units to be accessible to persons with disabilities. Units built prior to 1989 are not required to be accessible to persons with disabilities. As shown in **Figure B-8**, 32.6 percent of the City's housing stock was built prior to 1989. Aging housing is distributed throughout Dublin, so the City will focus on a citywide approach to addressing housing issues.
- **Racially Concentrated Areas of Affluence.** There is one census tract, Tract 4505.01, that is designated an RCAA in the City. The census tract is located towards the western side of the City along San Ramon Road. RCAAs may represent a public policy issue to the extent that they have

been created and maintained through exclusionary and discriminatory land use and development practices.

5. Analysis of Sites Pursuant to AB 686

AB 686 requires that jurisdictions identify sites throughout the community in a manner that is consistent with its duty to affirmatively further fair housing. The site identification requirement involves not only an analysis of site capacity to accommodate the RHNA (provided in Appendix D), but also whether the identified sites serve the purpose of replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity. **Figures C-32** through **C-38** below identify the sites to accommodate future housing, as identified in the adequate sites analysis, overlaid on demographic data.

Figure C-32 shows the identified candidate sites to meet the RHNA in relation to the percentage of Dublin residents with Hispanic origin. These sites take into consideration access to vital goods, services, and public transportation and are therefore ideal areas for future housing growth in the City. **Figure C-29** shows the following:

- 17 candidate sites to accommodate RHNA (totaling 2,180 units, including 952 units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin less than 20 percent.
- 8 candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin between 20 and 40 percent.
- Four candidate sites to accommodate RHNA (totaling 676 units, including no units affordable to low- and very low-income households) are located within block groups that have a percentage of the population with Hispanic origin between 40 and 60 percent.

Overall, **Figure C-32** shows a balanced diversity of incomes from the candidate sites in relation to the percentage of Hispanic population – higher- and lower-income candidate sites are located in areas with both higher and lower percentages of persons identifying as Hispanic.

Figure C-32: Candidate Sites and Percent Hispanic Population

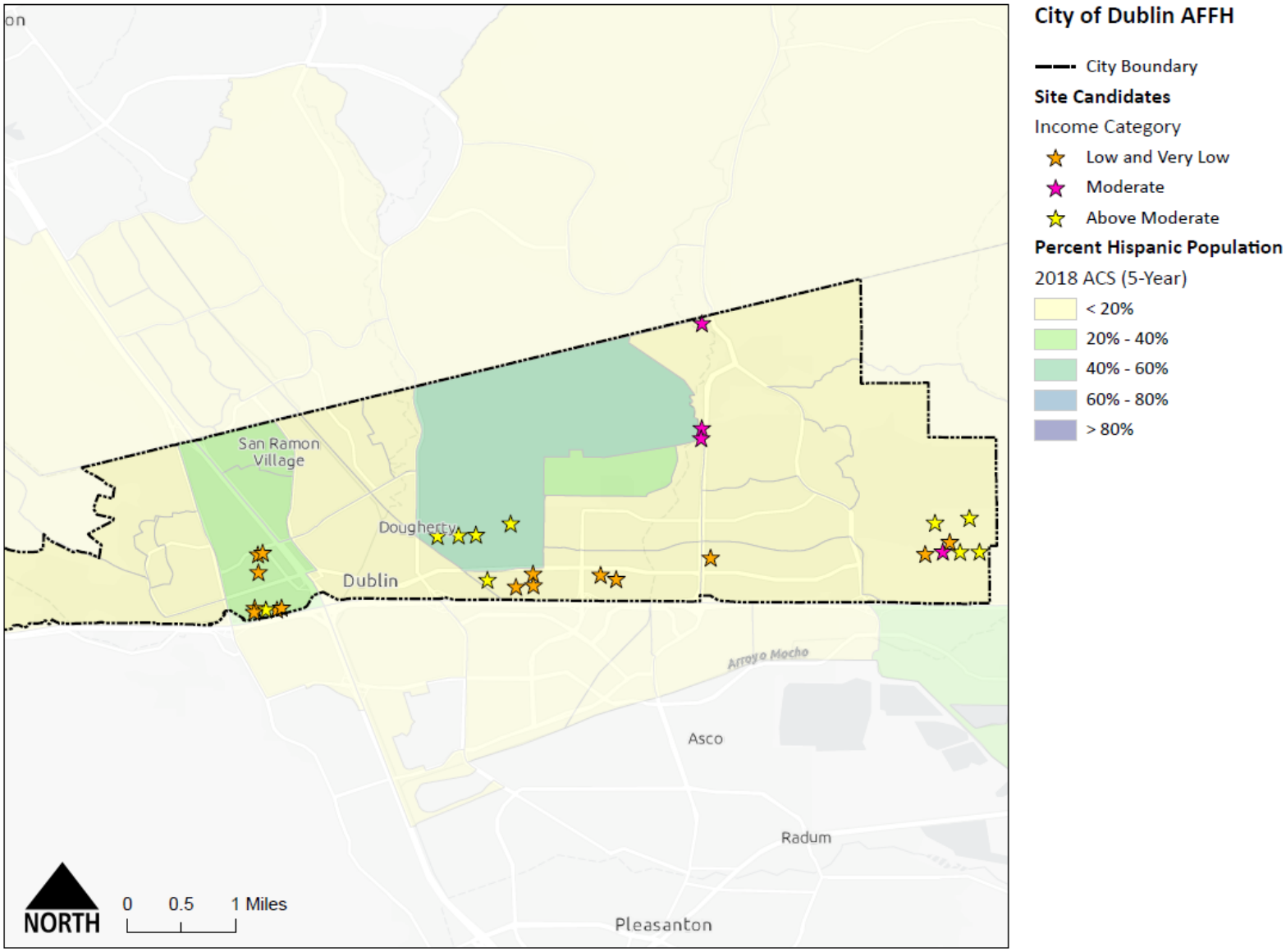


Figure C-33 shows the identified candidate sites to meet the RHNA in relation to the percentage of Non-White population per census block group**. Figure C-33** shows the following:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within block groups that have a percentage of Non-White population between 40 and 60 percent.
- 21 candidate sites to accommodate RHNA (totaling 3,486 units, including 952 units affordable to low- and very low-income households) are located within block groups that have a percentage of Non-White population between 60 and 80 percent.

Overall, Figure C-33 shows a balanced diversity of incomes through the candidate sites in relation to the percentage of Non-White population – higher- and lower-income candidate sites are located in areas with both higher and lower percentages of persons identifying as Non-White.

Figure C-33: Candidate Sites and Percent Non-White Population

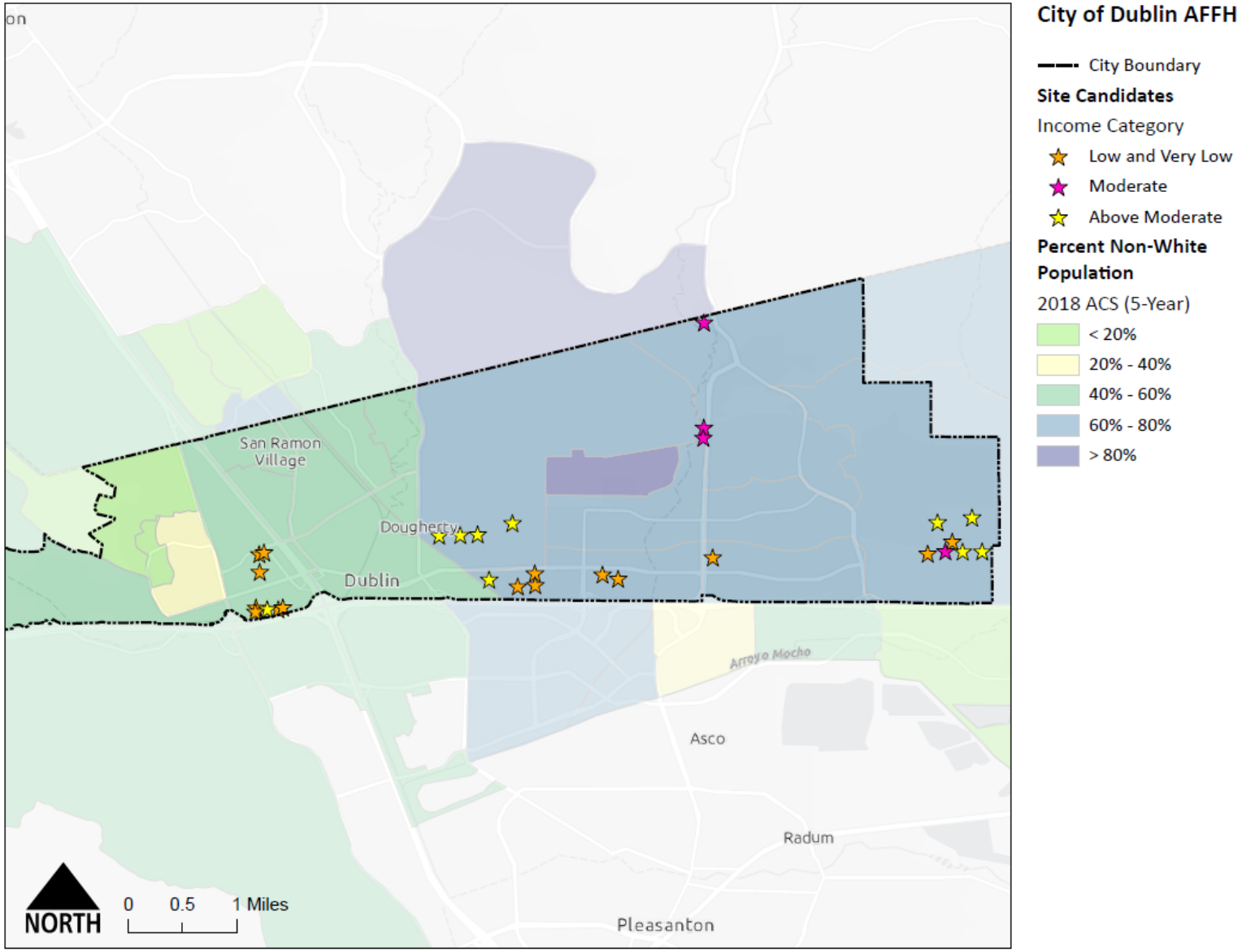


Figure C-34 below shows the identified candidate sites to meet the RHNA in relation to the percentage of low- and moderate-income population per census block group. **Figure C-34** shows the following:

- 11 candidate sites to accommodate RHNA (totaling 1,686 units, including 134 units affordable to low- and very low-income households) are located within block groups that have a percentage of low- and moderate-income population less than 10 percent.
- 17 candidate sites to accommodate RHNA (totaling 3,023 units, including 1,326 units affordable to low- and very low-income households) are located within block groups that have a percentage of low- and moderate-income population between 10 and 25 percent.
- One candidate site to accommodate RHNA (totaling 100 units, including 100 units affordable to low- and very low-income households) is located within a block group that has a percentage of low- and moderate-income population between 25 and 50 percent.

Overall, **Figure C-34** shows a higher number of lower income candidate sites in areas with 25 to 50 percent low- and moderate-income populations. However, as the majority of the City is shown to be within that range, this is not disproportionately impacting neighborhoods or furthering separation of incomes throughout the City. In addition, these areas have much greater access to community resources and public transportation. The areas marked as having less than ten percent population earning low- and moderate-incomes are made up of the Parks Reserve Forces Training Area (also known as Camp Parks), hillsides, and existing neighborhoods. As such, some sites are identified in the eastern-most region but the large majority of the less than ten percent low- and moderate-income population area is not likely to develop over the next eight years. In general, and as detailed in the Candidate Housing Sites section below, lower-income sites were identified in areas with existing resources and opportunities and are not considered concentrated areas of poverty.

Figure C-34: Candidate Sites and Percent Low- and Moderate-Income Population

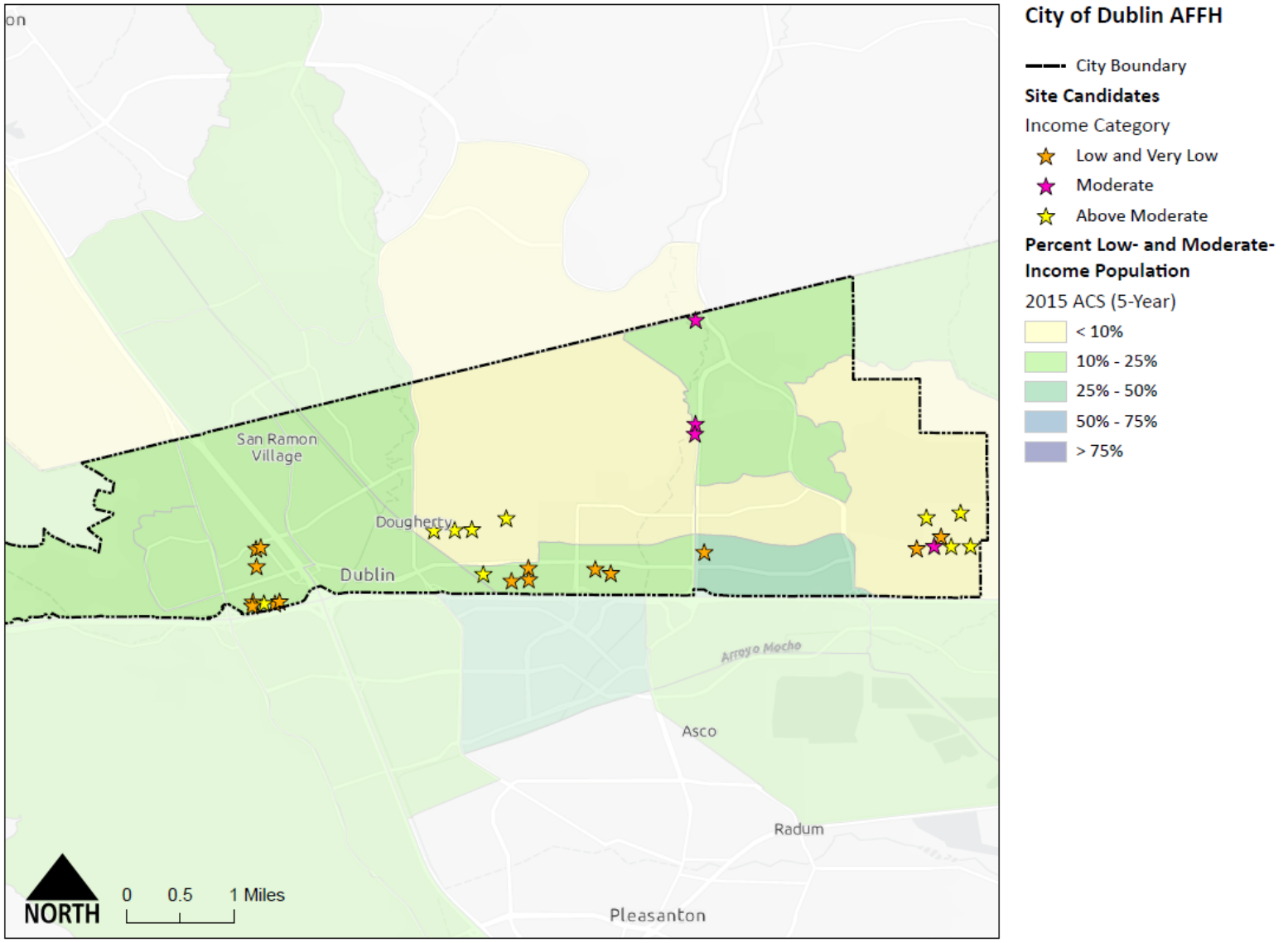


Figure C-35 below shows the identified candidate sites to meet the RHNA in relation to R/ECAP areas within the City. R/ECAPs are racially or ethnically concentrated areas of poverty; they are marked in red hatchings. As shown, there are no R/ECAPs located within Dublin.

Figure C-35: Candidate Sites and R/ECAPs

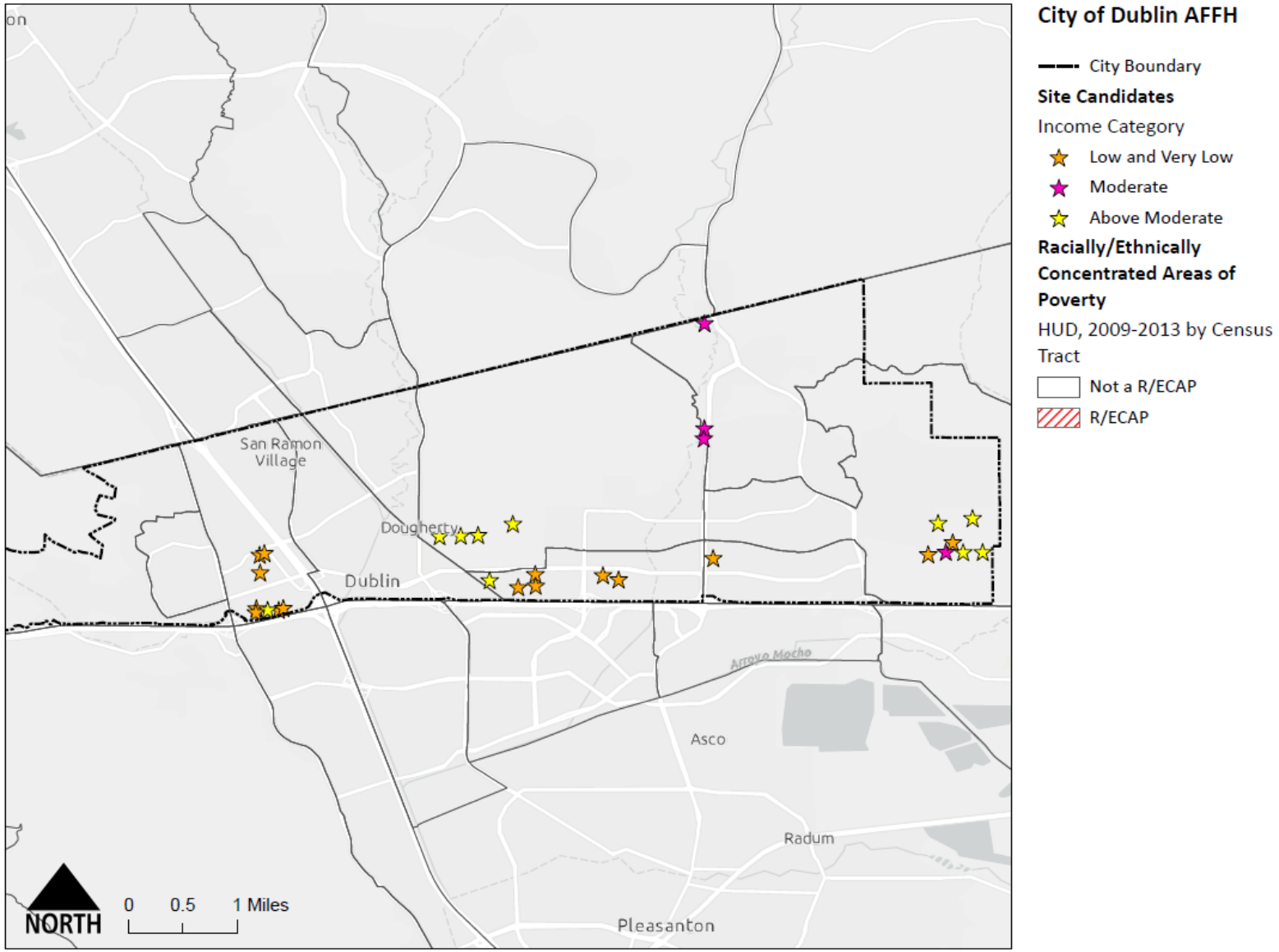


Figure C-36 below shows the identified candidate sites to meet the RHNA in relation to RCAAs within the City. RCAAs are racially or ethnically concentrated areas of affluence; they are identified as areas with both a White, Non-Hispanic population greater than 80 percent and median-household income greater than $125,000. **Figure C-36** shows there are no RCAAs located within the City.

In addition, Figure C-36 shows lower-income sites have been identified in areas with median-household incomes that are both below and above $125,000. Approximately 61 percent of lower-income sites are located in areas identified as having median household incomes above $125,000.

Figure C-36: Candidate Sites and RCAAs

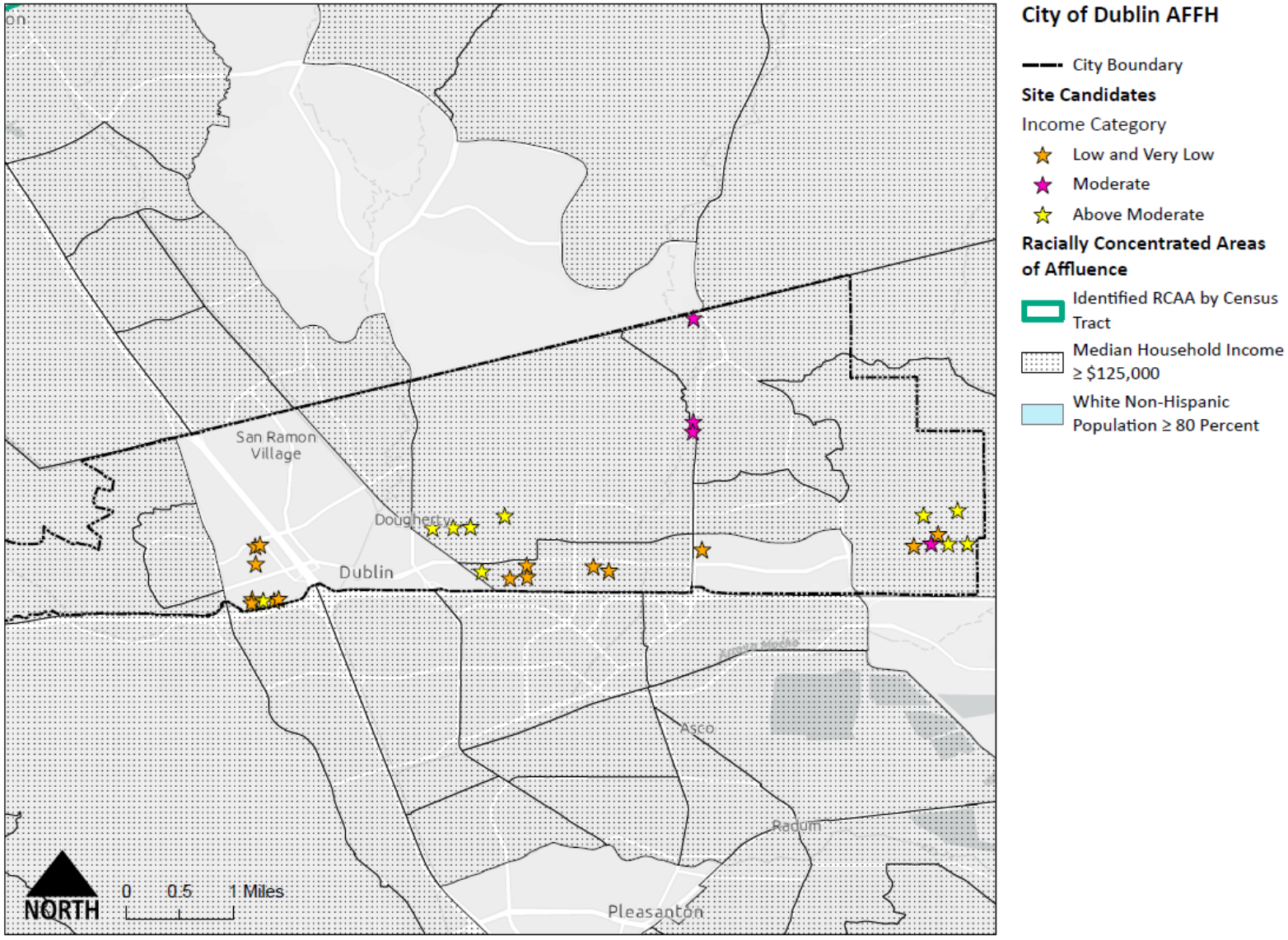


Figure C-37 below shows the identified candidate sites to meet the RHNA in relation to California Tax Credit Allocation Committee/Housing and Community Development (TCAC/HCD) Opportunity areas within the City. TCAC/HCD Opportunity Area Maps show how resources are spatially distributed throughout the City. The figure shows the following findings:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within census groups identified as High Resource areas.
- 21 candidate sites to accommodate RHNA (totaling 3,486 units, including 952 units affordable to low- and very low-income households) are located within census groups identified as Highest Resource areas.

Figure C-37: Candidate Sites and TCAC/HCD Opportunity Areas

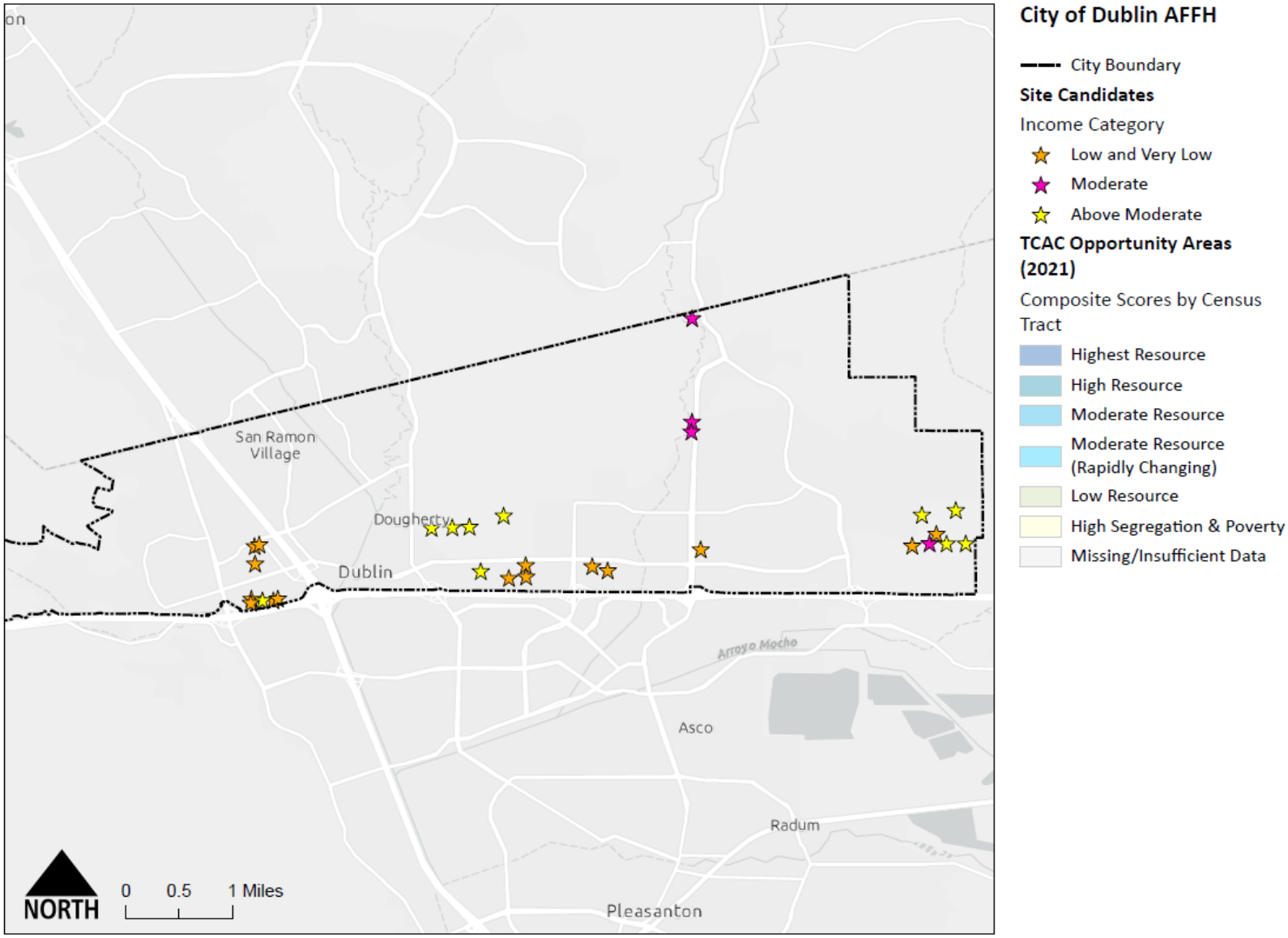
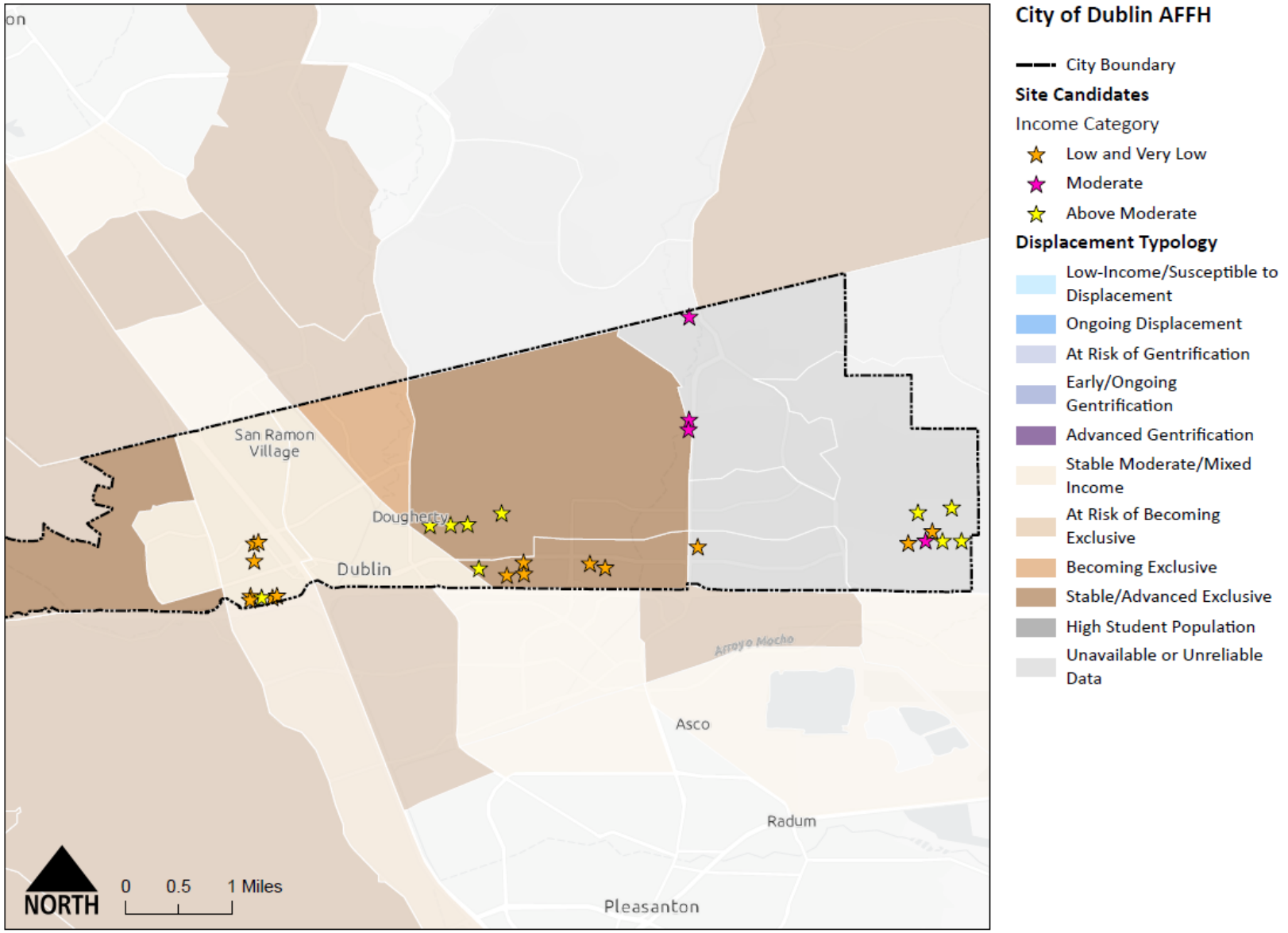


Figure C-38 shows the identified candidate sites to meet the RHNA in relation to displacement and gentrification data. The figure shows the following findings:

- Eight candidate sites to accommodate RHNA (totaling 1,323 units, including 608 units affordable to low- and very low-income households) are located within Stable Moderate/Mixed-Income displacement typology areas.
- 11 candidate sites to accommodate RHNA (totaling 2,243 units, including 718 units affordable to low- and very low-income households) are located within Stable/Advanced Exclusive displacement typology areas.
- 10 candidate sites to accommodate RHNA (totaling 1,243 units, including 234 units affordable to low- and very low-income households) are located within an that has unavailable or unreliable data.

Figure C-38 shows lower-income sites are located evenly between Stable Moderate/Mixed Income areas and Stable/Advanced Exclusive areas. Lower-income sites in the more exclusive areas will create opportunities for greater balance.

Figure C-38: Candidate Sites and Displacement Mapping



Candidate Housing Sites

As noted above, the City has identified candidate sites to accommodate future housing growth based on existing access to community resources, services, and public transportation, while also considering the availability of land, developer interest, and general likelihood the sites would develop residential uses over the next eight years. Throughout the sites selection process, the City prioritized locating affordable housing in areas that have existing resources to facilitate access. The result of this is the location of lower-income candidate sites near Dublin's two BART stations, grocery stores, employment opportunities, and City resources. The City anticipates seeing a growth in diversity of housing types in single-family neighborhoods as pipeline projects move forward and as ADUs and Senate Bill 9 (SB 9) units are constructed. In addition, the City has allocated $461 million dollars towards new and existing infrastructure the 2022-2027 Capital Improvement Plan for general improvements, public art, parks, and streets.

The following analyzes three "regions" of the City where candidate sites have been identified in relation to the location of resources and services.

Downtown Dublin Region

Figure C-39: Downtown Dublin Region



Figure C-39 shows the sites identified as part of the Adequate Sites Analysis in the Downtown Dublin Region. These sites include pipeline projects and units permitted based on existing capacity through the Downtown Dublin Specific Plan – see Appendix D for further details on the sites strategies. The West Dublin/Pleasanton BART Station is located directly adjacent to Site #3 – providing close and convenient access to public transportation into the entire San Francisco Bay Area. In addition, the Wheels bus route 30R travels along Dublin Boulevard and has stops at the cross-sections between Dublin Boulevard and Golden Gate Drive, as well as Dublin Boulevard and Amador Plaza Road.

The region offers a number of options for grocery stores (Sprouts Farmers Market, Target Grocery, 99 Ranch Market, Safeway) within the existing commercial retail center between Amador Valley Road and Dublin Boulevard. The center also includes other larger retail businesses, restaurants, banks, gas stations, and some existing residential developments. These allow for convenient access to essential needs, as well as create opportunities for employment within walking distance to and from the candidate sites.

The Dublin Senior Center is located directly adjacent to Site #4. The Dublin Civic Center, public library, sports grounds and playground, and Public Safety Complex are all located close to this region, just to the east of the Interstate 680 Freeway. Adjacent to the Civic Center is a business complex with a number of medical offices that may address the needs of current and future residents of the region. The One Medical center is also located within the Downtown Dublin Region along Dublin Boulevard.

Overall, the Downtown Dublin Region is deemed to be an ideal location for housing types of all incomes. The area offers a great variety of resources and opportunities in very close proximity and a mass transit center for accessing other parts of the Greater Bay Area.

Central Dublin Region

Figure C-40: Central Dublin Region

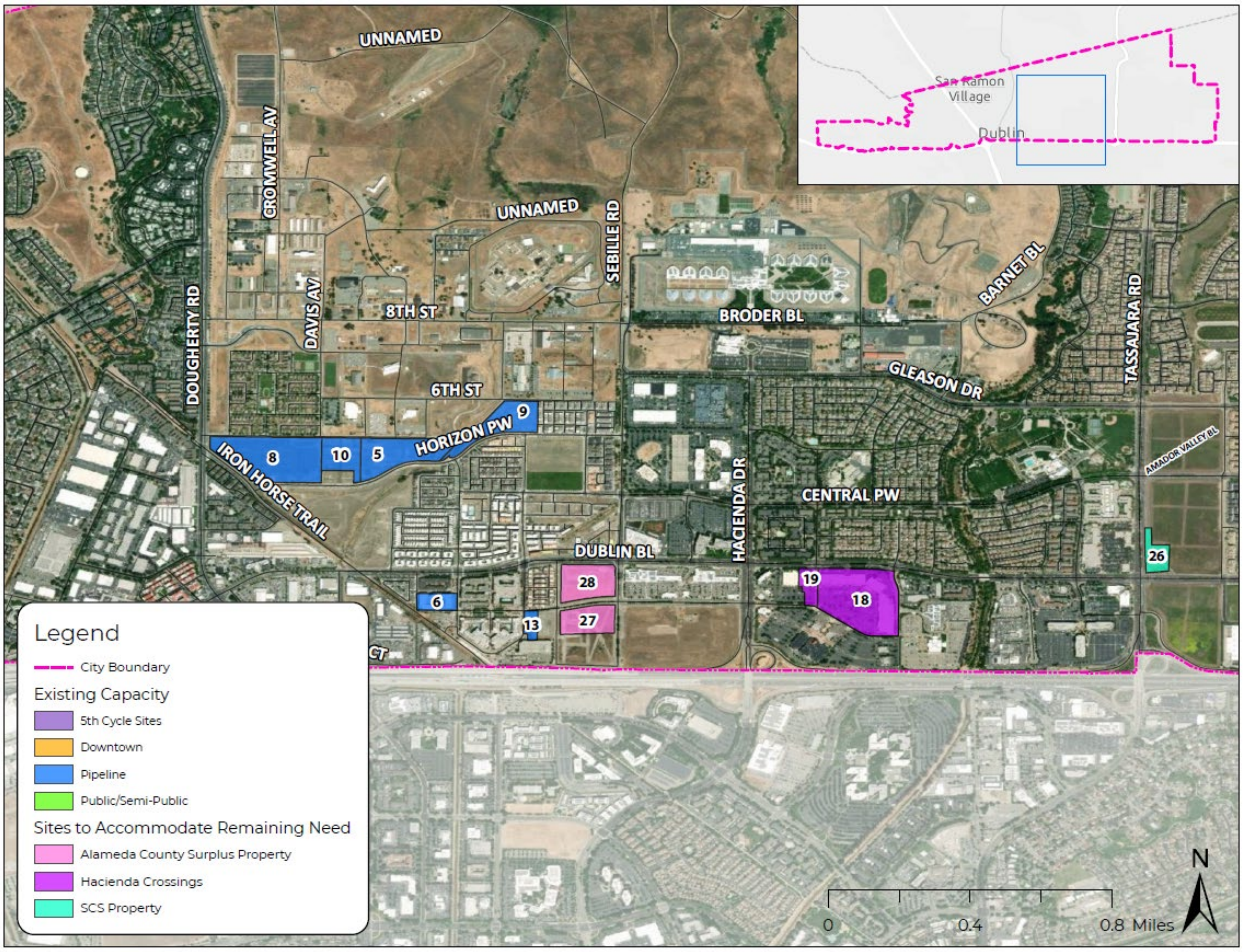


Figure C-40 shows the sites identified as part of the Adequate Sites Analysis in Central Dublin Region. These sites include a number of pipeline projects and new rezoning opportunities at the Alameda County Surplus Property and Hacienda Crossings shopping center – see **Appendix D** for further details on the sites strategies.

The City's first BART station – Dublin/Pleasanton BART Station – is located directly south of Site #13. Along Dublin Boulevard, there are Wheels bus stops for routes 1, 2, 501, 502, and 504. Additional routes are located along Central Parkway (routes 1, 2, 501, and 504), Hacienda Drive (routes 1 and 501), and Gleason Drive (route 1). Along Dougherty Road, there are also bus stops for routes 1, 35, 335, and 502). In total, the area is well equipped with access to public transportation to travel throughout Dublin and to access the Greater Bay Area.

Residential uses in the Central Dublin Region have access to a variety of grocery store options – Sahara Market, Vijetha Indian Supermarket, Namaste Plaza, Whole Foods, New Indian Bazar, and Safeway. Dublin Boulevard is a commercial and retail corridor with many options for restaurants, retail and commercial needs (from big box stores to small businesses), car dealerships, banks, and many existing residential

developments ranging from single-family to high-density multi-family. A number of large office buildings and employment centers are located within this region. Current and future residents have close access to these resources and potential employment opportunities.

The Dublin Civic Center, public library, sports grounds and playground, fire department, and police department are all located within the Central Dublin Region. This region also home to the Alameda County Sheriff's Department, Santa Rita Jail, and the County Fire Department, as well as Camp Parks in the northern area. For medical services, residents can seek assistance at the Sutter Health medical facility on the corner of Dublin Boulevard and Tassajara Road. A number of individual medical offices are also located throughout the Central Dublin Region.

Similar to the Downtown Dublin Region, the Central Dublin Region is deemed to be an ideal location for housing types of all incomes. The area offers a great variety of resources and opportunities in very close proximity and a mass transit center for accessing other parts of the Greater Bay Area.

Eastern Dublin Region

Figure C-41: Eastern Dublin Region

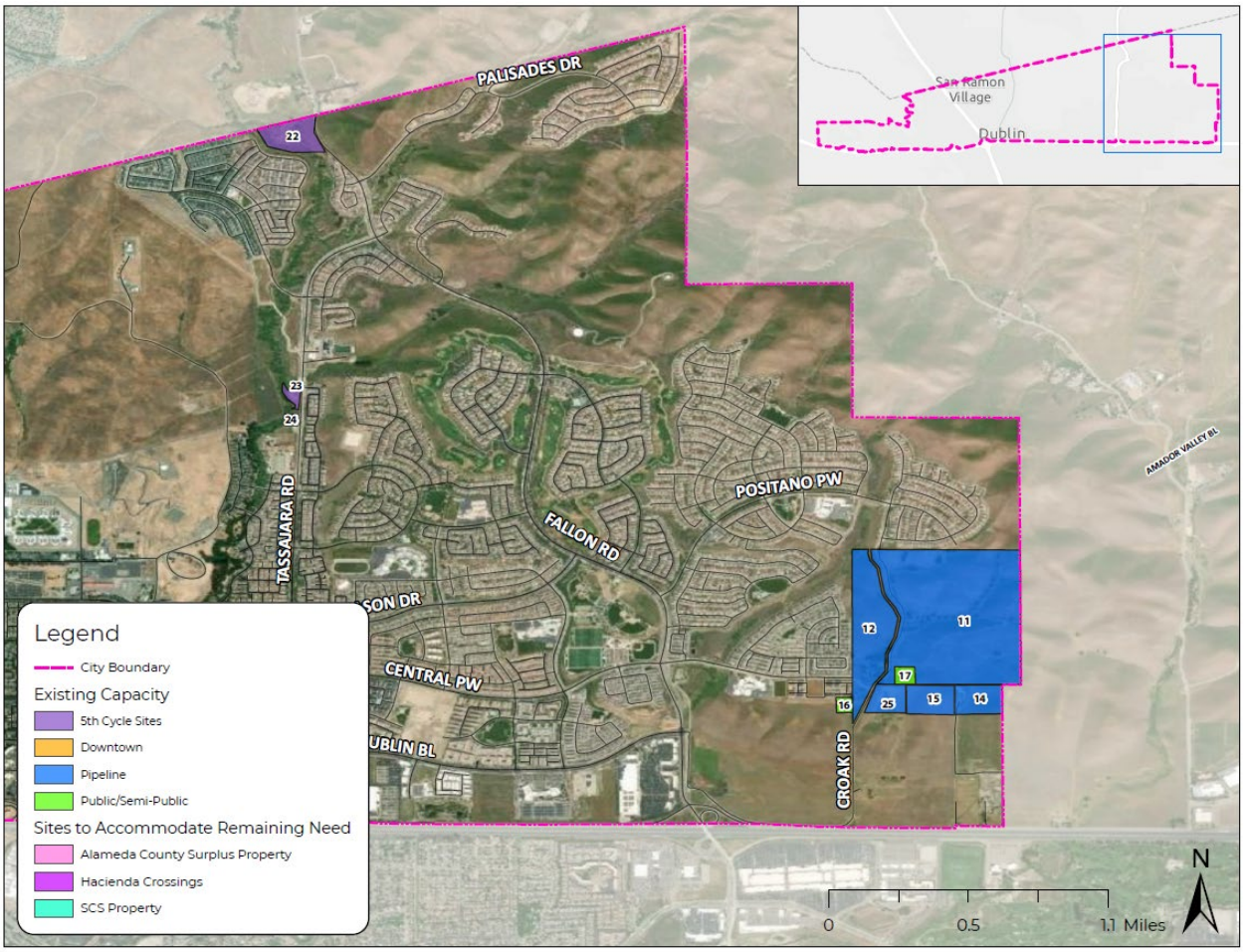


Figure C-41 shows the sites identified as part of the Adequate Sites Analysis in Eastern Dublin Region. These sites include pipeline projects, public and semi-public sites, and sites also identified in the 5th Cycle Housing Element – see **Appendix D** for further details on the site strategies.

Wheels bus routes 2 and 501 are available throughout the residential neighborhoods along Fallow Road, Positano Parkway, and Central Parkway. Routes 2 and 501 also have stops along Tassajara Road. The Eastern Dublin Region has the lowest access to public transportation, which contributes to a lower number of affordable units identified in the region.

The Eastern Dublin Region has more limited accessibility to a variety of grocery store options. At the Fallon Gateway shopping center, located at the corner of Dublin Boulevard and Fallon Road, residents have Lucky and Target Grocery. Fallon Gateway also offers a number of additional commercial and retail businesses and restaurants. Additional restaurants are accessible along Dublin Boulevard and Tassajara Road.

The Eastern Dublin Region contains a fire station, sports parks and soccer fields, schools, golf courses, and the Tassajara Creek Regional Park. For medical resources, residents have access to the Kaiser Permanente urgent care and medical offices.

Residents in this region have lower access to essential needs, community resources, public transportation, and employment opportunities – residents are more likely to need to drive longer distances. Given these conditions, the Eastern Dublin Region is found to be lacking in the resources and accessibility needed for lower income units. Fewer affordable units are identified in this region than in the Downtown and Central Regions. The City anticipates affordable units to continue developing in Eastern Dublin primarily through ADUs and SB 9 units. The City will continue to work with developers in identifying resource and transportation access needs. As detailed in **Appendix D**, the City has shown extensive history of developing affordable housing units and it will continue to collaborate with the appropriate organizations and agencies to create opportunities for all in areas that best serves the needs of Dublin residents. In addition, the Eastern Dublin Specific Plan ensures that as development continues in the area that services and resources are also being addressed. For example, a second high school is currently under development in the area.

6. Analysis of Fair Housing Priorities and Goals

Chapter 2: Housing Plan of this Housing Element provides goals, policies, and programs to increase housing opportunities, remove constraints to affordable housing, improve the existing housing stock, and provide equal opportunities for all current and future residents of Dublin.

Table C-39 provides a matrix of identified AFFH issues and how they are addressed in the Housing Plan.

Table C-39: Affirmatively Furthering Fair Housing Programs Matrix			
Fair Housing Issue	**Contributing Factors**	**Priority**	**Programs**
Fair Housing Capacity	1. Inadequate and limited funding. 2. Lack of affordable housing supply.	Medium	**Program B.5: Commercial Linkage Fee** – City funds collected from non-residential developments allocated towards: • Affordable housing construction loans • First-Time Homebuyer Loan Program • Homeownership training and foreclosure prevention services • Housing Division administrative costs • Alameda County Homeless Management Information System **Program E.1: Affirmatively Further Fair Housing** – Collaboration with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution. **Program E.2: Equal Housing Opportunity** – Continued contract through Alameda County with ECHO Housing. The City will continue to be the point-of-contact for fair housing complaints, information requests, and referrals to ECHO Housing. The City will also continue to provide information and educational materials on fair housing services for property owners, apartment managers, and tenants.
Need for affordable housing in new developments	1. Two regionally concentrated areas of affluences with high median incomes and majority White population.	High	**Program A.2: Housing Choice Voucher Rental Assistance** – Rental subsidies for extremely low- and very low-income households. The City will continue to

Table C-39: Affirmatively Furthering Fair Housing Programs Matrix			
Fair Housing Issue	**Contributing Factors**	**Priority**	**Programs**
	2. Availability of affordable housing in census tracks becoming and currently identified as exclusive. 3. Displacement risks due to economic pressures. 4. Location and type of affordable housing.		support 350 households annually throughout the planning period. **Program B.1: Mixed-Use Development** – Facilitation of high-density units in mixed-use projects to provide access to jobs, commercial/retail uses, services, recreation, and multi-modal transportation. **Program B.2: Affordable Housing Developers** – Outreach to and provide assistance to affordable housing developers, as well as negotiate incentive packages project-by-project. The City aims to facilitate the construction of 100 affordable units throughout the planning period, including 20 affordable units for extremely low-income households and/or persons with special housing needs. **Program B.4: Inclusionary Zoning** – Required inclusion of 12.5 percent affordable units for residential developments proposed with 20 or more units.
Availability of accessible housing units for persons with disabilities	Over 30 percent of the City's housing stock was built prior to 1989 before Fair Housing Act and State laws regarding accessibility requirements for persons with disabilities were adopted.	Medium	**Program A.1: Housing Rehabilitation Assistance** – Support for accessibility grants through the Minor Home Improvement Program. The City aims to support 32 households between 2023 and 2031. **Program E.3: Reasonable Accommodations** – Encourage and promote accessible housing for persons

Table C-39: Affirmatively Furthering Fair Housing Programs Matrix			
Fair Housing Issue	**Contributing Factors**	**Priority**	**Programs**
			with disabilities and promote information on reasonable accommodations. **Program E.5: Housing for Persons with Developmental Disabilities** – Encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities. The City will also collaborate with the Regional Center of the East Bay to implement an outreach program informing families within Dublin of housing and services available for persons with developmental disabilities.
At-Risk Units	59 units (senior and disabled) are at risk of losing their affordability in 2029.	High	**Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate** – The City will coordinate with property owners to develop strategies and identify potential solutions to maintain affordability controls. The City will also maintain its inventory of assisted units and establish and early warning system to establish strategies early on. The City will pursue partnership opportunities with non-profit entities to preserve affordable housing in the City.

This Page Intentionally Left Blank.



APPENDIX D:
ADEQUATE SITES ANALYSIS

The Housing Element is required to identify sites by income category to meet the City's Regional Housing Needs Allocation (RHNA). The sites identified within the 2023-2031 Housing Element represent the City's ability to accommodate housing at the designated income levels during the 2023-2031 planning period. None of the sites identified as part of the analysis are environmentally constrained, nor have other constraining factors (i.e., parcel shape, contaminations, title conditions, etc.) been identified. All sites have been assessed for the highest potential for residential development during the planning period. This Appendix provides detailed information on the sites identified to meet the City's RHNA, including:

- Assessor Parcel Number (APN)
- Address
- Size (Acres)
- Zoning
- General Plan Land Use
- Ownership
- Existing On-site Uses
- Density
- Potential Development Capacity (Dwelling Units)

Table D-1 shows the City's 2023-2031 RHNA by income category and how the RHNA will be accommodated. The analysis demonstrates the City has the capacity to meet the RHNA through a variety of methods, including:

- Projects in the pipeline
- Future development of accessory dwelling units (ADUs)
- Capacity on existing, residentially-zoned sites
- Identification of land to rezone to accommodate remaining RHNA

Table D-1: Summary of Sites Inventory

	Extremely Low-/Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
RHNA (2023-2031)	**1,085**	**625**	**560**	**1,449**	**3,719**
Projects in the Pipeline and ADUs					
Projects in the Pipeline	535		210	2,104	2,849
Accessory Dwelling Units	96		48	16	160
Existing Zoning					
Downtown Dublin	190		50	0	240
Vacant 5th Cycle Sites	0		252	0	252
Public/Semi-Public Sites	134		0	0	134
Total Potential Capacity Based on Existing GP and Zoning	**324**		**302**	**0**	**626**
Strategies to Accommodate Remaining Need					
Alameda County Surplus Properties	358		0	357	715
Hacienda Crossings	297		0	297	594
SCS Property	100		0	0	100
Additional Rezone Capacity	**755**		**0**	**654**	**1,409**
Sites Inventory Total					
Total Units (All Categories)	**1,710**		**560**	**2,774**	**5,044**

A. Adequacy of Sites to Accommodate RHNA

1. Availability of Water, Sewer, and Dry Utilities

The City has existing or planned water, sewer, and dry utilities that have been designed and located to accommodate potential residential development identified for the 2023-2031 Housing Element.

The Dublin San Ramon Services District (DSRSD) provides sanitary sewer service. DSRSD operates two wastewater treatment plants, one in Pleasanton, which has a capacity of 17 million gallons per day (MGD), and the other in Livermore, which has a capacity of eight MGD. Regional wastewater disposal matters are handled by the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers authority formed in June 1974 between DSRSD and the cities of Pleasanton and Livermore. LAVWMA is responsible for maintaining the pipeline that transports treated wastewater from the two treatment plants to San Lorenzo. It is then discharged into San Francisco Bay by the East Bay Dischargers Authority (EBDA), another joint powers authority made up of the City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary District, the City of Hayward, and Union Sanitary District and provides contract services to LAVWMA, DSRSD, and the cities of Pleasanton and Livermore. EBDA operates and maintains a large outfall system to the Bay.

DSRSD is the water retailer for residents in Dublin and the Dougherty Valley portion of San Ramon. DSRSD buys wholesale potable water from Zone 7 of the Alameda County Flood Control and Water Conservation District (also referred to as the Zone 7 Water Agency, or Zone 7). Zone 7 obtains most of its water supply from the State Water Project (SWP), with additional supplies derived from the local watershed and the Byron Bethany Irrigation District. Zone 7 uses the main groundwater aquifers in the Tri-Valley area to store imported water. Approximately 80 percent of Zone 7's water comes from the SWP, traveling from the Sierra Nevada mountains through Lake Oroville and the Sacramento/San Joaquin Delta. The water is then pumped into the South Bay Aqueduct near Tracy, where it enters the Tri-Valley. Zone 7 also pumps DSRSD's groundwater quota for delivery to DSRSD customers.

According to the General Plan Water Resources Element, potable and recycled water use in Dublin has generally increased since 2002 with much of the increased water usage resulting from planned growth. The Water Resources Element identifies residential users, specifically single-family residential users, as the largest consumer of water in the City. Although total water demand has increased for the single-family residential category, the total number of single-family residences has increased at a greater rate than the total water demand rate reported. Therefore, the average annual water consumption per single-family residence has decreased due to installation of water-efficient fixtures, planting water-efficient and drought-tolerant landscapes, use of recycled water for landscape irrigation, and increased public education regarding the importance of water conservation.

The City's electric power is supplied by a combination of private suppliers which sell power to Pacific Gas and Electric (PG&E) for resale. PG&E's distribution system provides electricity directly to residential and commercial customers. Most electric power is brought to electric substations in the region via

transmission lines connected to the statewide grid system. Electric power capacity is looked at on a subregional (rather than citywide) basis. Local electrical capacity is a function of transmission network capacity to bring this power to the subregion, capacity of the local substations to lower the voltages (or step down the power) to deliverable suitable voltage, and the ability of the local distribution network to deliver adequate power to customers. Additionally, the City receives renewable energy from East Bay Community Energy (EBCE). EBCE supplies energy received from clean sources such as hydropower, wind, and solar.

Natural gas is supplied directly to residential and commercial customers by PG&E. Natural gas is pumped from underground reservoirs into large transmission pipelines, which transport the gas to local distribution pipelines. Some local distribution systems lead to underground storage. These natural gas storage areas are utilized during seasonal peaks.

The General Plan Energy Conservation Element establishes policy programs which promote energy conservation and efficiency in new and existing buildings throughout the City.

Each site in the Sites Inventory has been evaluated to ensure there is adequate access to utility services and connections, including water, sewer, and dry utilities. Each site is situated with a direct connection to a public street that has the appropriate water and sewer mains and other infrastructure services.

2. Accessory Dwelling Units and Junior Accessory Dwelling Units

In addition to primary dwelling units, there is capacity for the development of Accessory Dwelling Units (ADUs) and Junior ADUs on existing and future single-family properties. It is anticipated an additional 160 ADUs can be accommodated throughout the community during the 2023-2031 planning period.

The State Department of Housing and Community Development (HCD) has supported a strategy for estimating future development of ADUs in the City based on the average number of ADUs from past performance (2018 to 2021). **Table D-2** displays the City's past performance in permitting ADUs from 2018 through 2021. The data shows that in total, the City nearly doubled ADU production between 2020 and 2021. The City has taken actions to incentivize ADUs, such as streamlining the review process, modified the development standards, developed prototype plans, prepared an ADU Manual, and waived permit fees for certain ADUs, which are anticipated to further increase ADU production. From January 1, 2022, to June 30, 2022, the City has issued building permits for two ADUs, and nine ADUs passed final inspection. The City is currently processing building permits for ten additional ADUs and one junior ADU. The City is also actively assisting seven property owners with serious interest in using the City's new prototype plans, which became available in spring 2022. Additionally, the East Ranch project has submitted the first of two Site Development Review (SDR) Permit applications, which includes two of the three floor plans with ADU options. Based on the first SDR Permit application, up to 66 ADUs could be allowed. The developer is currently working on the second SDR Permit application, which would also include ADU options.

Using a conservative estimate of 20 ADUs per year, the City anticipates a total of 160 new ADUs between 2023 to 2031. The estimates are consistent with the City's most recent ADU trends and are reflective of the changes in State law and the City's recent efforts to streamline review and incentivize ADU production.

Table D-2: Accessory Dwelling Units Past Performance and Future Projections

Year	ADU Permitted and Projected
2018	19
2019	11
2020	11
2021	20
Annual Projection (2023-2030)	**20 per year***
2023	20
2024	20
2025	20
2026	20
2027	20
2028	20
2029	20
2030	20
Projection Period Total	**160**

Note: Data for 2018 through 2021 is based on the total number of building permits issued for ADUs and reported in the General Plan and Housing Element Annual Progress Reports.

To support the assumptions above, the City can demonstrate the appropriate amount of land and market opportunity for ADU development. The City has a total of 4,268 parcels zoned for residential use, totaling 993 acres. In accordance with State law, ADUs are allowed in all zones that allow single-family or multiple-family residences. Junior ADUs are permitted on parcels with an existing or proposed single-family residence in the A, R-1, R-2, R-M, and Planned Development zoning districts. As such, the City has potential to permit at least 4,268 ADUs and 4,268 Junior ADUs, totaling 8,536 units. Combined with a market appetite based on past performance (**Table D-2**), 160 ADUs represent an appropriate assumption.

Additionally, to facilitate the development of ADUs available for lower-income households, Program B.7 is included in the **Housing Plan**. For the purposes of Sites Inventory, the City assumes a percentage of ADUs will be affordable based on the draft *Using ADUs to Satisfy RHNA Technical Memo,* produced by the Association of Bay Area Governments (ABAG). ABAG's analysis consisted of the following steps:

- Calculated maximum rent limits for RHNA income categories for one-person and two person households by county
- Surveyed rents for ADUs in the ABAG region
- Used survey data to determine proportion of ADUs within each income category
- Created assumption of how many persons will occupy each ADU, finalize proportions

Using ABAG's analysis, **Table D-3** shows estimated ADU projections for Dublin by income category.

Table D-3: Accessory Dwelling Unit Projections by Income Category		
Income Category	**Percentage**	**Units**
Low- and Very Low-Income	60%	96 units
Moderate-Income	30%	48 units
Above Moderate-Income	10%	16 units
	Total	**160 units**

3. Projects in the Pipeline

HCD guidance states that residential projects that are in review, approved, permitted, or receive a certificate of occupancy after the beginning of the RHNA period may be credited toward meeting the RHNA based on the affordability and unit count of the development. **Table D-4** shows 11 projects in the pipeline totaling 2,849 units, including the following:

- 266 very low-income units
- 269 low-income units
- 210 moderate-income units
- 2,104 above moderate-income units

Table D-4: Projects in the Pipeline[1]							
Project Name	Project Status*	Map ID	Projected Units by Income Category				
			Extremely Low-/ Very Low**	Low**	Moderate**	Above Moderate	Total
Eden Housing / Regional Street Senior Affordable Housing	Planning Application Approved	1	112	0	0	1	**113**
BRIDGE Housing / Amador Station	Planning Application Approved	2, 3	56	78	162	4	**300**
Ashton at Dublin Station	Under Construction	6	0	0	22	198	**220**
Boulevard (Phases 2 + 3)	Under Construction	5, 8	0	0	0	225	**225**
Boulevard (Phases 4 + 5)	Under Construction	9, 10	0	0	0	451	**451**
Avalon Bay Communities (Saint Patrick Way)	Under Construction	7	0	0	0	499	**499**
Eastern Dublin/ Pleasanton BART Station (Site D-1)	Planning Pre-Application Filed	13	98	0	0	1	**99**
Branaugh	Planning Application Filed	14	0	0	0	97	**97**
Righetti	Planning Application Filed	15	0	0	0	96	**96**
ROEM Development / Dublin Family Affordable Apartments	Planning Pre-Application Filed	21	0	174	0	2	**176**
East Ranch	Planning Application Approved	11 and 12	0	17	26	530	**573**
Total Projected Units			**266**	**269**	**210**	**2,104**	**2,849**

*As of September 2022

**Lower- and moderate-income units in the pipeline will be deed-restricted.

[1] Project unit projections are planning-level assumptions and are subject to change. Table is based upon available data at the time the draft document was prepared.

B. Very Low- and Low-Income Sites Inventory

This Section contains a description and listing of the sites identified to meet the City's very low- and low-income allocation.

1. Strategy for Accommodating Very Low- and Low-Income RHNA

Existing Zoning and Land Use

HCD has identified 30 dwelling units per acre as the default density, or feasible density to accommodate very low- and low-income housing. The City has four zoning districts that can accommodate residential development at this density, including Residential Multiple (R-M), Downtown Dublin, Public/Semi-Public, and certain Planned Developments. Parcels within these zoning districts were analyzed for compliance with Assembly Bill 1397 (AB 1397) requirements and analyzed for vacancies or opportunity for redevelopment.

Existing residentially zoned parcels can accommodate 324 very low- and low-income units. Utilizing the City's existing residentially zoned land, ADU assumptions, and projects in the pipeline, the City can accommodate approximately 19 percent of the very low- and low-income allocation.

Downtown Dublin Specific Plan

The Downtown Dublin Specific Plan establishes development standards and design guidelines to create a mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living, and entertainment in a pedestrian-friendly and aesthetically pleasing setting that attracts both local and regional residents. Downtown Dublin consists of 284 acres and the Specific Plan designates three districts: Village Parkway, Transit-Oriented, and Retail. Although all three districts allow residential development, only the Transit-Oriented and Retail Districts allow development at a density of at least 30 dwelling units per acre.

- **Transit Oriented District.** The Transit Oriented District is zoned to allow a minimum residential density of 30 dwelling units per acre with a maximum of 85 dwelling units per acre. The district has seen multiple residential projects constructed with at least 60 dwelling units per acre (see **Table D-5** for recent multi-family residential development in Downtown Dublin).
- **Retail District.** The Residential District is zoned to allow a minimum residential density of 22 dwelling units per acre and has no maximum density. The district has seen two residential projects constructed with at least 30 dwelling units per acre (see **Table D-5**).

Residential development within the Specific Plan is also governed by a Development Pool with 2,500 units, which has a projected remaining balance of 796 units. Based on previous development within the Specific Plan and an analysis of sites within the Downtown feasible for residential development during the planning period, 416 units are projected to develop affordably for lower-income households. This includes the Dublin Family Affordable Apartments, which is currently under Pre-Application review, and is further detailed in the Projects in the Pipeline section above. To facilitate the development of these 416 projected affordable units, **Program B.9** in the **Housing Plan** specifies that these units will not be subject to the Development Pool, nor a Community Benefit Program Agreement.

Table D-5: Evidence of Multi-Family Residential Development in Downtown Dublin					
Project Name	**GPLU**	**Zoning**	**Lot Size**	**Estimated Density**	**Total**
Aster (Bay West), 6775 Golden Gate Drive	DDTOD	DDZD	4.97 acres	63 du/acre	313
Avesta Development, 7601 Amador Valley Blvd.	DDRD	DDZD	0.98 acres	34 du/acre	35
Connelly Station, 7550 Saint Patrick Way	DDTOD	DDZD	3.68 acres	84 du/acre	309
The Perch / Trumark, 7144 Regional Street	DDRD	DDZD	2.72 acres	22 du/acre	60
Valor Crossing, 7500 Saint Patrick Way	DDTOD	DDZD	1.37 acres	48 du/acre	66
Wicklow Square Senior Apartments, 7606 Amador Valley Blvd.	DDRD	DDZD	0.59 acres	32 du/acre	54

Projects in the Pipeline

As shown in **Table D-4**, there are five projects currently in the pipeline that are accommodating a total of 535 lower-income units – 266 extremely/very low- and 269 low-income units. The table includes status updates for these projects as of October 2022. These five pipeline housing projects with affordable units include Eden Housing/Regional Street Senior Affordable Housing, BRIDGE Housing/Amador Station, and East Ranch, which have approved Planning applications. Both the Eastern Dublin/Pleasanton BART Station (Site D-1) and ROEM Development/Dublin Family Affordable Apartments have Pre-Applications under review. No further affordability information is available as of October 2022.

Rezoning

After utilizing existing residentially zoned land, pipeline projects, and ADU assumptions, the City has a remaining unmet housing need of 755 very low- and low-income units. To accommodate the remaining need, the City has identified a total of 25.7 acres to be rezoned in the following areas:

- Alameda County Surplus Property
- Hacienda Crossings Shopping Center
- SCS Property

The City's complete rezone strategy and analysis is detailed below in **Section 5: Rezone Strategy to Accommodate Remaining Very Low- and Low-Income RHNA**.

2. Calculation of Unit Capacity

Site-by-Site Calculation

The City has identified unit capacity on sites considering existing development and the feasibility of adding housing, development standards for the respective zone, and the feasible buildable acreage of the site. Then unit capacity was calculated by multiplying the net acreage of the site (considering existing environmental issues and existing structures) by the assumed density. A sample site calculation for a site is shown below in **Table D-6**.

Table D-6: Sample Sites Calculation	
Site Descriptor	**Data**
Unique ID	S-86
APN	986-0034-012-00
Zone	Rezone of Alameda County Surplus Properties
Assumed Density	66 du/acre
Existing Use	Vacant Lot
Existing Structures	0
Acreage	Approximately 7.5 acres
Net Units	493
Affordability Assumptions	50 percent
Total Affordable Unit Yield	247

Affordability Assumptions

Sites identified for rezoning to accommodate the remaining RHNA are assumed to develop with 50 percent of units affordable to very low- and low-income households and 50 percent of units affordable to above moderate-income households. The goal of the 2023-2031 Housing Element is to create more opportunities for affordable housing and to work with the affordable housing development community to bring additional very low- and low-income housing opportunities to Dublin.

PAST PERFORMANCE

The City can demonstrate a past performance in approving residential projects that include at least 50 percent affordable units. **Table D-7** below displays example completed housing projects in the City with at least 50 percent affordable units. As shown, the majority have developed at near 100 percent affordability. These projects range in density from 32 dwelling units per acre to 56. In addition, the City currently has a number of projects in the pipeline with affordable units, as well as high densities, that demonstrate ability to develop affordable units at high densities.

Table D-7: Completed Affordable Housing Developments						
Name	APN	Year Completed	Acreage	Density	Total Units	Total Affordable Units
Camellia Place 5450 DeMarcus Boulevard, A1	986-0034-008-00	2007	1.98 acres	56 du/acre	112	111
Carlow Court at Emerald Vista 6880 Mariposa Circle	941-2839-013-00	2013	1.03 acres	49 du/acre	50	49
Oak Grove at Dublin Ranch 4161 Keegan Street	985-0048-004-00	2007	6.84 acres	44 du/acre	304	243
Pine Grove at Dublin Ranch 3115 Finnian Way	985-0048-003-00	2007	6.85 acres	47 du/acre	322	292
Valor Crossing 7500 Saint Patrick Way	941-1500-032-02	2017	1.37 acres	48 du/acre	66	65
Wexford Way at Emerald Vista 6900 Mariposa Circle	941-2839-014-04	2013	3.29 acres	40 du/acre	130	129
Wicklow Square 7606 Amador Valley Boulevard	941-0305-042-00	2005	0.59 acres	32 du/acre	54	53
Source: City of Dublin, March 11, 2022, and September 21, 2022.						

The City has identified sufficient land, including land identified for rezoning, to accommodate the 2023-2031 RHNA. To support the assumption that projects will develop with affordable units, the City has identified programs and policies encouraging affordable developer interest and feasibility. These programs are detailed in **Chapter 2: Housing Plan**.

3. Adequacy of Sites to Accommodate Very Low- and Low-Income Housing

Selection of Sites

Sites identified to meet the City's very low- and low-income RHNA were selected based on AB 1397 parcel size requirements of at least half an acre but not greater than 10 acres. Each site identified in the City's Sites Inventory meets the minimum default density of 30 dwelling units per acre or will be rezoned to comply with the minimum density requirement as outlined in Section 5 below. The City has a demonstrated history of approving residential projects, specifically affordable units at this density. This supports the viability of these sites for affordable housing development.

Vacant Parcels

The City has identified sufficient land to accommodate 55.8 percent of Dublin's very low- and low-income RHNA on currently vacant parcels. Of the 15 total parcels identified as having potential to accommodate lower-income units, eight parcels (150.6 buildable acres) are currently vacant and have a propensity to accommodate 1,089 very low- and low-income units.

Three of the vacant sites to accommodate lower-income units are pipeline projects proposing 497 affordable units. The remaining five vacant sites include the two Public/Semi-Public sites (134 affordable units), the SCS property (100 affordable units), and the two Alameda County Surplus Property sites (358 affordable units).

Therefore, the existing uses on the remaining 44.2 percent of sites identified to accommodate very low- and low-income units are not presumed to impede additional residential development. Existing uses on the non-vacant sites have also been evaluated for potential to accommodate future residential uses.

Replacement Analysis

The Sites Inventory includes three sites with existing residential units. This includes one pipeline project (Site 14, the Branaugh project site) and two 5th Cycle Sites in East Dublin (Sites 12 and 23). As such, Program B.15 is included in the **Housing Plan** to ensure demolished residential units occupied by lower-income households, or households subject to affordability requirements within the last five years, are replaced in compliance with Government Code Section 65915.

Public/Semi-Public Sites

The City identified two Public/Semi-Public sites in the Sites Inventory, totaling 4.5 acres, on portions of large, master-planned developments occurring in east Dublin that can accommodate 134 lower income units. The Public/Semi Public land use designation allows a broad range of uses, including the potential for affordable housing developed by a non-profit entity. The two sites in the inventory total 4.5 acres and are planned for affordable housing at a minimum density of 30 dwelling units per acre.

Alameda County Surplus Property

The City is in coordination with the Alameda County Surplus Property Authority to support housing development on two surplus properties at the Dublin Transit Center. The two surplus properties include 715 total units, of which 358 units would be affordable to lower-income households, on 10.8 buildable acres. More details are provided in **Section 5**. The Alameda County Surplus Property Authority reports that a Request for Proposals (RFP) will be issued within three to five years, dependent on market conditions. **Program B.16** is included in the Housing Plan to facilitate coordination with the Alameda County Surplus Property Authority regarding development of the sites. There are no known conditions that may preclude development on the sites or affect compliance with the Surplus Land Act.

Hacienda Crossings Shopping Center

The City is in coordination with the Hacienda Crossings shopping center to support permitting a residential mixed-use development to help revitalize the shopping center, which is currently underutilized, has

vacant tenant spaces, and could benefit from introduction of residential development. The two properties include 594 total units, of which 297 units would be affordable to lower-income households, on a total of 12.4 buildable acres (one parcel measuring 10 acres and the other measuring 2.4 acres). More details are provided in **Section 5**.

SCS Property

On February 15, 2022, the City Council approved a Preferred Plan for the SCS Property, which is a vacant 76.9-acre property located north of Interstate 580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi-Public site for affordable housing, which is envisioned to include high-density affordable housing at a density of 40 dwelling units per acre and can accommodate 100 units affordable to lower-income households. More details are provided in **Section 5**.

Identification of Small or Large Sites

AB 1397 identifies parcels measuring between half an acre and 10 acres to be appropriate for the development of affordable housing units. Parcels that are less than half an acre ("smaller") or above 10 acres ("larger") are not deemed adequate to accommodate lower-income housing needs unless past performance shows a tendency for affordable housing projects to develop on smaller or larger sites.

The City's Sites Inventory does not include affordable units on sites that fall outside the size requirements of AB 1397. The Sites Inventory includes a total of 13 parcels ranging from 1.2 to 10 buildable acres to accommodate lower-income units.

Parcels with gross acreage larger than 10 acres have been selected and assumed to develop with lower-income housing, but they have buildable acreage below 10 acres. For example, Site 16 has a gross acreage of 136.6 but the buildable acreage of the Public/Semi-Public site is two acres for lower-income housing. Development of the parcel may be facilitated via subdivision, parceling, site planning, or other methods to ensure appropriate parcel sizing and to encourage the development of housing affordable to lower-income households. Furthermore, the two-acre portion of this site has a different General Plan land use designation than the remainder of the larger property.

The SCS property, Site 26, has a gross acreage of 30.4 acres, but as detailed above, only 2.5 acres are identified in the Sites Inventory. The property's approved Preferred Plan identifies 2.5 acres for 100 affordable units.

The Alameda County Surplus Property includes two total sites (Sites 27 and 28) – one of 12.3 acres and one of 7.5 acres. Less than 10 acres are identified as buildable on the 12.3 acre site due to the approval of the Westin Hotel on the southern 5.88 acres. As such, it does not exceed 10 acres and is not considered a constraint to affordable housing development.

Two parcels (Sites 18 and 19) are identified as part of the Hacienda Crossings shopping center sites, including one measuring exactly 10 acres with potential to accommodate 239 lower-income units. This parcel contains a large parking lot and several vacant commercial stores. The City has been in coordination

with property owners who are in support of redeveloping the shopping center by adding residential development in order to revitalize the center and improve the underutilized land. While the parcel itself measures 18.8 acres, only 10 acres are considered buildable in compliance with AB 1397 and in following with existing trends in the development of affordable housing. As such, the size of the site is not considered to impede on the development of housing, nor affordable housing.

Lastly, there are two additional parcels in the Sites Inventory with lower-income units that are larger than 10 buildable acres. Both parcels, Site 11 and 12, are pipeline projects as part of the East Ranch project. Similar projects within the vicinity at comparable densities, such as Jordan Ranch and Positano, were also recently developed. The East Ranch project is approved with 17 low-income units.

4. Non-Vacant Sites

For non-vacant sites, State law requires that the City analyze:

- The extent to which existing uses may constitute an impediment to the future residential development within the planning period
- Past experience converting existing uses to higher density residential uses
- Current market demand for the existing use
- Analysis of leases that would prevent redevelopment of the site
- Development trends
- Market conditions
- Regulations or incentives to encourage redevelopment

Lease Analysis

Existing lease agreements on infill and non-vacant properties present a potential impediment that may prevent residential development within the planning period. State law requires the City to consider lease terms in evaluating the use of non-vacant sites. The City made diligent efforts to review existing lease agreements; however, the City does not have access to private party lease agreements or other contractual agreements amongst private parties. While the City does not have access to lease structures, as these are private documents, Staff conducted an analysis to identify sites that show characteristics indicating they are likely to redevelop within the planning period, including the following:

- Past performance redeveloping non-vacant sites
- Analysis of existing use
- Market analysis of land costs and redevelopment opportunities

In addition, the City has met with the property owners of existing non-vacant sites at Hacienda Crossings shopping center and in Downtown Dublin. Property owners expressed interest and support in the City's Sites Inventory rezone strategy to allow for residential uses on these non-vacant parcels. Furthermore, the Hacienda Crossings shopping center has a large, underutilized parking lot, which could be redeveloped with housing should the existing buildings need to remain.

Past Performance Developing Non-Vacant Sites for Residential Uses

Table D-8 lists previously approved projects developed on non-vacant sites. As shown, the City has been successful in not only approving residential housing developments on non-vacant sites, but also in

approving the development of affordable units on non-vacant sites. Alameda County Housing Collaborative's Non-Vacant Site Database also provides additional residential projects that were approved in neighboring jurisdictions – showing a regional tendency and further supporting Dublin's use of non-vacant sites in the Sites Inventory as a way of meeting the City's RHNA.

Table D-8: Past Residential Developments on Non-Vacant Sites

Project and Address	Acreage	Economic Band	Previous Use	Zoning	Density	Year Completed	Total Unit Count	Affordable Unit Count
The Perch 7144 Regional Street	2.72	Medium/Low Rent Levels	Distributor	DDZD	22 du/acre	2018	60	0
Aster 6775 Golden Gate Drive	4.97	Medium/Low Rent Levels	Car Dealership	DDZD	63 du/acre	2017	313	313
Valor Crossing 7500 Saint Patrick Way	1.37	Medium/Low Rent Levels	Car Dealership	DDZD	48 du/acre	2017	66	65
Avesta Senior Care Facility 7601 Amador Valley Blvd.	0.98	Medium/Low Rent Levels	Vacant Commercial Building	DDZD	36 du/acre	2021	35	0
Tralee Village - Condos 6670 Dublin Blvd.	3.87	Medium/Low Rent Levels	K-Mart Strip Mall	PD	34 du/acre	2012	130	16
Tralee Village - Townhomes 6656 Adare Street	6.15	Medium/Low Rent Levels	K-Mart Strip Mall	PD	17 du/acre	2014	103	2

The City has identified the Hacienda Crossings shopping center as a non-vacant candidate site, due to the existence of vacant tenant spaces and vast, underutilized parking lot uses. These sites were selected, in part, due to property owner interest. These sites are identified in Table D-9 to revitalize the shopping center and create mixed-use development opportunities. Given the City's past development history on non-vacant sites, shown in Table D-8, as well as with Program B.14 included in the Housing Plan, the City does not anticipate existing uses at Hacienda Crossings to impede residential development.

Additionally, while Sites 23 and 25 have older, existing residential uses, Program B.15 is in place to ensure the units are replaced and a formal replacement housing program is adopted. As such, these units are not considered to impede future residential development.

Non-Residential Uses

The City has identified sites that may develop with both residential and nonresidential uses. However, development history shows a tendency to include residential uses over 100 percent commercial. In Downtown Dublin, no recent projects have been proposed with 100 percent new non-residential

development on a site that allows residential and non-residential uses, except for minor commercial remodels and additions. An assisted living facility (considered non-residential) was recently developed in Downtown Dublin, but the project also included residential units. At the Dublin Transit Center, projects have either been proposed with mixed uses or stand-alone residential uses, with the exception of the Westin Hotel on the southern portion of Site 27. Limited commercial development has been proposed at the Transit Center, but commercial uses have been restricted to the ground floor of multi-family residential developments. Other non-residential uses in at the Transit Center have been converted to residential uses or complimentary uses to multi-family developments, such as the associated leasing offices and fitness centers.

5. Rezone Strategy to Accommodate Remaining Very Low- and Low-Income RHNA

After utilizing pipeline projects, projected ADU assumptions, and existing residentially zoned land (including 5th Cycle Housing Element sites, Public/Semi-Public Sites, and Downtown Dublin), there is a remaining need of 720 lower-income units. Below is the strategy for rezoning sites to meet the City's remaining RHNA.

Part 1: Rezoning Opportunities Utilizing Alameda County Surplus Property Authority Sites

The City has identified two parcels owned by the Alameda County Surplus Property Authority for rezoning to accommodate a portion of the remaining lower-income RHNA. The County is supportive of amending the General Plan and rezoning these sites to accommodate future residential development. The two vacant parcels total 19.7 acres, of which 10.8 acres are buildable due to the approval of the Westin Hotel on the southern 5.88 acres of Site 28. On Site 28, a total of 3.4 acres are identified for future residential development to allow the remaining three acres to be developed with a compatible use. The second parcel – Site 29 – is 7.5 acres in total. The average density of 66 dwelling units per acre proposed for these sites is comparable to the average residential density within the Transit Center and is based on existing development trends, proximity to high-capacity transit, and coordination with the property owner. Utilizing the unit capacity outlined above, the City assumes a density of 66 dwelling units per acre with a 50 percent affordability factor. In total, the proposed rezoned parcels can accommodate 715 units, of which 358 are estimated to be affordable to lower-income households.

Part 2: Rezoning Opportunities Utilizing Hacienda Crossings

The City has identified two parcels at the Hacienda Crossings shopping center for rezoning to accommodate a portion of the remaining lower-income RHNA. The property owners are supportive of permitting a residential mixed-use development to help revitalize the shopping center, which is currently underutilized, has vacant tenant spaces, and could benefit from introduction of residential development. The two parcels total 21.2 acres, but only 12.4 acres are identified as buildable acreage for future residential development. The two parcels are envisioned to develop with residential units at an average density of 48 dwelling units per acre, similar to the nearby Waterford Place Shopping Center and

Apartments. This density is also based on existing development trends, proximity to high-capacity transit, and coordination with the property owners. Utilizing the unit capacity calculations outlined above, the City assumes a density of 48 dwelling units per acre with a 50 percent affordability factor. In total, the proposed rezoned parcels can accommodate 594 units, of which 297 are estimated to be affordable to lower-income households.

Part 3: Rezoning Opportunities Using SCS Property

On February 15, 2022, the City Council approved a Preferred Plan for the SCS Property, which is a vacant 76.9-acre property located north of Interstate 580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi-Public site for affordable housing that contemplates between 70 and 150 units. The City has identified this 2.5-acre site for rezoning to accommodate a portion of the remaining lower-income RHNA. The SCS Property has been included in several development proposals in recent years. However, under the current proposal, the 2.5-acre Public/Semi-Public site included in the Sites Inventory (Site S-82) is envisioned to include high-density affordable housing at a density of 40 dwelling units per acre. In total, the proposed rezoned parcel complies with the Preferred Plan and can accommodate 100 units affordable to lower-income households.

C. Moderate- and Above Moderate-Income Sites Inventory

This Section contains a description and listing of the sites identified to meet Dublin's moderate- and above moderate-income allocation.

1. Strategy for Accommodating Moderate-Income Allocation

Utilizing pipeline projects, projected ADU assumptions, and existing residential zoning, the City can fully accommodate the 560 moderate-income RHNA utilizing the sources detailed below.

Projects in the Pipeline

As shown in **Table D-4**, there are three projects currently in the pipeline that are accommodating a total of 210 moderate-income units. The BRIDGE Housing/Amador Station project has received planning application approval for a total of 300 units, including 162 units affordable to moderate-income households. The East Ranch project has approval for 26 moderate-income units. The Ashton at Dublin Station project is currently constructing 220 units, including 22 units affordable to moderate-income households.

Accessory Dwelling Units (ADUs)

Based on ABAG's *Using ADUs to Satisfy RHNA Technical Memo*, the City estimates 30 percent of the 160 projected ADUs will develop at a moderate-income affordability, totaling 48 units. **Table D-3** provides a breakdown of projected ADU development by affordability level.

5th Cycle Sites

State law limits a jurisdiction's ability to re-use sites from the prior RHNA cycle. Vacant sites identified in the last two Housing Elements and non-vacant sites identified in a prior Housing Element may not be counted towards the lower-income RHNA categories unless: 1) the sites are zoned at the "default" density

of 30 dwelling units per acre; or 2) the sites allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households. In October 2020, the City Council gave direction to allow housing by right rather than up zoning properties. A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review. The City may count units on the existing 5th Cycle Sites as either moderate- or above moderate-income units since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 252 total units, including 252 moderate-income units.

Downtown Dublin

Of the 240 units projected in Downtown Dublin, not including pipeline projects, 50 units are projected to develop as moderate-income units. This assumption is made based on existing trends of affordable housing development throughout the City.

2. Strategy for Accommodating Above Moderate-Income Allocation

Utilizing pipeline projects alone, the City can fully accommodate the above moderate-income RHNA of 1,449 units, with a surplus of units from the projected ADU assumptions, existing residential zoning, and rezone strategies, utilizing the following sources.

Projects in the Pipeline

As shown in **Table D-4**, there are 11 projects currently in the pipeline that are accommodating a total of 2,104 above moderate-income units. Two of the projects have received Planning approval and four are currently under construction. Four pipeline projects are currently in Planning review.

Accessory Dwelling Units (ADUs)

Based on ABAG's draft *Using ADUs to Satisfy RHNA Technical Memo*, the City estimates that 10 percent of the 160 projected ADUs will develop at an above moderate-income affordability, totaling 16 units. **Table D-3** provides a breakdown of projected ADU development by affordability level.

Rezone Strategies

As discussed in Section B.5 of this Appendix, the rezone strategies are anticipated to accommodate residential development at an affordability of 50 percent. The other 50 percent of units (654 units) are anticipated to develop at an above moderate-income level.

Selection of Sites

The Sites Inventory contains a selection of sites that are most likely to be developed for moderate- and above moderate-income housing. For the purpose of identifying sites with the potential to be developed within the planning period, this analysis considered existing zoned parcels that permit residential as a primary use.

For the purposes of this analysis, projected ADU assumptions were calculated separately as outlined within Section A.2 above. ADUs represent additional potential units to meet the City's RHNA.

D. Summary of RHNA Status and Sites Inventory

The City has reviewed all sites for environmental concerns and considerations as well as development and land use restrictions. Additionally, each site has been reviewed for existing use; access to infrastructure, water, utilities; and additional development constraints. Where the analysis showed increased barriers to development related to environmental concerned, infrastructure concerns or existing conditions and development concerns (such as slope and grading, hazardous surrounding uses, restrictive development standards) the sites were removed. The result is a list and analysis of sites that are most ripe for development or redevelopment for housing. A summary of the City's ability to meet the RHNA obligation for 2023-2031 is shown in **Table D-1.**

E. Sites Identified to Accommodate RHNA and Maps

Figures D-1 through **D-3** below map all sites identified to accommodate the City's 2023-2031 RHNA. **Table D-9** is the Sites Inventory sorted by Unique ID for reference in the maps.

Figure D-1: 2023-2031 RHNA Sites Inventory Map



Figure D-2: 2023-2031 RHNA Sites Inventory Map

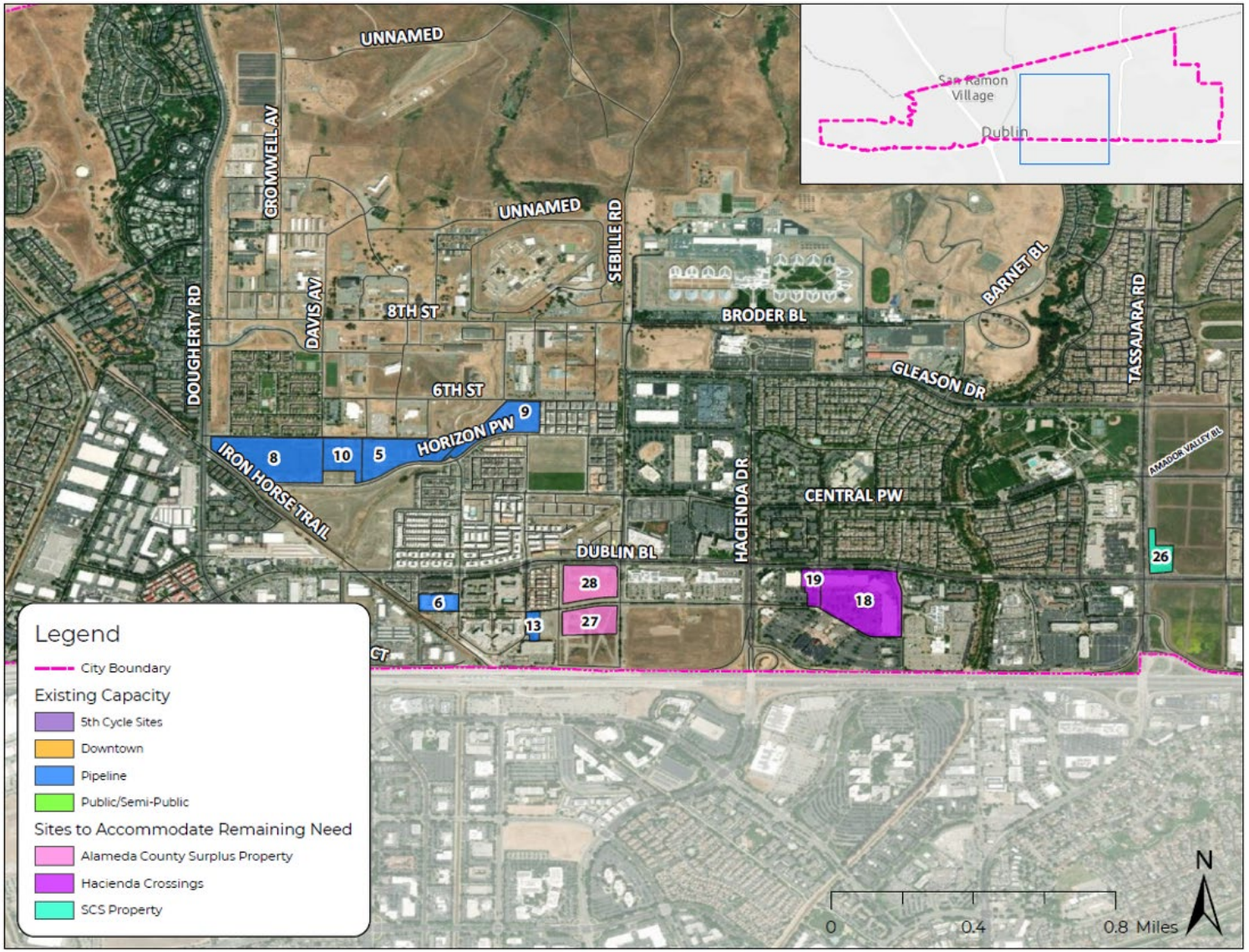


Figure D-3: 2023-2031 RHNA Sites Inventory Map

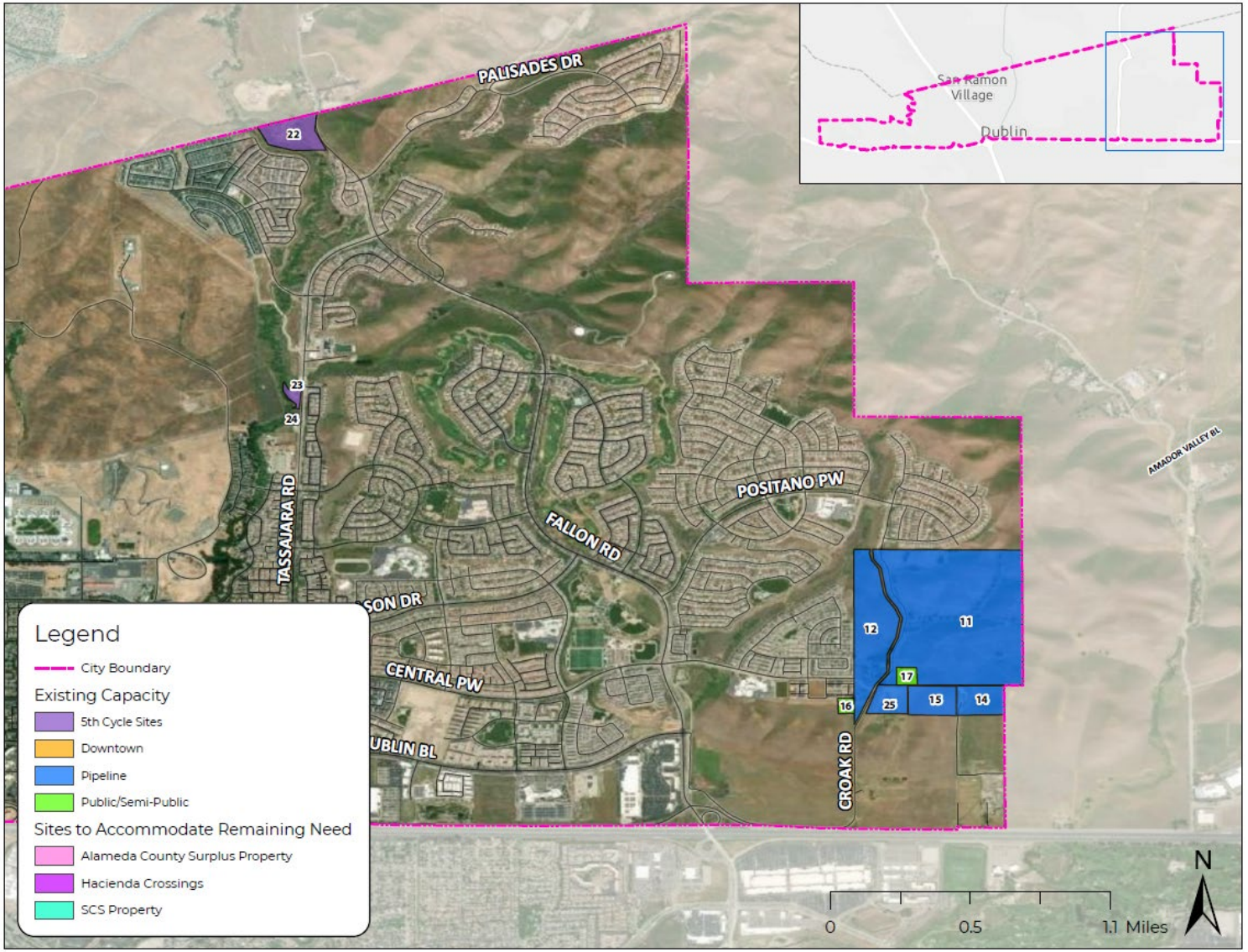


Table D-9: City of Dublin 6th Cycle Housing Element Candidate Sites

Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
1	Pipeline	941-1500-025-00	Yes	5	6543 Regional Street, Dublin, CA 94568	1.3	1.3	Yes	Yes	DDZD	DDTOD	73	-	113	112	0	1	Low and Very Low	Yes	No	This site is a project in the pipeline and will be an affordable housing development by Eden Housing. The project will include 112 units of affordable housing.
2	Pipeline	941-2842-002-00	No	0	6501 Golden Gate Drive, Dublin, CA 94568	2.6	2.6	Yes	No	DDZD	DDTOD	73	-	136	134	0	2	Low and Very Low	Yes	No	This site (1/2) is a project in the pipeline and will be an affordable housing development by BRIDGE Housing. The project will include 134 units of lower-income housing and 162 units of moderate-income housing.
3	Pipeline	941-2842-004-00	No	0	6501 Golden Gate Drive, Dublin, CA 94568	1.1	1.1	Yes	No	DDZD	DDTOD	73	-	164	0	162	2	Moderate	Yes	No	This site (2/2) is a project in the pipeline and will be an affordable housing development by BRIDGE Housing. The project will include 134 units of lower-income housing and 162 units of moderate-income housing.
4	Downtown	941-0305-028-00	No	2	7590 Amador Valley Blvd., Dublin, CA 94568	2.9	2.9	Yes	No	DDZD	DDRD	85	-	80	80	0	0	Low and Very Low	No	Yes	The City has a memorandum of understanding with an affordable housing developer to develop on this property, the site of a former Grocery Outlet.
5	Pipeline	986-0073-001-00	Yes	0	790 5thStreet, Dublin, CA 94568	10.3	10.3	No	No	DCZD	DC	N/A	-	112	0	0	112	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
6	Pipeline	986-0034-009-00	Yes	0	5421 Campbell Lane, Dublin, CA 94568	2.4	2.4	Yes	No	PD	HDR	N/A	-	220	0	22	198	Moderate	Yes	No	This parcel is a project in the pipeline as part of the Ashton at Dublin Station project, a development of 220 units, 22 of which will be moderate income.
7	Pipeline	941-1500-047-07	Yes	0	6700 Golden Gate Drive, Dublin, CA 94568	8.6	8.6	Yes	No	DDZD	DDTOD	N/A	-	499	0	0	499	Above Moderate	Yes	No	This parcel is a project in the pipeline by developer Avalon Bay Communities and is a development of 499 units.
8	Pipeline	986-0072-001-00	Yes	0	150 Adams Avenue, Dublin, CA 94568	17.3	17.3	No	No	DCZD	DC	N/A	-	113	0	0	113	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
9	Pipeline	986-0068-001-00	Yes	0	Unaddressed Parcel	7.7	7.7	Yes	No	DCZD	DC	N/A	-	225	0	0	225	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
10	Pipeline	986-0064-002-00	Yes	0	180 5th Street, Dublin, CA 94568	5.5	5.5	Yes	No	DCZD	DC	N/A	-	226	0	0	226	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Boulevard project, a development of 1,995 units.
11	Pipeline	905-0002-002-00	Yes	0	4038 Croak Road,	129.0	129.0	No	Yes	PD	NP	3	-	287	9	13	265	Low and Very Low	Yes	No	This parcel is a project in the pipeline as part of the East Ranch

Table D-9: City of Dublin 6th Cycle Housing Element Candidate Sites

Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
					Dublin, CA 94588																project. Similar projects within the vicinity at comparable densities, such as Jordan Ranch and Positano, were also recently developed.
12	Pipeline	905-0002-001-01	No	1	Unaddressed Parcel	34.1	34.1	No	Yes	PD	NP	10	-	286	8	13	265	Low and Very Low	Yes	No	This parcel is a project in the pipeline as part of the East Ranch project. Similar projects within the vicinity at comparable densities, such as Jordan Ranch and Positano, were also recently developed.
13	Pipeline	986-0034-013-01	Yes	0	5201 Ironhorse Parkway, Dublin, CA 94568	2.5	2.5	Yes	No	PD	CO	80	-	99	98	0	1	Low and Very Low	Yes	No	This parcel is a project in the pipeline at the Dublin Transit Center including 98 units of affordable housing.
14	Pipeline	905-0001-004-04	No	3	1881 Collier Canyon Road, Dublin, CA 94568	40.1	9.9	Yes	No	PD	IP	8	-	97	0	0	97	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Branaugh project, a development of 97 units.
15	Pipeline	905-0001-005-02	Yes	0	Unaddressed Parcel	49.7	9.8	Yes	No	PD	IP	8	-	96	0	0	96	Above Moderate	Yes	No	This parcel is a project in the pipeline as part of the Righetti project, a development of 97 units.
16	Public/ Semi-Public	985-0027-002-00	Yes	0	Unaddressed Parcel	136.6	2.5	Yes	No	PD	P/SP	30	-	74	74	0	0	Low and Very Low	No	No	This parcel has the Public/Semi-Public designation, which allows a broad range of uses including affordable housing developed by a non-profit entity. This parcel is in east Dublin and is currently vacant.
17	Public/ Semi-Public	905-0002-001-01	Yes	1	Unaddressed Parcel	34.1	2.0	Yes	No	PD	NP	30	-	60	60	0	0	Low and Very Low	Yes	No	This portion of the parcel has the Public/Semi-Public designation, which allows a broad range of uses including affordable housing developed by a non-profit entity. This parcel is in east Dublin and is currently vacant.
18	Hacienda Crossings	986-0008-009-00	No	10	4820 Dublin Blvd., Dublin, CA 94568	18.8	10.0	Yes	No	PD	GC	-	48	478	239	0	239	Low and Very Low	No	Yes	This parcel is one of two parcels at Hacienda Crossings shopping center to be rezoned (see Section 5, Part 2). This parcel contains a large parking lot serving existing "big box" department stores, several of which are currently vacant. This parcel has a significant opportunity for redevelopment based on economic trends and existing housing development to the north across Dublin Blvd. Notably, the site is less than one mile from the Dublin/Pleasanton BART station. The City is also proactively

Table D-9: City of Dublin 6th Cycle Housing Element Candidate Sites

Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					coordinating with the property owners, who are considering redeveloping the site to include housing units. Although this site is considered a large parcel as it is over 10 acres, only 10 acres of the site are considered "buildable" based on AB 1397 and existing trends in the development of affordable housing.
19	Hacienda Crossings	986-0008-010-00	No	3	4980 Dublin Blvd., Dublin, CA 94568	2.4	2.4	Yes	No	PD	GC	-	48	116	58	0	58	Low and Very Low	No	Yes	This parcel is one of two parcels at Hacienda Crossings shopping center to be rezoned (see Section 5, Part 2). This parcel contains a large parking lot serving existing "big box" department stores, several of which are currently vacant. This parcel has a significant opportunity for redevelopment based on economic trends and existing housing development to the north across Dublin Blvd. Notably, the site is less than one mile from the Dublin/Pleasanton BART station. The City is also proactively coordinating with the property owners, who are considering redeveloping the site to include housing units.
20	Downtown	941-0305-040-00	No	0	7050 Amador Plaza Road, Dublin, CA 94568	7.5	3.8	Yes	No	DDZD	DDRD	85	-	160	110	50	0	Low and Very Low	No	Yes	This parcel is in Downtown Dublin and is part of the Retail District. The existing uses include a large parking lot and a "big box" style store, Hobby Lobby. As part of the Downtown Dublin Preferred Vision (Preferred Vision), this site is planned to include residential units. Based on the existing uses on the site and alignment with the Preferred Vision, only about half of the acreage of the parcel is considered buildable in this analysis.
21	Pipeline	941-1500-030-00	No	0	6513 Regional Street, Dublin, CA 94568	1.7	1.7	Yes	Yes	DDZD	DDTOD	105	-	176	174	0	2	Low and Very Low	Yes	No	This parcel is in Downtown Dublin and is part of the Transit-Oriented District. The existing uses include a parking lot and a vacant one-story commercial complex. The Transit-Oriented District allows residential development up to 85 du/ac to maximize development proximate

Table D-9: City of Dublin 6th Cycle Housing Element Candidate Sites

Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					to the West Dublin/Pleasanton BART station, which is about a quarter mile away from this site. This parcel is a project in the pipeline as part of the Dublin Family Affordable Apartments proposing 176 total units. In addition, several recent developments and projects in the pipeline in the Transit Oriented District further reinforce this site's propensity to redevelop with high-density housing.
22	5th Cycle Sites	986-0004-001-00	No	1	7440 Tassajara Road, Dublin, CA 94568	11.6	11.6	No	Yes	PD	MDR	10	-	114	0	114	0	Moderate	No	No	This parcel is in east Dublin and is a mostly vacant site adjacent to existing townhome-style development. The site includes one residential unit on the west side of the site. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
23	5th Cycle Sites	986-0003-001-02	No	0	6060 Tassajara Road, Dublin, CA 94568	1.9	1.9	Yes	Yes	PD	MHD and OS	10	-	19	0	19	0	Moderate	No	No	This parcel is in east Dublin and is a vacant site adjacent to existing townhome-style development. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
24	5th Cycle Sites	986-0028-002-00	No	1	5868 Tassajara Road, Dublin, CA 94568	1.0	1.0	Yes	Yes	PD	SC	10	-	9	0	9	0	Moderate	No	No	This parcel is in east Dublin and is a mostly vacant site adjacent to existing townhome-style development. The site includes one residential unit on the west side of the site. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
25	5th Cycle Sites	905-0001-006-03	Yes	0	3457 Croak Road, Dublin, CA 94588	50.7	7.2	Yes	Yes	PD	GCCO	15.4		110	0	110	0	Moderate	No	No	This parcel is in east Dublin and is a vacant site adjacent to existing townhome-style development. Based on surrounding development and the existing zoning and land use designation, this site is anticipated to develop moderate-income units.
26	SCS Property	985-0051-006-00	Yes	0	4441 Tassajara Road, Dublin, CA 94568	30.4	2.5	Yes	No	PD	GC	40	-	100	100	0	0	Low and Very Low	No	No	This site is a vacant parcel north of Dublin Blvd. and east of Tassajara Road. This parcel and those adjacent have been included in several development proposals in

Table D-9: City of Dublin 6th Cycle Housing Element Candidate Sites

Unique ID	Map Category	APN	Vacancy	Existing Units	Street Address	Gross Acreage	Buildable Acreage	HCD Sizing Criteria	5th Cycle?	ZONING	GPLU	Expected Density	Rezone Expected Density	Net Potential Units	Net Units by Income Category			Assumed Income Category	Pipeline Projects	Rezone	Existing Use and Additional Information
															Low	Mod.	Above Mod.				
																					recent years, the most recent of which is known as the SCS Property. Under the most recent proposal, this portion of the site is envisioned to include high-density affordable housing. Although the site is more than 30 acres, the Preferred Plan and the proposed development plans identify a 2.5-acre site including 100 affordable units.
27	Alameda County Surplus Property	986-0034-014-00	Yes	0	Unaddressed Parcel	12.3	3.4	Yes	No	PD	CO	-	66	222	111	0	111	Low and Very Low	No	Yes	This parcel is one of two parcels to be rezoned as part of the Alameda County Surplus Property (see Section 5, Part 1). The County is supportive of amending the General Plan and rezoning these sites to accommodate these units. Notably, a third parcel of Alameda County Surplus Property in the same area (Site 13) is currently an affordable housing project in the pipeline. Although this parcel is a large parcel at 12.3 acres, only 3.4 acres are buildable due to the approval of the Westin Hotel on the southern 5.88 acres of the site. 3.4 acres are identified for future residential development to allow the remaining three acres to be developed with a compatible use.
28	Alameda County Surplus Property	986-0034-012-00	Yes	0	Unaddressed Parcel	7.5	7.5	Yes	No	PD	CO	-	66	493	247	0	246	Low and Very Low	No	Yes	This parcel is one of two parcels to be rezoned as part of the Alameda County Surplus Property (see Section 5, Part 1). The County is supportive of amending the General Plan and rezoning these sites to accommodate these units. Notably, a third parcel of Alameda County Surplus Property in the same area (Site 13) is currently an affordable housing project in the pipeline.

This Page Intentionally Left Blank.



APPENDIX E:
HOUSING PLAN PROGRAMS SUMMARY

Housing Plan Programs Summary

This Appendix contains an outline of all the Policy Programs included within **Chapter 2: Housing Plan**. **Table E-1** includes each program's objectives, responsible agency, funding source, and timeline.

Table E-1: Housing Plan Programs

Program	Objectives	Responsible Agency	Funding Source	Timeframe
A.1: Housing Rehabilitation Assistance	Continue to support the Alameda County Community Development Agency to implement the Minor Home Improvement Program (including accessibility grants) and Renew Alameda County and promote the Dublin Home Rehabilitation Program through dissemination of informational materials with the goal of assisting 36 households between 2023 and 2031.	Alameda County Community Development Agency; Community Development Department	CDBG; Alameda County Measure A-1 Bond Fund; Dublin General Fund	Annually review available funding for support; Create informational materials by January 31, 2025; 2023-2031
A.2: Housing Choice Voucher Rental Assistance	Continue to support the assistance of 350 lower-income households each year between 2023 and 2031. Continue to refer interested households to the Housing Authority of Alameda County.	Housing Authority of Alameda County	HUD Section 8	Annually coordinate with the Housing Authority of Alameda County; 2023-2031
A.3: Code Enforcement	Continue to enforce local ordinances relating to property maintenance and substandard housing both proactively and on a complaint basis. Conduct residential inspections to ensure property maintenance standards are met and to abate substandard structures. Annually review code enforcement cases, and establish new programs within one year when 15 or more cases arise in a year regarding the same issue. Perform annual reviews of City ordinances.	Community Development Department	General Fund	On a case-by-case basis; Annually review code enforcement cases and establish new programs within one year to address reoccurring issues; Annually review City ordinances and make changes based on reoccurring issues

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
				within one year; 2023-2031
A.4: Condominium Conversion Ordinance	Monitor conversion activities annually. If the seven-percent conversion limit is met, then identify new programs or ordinance amendments to preserve the rental housing stock.	Community Development Department	Permit Processing Fees	Review conversion activities annually and, if the limit is met, make program changes within one year; 2023-2031
A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate	Maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market-rate units.	Community Development Department	General Fund	Develop the warning system by January 31, 2025; Review annually; Outreach to begin by January 31, 2025; Annually seek funding opportunities; 2023-2031
	Outreach to and coordinate with property owners with assisted housing units at-risk of converting to market-rate units to preserve affordability.			
	Facilitate and promote tenant outreach, noticing, and education, as well as funding opportunities, as available.			
	Proactively seek funding opportunities for units at-risk of converting to market-rate units.			
B.1: Mixed-Use Development	Facilitate the construction of 300 residential units within mixed-use projects between 2023-2031.	Community Development Department	Affordable Housing Fund; General Fund	Annually review permitting and construction rates; Assist applicants and developers on a project-by-project basis; Mid-cycle review of development incentives and, if development is occurring at a rate less than anticipated, then
	Continue to incentivize mixed-use projects through flexible development standards and other means.			
	Mid-cycle review development incentives to identify if development is occurring as anticipated; if it is not, then identify and promote additional incentives.			

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
				identify and promote additional incentives within one year; 2023-2031
B.2: Affordable Housing Developers	Negotiate a specific incentives package for each project, with increased incentives for projects that include units for extremely low-income households, seniors, and persons with disabilities.	Community Development Department	Affordable Housing Fund; General Fund	On a case-by-case basis; Annually outreach to housing developers; 2023-2031
	Provide application/technical assistance as requested by potential developers or property owners.			
	Provide assistance to affordable housing developers to facilitate the construction of 100 affordable housing units between 2023-2031, with the goal of achieving 20 affordable units for extremely low-income households and/or persons with special needs.			
	Contact developers to discuss affordable housing opportunities.			
B.3: Density Bonuses	Review and revise the Density Bonus Ordinance to ensure continued compliance with State law through the Planning Period.	Community Development Department	General Fund	Provide information on a case-by-case basis; Revise as necessary to maintain compliance with State law throughout the Planning Period; Review annually; 2023-2031
	Continue to implement the Density Bonus Ordinance and provide the Ordinance to developers and other interested parties.			
	Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.			
B.4: Inclusionary Zoning	Review the Inclusionary Regulations.	Community Development Department	General Fund	Review the Inclusionary Regulations and In-Lieu Fees by January 31, 2025;
	Prepare a nexus study reviewing the Affordable Housing In-Lieu Fee.			
	Facilitate the construction of 100 affordable housing units.			

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
				Prepare a nexus study by January 31, 2025
B.5: Commercial Linkage Fee	Prepare a nexus study reviewing the Commercial Linkage Fee. Utilize funding to facilitate the construction of 100 affordable housing units. Assist at least five moderate-income households with first-time homebuyer loans. Provide funding towards homeownership training and foreclosure prevention services, rental assistance programs, and the Alameda County Homeless Management Information System.	Community Development Department	Affordable Housing Fund; General Fund	Prepare a nexus study reviewing the Commercial Linkage Fee by January 31, 2025; Provide information on a case-by-case basis; Review and seek additional funding annually; 2023-2031
B.6: Housing Type and Size Variations	Require developers to provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs.	Community Development Department	General Fund	On a case-by-case basis; 2023-2031
B.7: Accessory Dwelling Units and Junior Accessory Dwelling Units	Facilitate the development of at least 248 ADUs. Maintain updated information on the City's ADU processes, related code, and incentives, on the City's website. Implement a public awareness campaign for constructing ADUs.	Community Development Department	General Fund	Create and update public information on ADUs by January 31, 2024; Implement campaign by January 31, 2025; Review ADU development annually; 2023-2031
B.8: Accessory Dwelling Unit Monitoring Program	Maintain the ADU Monitoring Program. Annually review progress and, if a gap develops between projected and actual ADU development, then make proportional changes within six months.	Community Development Department	General Fund	Review annually and revise within six months if a development gap occurs; 2023-2031

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397	Amend the Downtown Dublin Specific Plan to specify the units on the three non-vacant lower-income sites in Downtown Dublin are allowed by right and not subject to the Downtown Dublin Development Pool or Community Benefit Program Agreement requirement.	Community Development Department	General Fund	Adopt the Downtown Specific Plan amendment by January 31, 2025
B.10: Objective Design Standards and Streamlined Ministerial Review	Review and, as necessary, revise the Citywide Multi-Family Objective Design Standards to ensure continued compliance with State law in order to facilitate the development of housing. Continue to implement the Citywide Multi-Family Objective Design Standards.	Community Development Department	General Fund	Review annually; 2023-2031; If determined to be necessary to comply with State law, the City will make any required changes to the Objective Design Standards within 18 months
B.11: Transitional and Supportive Housing	Amend the Zoning Ordinance to permit permanent supportive housing by-right in all zones where housing is permitted. Collaborate with local organizations and agencies to discuss the needs of persons experiencing homelessness. Support and, when possible, fund local and regional efforts to address the housing needs of persons experiencing homelessness.	Community Development Department	General Fund	Amend the Zoning Ordinance by January 31, 2024; Annually outreach to local organizations and agencies; Review and seek additional funding for local and regional homelessness efforts annually; 2023-2031
B.12: Single-Room Occupancy (SRO)	Review permitting procedures for SROs and amend the Dublin Municipal Code to remove potential constraints by January 31, 2025. Provide technical assistance for potential SRO developers on a project-by-project basis.	Community Development Department	General Fund	Review permitting procedures for SROs and amend the Dublin Municipal Code to

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Collaborate with local organizations and agencies to discuss the needs of persons who previously experienced homelessness. Support and, when possible, fund local and regional efforts to address the housing needs of persons in Dublin who previously experienced homelessness.			remove potential constraints by January 31, 2025; Provide technical assistance for potential SRO developers on a project-by-project basis; Outreach to local organizations and agencies annually; Review and seek additional funding for local and regional homelessness efforts annually; 2023-2031
B.13: Universal Design Ordinance	Maintain updated information about the Universal Design Ordinance on the City's website and at City Hall.	Community Development Department	Permit Processing Fees	Update as necessary; 2023-2031
B.14: Residential Incentives	Promote existing incentives and identify potential new incentives for the development of residential uses on sites identified in the Sites Inventory that allow both residential and non-residential uses.	Community Development Department	General Fund	Annually outreach to housing developers; Mid-cycle review of housing development and available sites and revise incentives as appropriate, if development does not occur as projected; 2023-2031

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
B.15: Replacement Housing	Adopt a replacement housing program for units lost that are currently occupied by lower-income households or households subject to affordability requirements of Government Code Section 65915 within the last five years.	Community Development Department	General Fund	Adopt a replacement housing program by January 31, 2025
B.16: Publicly-Owned Lands	Coordinate with Alameda County Surplus Property Authority to develop 715 units. In coordination with the Alameda County Surplus Property Authority, identify a tentative schedule of actions for development of the property by January 31, 2024. Conduct a mid-cycle review of progress to develop the property; if the mid-cycle review finds the site is unlikely to develop during the Planning Period, the City will identify a new site(s).	Community Development Department	General Fund	Annually coordinate with the Alameda County Surplus Property Authority; Identify a tentative schedule of actions; Mid-cycle review of progress; If deemed necessary, identify new sites; 2023-2031
B.17: Community Care Facilities	Amend the Zoning Ordinance to allow community care facilities in all zones allowing residential uses. Amend the Zoning Ordinance to revise the definition of "family" to eliminate constraints for persons with disabilities.	Community Development Department	General Fund	Amend the Zoning Ordinance regarding community care facilities by January 31, 2024; Revise the Zoning Ordinance regarding the definition of "family" by January 31, 2025
B.18: Planned Development (PD) Zoning	Review vacant and underutilized properties with existing PD zoning and rezone these properties to a residential zoning district with established development standards.	Community Development Department	General Fund	By January 31, 2025, review and implement rezonings and

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Review the Zoning Ordinance and consider further amendments to provide the option for property owners and developers to request PD zoning if they desire more flexibility.			amendments to the Zoning Ordinance
B.19: Development of Large Sites	Establish a program, with development methods and incentives for the development of housing on larger parcels.	Community Development Department	General Fund	By January 31, 2025, establish a large sites program
C.1: Sites Inventory and RHNA Monitoring	Ensure the sites identified in the Sites Inventory are developed at densities appropriate for fulfilling the City's RHNA and identify additional sites as necessary if development does not occur as projected. Complete the rezoning strategies.	Community Development Department	General Fund	Complete the rezoning strategies by January 31, 2026; Review the Sites Inventory annually and as projects are proposed; 2023-2031
C.2: Safety Element and Environmental Justice Policies	Adopt an updated General Plan Seismic Safety and Safety Element, which identifies and addresses flood and fire hazards.	Community Development Department	General Fund	Adopt an updated General Plan Seismic Safety and Safety Element by January 31, 2024
D.1: Remove Development Constraints	Review residential development standards for potential constraints to the development of new units, particularly affordable units.	Community Development Department	General Fund	Review development standards every two years; 2023-2031
D.2: Fee Deferment	Continue to offer the deferment of Traffic Impact Fees, Public Facilities Fees, and Fire Facilities Fees for multi-family projects in the Transit Districts and development processing and development impact fees for affordable housing projects that exceed the inclusionary housing requirements for on-site construction of affordable units.	Community Development Department	Inclusionary Zoning In-Lieu Fee Fund	Outreach to housing developers annually; Work with developers on a case-by-case basis; Maintain updated

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Maintain updated information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website.			information on the City's affordable housing incentives, such as density bonus and fee deferment, on the City's website; 2023-2031
D.3: Emergency Shelters	Review and amend, if necessary, the Emergency Shelters Ordinance for consistency with Government Code Section 65583(a)(4). Amend the Emergency Shelters Ordinance and Zoning Ordinance to comply with AB 139 parking requirements.	Community Development Department	General Fund	By January 31, 2025, amend the Emergency Shelters Ordinance and Zoning Ordinance
D.4: Monitoring of Development Fees	The City will evaluate development fee impacts on housing development and make appropriate adjustments.	Community Development Department	General Fund	By January 31, 2025; Review every two years; 2023-2031
D.5: Maintain Zoning, Development Standards, and Fee Schedules Online	Maintain updated zoning, development standards, and fee schedules on the City's website.	Community Development Department	General Fund	Maintain updated zoning, development standards, and fee schedules on the City's website
D.6: Parking Requirements Near Public Transit	Amend the Zoning Ordinance to comply with the requirements established by AB 2097.	Community Development Department	General Fund	Amend the Zoning Ordinance by January 31, 2024
E.1: Affirmatively Further Fair Housing *(See Chapter 2: Housing Plan for further details)*	Create and promote informational materials on the location of participating voucher properties and availability of voucher programs/financial assistance. Encourage collaboration between local governments and community land trusts as a mechanism to develop affordable housing. Outreach to community land trusts	Community Development Department	General Fund; State and Federal Grants	Review metrics and actions annually and make changes as appropriate within one year; 2023-2031

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	and provide them with information on affordable housing opportunities in the City.			
	Partner with the County to annually provide housing choice voucher rental assistance for up to 350 lower-income households through the end of the Planning Period.			
	Partner with the County to provide home purchase assistance for up to 20 households by the end of the Planning Period.			
	Annually outreach to landlords to expand the location of participating voucher properties.			
	Annually host an educational workshop on voucher programs and source of income discrimination.			
	Affirmative marketing to promote equal access to government-assisted housing and to promote housing opportunities throughout the City.			
	Partner with the County to assist up to 10 lower-income households in finding housing, beginning no later than January 31, 2026, through the end of the Planning Period.			
	Create and promote informational materials on housing accessibility, rehabilitation, and maintenance resources.			
	Create informational materials on housing accessibility, rehabilitation, and maintenance resources by January 31, 2025. Material will be distributed at the Senior Center, Civic Center, and community events. Information will be sent and made available to organizations and groups who assist persons with disabilities and seniors.			
	Provide home repair and rehabilitation assistance for up to 36 households by the end of the Planning Period.			

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	Review future policies and programs for potential restrictive practices that would limit diversity in the RCAAs.			
	Affirmative marketing to increase diversity within the RCAAs.			
	Annually review existing policies and programs for potential restrictive practices that would limit diversity within the RCAAs. If restrictive practices are identified, address prior to adoption of the new policies and programs or within six months for existing policies and programs.			
	Conduct marketing to increase diversity within the RCAAs every two years; this may include, but is not limited to, landlord outreach and education to increase participation with the Housing Choice Voucher Program.			
E.2: Equal Housing Opportunity	Provide referrals to appropriate agencies for services.	Community Development Department; ECHO Housing; Alameda County Community Development Agency	CDBG; General Fund	Provide referrals as requested; Maintain updated information throughout the Planning Period and distribute by January 31, 2025; 2023-2031
	Distribute fair housing information in public locations.			
	Post information on the City's website.			
E.3: Reasonable Accommodations	Maintain updated information on reasonable accommodations on the City's website and at the Civic Center.	Community Development Department	General Fund	Process and adopt a Zoning Text Amendment by January 31, 2025
	Amend the Zoning Ordinance to remove potential constraints for reasonable accommodation requests.			
E.4: Low-Barrier Navigation Centers	Adopt and implement procedures and regulations to process low-barrier navigation centers. Procedures		General Fund	By January 31, 2025; Review

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
	shall include establishing a ministerial approval process.	Community Development Department		annually and, if necessary, make changes within one year; 2023-2031
	Annually review regulations and procedures and update as necessary to comply with State law updates.			
E.5: Housing for Persons with Developmental Disabilities	Encourage construction and rehabilitation of housing with supportive services for persons with developmental disabilities.	Community Development Department	General Fund	By January 31, 2025; Review funding and incentives annually; Outreach to housing developers and local organizations annually; 2023-2031
	Seek State and Federal funding to support housing construction for persons with developmental disabilities.			
	Review and identify regulatory incentives for projects proposing housing for persons with developmental disabilities.			
	Collaborate with housing developers and local organizations to identify the needs of local persons with developmental disabilities.			
E.6: Farmworker and Employee Housing	Amend the Dublin Municipal Code to comply with the Health and Safety Code.	Community Development Department	General Fund	By January 31, 2025; 2023-2031
E.7: First-Time Homebuyer Loan Program	Promote the FTHLP program online on the City's website and at the public counter.	Community Development Department	Affordable Housing Fund; State and Federal Grants	By January 31, 2026; Review the FTHLP annually and update as opportunities become available to expand the program and ensure compatibility with similar loan programs; 2023-2031
	Provide FTHLP loans to households earning up to 120 percent AMI.			
	Review the FTHLP for opportunities to broaden the use of the program and to ensure compatibility with similar loan programs offered by the County and the State.			

Table E-1: Housing Plan Programs				
Program	**Objectives**	**Responsible Agency**	**Funding Source**	**Timeframe**
E.8: Homeless Assistance	Support and, when possible, fund local and regional efforts that seek to address and lessen homelessness.	Community Development Department; HCCC; Tri-Valley Haven	CDBG; State and Federal Grants; General Fund	Review and seek funding opportunities annually; 2023-2031
E.9: Water and Sewer Service Providers	Deliver 2023-2031 Housing Element to DSRSD following adoption. Coordinate with DSRSD when reviewing proposed residential projects.	Community Development Department	General Fund	Immediately after adopting the 2023-2031 Housing Element
F.1: Green Building Guidelines	Continue to implement the provisions of the Green Building Ordinance and State Standards and Codes. Continue to update brochures that describe program requirements and make them available to any interested parties and continue to provide Green Building resources on the City's website.	Community Development Department	Permit Processing Fees; General Fund	Continue to implement throughout the Planning Period; Maintain and distribute updated outreach materials; 2023-2031
F.2: Energy Conservation	Implement applicable Waste Management and Building Code regulations, provide Green Building training to Staff, and distribute energy conservation information to the public.	Community Development Department	Permit Processing Fees; General Fund	Provide training; Maintain and distribute updated informational materials; 2023-2031



APPENDIX F:
COMMUNITY ENGAGEMENT SUMMARY

Community Engagement Summary

Section 65583 of the Government Code states, "The local government shall make diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort." Meaningful community participation is also required in connection with the City's Assessment of Fair Housing (AFH). As such, a summary of community participation is provided within this Appendix.

As part of the 2023-2031 Housing Element Update process, the City conducted a variety of outreach and engagement efforts beginning in Winter 2020. These include virtual community workshops, study sessions with the Planning Commission and City Council, check-in meetings with the City Council, an online survey in English and Mandarin, social media outreach, news articles, direct mailings, an informational webpage, one-on-one meetings with property owners, and public meetings. Project materials, including meeting and workshop recordings, flyers, and draft public review documents are available on the City's website: dublin.ca.gov/2241/Housing-Element-Update.

A summary of community engagement and outreach for the 2023-2031 Housing Element is outlined below:

- **Housing Element Update Webpage:** A Housing Element Update webpage was created on the City's website to provide relevant information and guide the public to outreach events and resources throughout the course of the update process. The website provides information about the update process, key features of the housing element, recorded meetings, a project timeline, surveys and forms, and contact information. The website also provided a link to the community survey tool as well as the contact information of the City for residents and community members to send additional comments or request additional information. The website is available at: https://dublin.ca.gov/2241/Housing-Element-Update.
- **City Council Meeting #1:** On February 18, 2020, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with introductory information on the Housing Element Update process, details on the City's RHNA allocation, and key milestones. The agenda item was organized to solicit input and recommendations from the City Council.
- **City Council Meeting #2:** On October 6, 2020, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with an update on the update process and preliminary information on the strategies to meet the RHNA allocation. The agenda item was organized to solicit input and recommendations from the City Council.
- **City Council Meeting #3:** On June 15, 2021, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation provided the Council with an update on the update process and background on the RHNA appeals procedures. The agenda item was organized to solicit input and recommendations from the City Council.

- **City Council Meeting #4:** On November 2, 2021, Staff presented to City Council and members of the public during a regular City Council meeting. The presentation revolved around the strategies to meet the RHNA allocation and particular candidate sites. The agenda item was organized to solicit input and recommendations from the City Council.
- **Community Survey:** From December 20, 2021 through February 28, 2022, the City released an online community survey to solicit feedback and input on potential locations for housing and possible housing policies. The survey was made available in English and Mandarin and was linked on the Housing Element Update webpage. There was a total of 205 respondents that participated in the survey.
- **Candidate Sites Meetings:** Throughout the Housing Element Update, the City held meetings with property owners and developers regarding active projects and future developments on existing and new candidate sites, such as meeting with the Alameda County Surplus Property Authority on February 8, 2022, and the Hacienda Crossings shopping center owner on February 10, 2022. In addition to these meetings, the City has been engaged in multiple year-long discussions about the SCS property vision. The SCS property has also conducted extensive outreach and involved an Urban Land Institute Technical Advisory Panel (ULI TAP). All outreach conducted for the SCS project is available on the project website at: https://courbanize.com/scsproperty.
- **Community Workshop #1:** On January 19, 2022, the City conducted a virtual community workshop to inform the community of the Housing Element Update process, the RHNA allocation, and upcoming engagement opportunities. The workshop also solicited feedback and input from participants through live polling and a Q&A session.
- **Community Workshop #2:** On February 17, 2022, the City held a second virtual community workshop. This workshop provided participants with information on the City's engagement efforts and proposed strategies to meet the RHNA allocation. The workshop also solicited feedback and input from participants through live polling and a Q&A session.
- **Planning Commission Meeting #1:** On March 8, 2022, Staff presented the Planning Commission with background information on the Housing Element Update process and a status update. The presentation included community engagement efforts to-date and consideration of strategy options to address the City's RHNA. The agenda was organized to be informative and solicit feedback from the Commission.
- **City Council Meeting #5:** On March 15, 2022, Staff presented the City Council with a status update on the Housing Element Update and sought a decision from the Council on which RHNA strategy to move forward with in preparation for the Public Review Draft Housing Element.
- **Public Review Draft Housing Element:** On April 15, 2022, the City published the Public Review Draft 6th Cycle Housing Element. The Draft Housing Element was made available for 30 days online, at City Hall, and a public library for the community's review. A simple, online feedback form was available concurrently to collect input on each chapter and appendix. The form gathered a total of four responses, which are included within this Appendix F.
- **Planning Commission Meeting #2:** On April 26, 2022, Staff presented the Planning Commission with an update on the Housing Element Update, including feedback received from the Public

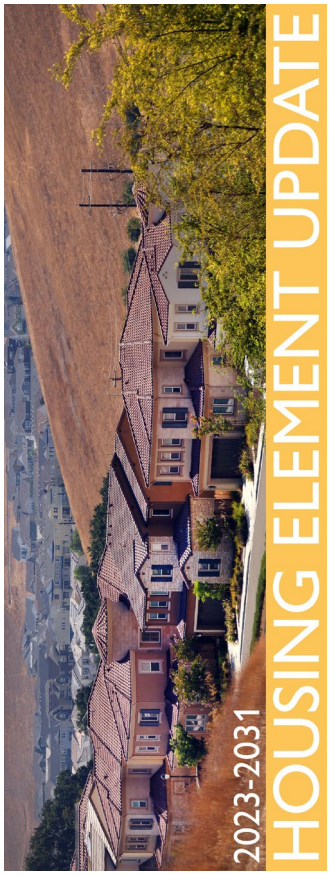
Review Draft. Planning Commission recommended City Council direct Staff to submit the Draft 2023-2032 Housing Element to HCD for review.

- **City Council Meeting #6:** On May 17, 2022, Staff presented the City Council with an update on the Housing Element Update and sought direction from the Council on submitting the Draft 2023-2032 Housing Element to HCD for review.
- **Special Needs Populations Outreach:** The City made diligent efforts to outreach to all segments of the community throughout the update process. This included outreach to local organizations that serve special needs populations in Dublin and in the region, as well as noting comments made at public meetings.

This Appendix contains a summary of all public comments regarding the Housing Element received by the City at scheduled public meetings. As required by Government Code Section 65585(b)(2), all written comments regarding the Housing Element made by the public have previously been provided to each member of the City Council.

F.1 Community Workshop #1

This Section contains all available materials created for the virtual community workshop. Public comments for the workshop were received verbally and through the Zoom chat function. The recorded workshop is available on the City's YouTube channel.



DUBLIN
CALIFORNIA

100 Civic Plaza
Dublin, CA 94568

IMPORTANT NOTICE

«NAME»
«AGENCY»
«ADDRESS»
«CITYSTATEZIP»

DUBLIN
CALIFORNIA

Housing Element Update Workshop

January 19, 2022, at 6:00 p.m.

The workshop will be held via teleconference. A Zoom Meeting link is available below and on the City's Housing Element Update webpage: https://dublin.ca.gov/2241/Housing-Element-Update

The City of Dublin is conducting a workshop to receive community feedback on the Housing Element Update to help create policies and programs that appropriately address the housing needs of current and future Dublin residents.

The Housing Element is one of seven mandated elements of the General Plan and must be updated every eight years to address existing and projected housing needs for all economic segments. The City is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period.

Additional information about the Housing Element Update can be found on the City's website at the link provided above.

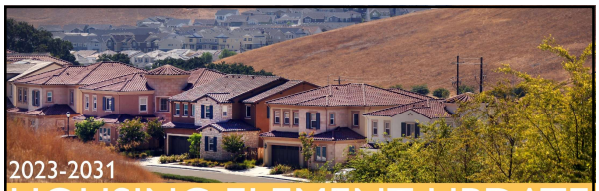
Zoom Meeting link:
https://dublinca.zoom.us/j/83461588853?pwd=QjdDMHVTWjVab1ErdzRqblN2VlIldz09
Passcode: ES0vdg89

We Want to Hear from You!!

In addition to the workshop, the City is conducting a survey for the Housing Element Update to receive community feedback. The survey is available at the following link https://forms.office.com/r/3C7vkiLsY0 and will be open through February 28, 2022.

Questions? Contact:
Michael P. Cass, Principal Planner
(925) 833-6610
michael.cass@dublin.ca.gov





2023-2031

HOUSING ELEMENT UPDATE

City of Dublin Community Workshop #1

Time: 6 PM
Date: Wednesday, January 19, 2022
Location: Virtual - Zoom

1

Agenda

- Overview of Housing Element
- Regional Housing Needs Allocation (RHNA)
- Outreach Efforts To-Date
- Workshop Discussion
- Next Steps



2

DUBLIN
CALIFORNIA

Overview of Housing Element

3

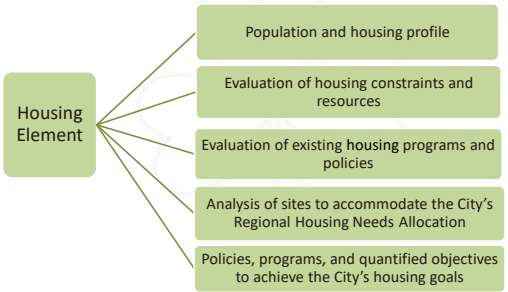
What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)



4

Housing Element Requirements



5

Why are Housing Elements Updated?

- Ensures the City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows the City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing the City

6

What is included in the Update Process?

- Community Workshops
- Online Community Survey
- Update of the City's demographic conditions, and policies, programs, and objectives
- Analysis of adequate sites to meet RHNA
- CEQA Review
- HCD Review and Certification
- Planning Commission/City Council Meetings

7

DUBLIN
CALIFORNIA

Regional Housing Needs Allocation (RHNA)

8

What is RHNA?

- Regional Housing Needs Allocation (RHNA)
- Quantifies the need for housing within each City/County in California
- Based on future growth in population, employment, transportation, and households



9

How is RHNA determined?

Department of Housing and Community Development
HCD determined and distributed the State's housing need to Regional Planning Agencies (MPOs)

Association of Bay Area Governments
ABAG developed methodology to determine "fair share" distribution of the region's housing need to local jurisdictions

City of Dublin RHNA
2023-2031
3,719

10

RHNA Allocation: 6th Cycle (2023-2031)

Income Category	% of Median Family Income	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% MFI	--	$68,500	1,085
Low Income	51 – 80% MFI	$68,501	$109,600	625
Moderate Income	81 – 120% MFI	$109,601	$150,700	560
Above Moderate Income	>120% MFI	$150,701	--	1,449
			Total:	**3,719**

**Based on the 2021 median family income for a family of 4 in Alameda County - $125,600*

11

DUBLIN
CALIFORNIA

Outreach Efforts To-Date

12

Project Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Sites Analysis:
  - City Council advised on strategies to meet City's RHNA
  - City Council advised a selection of sites dispersed throughout the City

13

DUBLIN
CALIFORNIA

Workshop Discussion

14

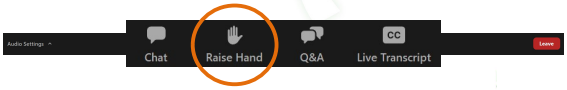
Discussion Questions

- In a few words, tell us about your housing experience in Dublin.
- What are some housing challenges or needs in Dublin?
- What are some housing opportunities in Dublin?
- What is your vision for housing in Dublin?

15

Open Discussion

- If you have a question or comment, please click on the "raise hand" function and we will unmute you to speak.
- You may also type in questions or comments in the chat or Q&A functions.



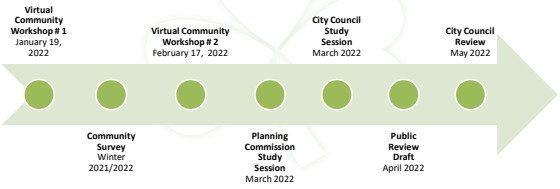
16

DUBLIN
CALIFORNIA

Next Steps

17

Tentative Housing Element Update Schedule



18

We Want Your Input!

- Provide your input and comments by taking a quick survey
- Available in English and Mandarin
- Got to: **https://forms.office.com/r/3C7vkiLsY0**



Also available on the Housing Element webpage:
https://dublin.ca.gov/2241/Housing-Element-Update

19

Your participation is important!

The survey and other engagement opportunities provide the City with important community feedback to help shape:

✓ Goals
✓ Policies, and
✓ Programs

Within the Housing Element.

The City of Dublin wants to hear your ideas about Housing. Your input is very important!

20

Thank you!

Questions?

Michael Cass, Principal Planner
Michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

21

In a few words, tell us about your housing experience in Dublin.



Mentimeter

What are some housing opportunities in Dublin?

Mentimeter

ADUs

Limited affordable housing

transit-oriented development

upzoning

4

What are some housing challenges or needs in Dublin?

Mentimeter

- Public transit
- making Dublin walkable
- +1 to limited public transit
- Affordability
- Environmental concerns
- impact to schools
- School overcrowding
- Traffic
- bureaucratic red tape

10

What are some housing challenges or needs in Dublin?

Mentimeter

Infrastructure- water, electricity

10

What is your vision for housing in Dublin?

Mentimeter

Transit oriented districts :)

Reduce miles driven - mixed use

affordable units

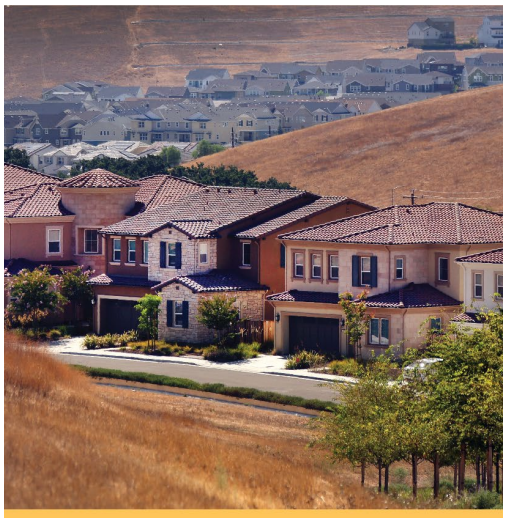
mixed income housing

lower density housing and more office space

5

F.2 Community Workshop #2

This Section contains all available materials created for the virtual community workshop. Public comments for the workshop were received verbally and through the Zoom chat function. The recorded workshop is available for viewing on the Housing Element Update webpage.



2023-2031 HOUSING ELEMENT UPDATE

100 Civic Plaza
Dublin, CA 94568

IMPORTANT NOTICE

«NAME»
«AGENCY»
«ADDRESS»
«CITYSTATEZIP»

Housing Element Update Workshop #2

February 17, 2022, at 6:00 p.m.

The workshop will be held via teleconference. A Zoom Meeting link is available below and on the City's Housing Element Update webpage: https://dublin.ca.gov/2241/Housing-Element-Update

The City of Dublin is conducting the second of two workshops to receive community feedback on the Housing Element Update to help create policies and programs that appropriately address the housing needs of current and future Dublin residents.

The Housing Element is one of seven mandated elements of the General Plan and must be updated every eight years to address existing and projected housing needs for all economic segments. The City is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period.

Additional information about the Housing Element Update can be found on the City's website at the link provided above.

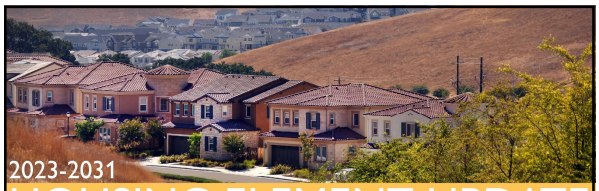
Zoom Meeting link:
https://dublinca.zoom.us/j/82382805239?pwd=c2taeG41WlhydEVGaEN4c1IKanNxZz09
Passcode: ES0vdg89

We Want to Hear from You!!

In addition to the workshop, the City is conducting a survey for the Housing Element Update to receive community feedback. The survey is available at the following link https://forms.office.com/r/3C7vkiLsY0 and will be open through February 28, 2022.

Questions? Contact:
Michael P. Cass, Principal Planner
(925) 833-6610
michael.cass@dublin.ca.gov





2023-2031

HOUSING ELEMENT UPDATE

City of Dublin
Community Workshop #2

Time: 6 PM
Date: Thursday, February 17, 2022
Location: Virtual - Zoom

1

Agenda

- Overview of Housing Element
- Outreach Efforts To-Date
- Candidate Sites Strategies
- Policies and Programs
- Next Steps



2

DUBLIN
CALIFORNIA

Overview of Housing Element

3

What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- **Housing**
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

4

Why are Housing Elements Updated?

- Ensures City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing City

5

What is included in the Update Process?

- Community Workshops
- Online Community Survey
- Update of the City's demographic conditions, and policies, programs, and objectives
- Analysis of adequate sites to meet RHNA
- CEQA Review
- Planning Commission/City Council Meetings
- HCD Review and Certification

6

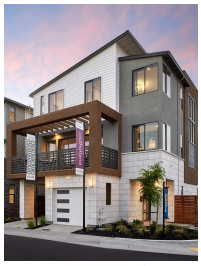
DUBLIN
CALIFORNIA

Community Engagement Efforts To-Date

7

Engagement Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Ongoing Online Survey
  - December 2021-February 2022



8

Preliminary Survey Findings

- Missing housing types:
  1. Affordable housing
  2. Senior housing
- Recommended locations of future housing:
  1. Near transit hubs (such as BART)
  2. Regional shopping centers (such as Hacienda Crossings)
- 72% report need for both for sale and rental units
- 22% report need for more for sale units

9

We Want Your Input!

- Survey is open through end of February
- Available in English and Mandarin
- Go to: https://forms.office.com/r/3C7vkiLsY0



Also available on the Housing Element webpage:
https://dublin.ca.gov/2241/Housing-Element-Update

10

DUBLIN
CALIFORNIA

Candidate Sites Strategies

11

RHNA Allocation: 6th Cycle (2023-2031)

Income Category	% of Median Family Income	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% MFI	--	$68,500	1,085
Low Income	51 – 80% MFI	$68,501	$109,600	625
Moderate Income	81 – 120% MFI	$109,601	$150,700	560
Above Moderate Income	>120% MFI	$150,701	--	1,449
			Total:	**3,719**

**Based on the 2021 median family income for a family of 4 in Alameda County - $125,600*

12

Candidates Sites Strategies

- Housing Element must identify candidate sites to accommodate 2023-2031 RHNA need of 3,719 total units
- Candidate sites must consider:
  - Access to community resources and services
  - Infrastructure
  - Environmental barriers
  - Access to transportation

13

City Council Approved Strategies

- Projected ADU development
- "Pipeline" projects
- Existing Housing Element sites
- Public/Semi-Public Sites
- Downtown



14

Strategies for Remaining RHNA

- Hacienda Crossings
- Alameda County Surplus Properties



15

Participant Activity

- Open aerial map of the City's candidate sites and request feedback/comments.
- Specify Council direction not to concentrate affordable housing.

16

DUBLIN
CALIFORNIA

Policies and Programs

17

Existing Housing Goals

- **Goal A**: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.
- **Goal B**: Expand housing opportunities for all segments of Dublin's population.
- **Goal C**: Use public and private resources to maintain and enhance existing residential neighborhood characteristics.
- **Goal D**: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, marital status, familial status, disability, source of income, sexual orientation, or any other arbitrary factor.
- **Goal E**: Promote energy efficiency and conservation throughout Dublin.

18

Existing Program Example

Program 10: Housing Type and Size Variations
A diverse housing stock in terms of type and size is necessary to meet the needs of all community residents. As a means of achieving housing diversity, the City will continue to require diversity of housing type and size as part of its negotiated process through specific plans, planned developments, and development agreements.

Financing:	Minor administrative cost to the City
Implementation Responsibility:	Community Development Department; Planning Commission; and City Council
Timeframe and Objectives:	• Require that developers provide a diversity of housing type and size on a case-by-case basis to meet the City's housing needs throughout the planning period.
Relevant Policies:	Policy A.1; Policy A.4; Policy A.6; Policy A.7; Policy B.1; Policy B.3; Policy B.4; Policy B.5; Policy D.2; Policy D.3

19

New 6th Cycle Programs Required

- Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development
- Objective Development Standards
- SB 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers



20

New 6th Cycle Programs (continued)

- Housing for Persons with Developmental Disabilities
- Farmworker and Employee Housing
- Funding and Rental Assistance Programs
- Housing Voucher Program
- Density Bonus
- Removal of Development Constraints



21

Participant Activity

- (Open Ended) Tell us about your experience with housing in the City.
- Fair Housing – what fair housing issues does the City need to address? (ex: discrimination, etc.)
- (Open Ended) Have you recently gone through the entitlement process? If so, do you have any feedback on your experience?
- (Multiple Choice) Are there any particular housing types you would like to see more of in Dublin?
  - Single-family
  - Apartments
  - Condos
  - Townhomes
  - ADUs
  - Senior Housing
  - Affordable Housing
  - Transitional/Supportive Housing
  - Emergency Shelter
  - Other

22

DUBLIN
CALIFORNIA

Next Steps

23

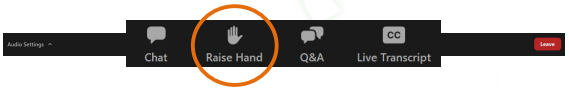
Housing Element Update Schedule



24

Public Comments and Questions

- If you have a question or comment, please click on "raise hand" function and we will unmute you to speak.
- You may also type in questions or comments in the chat or Q&A functions.



25

Thank you!

Questions?

Michael Cass, Principal Planner
Michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

26

Tell us about your experience with housing in the City?

Mentimeter

resident in Downtown area

I have rented an apartment, lived in an owned condo, owned a home and am currently renting a home in Dublin over my 20 + years as a resident.

Frustrated that there is a possibility of disapproving a housing site that has been in the City's plans for 30+ year (specifically East Ranch). Especially because that project will provide a multitude of housing opportunities (also many BMR units).

There are a lot of big, expensive, single-family houses with big backyards on big lots in this city

market rate housing price out of reach

Since the pandemic there is proof of dire need for housing in Dublin.

crowded. haphazard. not enough for-sale affordable housing. 3rd fastest growing city in CA

Demand for housing is high, supply has not kept up with demand, housing here has gotten especially expensive over the last several years

Would like to see more housing opportunities (especially affordable housing opportunities) near transit. This is not a very walkable city at all.

10

Tell us about your experience with housing in the City?

Mentimeter

Renter in downtown area. Would like to buy in the city someday, but high prices and corresponding high down payment make it challenging to get there. Would like to see more housing near transit!

10

Do you have any fair housing concerns the City should address? (ex: discrimination, etc.)

Mentimeter

inclusionary housing has thus far been mainly moderate income. we need some low income.

A common concern is that people do not want to see affordable housing units spread out. SCS Property for example, has affordable housing confined to a small 2.5 acre space. Is that not a AFFH violation?

Our Veteran housing was successful and would like to see more transitional housing to help others be housed and part of the community.

There are no (or few) options for people with disabilities. The East Ranch project will provide this through the Sunflower Hill program yet there is a possibility for denial?

4

Have you recently gone through the entitlement? Do you have any feedback based on your experience?

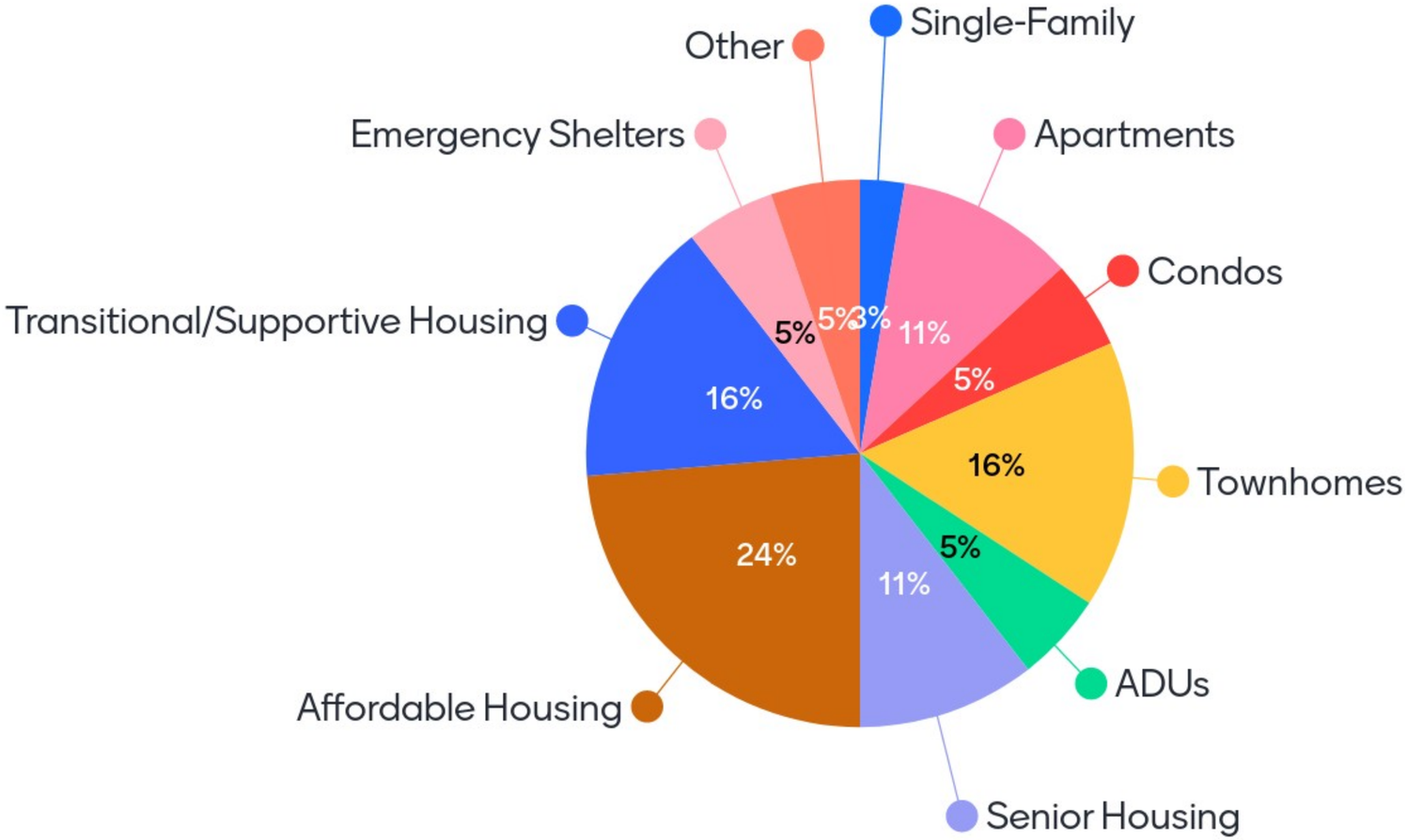
Mentimeter

affordable-by-design townhomes

1

Are there particular housing types you would like to see more of?

Mentimeter



10

F.3 Community Survey

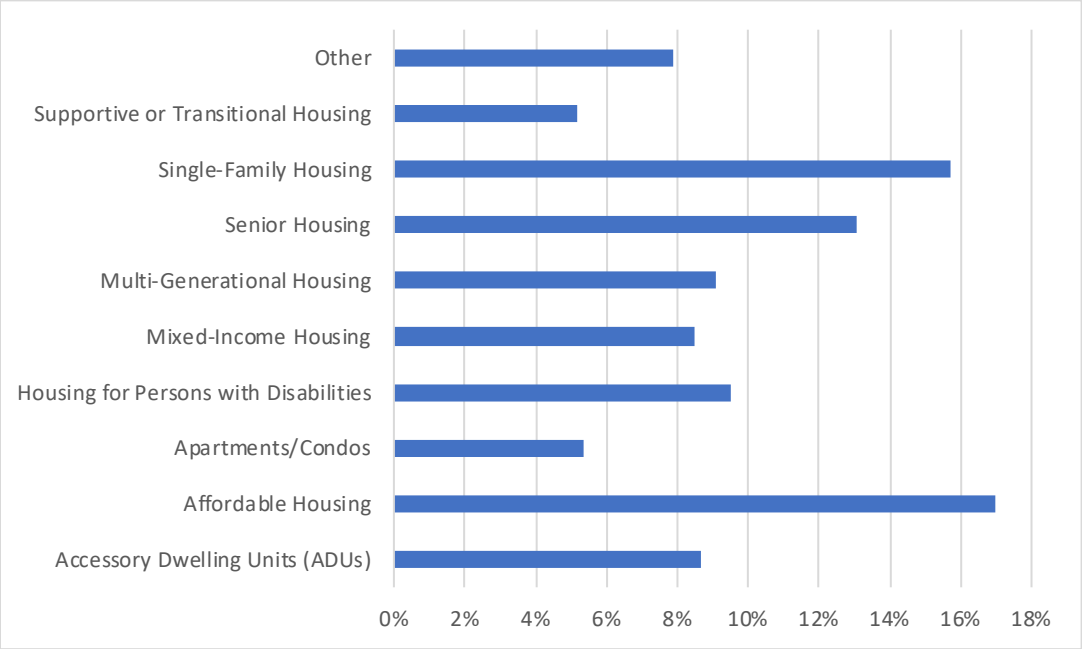
This Section contains a survey summary of all collected data.

Housing Element Update Community Survey

From December 20, 2021 through February 28, 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

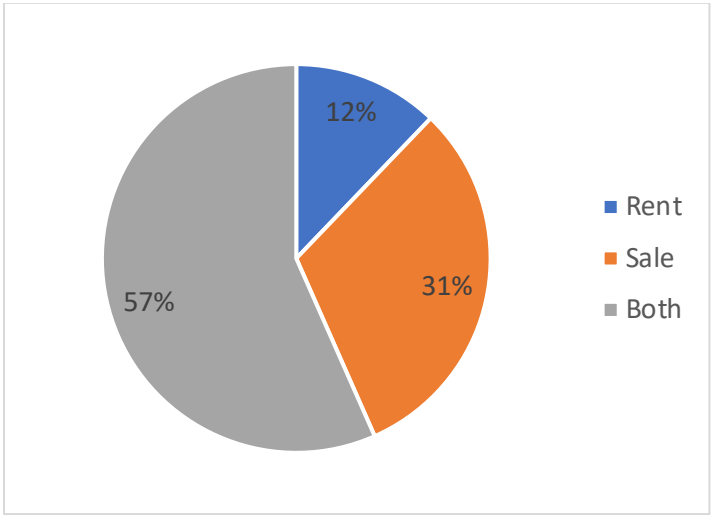
What Types of housing do you think Dublin is missing? (Please select all that apply)



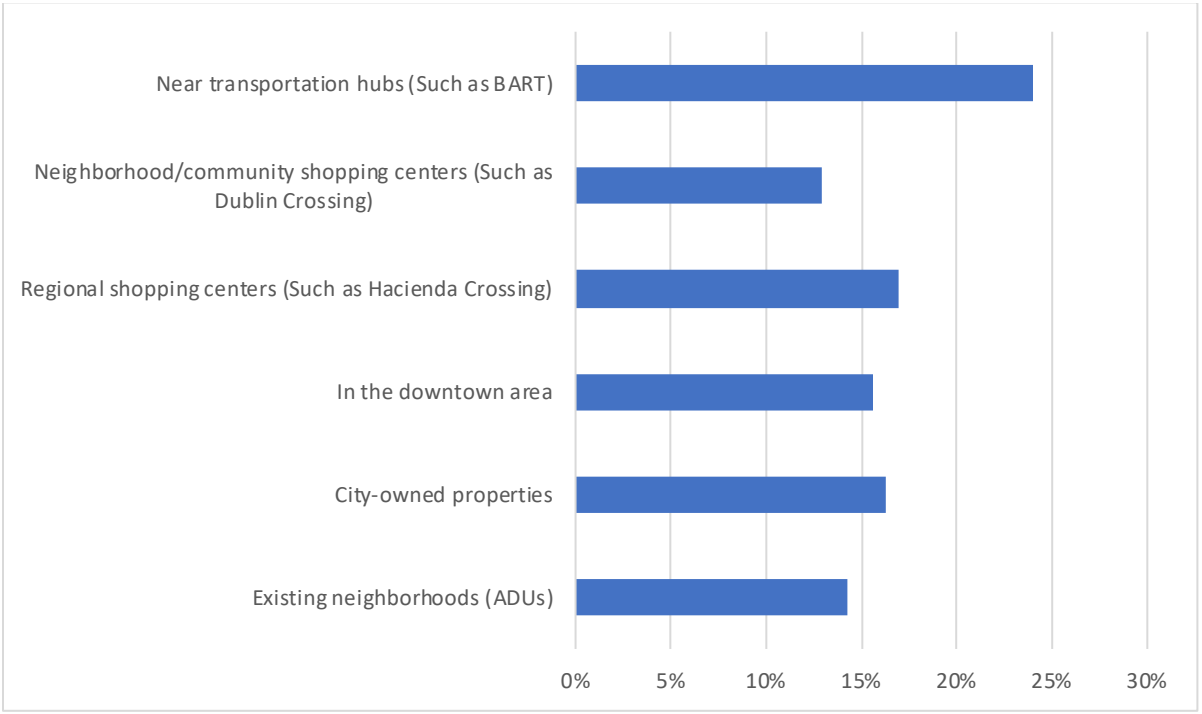
Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

What type of housing, for rent or for sale, do you think is needed?



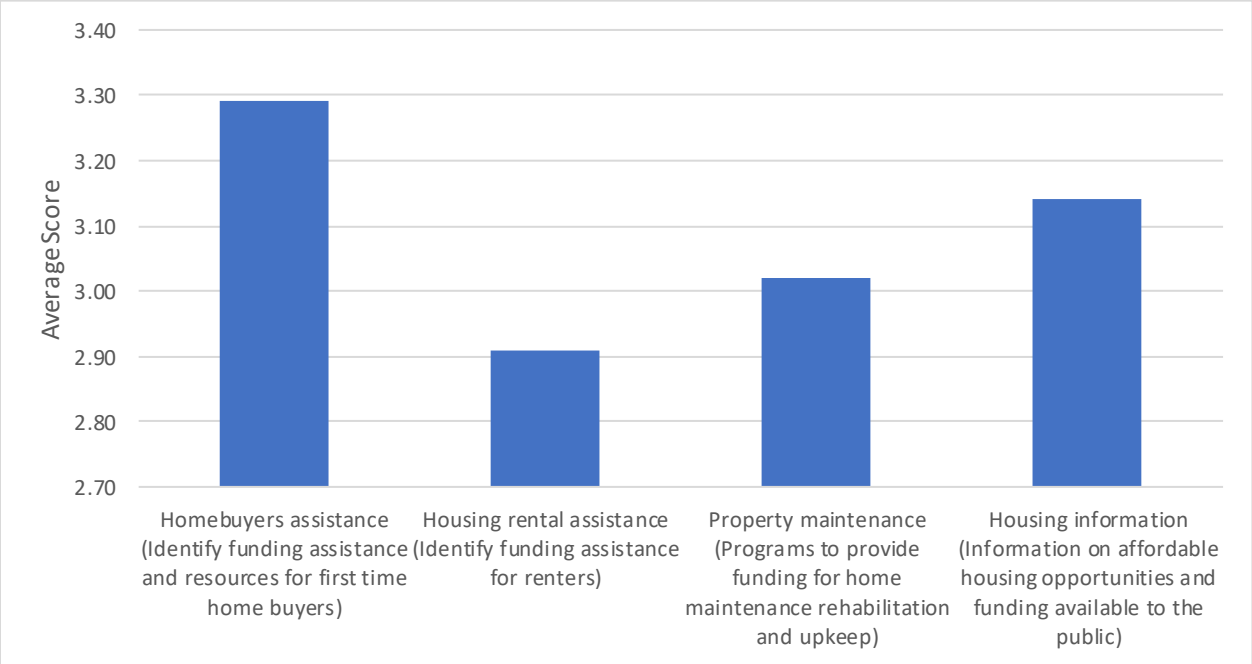
Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



Housing Program Opportunities

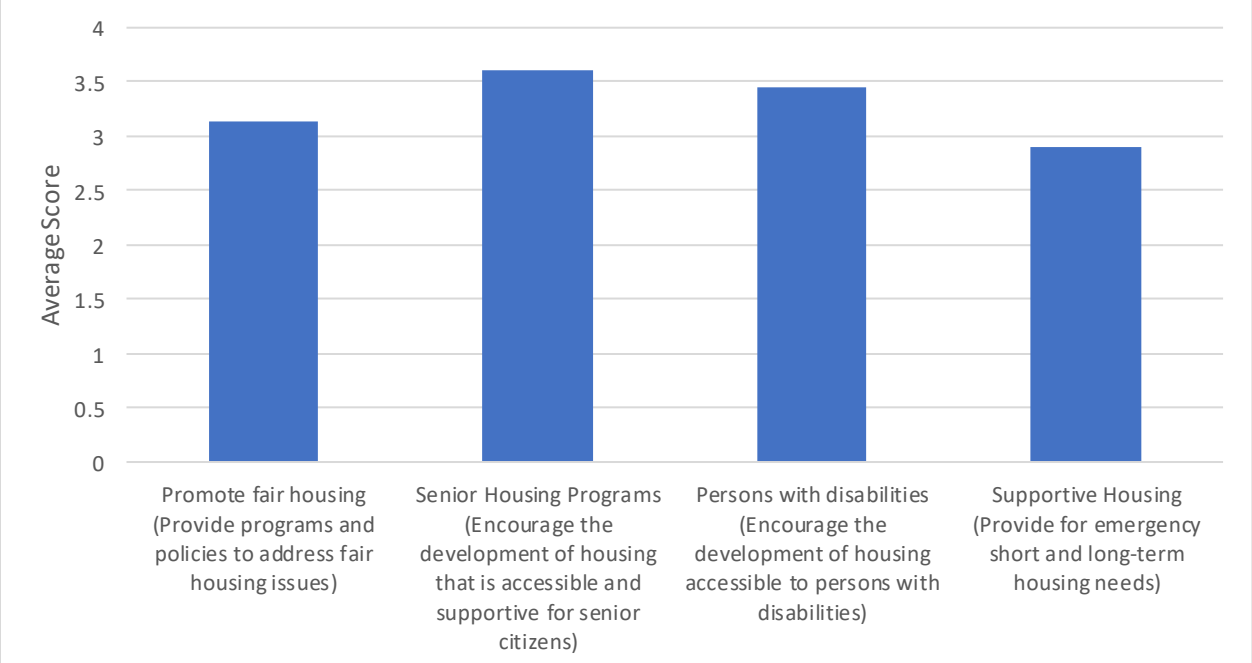
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can't keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it's hard and even when it's directly against

current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

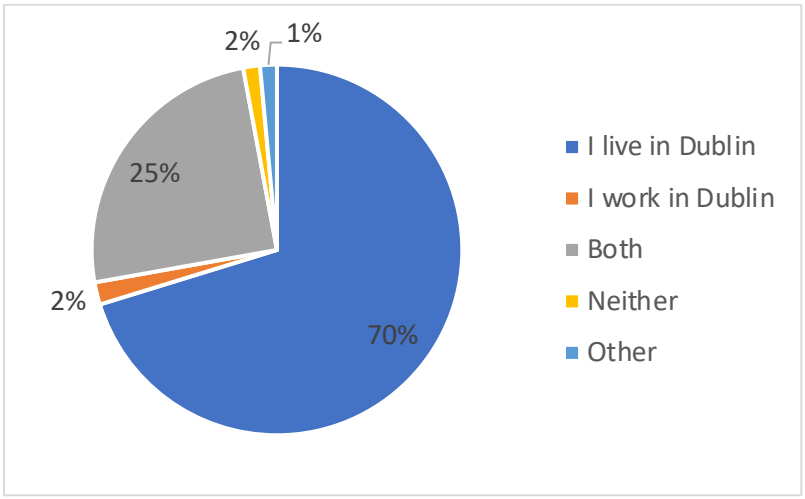
Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn’t need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It’s already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

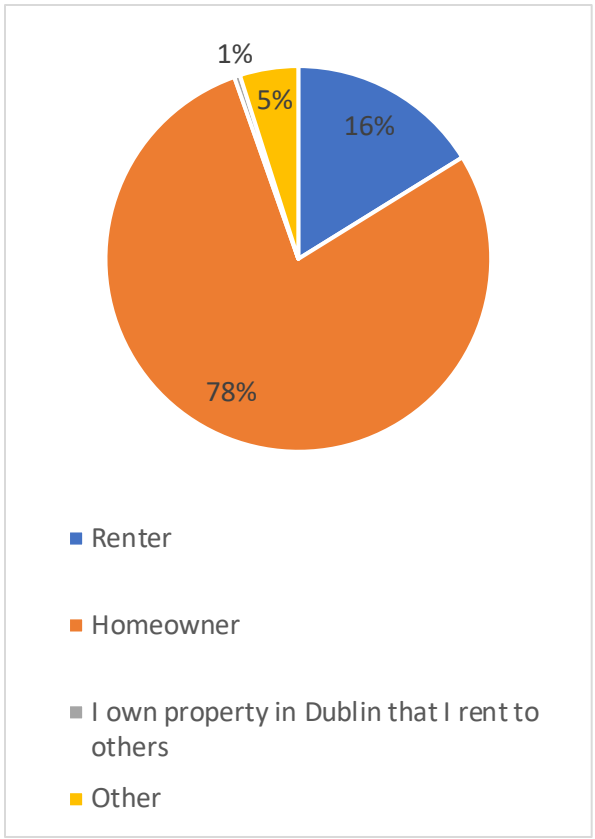
Do you live or work in Dublin?



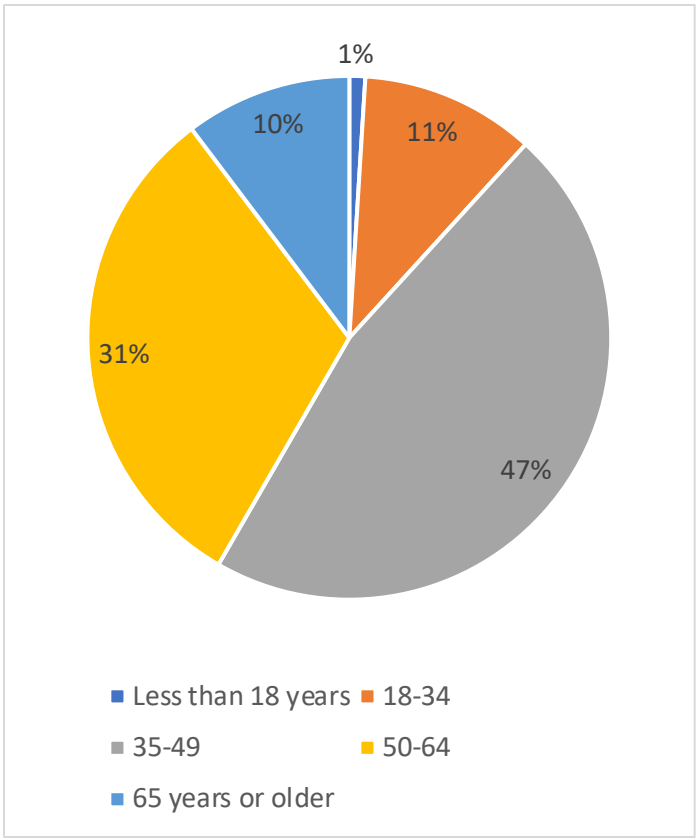
Other:

- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?



F.4 City Council Meeting #1

This Section contains materials prepared for the City Council meeting on February 18, 2020.

STAFF REPORT
CITY COUNCIL

DATE: **February 18, 2020**

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Informational Report on Sixth Cycle Regional Housing Needs Allocation and Housing Element Update
Prepared by: Kristie Wheeler, Assistant Community Development Director

EXECUTIVE SUMMARY:

The City Council will receive information about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update.

STAFF RECOMMENDATION:

Receive the report.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Background
Since 1969, the State has mandated that all California cities and counties plan for their share of the region's housing needs at all income levels. Every eight years, the California Department of Housing and Community Development (HCD) determines the share of the state's housing need for each region based on population projections prepared by the California Department of Finance. Councils of governments then distribute a share of a region's housing need to each city and county within the region. In the Bay Area, that group is called the Association of Bay Area Governments (ABAG). This is known as the Regional Housing Needs Allocation (RHNA) process. While state law does not require an agency to build the housing units assigned through the RHNA process, it does require that land use planning regulations accommodate the units.

Each city and county must then update the Housing Element of its General Plan to provide locations where housing can be built and the goals and policies necessary to meet the community's housing needs. The "No Net Loss" laws ensure that local governments do not downzone these "opportunity sites" after their Housing Element has been certified. Each jurisdiction must also submit an annual report to HCD to

demonstrate progress toward meeting the goals and policies of the Housing Element.

Table 1, below, shows the City of Dublin's RHNA for the last three cycles.

Table 1: Regional Housing Need Allocation (from the Adopted Housing Elements)

	1999-2006		2007-2014		2015-2023	
Income Level	**# Units**	**% of Total**	**# Units**	**% of Total**	**# Units**	**% of Total**
Extremely Low/Very Low	796	15%	1,092	32.8%	796	34.8%
Low	531	9%	661	19.8%	446	19.5%
Moderate	1,441	26%	653	19.6%	425	18.6%
Above Moderate	2,668	50%	924	27.7%	618	27%
Total	**5,436**	**100%**	**3,330**	**100%**	**2,285**	**100%**

Following the last RHNA process, the City updated the Housing Element and demonstrated how the RHNA could be achieved through a combination of approved projects and planned residential units. The City Council adopted the 2015 - 2023 General Plan Housing Element on November 18, 2014, and HCD certified that the updated Housing Element was compliant with State law. The City's on-going implementation and annual reporting over the past five years have also met with HCD approval. Staff is currently preparing the Annual Progress Report for 2019 and will provide it to the City Council for review and approval at an upcoming City Council meeting.

Regional Housing Needs Allocation

ABAG kicked off the sixth RHNA cycle with the formation of a Housing Methodology Committee, which began meeting in October 2019. The Methodology Committee is comprised of nine elected officials (one from each Bay Area county), 12 housing or planning staff members (at least one from each county), 13 regional stakeholders representing diverse perspectives, and one partner from state government. The goals of the Housing Methodology Committee are as follows:

- Advise ABAG staff on the RHNA allocation methodology for the RHNA cycle.
- Ensure the methodology and resulting allocation meet statutory requirements.
- Ensure the methodology and resulting allocation are consistent with the forecasted development pattern included in Plan Bay Area 2050.

Staff anticipates that preparation of the City's Housing Element Update for the sixth RHNA cycle will be more challenging than the last given the following:

- Higher expected total regional housing need.
- New requirements for identifying eligible sites in Housing Elements.
- More factors to consider in allocations (i.e., overpayment of rent/mortgage, overcrowding in residential unit, greenhouse gas emissions, jobs-housing fit).
- Expanded HCD oversight on methodology and allocations.

- Greater emphasis on social equity.

Of particular concern is the higher expected total regional housing need, which ABAG has indicated is due in part to prior RHNA cycles where the total of number units assigned has gotten progressively smaller while the need for housing has increased. Although the region often meets the needs for market-rate units, the region has consistently struggled to meet the goals for affordable units. Table 2 below shows the decline in the number of units assigned for the region over the last three RHNA cycles and progress toward meeting the RHNA.

Table 2: Bay Area RHNA Progress 1999-2017

RHNA		Permitted	Percent of RHNA Permitted				
Cycle	**Assignment**	**Total**	**All**	**Extremely Low/Very Low**	**Low**	**Moderate**	**Above Moderate**
1999-2006	230,743	213,024	92%	44%	79%	38%	153%
2007-2014	214,500	123,098	57%	29%	26%	28%	99%
2015-2023	187,990	87,691	65%	15%	25%	25%	125%

For example, in southern California, HCD recently assigned 1.34 million new housing units through the RHNA process to the Southern California Association of Governments (SCAG) compared to 412,137 units during the prior RHNA cycle. This represents an additional 932,603 units and a more than threefold increase over the prior RHNA cycle. Although SCAG filed a formal objection, HCD did not alter SCAG's RHNA. Using that metric, a similar increase in the Bay Area RHNA could result in a 6,855-unit allocation for Dublin.

The requirements for identifying eligible sites in the Housing Element is also an area of concern. Over the past three years, there has been additional scrutiny on sites identified in the Housing Element to meet the City's RHNA. For example, HCD has indicated that sites smaller than 0.5 acres and larger than 10 acres will require supportive analysis to document the viability of a site for housing, and sites identified in the current Housing Element cannot be reused unless rezoned to allow by-right development. Thus, Staff anticipates that the City will need to rezone vacant and underutilized sites, and potentially commercial sites, to be able to accommodate our RHNA.

As shown in Table 3 below, ABAG expects that HCD will issue the Regional Housing Need Determination (RHND) for the nine-county Bay Area in April 2020. Between May and September 2020, ABAG will release the proposed methodology (i.e., how the RHND will be allocated to cities and counties), hold public hearings, and submit the draft methodology to HCD for review and approval. In January 2021, the final methodology should be adopted and ABAG will release the draft RHNA to jurisdictions. Appeals can be submitted until March 2021, and decisions on appeals and the final RHNA will be issued by May 2021. The City will then have until December 2022 to adopt a Housing Element Update.

Table 3: Key Milestones

	Key Milestones	Date
1	HCD issues Regional Housing Need Determination (RHDA) for the Bay Area	April 2020
2	ABAG releases proposed RHNA methodology	May 2020
3	Public hearings on proposed RHNA methodology	June 2020
4	ABAG releases draft RHNA methodology and submits to HCD for review	September 2020
5	Final RHNA methodology adopted and draft RHNA released to jurisdictions	January 2021
6	Deadline for appeals	March 2021
7	Decision on appeals and final RHNA issued to jurisdiction	May 2021
8	Deadline to adopt Housing Element Update	December 2022

Preparing for Housing Element Update

Senate Bill 2 established a permanent source of funding intended to increase affordable housing stock in California and directed HCD to use 50 percent of the revenue in the first year to establish a program that provides financial and technical assistance to local governments to update planning documents and zoning ordinances to streamline housing production. On October 15, 2019, the City Council adopted a resolution authorizing the submittal of an application for Senate Bill (SB) 2 grant funds.

On January 16, 2020, HCD approved the City's SB 2 grant application totaling $310,000. The grant includes $55,000 to prepare an analysis of vacant and underutilized sites that could be used to accommodate the next RHNA allocation.

Staff will begin the site analysis described above later this year and develop a scope of work for the Housing Element Update. Staff anticipates the need to supplement staff resources with consultants to assist with preparation of the Housing Element Update and will be returning to the City Council later this year to select a consultant to begin this process.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

None.

ATTACHMENTS:

None.

Linda Smith, City Manager 2/12/2020

F.5 City Council Meeting #2

This Section contains materials prepared for the City Council meeting on October 6, 2020.

STAFF REPORT
CITY COUNCIL

DATE: **October 6, 2020**

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Report and Status Update on the Housing Element Update and Regional Housing Needs Allocation
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a report and status update on the Housing Element Update and Regional Housing Needs Allocation. Each California city and county must update their General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs of all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council adopted a Resolution approving a Consulting Services Agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2020-21 Budget sufficiently covers this cost, including $55,000 from an approved Senate Bill 2 Planning Grant. In addition, Staff anticipates the cost will be further offset by a pending, non-competitive $300,000 grant under the Local Early Action Planning (LEAP) Grant Program.

DESCRIPTION:

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs

Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Housing Element Update Planning Process

Following are the key phases of the Housing Element Update planning process, which Staff estimates will take approximately two years to complete:

- Baseline Analysis: Review current Housing Element policies and programs.
- Adequate Sites Identification: Evaluate current Housing Element sites and identify additional sites to meet RHNA.
- Community Engagement: Conduct online survey, stakeholder workshops, and Planning Commission and City Council meetings.
- Policy and Program Development: Develop policies and programs that constitute Housing Policy Plan.
- HCD Review: Prepare a Draft Housing Element and submit to HCD for an initial 60-day review.
- Public Hearings and Adoption: Hold public hearings with the Planning Commission and the City Council to consider adoption of the Housing Element Update and associated General Plan Amendments.

Regional Housing Needs Allocation

The Housing Methodology Committee (HMC) is an advisory committee to the Association of Bay Area Governments (ABAG) composed of 35 members including elected officials, local jurisdiction staff members, and stakeholders, and is tasked with creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the total number of housing units that the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area (PBA).

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low, low, moderate and above-moderate income).

The HMC began meeting in October 2019 to prioritize different factors, consider weights for each factor, and develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton and San Ramon

submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options (refer to Attachments 1 and 2). On September 18, 2020, the HMC forwarded a recommendation to the ABAG Executive Committee to use Methodology Option 8A. This Option only partially addresses the concerns raised by the Tri-Valley communities. Although preliminary at this time, the recommended methodology would result in a RHNA of 3,630 total units for Dublin. Table 1 shows the City's current and HMC's recommended RHNA by income category.

Table 1: Current and Preliminary RHNA

	Extremely / Very Low	Low	Moderate	Above Moderate	Total
RHNA – Current	796	446	425	618	2,285
HMC Recommendation	1,090	610	550	1,410	3,630
Percent Increase	136.93%	136.77%	129.41%	228.16%	158.86%

As shown in Table 2 below, the ABAG Regional Planning Committee and ABAG Executive Board will review HMC's recommendations in October 2020 and submit the draft methodology in winter 2021 to HCD for review and approval. In spring 2021, the final methodology should be adopted and ABAG will release the draft RHNA to jurisdictions. Appeals of the draft RHNA can be submitted until summer 2021, and decisions on appeals and the final RHNA will be issued by the end of 2021. The City will then have until January 2023 to adopt a Housing Element Update.

Table 2: Key Milestones

	Key Milestones	Date
1	ABAG Regional Planning Committee reviews proposed RHNA Methodology	October 1, 2020
2	ABAG Executive Board reviews proposed RHNA Methodology	October 15, 2020
3	ABAG submits draft RHNA Methodology to HCD for review	Winter 2021
4	Final RHNA Methodology adopted and draft allocation released to jurisdictions	Spring 2021
5	Deadline for appeals	Summer 2021
6	Decision on appeals and final RHNA issued to jurisdiction	End of 2021
7	Deadline to adopt Housing Element Update	January 2023

Adequate Sites Identification

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, or environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for

residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use (via program actions).

Following is a summary of key considerations in identifying sites to meet the City's RHNA:

- Density: Housing Element Law allows jurisdictions to assume that a site can be developed with housing affordable to low-income and very-low income households only if the site has the capacity to be developed at or above a certain default density. The default densities vary depending on the location and population of the jurisdiction. For Dublin, the default minimum density is 30 dwelling units per acre.

- Capacity: For all sites in the inventory, the jurisdiction must determine the number of units that can be realistically accommodated for all income categories. Jurisdictions cannot assume development capacity for housing at a particular level of affordability based solely on land use controls and site development requirements. Jurisdictions must now also analyze: 1) realistic development capacity of the site; 2) typical densities of existing or approved developments at a similar affordability level; and 3) the current or planned availability and accessibility to sufficient water, sewer, and dry utilities (e.g., gas and electricity).

- Use of Prior Housing Element Sites: Recent State law limits a jurisdiction's ability to reuse sites from the prior RHNA cycle. Vacant sites identified in the last two housing elements and non-vacant sites identified in a prior housing element may not be counted towards RHNA unless: 1) the sites are zoned at the "default" density of 30 dwelling units per acre; or 2) the sites allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households.

- Use of Small and Large Sites: For a jurisdiction to count a site that is less than one-half acre or more than 10 acres towards its lower-income RHNA, the Housing Element must demonstrate that sites of equivalent size were successfully developed during the prior planning period for an equivalent number of lower income housing units or provide other evidence that the site can be developed as lower-income housing.

- Use of Non-Vacant Sites: Prior to 2018, jurisdictions could rely on sites with existing uses to accommodate the RHNA to evaluate the sites development potential. Now, for non-vacant sites, jurisdictions must also: 1) demonstrate past experience with converting existing uses to higher density residential development; 2) analyze the current market demand for the existing use; and 3) assess any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site. When a jurisdiction relies on non-vacant sites to accommodate more than 50 percent or more of its lower-income RHNA, HCD presumes the existing use will impede additional residential development, so the Housing Element must include site-specific findings based

on substantial evidence that the use is likely to be discontinued during the planning period.

- Use of Vacant Non-Residential Sites: A jurisdiction may choose to identify vacant non-residential sites and rezone those sites to allow housing as part of the Housing Element Update or the Housing Element can include a program to accomplish the rezoning within the first three years of the planning period. The benefit of rezoning the sites as part of the Housing Element Update is that it ensures the Housing Element remains in compliance and allows environmental review of the rezoning to be accomplished as part of the Housing Element Update.

- Use of Sites with Current or Past Residential Uses: Sites that currently have, or in the past five years have had, deed restricted affordable housing for low-income or very-low income households, rent-controlled housing, or housing occupied by low-income or very-low income households are subject to the replacement housing requirements described in Density Bonus Law.

- Adequate Sites Alternatives: A jurisdiction may receive credit for up to 25 percent of the RHNA obligation for any income category through the identification of sites for accessory dwelling units, substantial rehabilitation of housing units with committed assistance from the jurisdiction, conversion of market rate housing to affordable housing with assistance from the jurisdiction, and/or for units under construction between the beginning of the Housing Element projection period and the deadline for adopting the Housing Element (June 30, 2022 to January 31, 2023). Prioritizing land use policies to enable the City to accommodate a portion of RHNA through ADUs would align with the Tri-Valley Housing and Policy Framework.

No Net Loss

In addition to the key considerations in identifying sites to meet the City's RHNA, the "No Net Loss" laws (including recently adopted AB 1397 and SB 166) ensure that jurisdictions do not downzone these "opportunity sites" after HCD certifies the Housing Element. Jurisdictions also cannot approve new housing at significantly lower densities or at different income categories than was projected in the Housing Element without making specific findings and identifying other sites that could accommodate these units and affordability levels "lost" as a result of the approval. Similarly, jurisdictions cannot deny a project because it does not include units at the income categories identified in the Housing Element. In light of these requirements, it may be prudent to "overplan" RHNA sites so that the City has some flexibility in its future project approvals. Without such headroom, the City may often be forced to find additional sites each time it approves a residential project that does not meet the requirements at the lower income levels.

Preliminary Sites Inventory

Staff has done an initial review of sites that may be able to accommodate the potential RHNA under HMC's recommended methodology where 3,630 units must be planned for in the next Housing Element update. A complete sites inventory and a more in-depth analysis will be completed as Staff delves further into the Housing Element Update and

reports back to the City Council. The following is initial information for illustrative purposes.

The current Housing Element includes 10 remaining vacant sites with a development capacity of 2,456 units. These residential sites are located predominantly in Eastern Dublin with a development capacity of 965 units, and Downtown Dublin with a capacity of 1,491 units. These sites may be reused in the Housing Element update if density is a minimum of 30 units per acre or if housing is permitted by right with a minimum of 20 percent lower-income affordable units. Only the Downtown Transit Oriented District (TOD) currently meets the minimum density requirement of 30 units per acre and has a capacity to provide 891 units. The current Housing Element sites can accommodate approximately 6,952 units (including the 891 units in the TOD) if all sites were "up zoned" to ensure a minimum density of 30 units per acre. Alternatively, if housing is permitted by right with a minimum of 20 percent lower-income affordable units provided, then the development capacity of current Housing Element sites is 2,456 units with no required modifications to existing permitted density. Refer to Attachment 3 for a map and table of existing Housing Element sites.

In addition to reusing prior Housing Element sites, the City could evaluate using other vacant residential sites, underutilized non-residential sites, and vacant non-residential sites. Vacant residential sites with existing residential land uses include a portion of At Dublin, and Dublin Transit Center Site D-1 which could accommodate 456 units, based upon current permitted density. Refer to Attachment 4 for a map and table of vacant residential sites.

The City could evaluate existing underutilized non-residential sites for redevelopment potential (i.e. sites with existing underutilized commercial and industrial uses). For example, based upon a preliminary analysis, approximately 13.59 acres on the north side of Dublin Boulevard between Dublin Court and Clark Avenue could be rezoned to accommodate housing and encourage redevelopment. Additionally, Hacienda Crossing could be rezoned to allow housing to supplement the existing commercial development within the shopping center.

Also, based upon preliminary analysis, Staff identified 10 vacant (i.e. undeveloped) non-residential sites, totaling approximately 110.13 acres, that the City could consider rezoning to permit housing. Refer to Attachment 5 for a map and table of existing vacant non-residential sites.

Based upon this initial review, it appears likely that the City will not have enough undeveloped residential sites to accommodate the RHNA without having to reuse prior Housing Element sites and/or rezone non-residential sites to accommodate residential uses. Therefore, Staff is seeking feedback from the City Council to help guide this analysis and the identification of potential sites to accommodate the RHNA. Staff will return to the City Council to further discuss the sites inventory analysis once completed.

<u>Questions for the City Council</u>
Staff seeks preliminary feedback from the City Council on the following questions regarding the adequate sites' identification:

- Prioritize Existing Sites or Study Non-Residential Sites: Prior Housing Element sites will not be able to be reused with the Housing Element Update unless they are rezoned to allow a minimum density of 30 units/acre or if housing is allowed by right with a minimum of 20 percent lower-income affordable units provided. Should the City prioritize the reuse of prior Housing Element sites (Attachment 3) or convert non-residential sites to residential use?

- Prioritize Higher Densities or Housing-By-Right: If reusing prior Housing Element sites, should the City prioritize higher densities or by-right development?

- Prioritize Vacant or Underutilized Non-Residential Sites: If the City does not have an adequate supply of undeveloped sites or prior Housing Element sites to accommodate the RHNA, should the City prioritize the conversion of undeveloped non-residential sites or the conversion of developed but underutilized non-residential sites to accommodate a portion of the RHNA?

Prioritize ADUs: Up to 25 percent of the RHNA for each income category may be satisfied by ADUs under certain circumstances. These units would likely require a deed restriction to ensure they are rented to lower income households (which could require the City to offer programs such as financial incentives to encourage homeowners to deed restrict their ADUs). Should the City prioritize land use policies that would enable the City to accommodate a portion of the RHNA through ADUs?

Identify Surplus Sites: Due to the "No Net Loss" laws, should the City identify more sites than are required to accommodate RHNA to maintain flexibility should properties be developed without the required number of deed restricted affordable units?

The City Council will have more in-depth discussion about potential Housing Element sites with site-specific data in early 2021.

Next Steps

A tentative project schedule for the Housing Element Update is included as Attachment 6. Table 3 provides a summary of next steps:

Table 3: Next Steps

	Next Steps	Date
1	Launch Housing Element Update Webpage on the City's Website	Fall 2020
2	Evaluate Current Housing Element	Fall 2020 - Winter 2021
3	Analyze/Identify Adequate Housing Sites	Fall 2020 - Winter 2021
4	Check-In Meeting #2 – Review Adequate Sites Analysis	Winter/Spring 2021

ENVIRONMENTAL REVIEW:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA).

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.

Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

None.

ATTACHMENTS:

1. Tri-Valley Cities Letter to Housing Methodology Committee, dated September 14, 2020
2. Tri-Valley Cities Letter to ABAG Executive Board, dated September 14, 2020
3. Map and Table of Existing Housing Element Sites
4. Map and Table of Vacant Residential Sites Not Identified in Current Housing Element
5. Map and Table of Vacant Non-Residential Sites
6. Housing Element Update Tentative Schedule

Linda Smith, City Manager 9/29/2020

Tri-Valley Cities

DANVILLE • DUBLIN • LIVERMORE • PLEASANTON • SAN RAMON

September 14, 2020

Mayor Jesse Arreguín, Chair
Housing Methodology Committee
Association of Bay Area Governments
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Chair Arreguín:

On behalf of the Tri-Valley cities of Danville, Dublin, Livermore, Pleasanton, and San Ramon, we are writing to express our concern about the methodology options that will be considered by the Housing Methodology Committee on September 18.

The Tri-Valley Cities (TVC) appreciate the urgency of the statewide housing crisis and the responsibility of local jurisdictions to address this important issue. Each of our five cities has taken significant steps over recent years to facilitate the construction of both market-rate and affordable housing – evidenced by the construction of more than 10,300 new housing units since the start of the last Housing Element cycle – these efforts have made the Tri-Valley one of the fastest-growing regions in the Bay Area and the State. Through dedicated affordable housing projects, application of inclusionary ordinances, and policies to encourage ADUs, we have also made progress towards fulfilling our affordable housing needs, although, as has been experienced by most cities, the lack of funding for lower-income housing continues to present a significant challenge.

We very much appreciate the efforts and dedication of the HMC in addressing the significant challenges presented by the upcoming 6th Cycle RHNA process. Although we commend the HMC's prior decision to utilize the Plan Bay Area 2050 Households Baseline in the methodology, we would urge reconsideration of the currently proposed methodologies and factors, in order to more appropriately balance the RHNA Statutory Objectives identified in State Law including equity and fair housing goals, as well as those related to efficient growth patterns and GHG reductions.

Methodology options 5A and 6A that will be under consideration by the HMC on September 18, have significant flaws. In particular, both place a disproportionate emphasis on factors that allocate RHNA to high opportunity areas, without consideration of the negative consequences of the resultant land use patterns. The following points reflect our specific concerns regarding the proposed methodology options:

- The options do not adequately address factors related to transit and jobs proximity, and fail to take into account the lack of high-quality transit within the Tri-Valley, and distance from the major employment centers of the South Bay, Oakland, and San Francisco. The methodologies allocate growth in a manner that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay

Area Blueprint. This is also counter to RHNA Statutory Objective 2: Promoting infill development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.

- The options push significant housing allocations into the outer ring of Bay Area suburbs, including the Tri-Valley, exacerbating the jobs/housing imbalance, and compelling long commutes to distant jobs centers. Even in our relatively jobs-rich Tri-Valley cities, data shows that many of our residents, today, commute significant distances to work. This comes at a significant cost: not just in negative environmental consequences, but as time spent away from families, and a further strain on household finances, particularly for lower-income households.

- Our smaller cities have limited land area and sites that are candidates for re-zoning. Significant RHNA allocations may have the unintended consequence of causing speculative increases in land values, and create pressure to develop agricultural and open space lands, areas subject to natural hazards, and other sensitive resources.

Given these concerns, we would urge the Committee to reject the current options 5A and 6A, and consider methodology options that emphasize factors and factor weightings that 1) focus housing allocations in areas most proximate to the highest concentrations of jobs, and particularly where jobs growth has outpaced recent housing production (e.g jobs proximity factors); 2) provide realistic allocations that take account of geographic and other constraints to housing development (e.g. urbanized land area factors); and 3) provide residents with access to viable transit and transportation options that do not add to regional congestion, commute times, and household transportation costs (e.g. transit proximity factors).

Thank you for your consideration of these important concerns.

Respectfully,

Karen G. Stepper
Town of Danville
Mayor Karen Stepper

David G. Haubert
City of Dublin
Mayor David Haubert

John Marchand
City of Livermore
Mayor John Marchand

Jerry T. Thorne
City of Pleasanton
Mayor Jerry Thorne

Bill Clarkson
City of San Ramon
Mayor Bill Clarkson

Tri-Valley Cities

DANVILLE • DUBLIN • LIVERMORE • PLEASANTON • SAN RAMON

September 14, 2020

Mayor Jesse Arreguín, President
Association of Bay Area Governments, Executive Board
375 Beale Street, Suite 700
San Francisco, CA 94105-2066

Dear Board President Arreguín:

On behalf of the Tri-Valley cities of Danville, Dublin, Livermore, Pleasanton, and San Ramon, we are writing to express our concern about the methodology options that will be considered by the Housing Methodology Committee on September 18.

The Tri-Valley Cities (TVC) appreciate the urgency of the statewide housing crisis and the responsibility of local jurisdictions to address this important issue. Each of our five cities has taken significant steps over recent years to facilitate the construction of both market-rate and affordable housing – evidenced by the construction of more than 10,300 new housing units since the start of the last Housing Element cycle – these efforts have made the Tri-Valley one of the fastest-growing regions in the Bay Area and the State. Through dedicated affordable housing projects, application of inclusionary ordinances, and policies to encourage ADUs, we have also made progress towards fulfilling our affordable housing needs, although, as has been experienced by most cities, the lack of funding for lower-income housing continues to present a significant challenge.

We very much appreciate the efforts and dedication of the HMC in addressing the significant challenges presented by the upcoming 6th Cycle RHNA process. Although we commend the HMC's prior decision to utilize the Plan Bay Area 2050 Households Baseline in the methodology, we would urge reconsideration of the currently proposed methodologies and factors, in order to more appropriately balance the RHNA Statutory Objectives identified in State Law including equity and fair housing goals, as well as those related to efficient growth patterns and GHG reductions.

Methodology options 5A and 6A that will be under consideration by the HMC on September 18, have significant flaws. In particular, both place a disproportionate emphasis on factors that allocate RHNA to high opportunity areas, without consideration of the negative consequences of the resultant land use patterns. The following points reflect our specific concerns regarding the proposed methodology options:

- The options do not adequately address factors related to transit and jobs proximity, and fail to take into account the lack of high-quality transit within the Tri-Valley, and distance from the major employment centers of the South Bay, Oakland, and San Francisco. The methodologies allocate growth in a manner that will promote auto dependency and longer commute times, exacerbate GHG impacts, and run counter to the goals and objectives well-formulated and strongly articulated in the recently released Plan Bay Area Blueprint. This is also counter to RHNA Statutory Objective 2: Promoting infill

development and socioeconomic equity, the protection of environmental and agricultural resources, and the encouragement of efficient development patterns.

- The options push significant housing allocations into the outer ring of Bay Area suburbs, including the Tri-Valley, exacerbating the jobs/housing imbalance, and compelling long commutes to distant jobs centers. Even in our relatively jobs-rich Tri-Valley cities, data shows that many of our residents, today, commute significant distances to work. This comes at a significant cost: not just in negative environmental consequences, but as time spent away from families, and a further strain on household finances, particularly for lower-income households.

- Our smaller cities have limited land area and sites that are candidates for re-zoning. Significant RHNA allocations may have the unintended consequence of causing speculative increases in land values, and create pressure to develop agricultural and open space lands, areas subject to natural hazards, and other sensitive resources.

Given these concerns, we would urge the Executive Board to reject the current options 5A and 6A, and consider methodology options that emphasize factors and factor weightings that 1) focus housing allocations in areas most proximate to the highest concentrations of jobs, and particularly where jobs growth has outpaced recent housing production (e.g jobs proximity factors); 2) provide realistic allocations that take account of geographic and other constraints to housing development (e.g. urbanized land area factors); and 3) provide residents with access to viable transit and transportation options that do not add to regional congestion, commute times, and household transportation costs (e.g. transit proximity factors).

Thank you for your consideration of these important concerns.

Respectfully,

Karen G. Stepper
Town of Danville
Mayor Karen Stepper

David G. Haubert
City of Dublin
Mayor David Haubert

John Marchand
City of Livermore
Mayor John Marchand

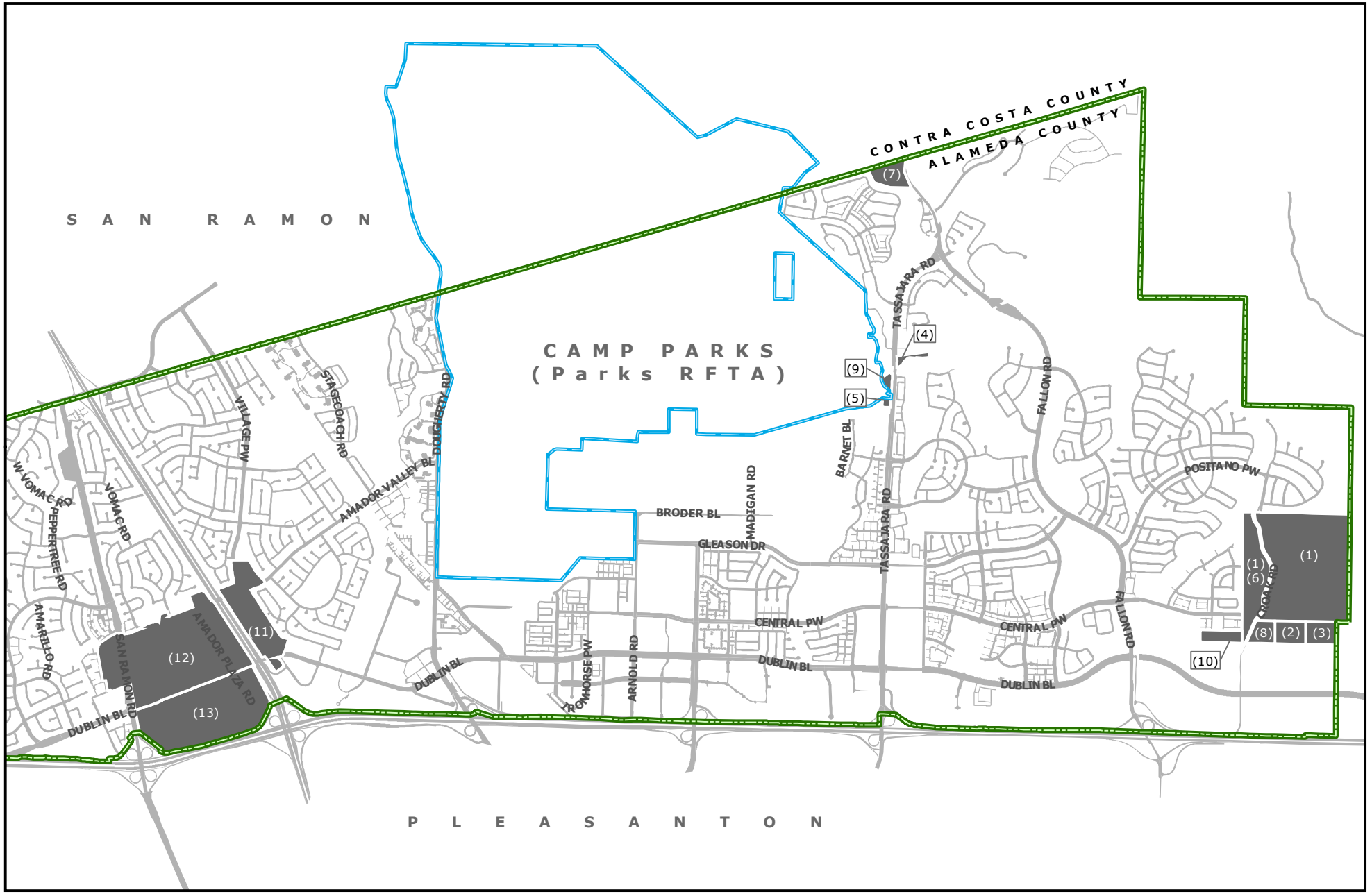
Jerry T. Thorne
City of Pleasanton
Mayor Jerry Thorne

Bill Clarkson
City of San Ramon
Mayor Bill Clarkson

DUBLIN

City of Dublin

Attachment 3
Existing Housing Element Sites



Camp Parks RFTA

City of Dublin

City of Dublin, Sphere of Influence

Right of Ways

Existing Housing Element Sites

0 0.25 0.5 1 1.5 Miles

N W E S

2015-2023 Housing Element

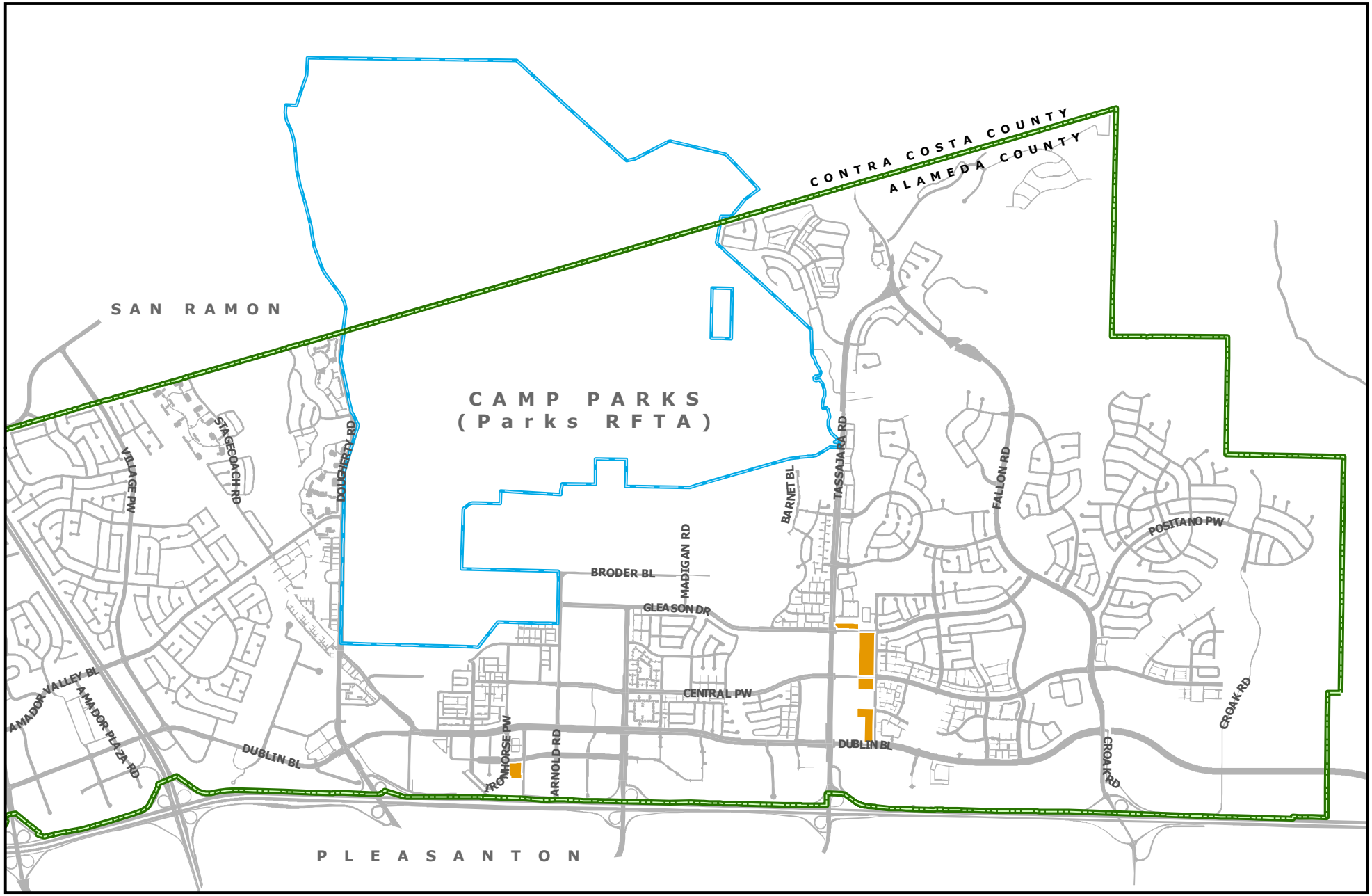
Table of Existing Housing Element Sites

No.	Project	Min. Units	Max. Units	Potential Units	Potential Affordability	GP Land Use	APN	Lot Size (Acres)	Zoning	Min. Density	Max. Density	Potential Density	Existing Use
(1)	Croak	104	692	346	Above Moderate	Low Density	905-0002-002 905-0002-001-01	115.4	PD	0.9	6.0	3.0	Vacant
(2)	Righetti	59	134	77	Above Moderate	Medium Density	905-0001-005-02	9.6	PD	6.1	14.0	8.0	Vacant
(3)	Branaugh	59	136	78	Above Moderate	Medium Density	905-0001-004-04	9.7	PD	6.1	14.0	8.0	Vacant
(4)	Kobold	12	28	16	Above Moderate	Medium Density	985-0072-002	2.0	PD	6.1	14.0	8.0	Rural Homesite
(5)	McCabe	6	14	10	Moderate	Medium Density	986-0028-002	1.0	PD	6.1	14.0	10.0	Single-Family Home
(6)	Croak	63	146	104	Moderate	Medium Density	905-0002-001-01	10.4	PD	6.1	14.0	10.0	Vacant
(7)	Tipper	50	115	82	Moderate	Medium Density	986-0004-01	8.2	PD	6.1	14.0	10.0	Agricultural
(8)	Anderson	99	175	108	Moderate	Medium-High Density	905-0001-006-03	7.0	PD	14.1	25.0	15.4	Vacant
(9)	Beltran / Sperfslage	45	80	64	Moderate	Medium-High Density	986-0003-001-02	3.2	PD	14.1	25.0	20.0	Vacant
(10)	Chen	56	100	80	Moderate	Medium-High Density	985-0027-002	4.0	PD	14.1	25.0	20.0	Vacant
(11)	Village Parkway	-	-	200	Above Moderate	Downtown Dublin – Village Parkway District	-	-	DDZD	None	15.0	-	Varies
(12)	Retail	-	-	400	Lower Income	Downtown Dublin – Retail District	-	-	DDZD	22.0	-	-	Varies
(13)	Transit-Oriented	-	-	891	Lower Income	Downtown Dublin – Transit-Oriented District	-	-	DDZD	30.0	85.0	-	Varies

DUBLIN

City of Dublin

Vacant Residential Sites (Not Identified in Current Housing Element)



Camp Parks RFTA

City of Dublin

City of Dublin, Sphere of Influence

Right of Ways

Vacant Residential Sites (Not Identified in Current Housing Element)

0 0.25 0.5 1 1.5 Miles

N W E S

2015-2023 Housing Element

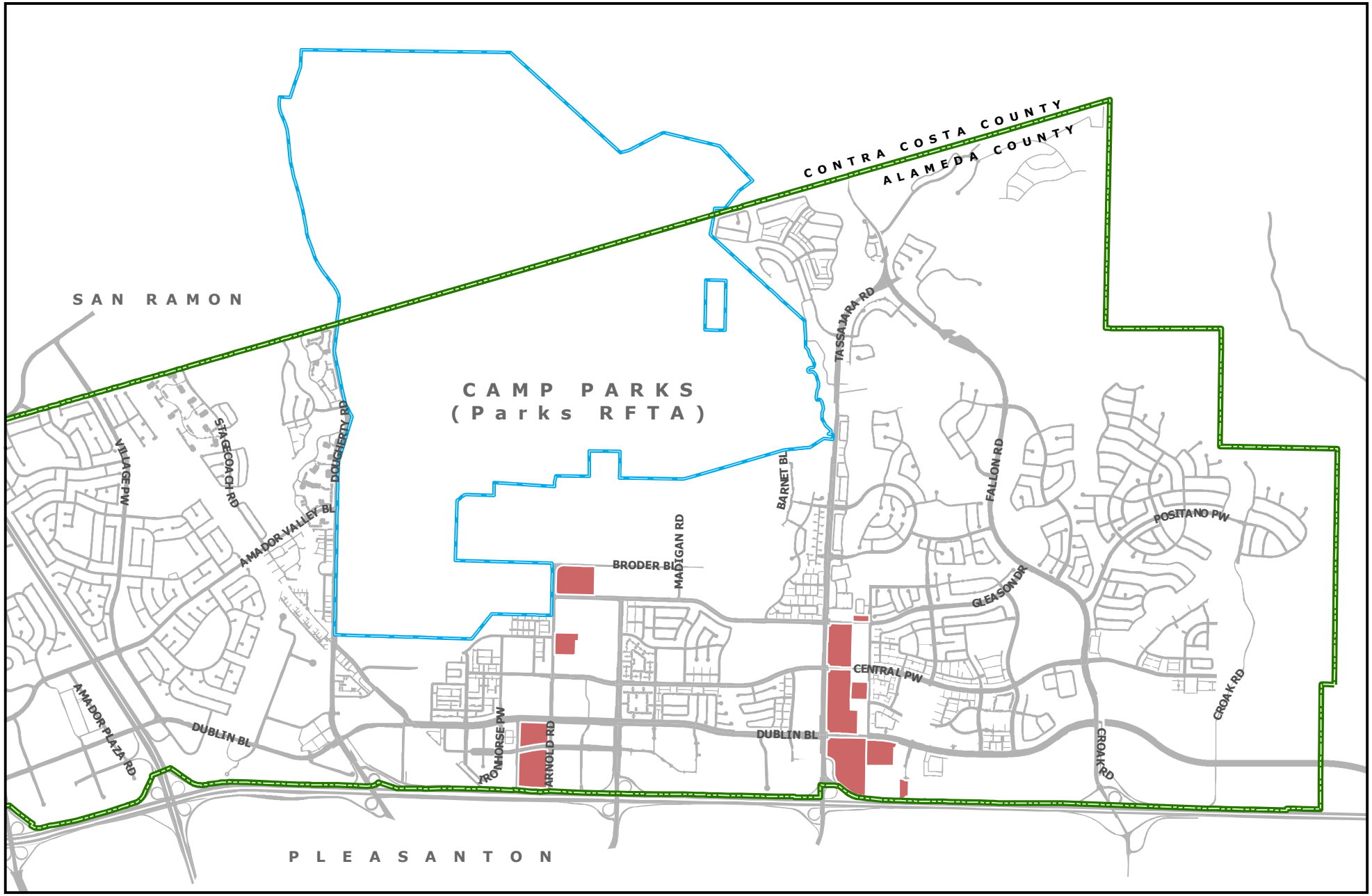
Table of Vacant Residential Sites (Not Identified in Current Housing Element)

No.	Address or Name	APN	Lot Size (Acreage)	Potential Units	GP Land Use	Zoning
(1)	At Dublin	985-0051-006-00 985-0052-024-00 985-0052-025-00	12.8	261	Medium Density Residential Medium-High Density Residential High Density Residential	PD
(2)	Dublin Transit Center, Site D-1	986-0034-013-01	2.46	195	Campus Office	PD

DUBLIN

City of Dublin

Attachment 5
Vacant Non-Residential Sites



2015-2023 Housing Element

Table of Vacant Non-Residential Sites

No.	Address or Name	APN	Lot Size (Acreage)	GP Land Use	Zoning
(1)	At Dublin	985-0051-005-00 985-0051-006-00 985-0052-024-00 985-0052-025-00	67.3	General Commercial Neighborhood Commercial	PD
(2)	Gleason Drive	986-0005-038-01	12.79	Public/Semi-Public Facility	PD
(3)	Dublin Blvd.	985-0061-012-00	8.14	General Commercial	PD
(4)	4020 Grafton Street	985-0061-015-00	2.08	General Commercial	PD
(5)	Dublin Transit Center, Site D-2	986-0034-014-00	6.43	Campus Office	PD
(6)	Dublin Transit Center, Site E-2	986-0034-012-00	7.66	Campus Office	PD
(7)	5751 Arnold Road	986-0014-013-00	5.73	Campus Office	PD

City of Dublin Housing Element Update
Project Schedule

TASK	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	2020					2021												2022					
1 PROJECT INITIATION																							
Kick-off Meeting																							
Contract Approval																							
On-going Project Coordination																							
2 REGIONAL HOUSING NEEDS ASSESSMENT																							
Document Review																							
Evaluate Current Housing Element																							
Housing Needs, Constraints, Resources and Profile																							
Housing Policy Plan																							
3 COMMUNITY ENGAGEMENT																							
Community Outreach Plan																							
Online Community Survey																							
Stakeholder Workshops (2)																							
Planning Commission Study Session																							
City Council Check-ins (4)																							
4 DRAFT HOUSING ELEMENT																							
Screencheck Draft																							
Public Review Draft																							
HCD Submittal Draft																							
Response to HCD Comments																							
Final Draft Housing Element																							
5 GENERAL PLAN AMENDMENTS																							
Land Use Element Revisions																							
Codes Amendments - Rezones																							
Safety Element Revisions																							
Environmental Justice Policies																							
6 PLAN ADOPTION																							
CEQA Compliance																							
Public Hearings																							
HCD Certification																							
General Plan Consistency Amendments																							

Kimley-Horn / City Staff
Public Meetings

City of Dublin Housing Element Update
Project Schedule

TASK	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
	2020					2021												2022					
1 PROJECT INITIATION																							
2 REGIONAL HOUSING NEEDS ASSESSMENT																							
3 COMMUNITY ENGAGEMENT																							
4 DRAFT HOUSING ELEMENT																							
5 GENERAL PLAN AMENDMENTS																							
6 PLAN ADOPTION																							

F.6 City Council Meeting #3

This Section contains materials prepared for the City Council meeting on June 15, 2021.

DUBLIN
CALIFORNIA

STAFF REPORT
CITY COUNCIL

Agenda Item 7.1

DATE: June 15, 2021

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Draft Regional Housing Needs Allocation Appeal Framework
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update their General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. State law mandates updates to the Housing Element, which plan for a city or county's Regional Housing Needs Allocation, no later than January 2023 for the 2023-2031 planning period. On May 20, 2021, the ABAG Executive Board approved the Final Regional Housing Needs Allocation Methodology and Draft Allocation. The Draft Allocation assigns 3,719 units of housing to the City of Dublin. A jurisdiction may file an appeal of the Draft RHNA by July 9, 2021. Staff will present the City Council with the proposed framework for an appeal of the City's Draft Regional Housing Needs Allocation.

STAFF RECOMMENDATION:

Provide feedback and direct Staff to submit an appeal of the City's Draft Regional Housing Needs Allocation.

FINANCIAL IMPACT:

None.

DESCRIPTION:

Background

Housing Element Update
Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic

segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Housing Methodology Committee (HMC) is an advisory committee to the Association of Bay Area Governments (ABAG) composed of elected officials, local jurisdiction staff members, and stakeholders. The HMC was tasked with creating a methodology for distributing the Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the total number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires consistency between the RHNA and regional plans, such as Plan Bay Area 2050.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low, low, moderate, and above-moderate income).

The HMC met from October 2019 to September 2020 to develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton, and San Ramon submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options. On September 18, 2020, the HMC forwarded a recommended methodology to the ABAG Executive Committee without making modifications to address the concerns expressed by the Tri-Valley communities.

On November 17, 2020, the City submitted a letter to the ABAG Executive Board again expressing concerns that the RHNA methodology: 1) does not adequately address job-housing proximity; 2) promotes auto dependence; 3) exasperates the jobs-housing imbalance; and 4) fails to consider progress made during current RHNA cycle. On January 21, 2021, the ABAG Executive Board approved the Draft RHNA Methodology without making modifications to address the City's concerns and submitted the draft methodology to HCD for review. Subsequently, on April 12, 2021, HCD sent a letter to ABAG confirming the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board, by a vote of 20-10, approved the Final RHNA Methodology and Draft Allocations. The Draft Allocation assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation					
	Very Low	Low	Moderate	Above Moderate	Total
Draft RHNA	1,085	625	560	1,449	3,719

Draft RHNA Appeals Procedures

Pursuant to the Government Code, any local jurisdiction within the ABAG region may file an appeal to modify its Draft Allocation or another jurisdiction's Draft Allocation included as part of ABAG's Draft RHNA Plan. Additionally, HCD may also file an appeal to the Draft Allocation(s) of one or more jurisdictions. The Appeals Procedures established by ABAG are provided as Attachment 1 and provide fairly narrow grounds for filing an appeal. It is important to note that the basis for an appeal is limited to the allocation and not the methodology used to determine that allocation. Appeals must be submitted to ABAG using the prescribed RHNA Appeal Request Form by 5:00 p.m. on July 9, 2021.

Appeals may be brought on one of the following three grounds:

1. ABAG failed to adequately consider information submitted in the local jurisdiction survey.
2. ABAG did not determine the jurisdiction's allocation in accordance with its adopted methodology and in a manner that furthers, and does not undermine, the RHNA objectives.
3. A significant and unforeseen change in circumstances has occurred in the local jurisdiction or jurisdictions that merits revision of information submitted as part of the local jurisdiction survey. Appeals on this basis shall only be made by the jurisdiction or jurisdictions where the change in circumstances has occurred.

The following outlines the key dates in the RHNA appeals process:

- July 9, 2021: Deadline for jurisdictions and HCD to file an appeal of Draft Allocations.
- August 30, 2021: Deadline for jurisdictions and HCD to comment on appeals submitted.
- September - October 2021: ABAG Administrative Committee considers appeals (includes public hearing). ABAG will provide a minimum of 21 days' notice to jurisdictions in advance of the appeals hearing.
- October or November 2021: ABAG ratifies written final determination of each appeal and issues Final Allocations that include adjustments from successful appeals. If the total of successfully appealed units is less than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the successfully appealed units is more than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units.
- November or December 2021: ABAG Executive Board will conduct a public hearing and adopt Final RHNA Plan.

Appeals in Other Councils of Government

During the 6th Cycle Housing Element Update, three other Councils of Government have already completed their Regional Housing Needs Allocation process. To provide context to the appeals process and to learn from past successes, Staff reviewed the appeals filed in these jurisdictions. Following is a summary of the appeals outcomes for other Councils of Government:

- Sacramento Area Council of Governments (SACOG): No appeals filed.
- San Diego Association of Governments (SANDAG): Four appeals were filed with only one partially upheld, affecting 135 units. The City of Coronado successfully argued the jobs data used in the methodology was not verified and the City had different military housing data. This resulted in an increase to the allocation for the City of Coronado and an increase to the allocation for the City of Imperial Beach and the City of San Diego.
- Southern California Association of Governments (SCAG): Forty-eight appeals were filed with only two partially upheld. The County of Riverside successfully argued that they do not have land use authority over the projected growth from the March Joint Powers Authority, where 215 units were projected. The City of Pico Rivera successfully argued there is a lack of available land suitable for residential use since the City lies within a flood inundation area, due to the potential failure and/or spillway path of the Whittier Narrows Dam, resulting in a reduction of their total allocation from 3,939 units to 1,024 units.

Analysis

The following illustrates the proposed framework for an appeal of Dublin's RHNA. This framework follows the grounds for an appeal as specified in the Appeals Procedures provided by ABAG and noted above and included in Attachment 1.

- Past Performance and Lack of Suitable Land (Appeal Grounds 1.b.ii): From 2010 to 2019, Dublin's population increased from 46,036 to 66,147, a 44% increase, making Dublin one of the fastest growing cities in California during that timeframe, due to significant steps taken to facilitate the construction of both market-rate and affordable housing. During the current RHNA cycle, the City has issued building permits for the construction of 4,396 dwelling units compared to our allocation of 2,285 units. Specifically, as of May 31, 2021, the City has issued permits for 4,252 above-moderate income, 79 moderate income, 39 low-income, and 26 very low-income units. The City has an additional 2,682 units in the project pipeline, further limiting available land suitable for development. Additionally, Dublin is different from many other communities in the Bay Area, since a significant portion of the City is comprised of new construction, which is not appropriate for redevelopment opportunities.

- Water Supply and Drought (Appeal Grounds 1.b.i and 3): Zone 7 Water Agency supplies drinking water to local water retailers. The Dublin San Ramon Services District (DSRSD) is the local water retailer for the City of Dublin. DSRSD contracts with Zone 7 to provide the water supply that services Dublin residents. This 30-year contract expires in 2024.

Zone 7's water supply has two major components: 1) incoming water supplies available through contracts and water rights each year, and 2) accumulated water supplies in storage derived from previous years. Incoming water supplies typically consist of annually allocated imported surface water supply and local surface water runoff. Accumulated or "banked" water supplies are available in local and non-local storage locations.

The Department of Water Resources operates the State Water Project (SWP). The SWP is by far Zone 7's largest water source, providing approximately 90% of the treated water supplied to its customers on an annual average basis. Zone 7 anticipates future supply deficits as SWP reliability continues to decline and Zone 7's service area population grows.

DSRSD's recently prepared the Draft 2020 Urban Water Management Plan, dated May 2021. The Urban Water Management Plan acknowledges that Dublin could experience problems due to an expiring water supply contract, dependence on imported water sources, and increased demand.

Additionally, the Department of Water Resources indicates "drought is best defined by its impacts on a particular class of water users in a particular location. In this sense, drought is a very local circumstance." As discussed above, Dublin obtains the majority of its water from imported sources. Therefore, drought conditions throughout California could have significant impacts on access to water resources for the Dublin community. While drought could have an impact on the entire region, the extent of those impacts is unknown at this time. However, drought conditions could be more impactful on communities, like Dublin, which source water from the delta. Water supplied from the delta is more susceptible to problems due to endangered species and increased use by the agricultural industry.

An expiring contact, dependence on imported water sources, increased demand, and the drought could create a challenge to provide water service for existing and planned growth. This challenge could be compounded by the additional burden resulting from further growth induced by RHNA.

- Population Decrease (Appeal Grounds 2 and 3): California's population dipped by approximately 182,000 residents last year, bringing the state's total to approximately 39,466,000 people as of January 1, 2021, according to new population estimates and housing data released by the California Department of Finance on May 7, 2021. This reduction of 0.46% represents the first 12-month decline since state population estimates have been recorded. Locally, Dublin's population decreased from 65,161 to 64,695, a decrease of 466 residents or 0.7%. Dublin's population decline was more than 1.5 times the State average. If the declining population trend continues, it could translate to decreased households in 2050, which is a factor used for calculating the City's allocation.

- Overcrowding (Appeal Grounds 1.b.g and 2): According to the Embarcadero Institute, the Department of Finance (DOF) factors overcrowding and cost-burdening into their household projections. These projections are developed by multiplying the estimated population by the headship rate (the proportion of the population who will be head of a

household). The DOF, in conjunction with HCD, uses higher headship rates to reflect optimal conditions and intentionally "alleviate the burdens of high housing cost and overcrowding." The Embarcadero Institute report asserts that Senate Bill 828 caused the state to double count the overcrowding numbers, resulting in an increase of approximately 104,000 units throughout the Bay Area. If correct, this could have inflated the projected housing need in Dublin by 877 units when compared to the percentage of the Bay Area's RHND the City was allocated.

- Vacancy Rate (Appeal Grounds 2): According to the Embarcadero Institute, Senate Bill 828 wrongly assumed a 5% vacancy rate in owner-occupied housing is healthy. Government Code 65584.01(b)(1)(E) specifies a 5% vacancy rate applies only to the rental housing market. In the U.S. homeowner vacancy has hovered around 1.5% since the '70s, briefly reaching 3% during the foreclosure crisis. This incorrect assumption erroneously projected a need for approximately 59,000 additional units throughout the Bay Area. This could have inflated the housing need in Dublin by 497 units, when compared to the percentage of the Bay Area's RHND the City was allocated.

- High Opportunity Areas (Appeal Grounds 2): With the Final RHNA Methodology, ABAG allocates more housing units to jurisdictions with a higher percentage of households living in areas labelled High Resource or Highest Resource on the 2020 Opportunity Map. The Opportunity Map, prepared by HCD and the California Tax Credit Allocation Committee (TCAC), stems from HCD's policy goals to avoid further segregation and concentration of poverty and to encourage access to opportunity through affordable housing programs. The map uses publicly available data sources to identify areas in the state where characteristics have been shown by research to support positive economic, educational, and health outcomes for low-income families. The majority of Dublin is labelled High Resource or Highest Resource on the 2020 Opportunity Map.

  However, according to the 2019 American Community Survey, 61.1% of the Dublin population racially identify as minorities or multi-racial. By relying on the 2020 Opportunity Map and not factoring demographic data, more housing is allocated to Dublin compared to other jurisdictions throughout the area. This methodology detracts from HCD's policy goal to promote diversity since more housing must be planned in Dublin, rather than in more segregated portions of the Bay Area, thus prioritizing economics over racial diversity.

  Facilitating the production of housing for lower income households in high opportunity areas is laudable. However, the Draft RHNA assigns 1,449 above-moderate income units to Dublin. Above-moderate income units are effectively market rate housing. While in general, additional units have the potential to further diversity goals, assigning more market rate housing to Dublin does not achieve the stated purpose of providing affordable housing and access to opportunity for lower-income households. This methodology also fails to acknowledge the City's past performance in the above-moderate income category. During the current RHNA cycle the City has already issued permits for 4,252 above-moderate income units, thus exceeding the current RHNA allocation of 618 units by 688% in the

above-moderate income category. Requiring the City to plan for an additional 1,449 above-moderate income units ignores Dublin's past production and unfairly burden's Dublin with providing more of the region's share of market rate housing.

- Coronavirus Pandemic (Appeal Grounds 3): The Coronavirus pandemic has significantly altered the way our job sector operates by increasing telecommuting options and decreasing reliance on traditional office space. By decreasing the demand for office space, the Bay Area's major employment centers of the South Bay, Oakland, and San Francisco have more available, suitable land and can replace office space with housing, in turn decreasing the demand for housing in outer suburban areas such as Dublin. The increased telecommuting options also provide opportunities for workers to live outside the Bay Area. Thus, having the potential to further reduce the need for additional housing in the Bay Area.

  Additionally, the pandemic significantly decreased public transit ridership, which will transform where Bay Area residents will live, work, and travel. Some experts argue that transit operators in need of riders and revenue will never fully recover, thus increasing the use of single-occupancy vehicles and its associated traffic and environmental impacts. In Dublin, approximately 60% of greenhouse gas emissions come from the transportation sector. To offset these impacts and meet the State and region's greenhouse gas emissions targets, provided by the State Air Resources Board, it is more crucial than ever to ensure the Regional Housing Needs Allocation promotes a jobs-housing balance, as public transportation may become a less reliable commute alternative.

- Land Use Authority (Appeal Grounds 2): The City does not have land use authority over the Parks Reserve Forces Training Area (Camp Parks) or the United States Department of Justice. Both locations should not be used for calculating the City's Draft Allocation.

Staff is seeking feedback and direction from the City Council on the proposed framework to use as the basis for filing an appeal of Dublin's RHNA. With direction from the City Council, Staff will prepare and file a timely appeal by the July 9, 2021 deadline.

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update and Regional Housing Needs Allocation is exempt from the requirements of the California Environmental Quality Act (CEQA).

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) ABAG 2023-2031 RHNA Cycle Appeals Procedures

F.7 City Council Meeting #4

This section contains materials prepared for City Council meeting on November 2, 2021.

Agenda Item 3.1

STAFF REPORT
CITY COUNCIL

DATE: November 2, 2021

TO: City Council

SUBJECT: Status Report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory. Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element for consideration by the City Council at a future public hearing.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2021-22 Budget sufficiently covers this cost. The cost to prepare the Housing Element Update will be offset by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 via the Regional Early Action Planning (REAP) Grant Program.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that

local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

On January 21, 2021, the ABAG Executive Board approved the Draft Regional Housing Needs Allocation (RHNA) Methodology and submitted the draft methodology to HCD for review. On April 12, 2021, HCD confirmed the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,085	625	560	1,449	3,719

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction of the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The

City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

ABAG is anticipated to ratify the final determination of each appeal and issue Final Allocations that include adjustments from successful appeals in November 2021. If the total number of successfully appealed units is lower than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the number is higher than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units. The ABAG Executive Board will then conduct a public hearing and adopt the Final RHNA Plan in December 2021.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density as further discussed below.

Existing Sites

Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Refer to Attachment 1 for a map of existing sites. The following describes these components of the Preliminary Sites Inventory:

- Pipeline Projects: Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated 2,723 units are in the pipeline, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements, pending applications, and City Staff knowledge of forthcoming projects and inquiries with prospective applicants. It is noteworthy that the pipeline projects exceed the City's allocated above-moderate-income units. Refer to Attachment 2 for a list of these projects.
- Accessory Dwelling Units: Staff anticipates that the Site Inventory will include 149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs). HCD's recent Housing Element certifications have allowed ADUs to be included in the Sites Inventory at a

rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. Using this methodology, approximately 248 ADUs are included in the Preliminary Sites Inventory. ADU quantity and affordability level estimates are tentative based on recent Housing Element certifications. In the Bay Area, the actuals are likely to be based on ABAG's methodology in development for approval by HCD and use by local jurisdictions. ABAG's methodology is anticipated to be similar to the methodology approved by HCD in other certifications, which is based upon market conditions for ADUs rented in the region. HCD may perform a review of ADU production (based on Annual Progress Reports) two years into this next planning period and jurisdictions may need to identify additional sites if the ADU projections are not being met. Unlike other units, the location of anticipated ADUs do not need to be mapped in the Preliminary Sites Inventory.

- Existing Zoning: The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - 5th Cycle Moderate-Income Sites: Staff has identified eligible sites from the current Housing Element that can be included in the Site Inventory to accommodate 252 moderate-income units. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See below. A number of 5th Cycle Sites were designated as moderate or above-moderate-income sites, since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 252 units.
    - Public/Semi-Public Sites: Two Public/Semi-Public Sites in Eastern Dublin can accommodate 134 lower-income units. On June 15, 2021, the City Council adopted a General Plan and Eastern Dublin Specific Plan Amendment to change the land use designation of 2.5 acres of the GH PacVest and 2.0 acres of the East Ranch properties from Semi-Public to Public/Semi-Public. This amendment allows a broader range of uses, including the potential for affordable housing developed by a non-profit entity. These sites can accommodate 134 lower-income units, as the allowed densities exceed 30 units per acre.
    - Downtown Dublin Development Pool: Within the Downtown Dublin Specific Plan, 828 units remain in the Development Pool and, if the Housing Element meets certain requirements, the Sites Inventory for the lower-income categories may include 828 lower-income units in Downtown Dublin. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are) and (b) the Housing Element requires the sites be rezoned by 2026 "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval" that would be subject to CEQA review, although it specifically allows for design review. In October 2020, the City Council gave direction to prioritize reusing such sites rather than up-zoning other property. These units in the Development Pool could be counted as lower-

income units if the City commits in the Housing Element to rezone the sites within 3 years to allow as a use by right housing developments in which at least 20% of the units are affordable to lower income households.

Table 2 below details how the various proposed components of the Preliminary Sites Inventory above would reduce the City's RHNA and require that the inventory include a site or sites that could accommodate 247 lower-income units.

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

To minimize the number of additional sites needed to accommodate the RHNA, Staff prepared an inventory scenario that assumes 100% of the units produced on the Public/Semi-Public sites and in Downtown Dublin would be affordable to lower-income households. This approach avoids the need to identify a significant number of additional sites that would need to be rezoned at densities of at least 30 units per acre.

On the other hand, this approach would create certain consequences under the "No Net Loss" law (Government Code § 65863) that are important considerations. Among other things, the "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Site Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. It is unlikely that 100% of the units actually produced on the Downtown Dublin sites would be affordable to lower-income households. The Public/Semi-Public Sites are likely to develop with affordable housing because the land use designation only allows residential uses if developed by "a non-profit entity and serves to meet affordable housing needs or the housing needs of an underserved economic segment of the community."

Therefore, if the actual development of these Downtown Dublin sites includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory. Quickly completing such an identification may be a difficult undertaking.

The City could limit this consequence of the "No Net Loss" law by assuming that a lower percentage of the units would be affordable to lower-income households. However, such an

alternative approach would require the Housing Element to include an increased number of sites in the Sites Inventory and would increase the overall number of units planned in the community.

Given the significant policy implications of either approach, Staff believes it prudent for the City Council to consider both approaches. Tables 3 and 4 below illustrate two affordability scenarios for the units in the Downtown: 100% and 50% affordable. The 100% affordable scenario could accommodate all but 247 RHNA units using existing sites. Alternatively, the 50% scenario can accommodate all but 644 RHNA units using existing sites. Both scenarios show a surplus of above-moderate-income units, since the Pipeline Projects exceed the City's allocated above-moderate-income units, and the 50% scenario assumes half the units in the Downtown are affordable and half are above-moderate-income units.

Table 3. Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Table 4. Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

It should be noted that the 100% scenario (Table 3) clusters most of the lower-income RHNA units in the Downtown. This approach further assumes that all remaining units in the Downtown Development Pool (i.e., 828 units) would be lower-income units. These units would be in addition to the 839 already existing and planned lower-income units in the Downtown.

As an additional consideration, this Housing Element cycle includes for the first time an express requirement the Housing Element "affirmatively further fair housing." Affirmatively furthering fair housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities." These new statutory obligations charge all public agencies with broadly examining their existing and future policies, plans, programs, rules, practices, and related activities and make proactive changes to promote more inclusive communities. Concentrating affordable housing in the Downtown has benefits, such as promoting transit-oriented development, decreasing household transportation expenses, and decreasing greenhouse gas emissions; however, HCD and others may argue that concentrating affordable housing in one area is inconsistent with the obligation to affirmatively further fair housing.

Additional Sites
As discussed above, the City would have to include an additional 247 or 644 units in the Sites Inventory, depending on the level of affordability as illustrated in the two scenarios above (Tables 3 and 4). This section addresses the potential "additional sites" that could accommodate the remaining need.

All of the remaining need is in the "lower income" category, which requires sites allow "at least 30 units per acre." To satisfy the additional remaining need, the City will need to amend the General Plan and/or rezone additional sites to accommodate these units. For each of these additional sites, Staff and the consultant assigned a potential density between 30 and 85 units per acre. The proposed densities are based on other similar existing sites/developments in Dublin. The assigned density for the additional sites could be adjusted based on direction from the City Council. Refer to Attachment 3 for a map of the additional sites.

Staff has identified the following properties that could accommodate the remaining units:

- Development Pool Amendment: The City could amend the Downtown Dublin Specific Plan to increase the Downtown Development Pool. This action would be consistent with the Downtown Dublin Preferred Vision which contemplates the need for additional units to support the transition of Dublin Place and Dublin Plaza over the term of 30-50 years. Such changes could accommodate between 1,200 - 2,200 lower-income units. The City can maintain the Downtown Development Pool after the Housing Element Update.
- Alameda County Surplus Properties: The General Plan land use designation for the remaining 13.35-acre undeveloped sites at the Transit Center (Sites D-2 and E-2) is currently Campus Office. If developed at a density of 85 units per acre, which is consistent with the existing development at the Transit Center, such as Avalon at Dublin Station and Dublin Station by Windsor, then these sites could accommodate up to 1,133 lower-income units, not including the southern portion of Site D-2 where the Westin Hotel is approved.
- SCS Property: The SCS Property is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The existing General Plan and EDSP assume residential development of 261 units. This site is the subject of a General Plan Amendment Study. The City Council directed Staff to work with the property owner to conduct a community outreach process to gather input on the future use and development of the property. That process is underway and the number of residential units on this site has not yet been determined.
- Hacienda Crossings: Rezoning a portion of Hacienda Crossings for mixed-use development at a minimum density of 48 units per acre could accommodate up to 1,839 lower-income units. Staff preliminarily envisions such density to result in a product like the Waterford Place Apartments, while balancing other impacts such as traffic and parking.
- North Side of Dublin Boulevard: Rezoning the commercial sites on the north side of Dublin Boulevard, between Dublin Court and Clark Avenue to a minimum density of 30 du/acre could accommodate up to 548 lower-income units. This density would be consistent with the existing Tralee Apartments located in the vicinity and meets the minimum density requirement to qualify as lower-income units. Additionally, the Tralee

Apartments could be cited as an example to HCD about the viability of these properties being redeveloped.

- IKEA Site: Rezoning approximately seven acres of the Ikea site not slated for the IKEA store to a minimum density of 48 units per acre could accommodate approximately 315 lower-income units. This density would be like that of the Waterford Place Apartments, which is the density Staff preliminarily envisions could be accommodated on this site, while balancing other impacts and development standards, such as traffic and parking.
- Hexcel Corporation Site: The Hexcel Site, located at 11711 Dublin Boulevard directly west of the Dublin Historic Park and Museums, comprises two parcels totaling 8.95 acres. Hexcel will be relocating from this site which is currently available for sale. The entire site has a General Plan Land Use of Business Park/Industrial. Both parcels are in the Dublin Village Historic Area Specific Plan and have a Business Park/Industrial land use. The eastern portion of the site is zoned Light Industrial (M-1) and the western portion of the site has Planned Development Zoning that allows Commercial-Office (C-O) uses. If the site is redeveloped at a minimum density of 30 units per acre, then 264 lower-income units could be accommodated. This density was selected as it meets the minimum density requirement to qualify as lower-income units.

Table 5 below summarizes the potential sites to accommodate Dublin's remaining need of 247 or 644 units, depending on the level of affordability as illustrated in the two scenarios:

Table 5. Potential Sites to Accommodate Remaining Need	
Site	Potential Number of Units
Development Pool Amendment and Retail District Up-Zoning	1,200 - 2200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
Ikea Site	315 units
Hexcel Corporation Site	264 units

When selecting "Additional Sites," notable factors and characteristics to consider include, but are not limited to, the following:

- Proximity to Public Transit and Vehicle Miles Traveled
- Displacement of Existing Uses
- Probability of Redevelopment
- Mix of Compatible Uses
- Site Constraints
- The extent to which a particular site affirmatively furthers fair housing

Tables 6 and 7 illustrate potential options to accommodate the remaining RHNA units again using the assumption that either 100% or 50% of the units on these sites are produced as affordable units. Simply for illustrative purposes, Table 6 adds 247 units at the Transit Center. Table 7 adds 450 units at the Transit Center and 194 units at Hacienda Crossings.

Table 6. Preliminary Sites Analysis Example (100% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Table 7. Preliminary Sites Analysis Example (50% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

As shown in Table 6 above, the 100% affordable scenario would result in 4,432 units, including 713 more units than the City's Draft Allocation. Most of that excess includes 678 above-moderate-income units in the project pipeline. This option still relies on all remaining units in the Downtown Development Pool to satisfy a portion of the lower-income category. However, this reliance on the units in the Downtown could be reduced by increasing the number of lower-income units placed on the Alameda County Surplus Properties.

As shown in Table 7 above, the 50% affordable scenario would result in 5,473 units, including 1,754 more units than the City's Draft Allocation. That excess above our Draft Allocation primarily includes above-moderate-income units in the project pipeline, Downtown Dublin, Alameda County Surplus Properties, and Hacienda Crossings. This results from the assumption that only 50% of the

units on those sites would be affordable. This scenario would reduce the clustering of lower-income units in the Downtown by only relying on approximately half of the current Development Pool to satisfy the lower-income categories.

Staff seeks feedback from the City Council on the following questions:

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?
2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?
3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

Following the meeting, Staff will work with the Consultant to refine and finalize the sites inventory to be included in the Housing Element which the City Council will consider adopting at a future public hearing.

Project Schedule and Next Steps
Table 8 below summarizes the key dates in the Housing Element Update Process:

Table 8. Key Dates	
Step / Task	Date(s)
Public Outreach (Survey and Stakeholder Workshops)	November 2021 – February 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	December 2022 / January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

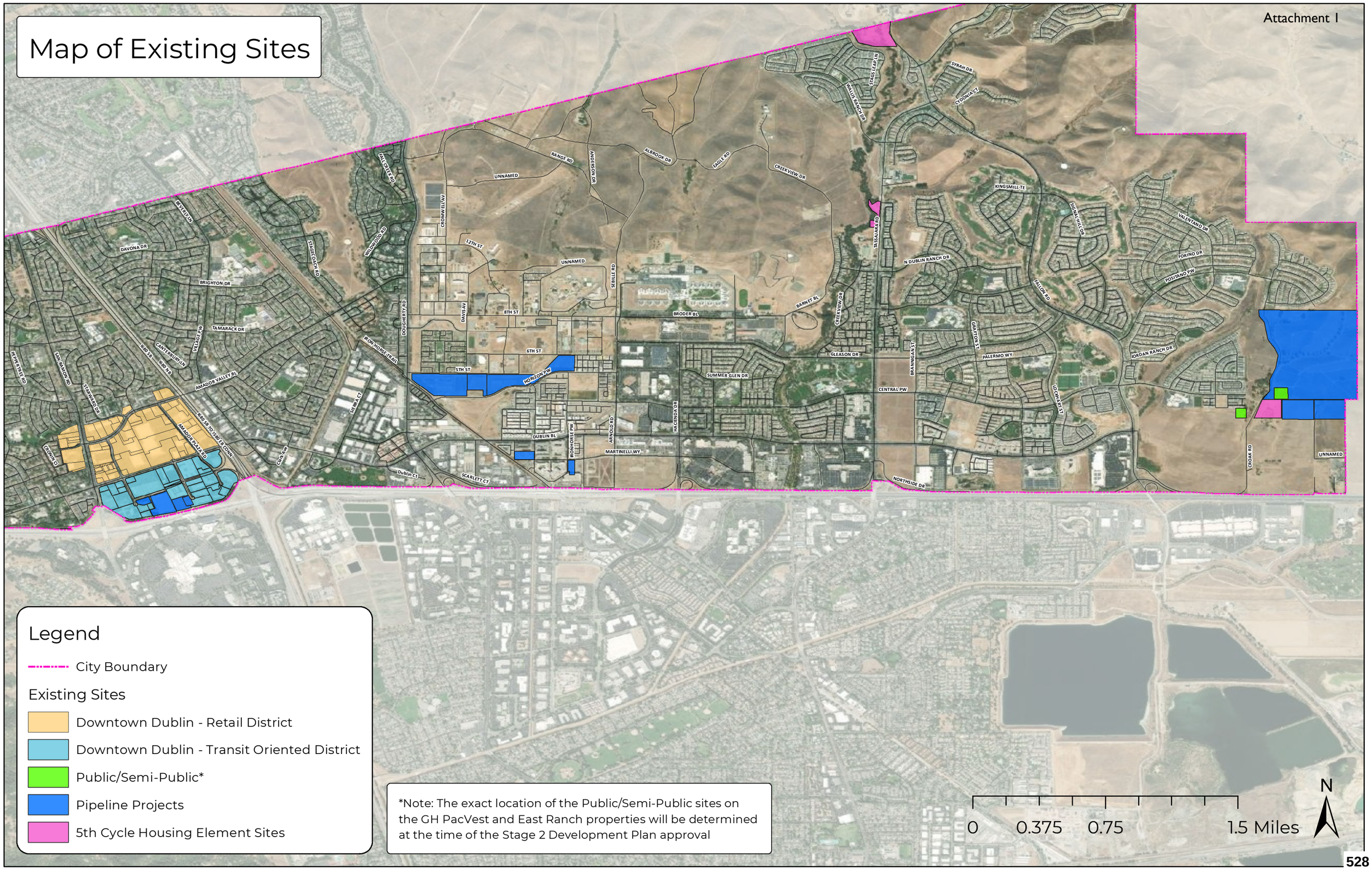
The City Council Agenda was posted.

ATTACHMENTS:

1) Map of Existing Sites
2) Pipeline Projects Table
3) Map of Additional Sites

Attachment 1

Map of Existing Sites



Legend

- City Boundary

Existing Sites

- Downtown Dublin - Retail District
- Downtown Dublin - Transit Oriented District
- Public/Semi-Public*
- Pipeline Projects
- 5th Cycle Housing Element Sites

*Note: The exact location of the Public/Semi-Public sites on the GH PacVest and East Ranch properties will be determined at the time of the Stage 2 Development Plan approval

0 0.375 0.75 1.5 Miles

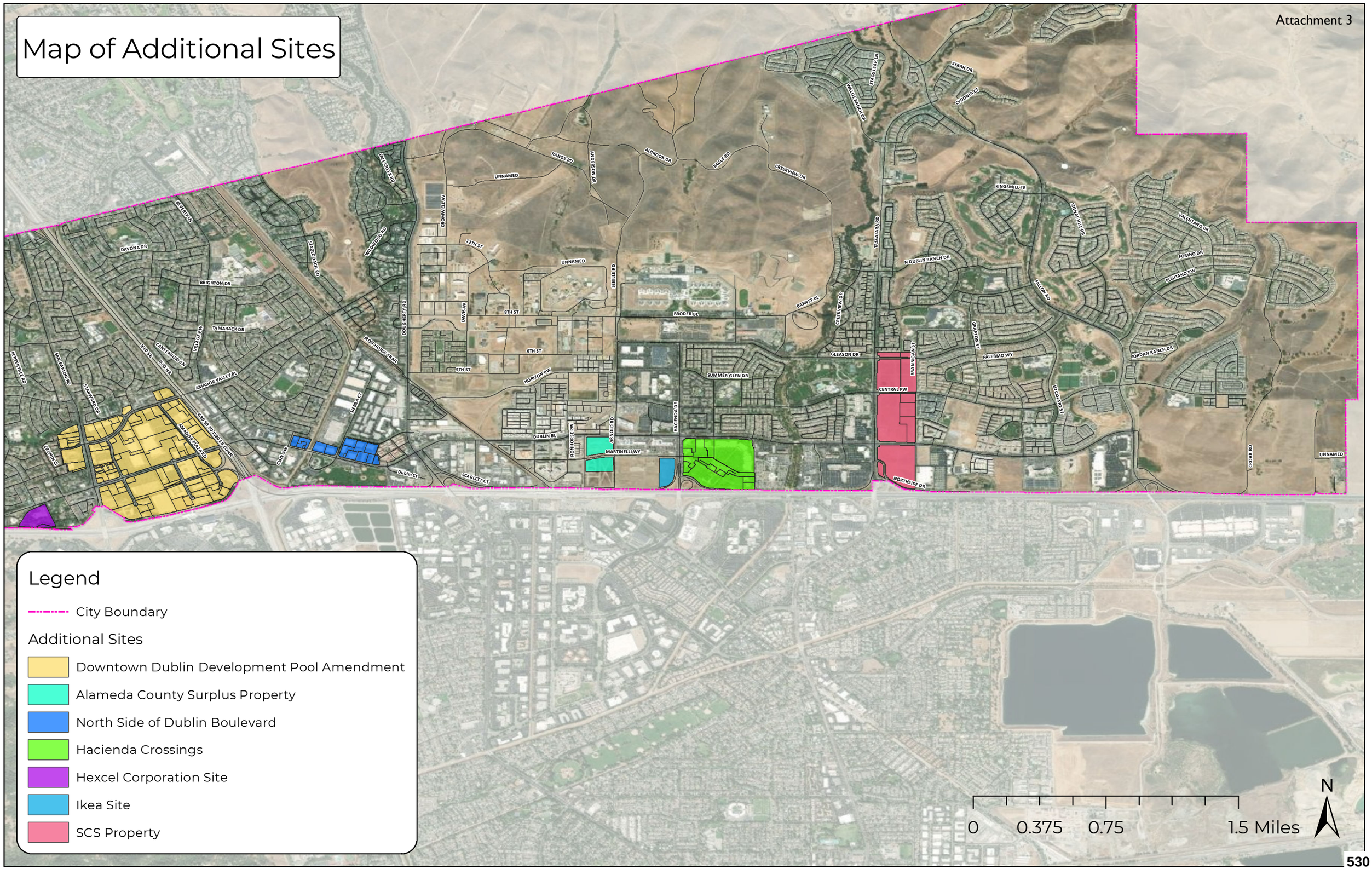
N

Pipeline Projects Table

Pipeline Project	Address	Units				
		Very Low	Low	Moderate	Above Moderate	Total
Eden Housing / Regional Street	6543 Regional Street	112	0	0	1	113
East Ranch (Croak Road)	Croak Road	0	50	18	555	623
Bridge Housing / Amador Station	6501 Golden Gate Drive	56	78	162	4	300
Ashton at Dublin Station	Dougherty Road	0	0	22	198	220
Boulevard (Phases 2 + 3)	Dougherty Road	0	0	0	225	225
Boulevard (Phases 4 + 5)	Dougherty Road	0	0	0	451	451
Avalon Bay Communities (Saint Patrick Way)	6700 Golden Gate Drive	0	0	0	499	499
Eastern Dublin/Pleasanton BART Station (Site D-1)	Dougherty Road	98	0	0	1	99
Branagh	1881 Collier Canyon Road	0	0	0	97	97
Righetti	Unaddressed	0	0	0	96	96

Attachment 3

Map of Additional Sites



Item 3.1

DUBLIN
CALIFORNIA

Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory

City Council
November 2, 2021

Final Methodology and Draft Allocation

- Draft allocation assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

- Draft allocation on appeal
- ABAG Executive Board will tentatively adopt the Final RHNA in December 2021

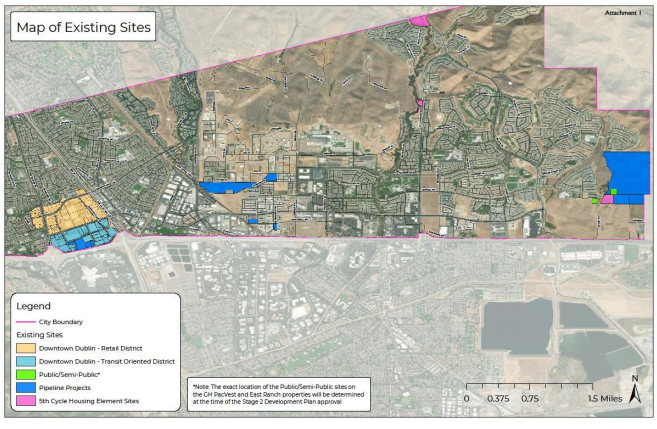
Preliminary Sites Inventory

- Must include an inventory of specific sites available for residential development to meet RHNA
- October 6, 2020 – City Council received a report on Housing Element Update and directed Staff to include sites from the current Housing Element
- Preliminary Sites Inventory prioritizes pipeline projects, ADUs, and existing zoning to accommodate RHNA before looking to rezone

Existing Sites

- Pipeline Projects
- Accessory Dwelling Units
- Existing Zoning:
  - 5th Cycle Housing Element Sites
  - Public/Semi-Public Sites
  - Downtown Dublin

Map of Existing Sites



Dublin's Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

DUBLIN DUBLIN

"No Net Loss"

- If project approved with fewer than number of lower-income units identified in inventory, City would need to identify additional sites to accommodate RHNA by income level
- Identify new sites within 180 days of project approval

Affordability Scenarios

Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

DUBLIN DUBLIN

Additional Sites

- Identified additional sites to accommodate the remaining need
- Second part of tonight's discussion due to recusal of Council Members

Questions

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?

2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?

Additional Sites

- Sites for unmet housing need
- All remaining sites must allow at least 30 units/acre
- Potential densities between 30-85 units/acre, based on similar existing developments
- Site characteristics

Potential Additional Sites to Accommodate Remaining Need

Site	Potential Number of Units
Downtown Dublin	1,200 – 2,200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
IKEA Site	315 units
Hexcel Corporation Site	264 units

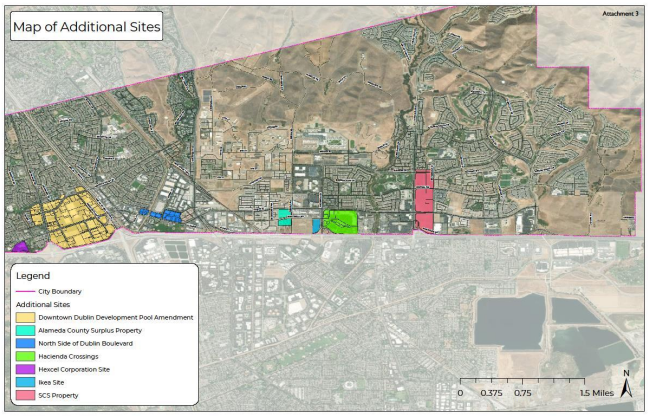
Sites Inventory Example: 100% Affordability Scenario

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Sites Inventory Example: 50% Affordability Scenario

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
ADUs	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

Map of Additional Sites



Question

3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

F.8 Planning Commission Meeting #1

This Section contains materials prepared for the Planning Commission meeting on March 8, 2022.

STAFF REPORT
PLANNING COMMISSION

DATE: March 8, 2022

TO: Planning Commission

SUBJECT: Housing Element Update Study Session
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff will provide a presentation on the current Housing Element Update process, Preliminary Sites Analysis, policy framework, and project schedule. The Planning Commission will receive a presentation and provide feedback regarding the Housing Element Update.

STAFF RECOMMENDATION:

Receive presentation and provide feedback on the Housing Element Update.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period. Additionally, the Housing Element Update will trigger recent State law requirements to amend the General Plan, including policies regarding environmental justice and amendments to the Safety Element.

Regional Housing Needs Allocation

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, HCD identifies the total housing need for the nine-county Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). This determination is based on population projections produced by the California Department of Finance and the application of specific adjustments to determine the total amount of housing need for the region. The adjustments include a target vacancy rate, the rate of overcrowding, and the share of cost-burdened households. As the Council of Governments (COG) for the Bay Area, the Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's RHND across local jurisdictions.

The Housing Methodology Committee (HMC) is an advisory committee to ABAG composed of elected officials, local jurisdiction staff members, and stakeholders. The HMC was tasked with creating a methodology for distributing the RHND. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

The HMC met from October 2019 to September 2020 to develop a RHNA methodology. On September 14, 2020, the Tri-Valley communities of Dublin, Danville, Livermore, Pleasanton, and San Ramon submitted joint letters to the HMC and ABAG Executive Board expressing concerns with the RHNA methodology under consideration and recommended a methodology that: 1) focuses housing allocations in areas with the highest concentrations of jobs; 2) takes account of geographic and other constraints to housing development; and 3) provides residents with access to viable transit and transportation options. On September 18, 2020, the HMC forwarded a recommended methodology to the ABAG Executive Board without making modifications to address the concerns expressed by the Tri-Valley communities.

On November 17, 2020, the City submitted a letter to the ABAG Executive Board again expressing concerns that the RHNA methodology: 1) does not adequately address job-housing proximity; 2) promotes auto dependence; 3) exacerbates the jobs-housing imbalance; and 4) fails to consider progress made during current RHNA cycle. On January 21, 2021, the ABAG Executive Board approved the Draft RHNA Methodology without making modifications to address the City's concerns and submitted the draft methodology to HCD for review. Subsequently, on April 12, 2021, HCD sent a letter to ABAG confirming the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. The methodology includes a baseline allocation, based on each jurisdiction's share of the region's total households in the year 2050 from the Plan Bay Area 2050 Final Blueprint. Then factors and weights, including access to High Opportunity Areas and job proximity by automobile and transit, are used to determine a jurisdiction's allocation by income category.

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction from the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031, which is the final step in ABAG's RHNA process. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period.

Table 1. Dublin's 2023-2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

The City of Dublin must now update the Housing Element of its General Plan to demonstrate how it can accommodate its RHNA. The Housing Element Update must be adopted by the City Council and submitted to HCD for certification by January 31, 2023.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (e.g., proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped, and/or rezoned, for residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff

and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density.

On November 2, 2021, the City Council held a Study Session on the Housing Element Update and RHNA, with emphasis on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritize the Alameda County Surplus Properties and Hacienda Crossings shopping center as sites to accommodate the remaining need that cannot be accommodated by existing sites as further discussed below. In addition, the City Council directed Staff that on sites identified to meet the remaining need, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households.

Existing Sites
Based on direction from the City Council, Staff prepared a Preliminary Sites Inventory to accommodate the RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. The following describes these components:

- **Pipeline Projects:** Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated **2,723 units are in the pipeline**, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements and pending applications.
- **Accessory Dwelling Units:** Staff anticipates that the Site Inventory will include **149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs)**. HCD's recent Housing Element certifications in other regions of the state have allowed ADUs to be included in the Sites Inventory at a rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. ABAG is working with HCD to create a similar methodology for Bay Area cities. Using this methodology, **248 ADUs** are included in the Preliminary Sites Inventory.
- **Existing Zoning:** The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - **5th Cycle Moderate-Income Sites:** Staff has identified eligible sites from the current Housing Element that can be included in the Sites Inventory to accommodate **252 moderate-income units**. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See discussion under *Downtown Sites*.
    - **Public/Semi-Public Sites:** The Sites Inventory identifies two Public/Semi-Public sites in Eastern Dublin that can accommodate **134 lower-income units.** The Public/Semi Public land use designation allows a broad range of uses, including the potential for affordable housing developed by a non-profit entity.
    - **Downtown Dublin Development Pool:** Within the Downtown Dublin Specific Plan, **828 units** remain in the Development Pool. These units were identified to

accommodate the RHNA in the current Housing Element and are proposed to be reused in the Housing Element Update. Of the remaining units in the Development Pool, the Sites Inventory identifies **389 lower-income units and 24 moderate-income units**.

As shown in Table 2 below, these components can accommodate all but 644 lower-income units, which is identified as the "remaining need."

Table 2. Dublin's Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	24		828
Remaining Need	644	-	(695)	644

To accommodate the remaining need, additional sites need to be identified to meet the City's RHNA. As noted above, the City Council held a Study Session on November 2, 2021, and directed Staff to prioritize the Alameda County Surplus Properties and Hacienda Crossings shopping center to accommodate the remaining need, with an emphasis on using the Alameda County Surplus Properties, which are located in the Transit Center near the Dublin/Pleasanton BART station.

In addition, the City Council directed that on sites identified to meet the remaining need and sites in Downtown, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households. This approach attempts to address potential consequences under the "No Net Loss" law (Government Code § 65863). Among other things, "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Sites Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. If the actual development of a site identified in the Sites Inventory includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory.

Additional Sites

Based on direction from the City Council, Staff prepared a Preliminary Sites Inventory that prioritizes the Alameda County Surplus Properties and Hacienda Crossings shopping center to accommodate the remaining need. Staff prepared three options for consideration as illustrated in Table 3 and further discussed below. Option A addresses the City Council direction to prioritize the Alameda County Surplus Properties by assigning more units to this property; Option B splits the remaining need equally between the two sites; and Option C allocates some of the units to the

future affordable housing site identified in the recently adopted Preferred Plan for the SCS property. Each option includes lower-income and above-moderate-income units on the Alameda County Surplus Properties and Hacienda Crossings, but only includes the lower-income units on the SCS Property that were identified in the Preferred Plan. All of the remaining need in the "lower income" category requires sites to allow "at least 30 units per acre." To satisfy the remaining need, the City will need to amend the General Plan and/or rezone the sites to accommodate these units.

Table 3: Options to Distribute Remaining Need					
		Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

- **Alameda County Surplus Properties:** The General Plan land use designation of Site D-2 (northern portion) and Site E-2 in the Transit Center is Campus Office and has Planned Development Zoning. The 13.35 acres are located north of the Dublin/Pleasanton BART station and are currently undeveloped. Staff preliminarily envisions the property could be developed to allow a density of 66 units per acre, which is the average residential density within the Transit Center.
- **Hacienda Crossings:** The General Plan land use designation for the Hacienda Crossings shopping center, located southeast of Dublin Boulevard and Hacienda Drive, is General Commercial and has Planned Development Zoning. Staff preliminarily envisions a mixed-use development with a minimum density of 48 units per acre, similar to the Waterford Place Shopping Center and Apartments. Based on meetings with the property owner, Staff recommends including those units on the two large parcels located at the northeast corner of the shopping center, as it could be accommodated on the parking lots and maintain the existing development.
- **SCS Property:** On February 15, 2022, the City Council approved the Preferred Plan for the SCS Property, which is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The

Preferred Plan includes a 2.5-acre Public/Semi Public site for affordable housing that contemplates between 70 and 150 units.

Refer to Attachment 1 for a map of the Preliminary Sites Inventory.

Downtown Sites

As shown in Table 2 above, 413 lower income units (389 very-low and low-, and 24 moderate-) are identified in Downtown Dublin. These units were identified in the current Housing Element to accommodate the RHNA, and they are being proposed to be reused in the Housing Element Update. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are); and (b) the Housing Element requires the sites be rezoned "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review.

In order to reuse these units in the Housing Element Update, the City must identify actual parcels to accommodate the units. Staff identified four properties in Downtown Dublin to accommodate these lower income units. These properties are shown in orange in Attachment 1. The four properties include: 1) the former Grocery Outlet property where the City entered into a Memorandum of Understanding to allow 80 affordable dwelling units; 2) the site with a vacant building at the southwest corner of Amador Valley and Amador Plaza Road; 3) a portion of the site where Hobby Lobby is located; and 4) the site of the former Willow Tree restaurant located at 6513 Regional Street.

A cornerstone of the Downtown Dublin Specific Plan is the Residential Development Pool whereby a Community Benefit Agreement is required to pull units from the pool. However, qualifying development on these sites must be "by right" and would not be subject to a Community Benefit Agreement, thus, the City would not achieve additional benefits by allocating these units from the existing pool. Therefore, Staff recommends adding these units to the Downtown Dublin Specific Plan outside of the Development Pool. The addition of these units outside of the Development Pool would support the Downtown Dublin Preferred Vision, which contemplates additional units.

<u>Housing Element Programs</u>

Each jurisdiction must identify specific programs in its Housing Element to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the City will take to implement its policies and achieve its goals and objectives. Programs must also include implementation measures including: a specific timeframe; responsible party; describe the jurisdiction's specific role in implementation; and (whenever possible) identify specific, measurable outcomes.

Programs should reflect the results and analyses of the jurisdiction's local housing needs, available land and financial resources, and the mitigation of identified governmental and non-governmental constraints. For example, if the analysis identifies constraints related to local regulations, the Housing Element should identify specific programmatic actions to address that constraint.

To make adequate provision for the housing needs of people of all income levels, a jurisdiction must, at a minimum, identify programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the City's RHNA for each income level;
- Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low-, and moderate-income households;
- Address and, where possible, remove governmental constraints to the maintenance, improvement, and development of housing, including housing for people at all income levels, as well as housing for people with disabilities;
- Conserve and improve the condition of the existing affordable-housing stock;
- Preserve assisted housing developments at-risk of conversion to market-rate; and
- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Additionally, there are a number of new program topics required with the 6th Cycle Housing Element including the following:

- Affirmatively furthering fair housing;
- Promotion of ADUs and Junior ADUs;
- Objective Development Standards;
- Senate Bill 35 streamlining;
- Emergency shelters, transitional and supportive housing, and lower barrier navigation centers;
- Housing for persons with developmental disabilities;
- Farmworker and employee housing;
- Funding and rental assistance programs; and
- Density Bonus and removal of development constraints.

Staff is preparing the draft Housing Element to incorporate these programs as required by State law.

Public Outreach

The City is in the process of implementing outreach and engagement strategies with the community, stakeholders, and decision makers during the Housing Element Update process. Notable outreach strategies since the November 2, 2022 City Council meeting include the following:

- **Survey.** Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics. The City received 205 survey responses. The majority of respondents believe affordable and senior housing are missing in Dublin and prefer housing be located

near transportation hubs. For complete survey results, please refer to Attachment 2.

- **Workshops.** The City also hosted two Housing Element Workshops via Zoom on January 19, 2022, and February 17, 2022. The workshops provided an overview of the Housing Element and Regional Housing Needs Allocation, potential sites to include in the Sites Inventory, progress to date, required policy and program topics, as well as next steps. The workshops also included an interactive component using an online tool called "Mentimeter," where the attendees provided feedback on their housing experience, housing challenges and opportunities, and their vision for housing in Dublin. Recording of the workshops are available on the City's YouTube channel and on the Housing Element Update webpage.
- **Property Owner Meetings.** Additionally, Staff hosted one-on-one meetings with property owners of the "Additional Sites" under consideration to be included in the Sites Inventory. Both the representative for the Alameda County Surplus Land Authority and Hacienda Crossings shopping center are supportive of having their non-residential properties rezoned to accommodate RHNA.

Project Schedule and Next Steps

Table 4 below summarizes the key dates in the Housing Element Update Process:

Table 4. Key Dates

Step / Task	Date(s)
City Council Check-In Meeting	March 15, 2022
Public Review of Draft Housing Element	April 7 – May 7, 2022
Planning Commission Review of Draft Housing Element	April 26, 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 17, 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	November 2022 - January 2023

ENVIRONMENTAL DETERMINATION:

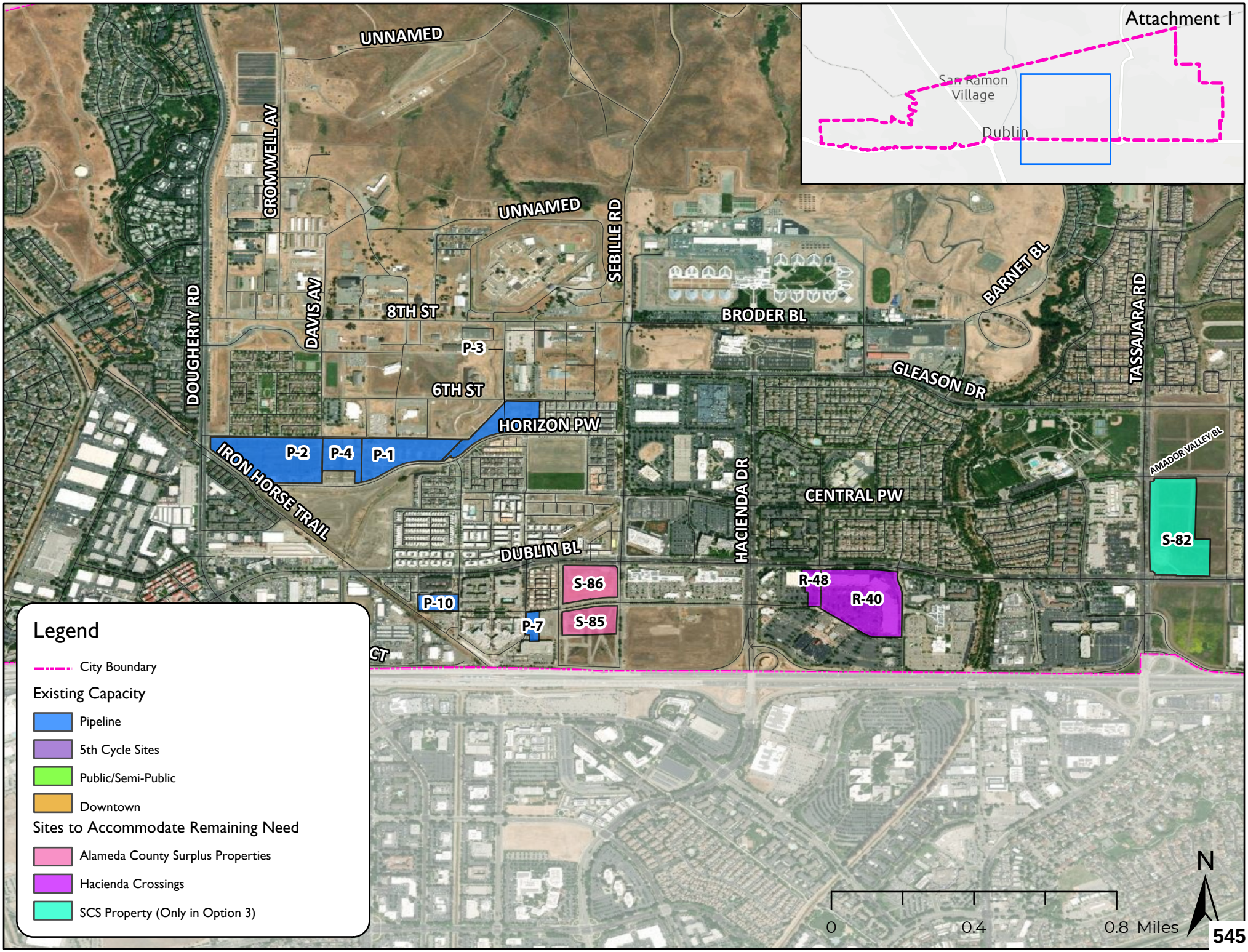
The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

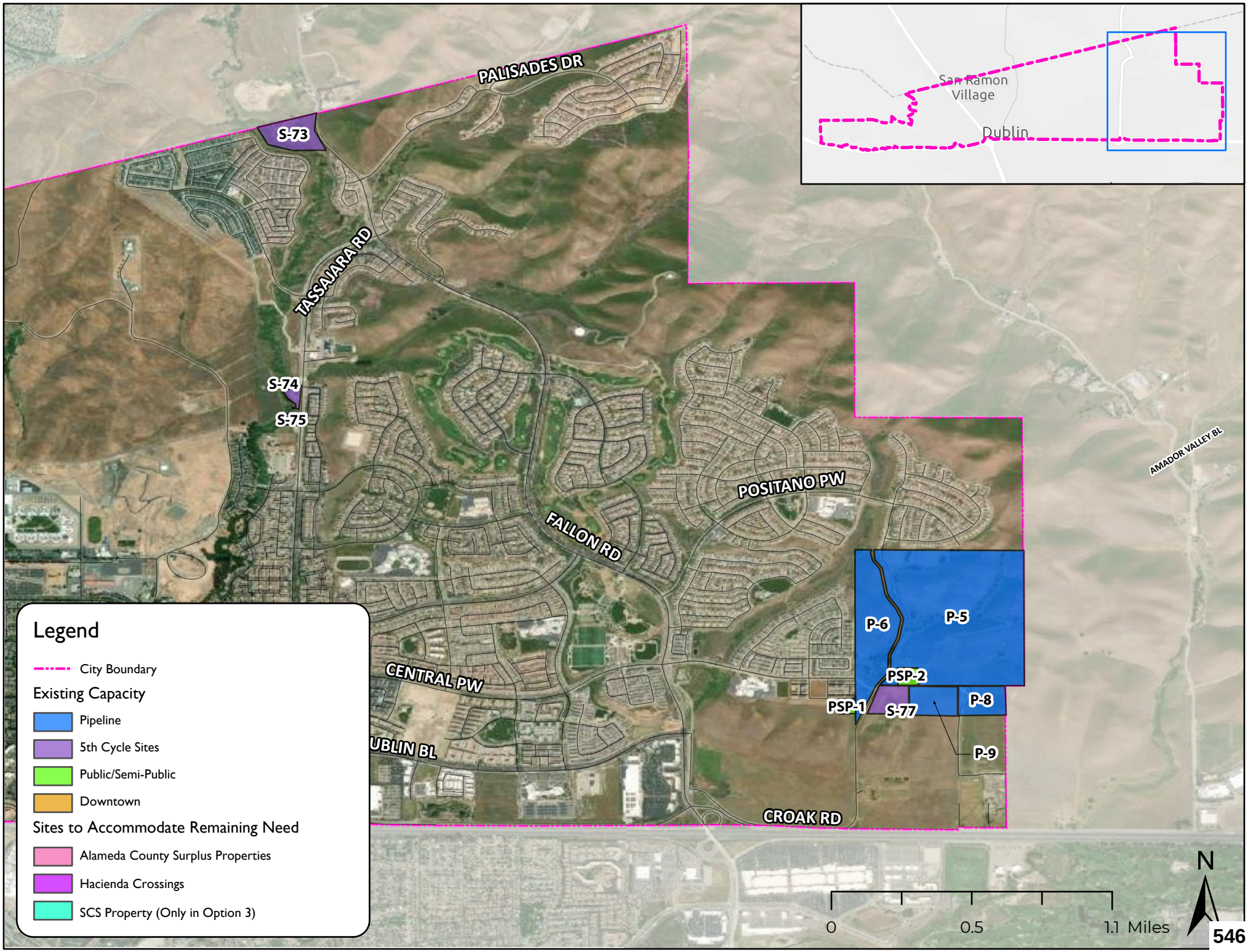
NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The Planning Commission Agenda was posted.

ATTACHMENTS:

1) Sites Inventory Map
2) Survey Results


Attachment 1
San Ramon Village
Dublin
UNNAMED
CROMWELL AV
DOUGHERTY RD
DAVIS AV
8TH ST
SEBILLE RD
BRODER BL
BARNET BL
TASSAJARA RD
P-3
6TH ST
GLEASON DR
HORIZON PW
P-2
P-4
P-1
IRON HORSE TRAIL
HACIENDA DR
CENTRAL PW
AMADOR VALLEY BL
S-82
DUBLIN BL
S-86
R-48
R-40
P-10
P-7
S-85
CT
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.4
0.8 Miles
N


PALISADES DR
S-73
TASSAJARA RD
S-74
S-75
FALLON RD
POSITANO PW
AMADOR VALLEY BL
CENTRAL PW
UBLIN BL
CROAK RD
P-6
P-5
PSP-2
PSP-1
S-77
P-8
P-9
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.5
1.1 Miles
N

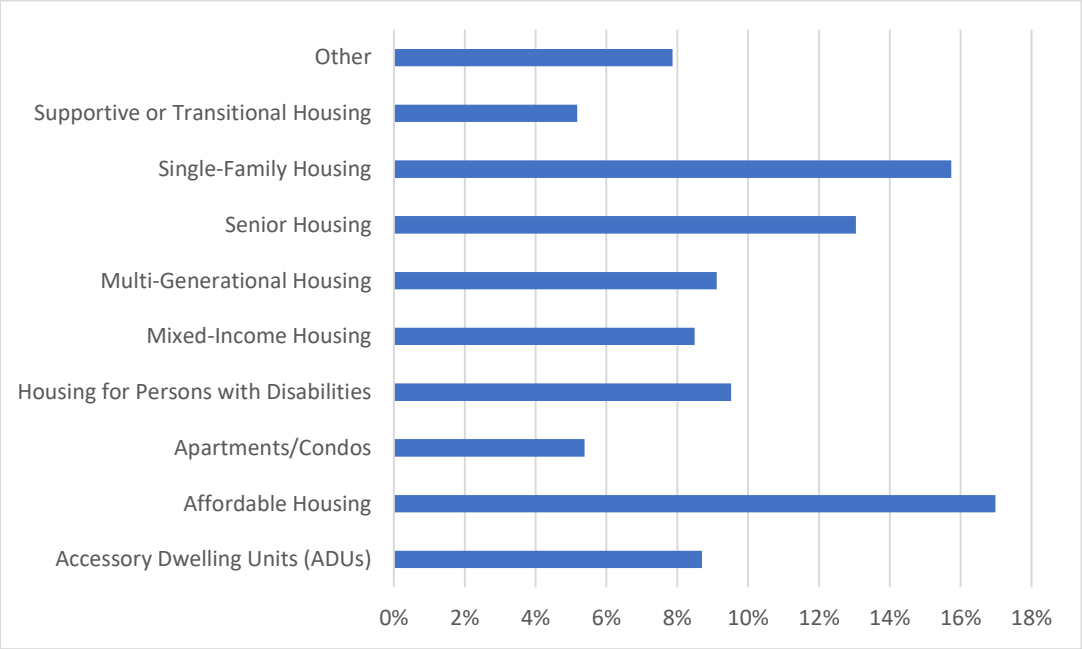

PEPPERTREE RD
SILVERGATE DR
HILLROSE DR
STARWARD DR
DONOHUE DR
CANTERBURY LN
I680 NB
AMADOR VALLEY BL
I680 SB
VILLAGE PW
YORK DR
MAPLE DR
EBENSBURG LN
AMARILLO RD
SAN RAMON RD
CRONIN CI
HANSEN DR
REGIONAL ST
DUBLIN BL
AMADOR PLAZA RD
I680 SB TO I580 EB CONN
SAINT PATRICK WY
S-68
Int-4
S-17
AH-1
P-11
AH-3
AH-2
S-58
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.2
0.4 Miles
N

Housing Element Update Community Survey

From December 20, 2021 through February 28, 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

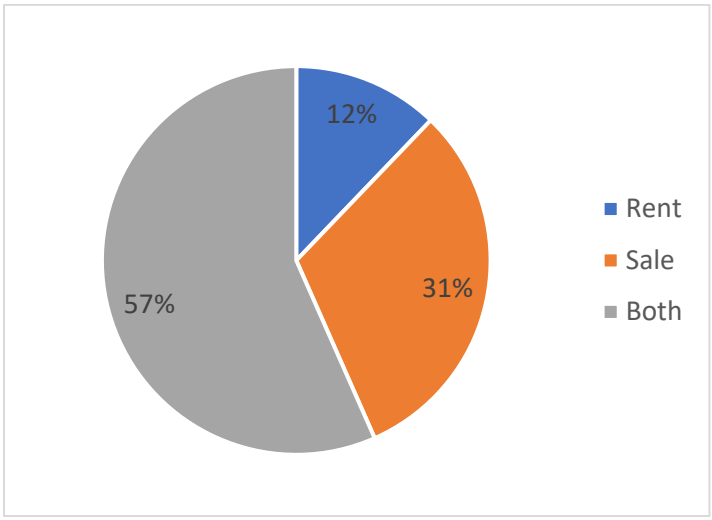
What Types of housing do you think Dublin is missing? (Please select all that apply)



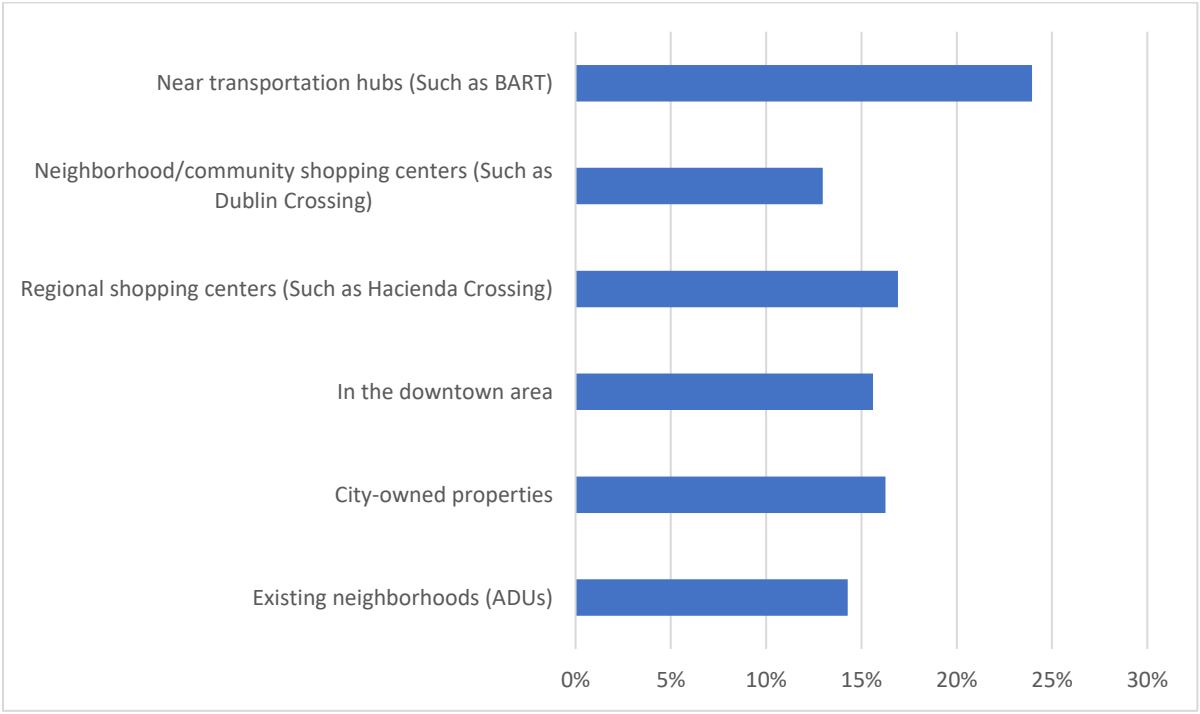
Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

What type of housing, for rent or for sale, do you think is needed?



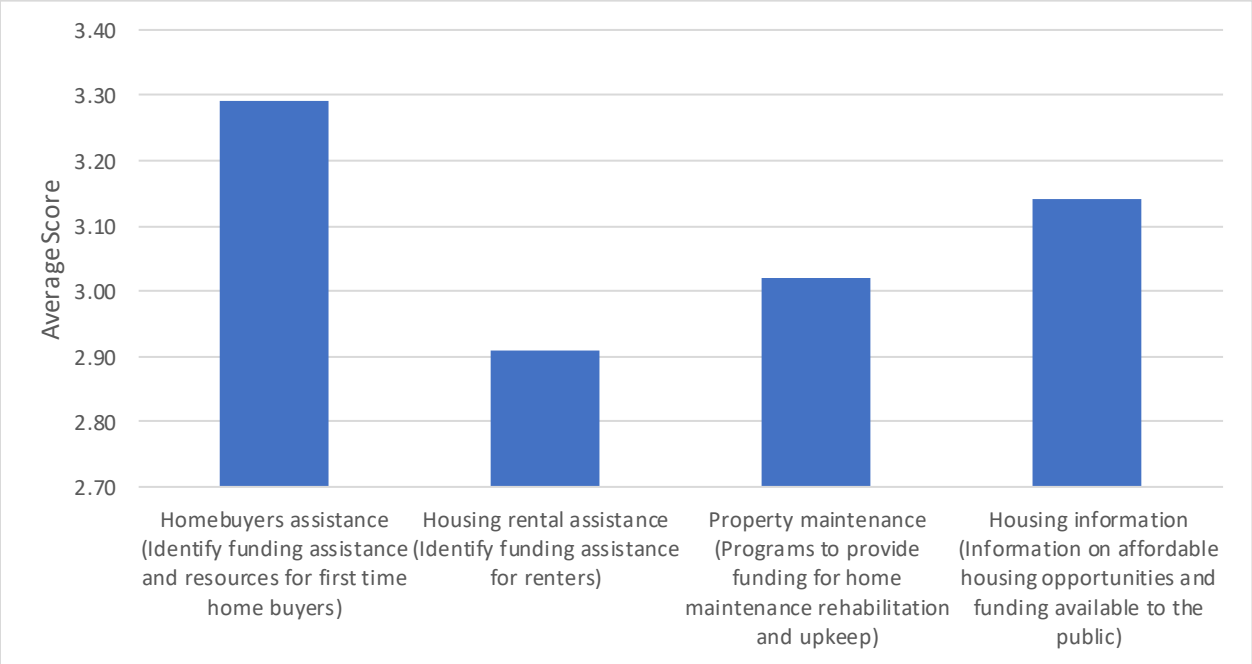
Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



Housing Program Opportunities

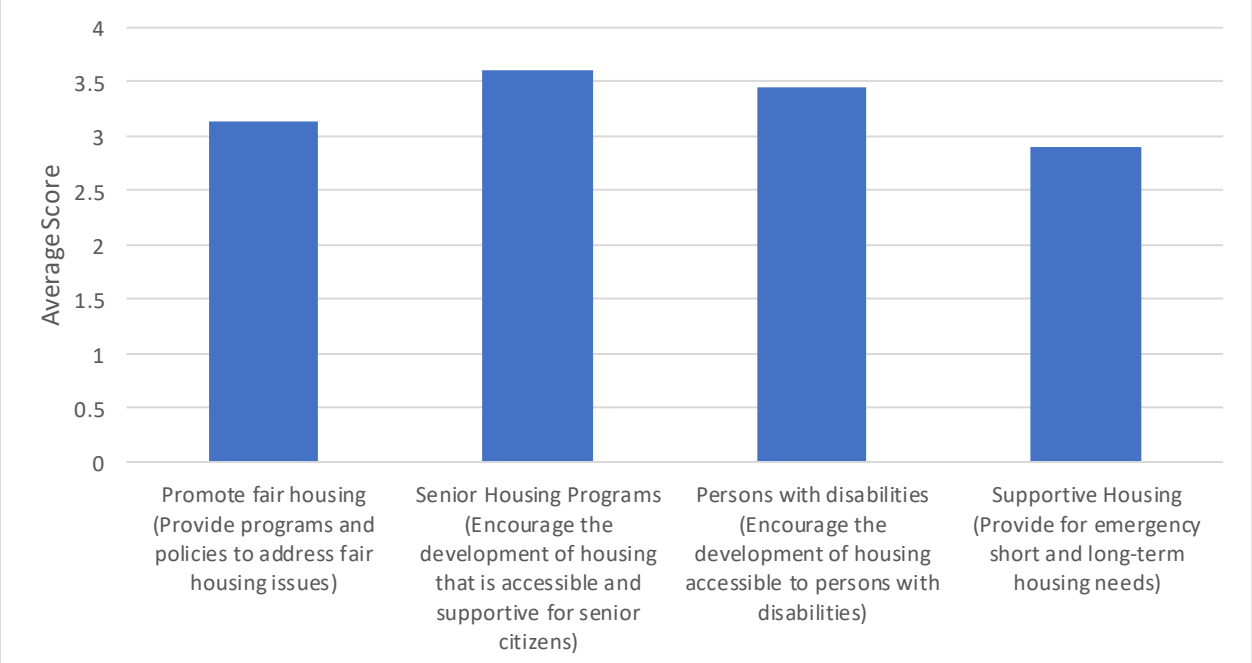
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can’t keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it’s hard and even when it’s directly against

current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

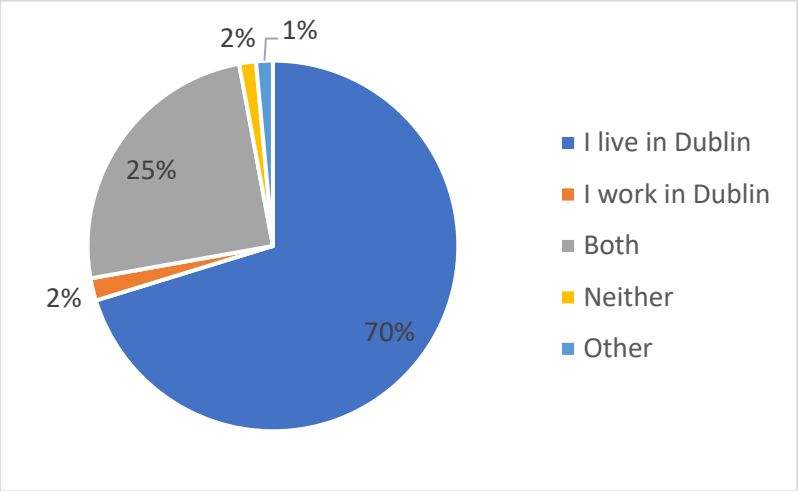
Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn’t need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It’s already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

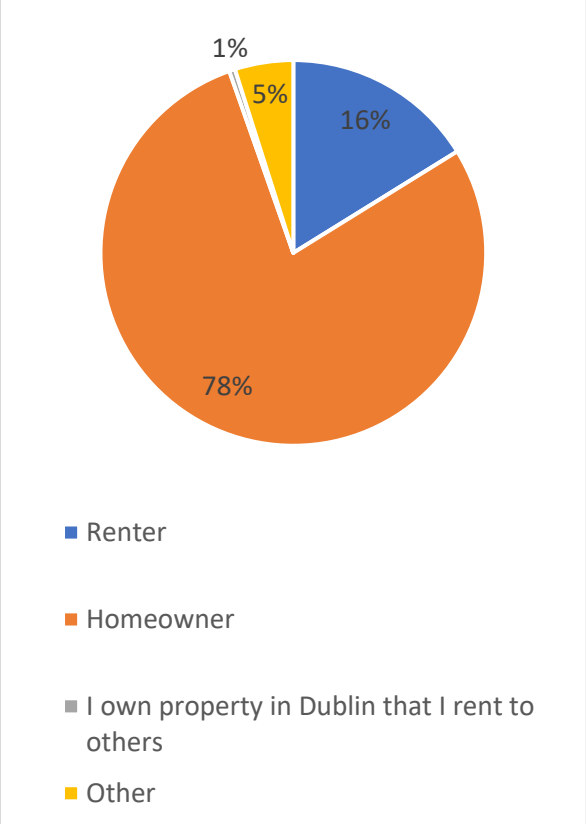
Do you live or work in Dublin?



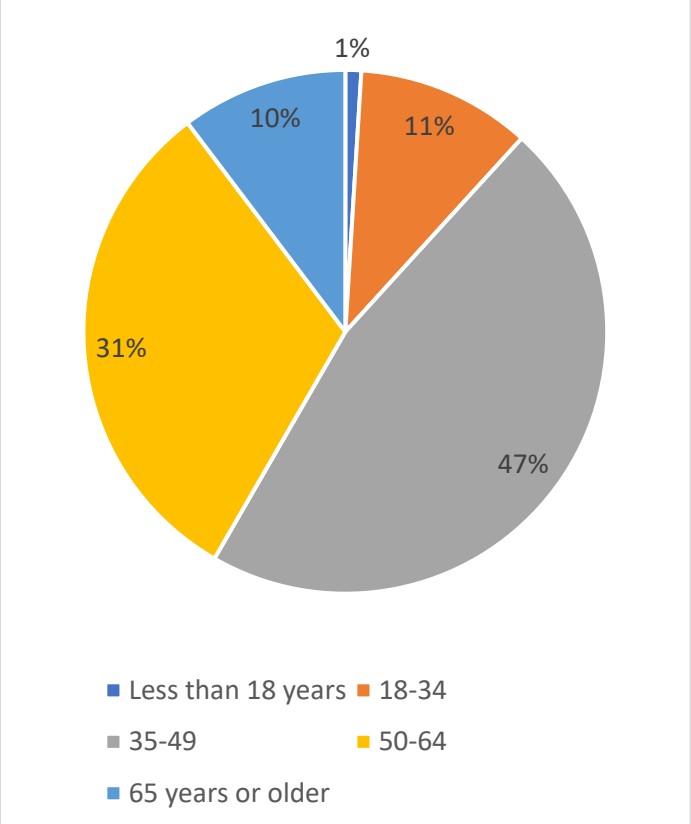
Other:

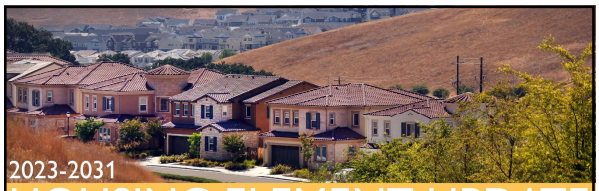
- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?





2023-2031

HOUSING ELEMENT UPDATE

City of Dublin

Planning Commission Study Session

Time: 7 PM
Date: Tuesday, March 8, 2022
Location: City Council Chamber

1

Agenda

- Overview of Housing Element
- Outreach Efforts To-Date
- Regional Housing Needs Allocation (RHNA)
- Candidate Sites
- New Policy Program Requirements
- Next Steps



2

DUBLIN
CALIFORNIA

Overview of Housing Element

3

What is a Housing Element?

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)



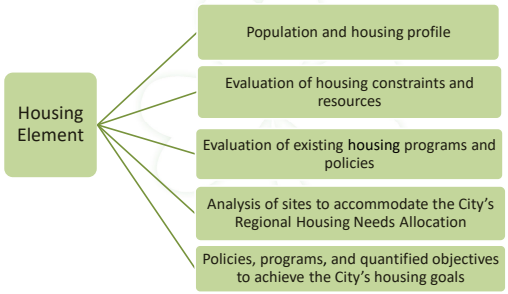
4

Why are Housing Elements Updated?

- Ensures the City complies with State housing laws
- Demonstrates Dublin's ability to meet existing and projected housing needs
- Allows the City to become eligible for State-sponsored assistance programs, grants, and funding sources
- Allows the community to engage in planning process
- Prevents the State from penalizing the City

5

Housing Element Requirements



6

DUBLIN
CALIFORNIA

Outreach Efforts To-Date

7

Outreach Efforts To-Date

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Online Community Survey
  - December 2021 – February 2022
- One-On-One Property Owner Meetings

8

DUBLIN
CALIFORNIA

Regional Housing Needs Allocation (RHNA)

9

What is RHNA?

- Regional Housing Needs Allocation (RHNA)
- Quantifies the need for housing within each City/County in California
- Based on future growth in population, employment, transportation, and households



10

How is RHNA determined?

Department of Housing and Community Development
HCD determined and distributed the State's housing need to Regional Planning Agencies (MPOs)

Association of Bay Area Governments
ABAG developed methodology to determine "fair share" distribution of the region's housing need to local jurisdictions

City of Dublin RHNA
2023-2031
3,719

11

RHNA Allocation: 6th Cycle (2023-2031)

Income Category	% of Area Median Income	Income Range*		RHNA Allocation (Housing Units)
		Min.	Max.	
Very Low Income	0 - 50% AMI	--	$68,500	1,085
Low Income	51 – 80% AMI	$68,501	$109,600	625
Moderate Income	81 – 120% AMI	$109,601	$150,700	560
Above Moderate Income	>120% AMI	$150,701	--	1,449
			Total:	**3,719**

**Based on the 2021 area median income for a family of four in Alameda County - $125,600*

12

DUBLIN
CALIFORNIA

Candidate Sites

13

Candidate Sites Strategies

- Identify sites to accommodate RHNA (3,719 units)
- Candidate sites must consider:
  - Access to community resources and services
  - Infrastructure
  - Environmental barriers
  - Access to transportation

14

Existing Zoning Strategies

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	24		828
Remaining Need	644	-	(695)	644

15

Remaining RHNA Need Options

- Remaining need: 644 very-low/low-income units
  - Alameda County Surplus Properties
  - Hacienda Crossings
  - SCS Property



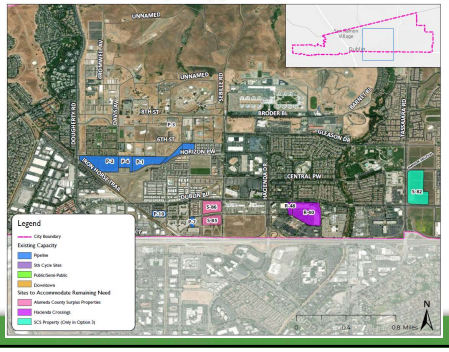
16

Remaining RHNA Rezone Strategies

Options to Distribute Remaining Need					
		Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

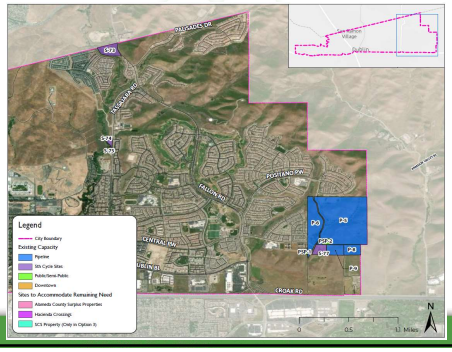
17

Candidate Sites



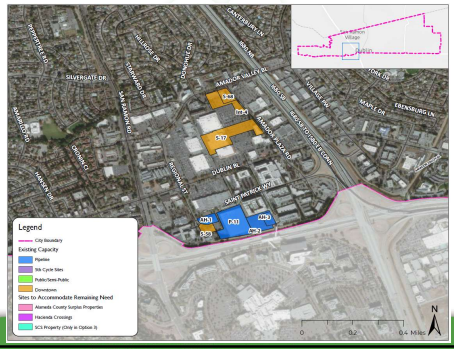
18

Candidate Sites (Continued)



19

Candidate Sites (Continued)



20

DUBLIN
CALIFORNIA

New Policy Program Requirements

21

Existing Housing Element Goals

- **Goal A**: Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents.
- **Goal B**: Expand housing opportunities for all segments of Dublin's population.
- **Goal C**: Use public and private resources to maintain and enhance existing residential neighborhood characteristics.
- **Goal D**: Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, marital status, familial status, disability, source of income, sexual orientation, or any other arbitrary factor.
- **Goal E**: Promote energy efficiency and conservation throughout Dublin.

22

New Policy Program Topics

- Affirmatively Furthering Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development*
- Objective Development Standards*
- Senate Bill 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers*

**Addressed in current Housing Element, but modifications required*

23

New Policy Program Topics (cont.)

- Housing for Persons with Developmental Disabilities*
- Farmworker and Employee Housing*
- Density Bonus and Removal of Development Constraints*

**Addressed in current Housing Element, but modifications required*

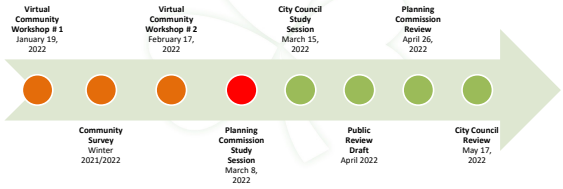
24

DUBLIN
CALIFORNIA

Next Steps

25

Tentative Housing Element Update Schedule



26

Recommendation

- Receive presentation and provide feedback on the Housing Element Update.

27

Thank you!

Questions?

Michael Cass, Principal Planner
michael.cass@dublin.ca.gov
(925) 833-6610

Or visit: https://dublin.ca.gov/2241/Housing-Element-Update
Subscribe for e-notifications on the Housing Element webpage.

28

F.9 City Council Meeting #5

This Section contains materials prepared for the City Council meeting on March 15, 2022.

Agenda Item 7.1

STAFF REPORT
CITY COUNCIL

DATE: March 15, 2022

TO: City Council

FROM: Linda Smith, City Manager

SUBJECT: Housing Element Update Check-In
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update for the 2023-2031 planning period, including a presentation on the updated Preliminary Sites Analysis, policy framework, and project schedule. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element.

STAFF RECOMMENDATION:

Receive presentation and provide feedback on: 1) the distribution of Regional Housing Needs Allocation (RHNA) units on the additional sites; 2) the selection of sites identified in Downtown Dublin; and 3) holding Downtown RHNA units outside of the Downtown Dublin Specific Plan Development Pool.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The cost to prepare the Housing Element Update will be offset in part by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 from the Regional Early Action Planning (REAP) Grant Program. The City's Fiscal Year 2021-22 Budget sufficiently covers the remaining cost.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014 – 2022. The Housing Element must be updated and certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

On December 16, 2021, the Association of Bay Area Governments (ABAG) Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023-2031, which is the final step in ABAG's RHNA process. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period.

Table 1. Dublin's 2023-2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Table 2 below details how the proposed components of the Preliminary Sites Inventory would accommodate the City's RHNA and identifies the "remaining need" for sites to accommodate 644 lower-income units. Refer to the City Council Staff Report dated November 2, 2021, for a complete discussion of the Preliminary Sites Inventory (Attachment 1).

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(202)	(2,127)	(2,723)
Accessory Dwelling Units	(149)	(82)	(17)	(248)
5th Cycle Sites	-	(252)	-	(252)
Public/Semi-Public Sites	(134)	-	-	(134)
Downtown Dublin	(389)	(24)	-	(413)
Remaining Need	644	-	(695)	

On November 2, 2021, the City Council conducted a Study Session on the Housing Element Update and RHNA, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse, rather than concentrate in the Downtown, lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Properties and the Hacienda Crossings shopping center as sites to accommodate the remaining need.

In addition, the City Council directed that on sites identified to meet the remaining need, 50% of the units should be affordable to lower-income households and 50% to above-moderate income households. This approach attempts to address potential consequences under the "No Net Loss" law (Government Code § 65863). Among other things, "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Sites Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. If the actual development of a site identified in the Sites Inventory includes all or some portion of market rate units, the City will be required to identify new sites, within 180 days of the project approval, to accommodate the lower-income units that were included on the sites in the inventory.

Additional Sites

Based on the direction from the City Council, Staff prepared a Preliminary Sites Inventory that prioritizes the Alameda County Surplus Properties and the Hacienda Crossings shopping center to accommodate the remaining need. Staff prepared three options for consideration as illustrated in Table 3 and further discussed below. Option A addresses the City Council direction to prioritize the Alameda County Surplus Properties by assigning more units to this property; Option B splits the Remaining Need equally between the two sites; and Option C allocates some of the units to the future affordable housing site identified in the recently adopted Preferred Plan for the SCS Property. Each option includes lower-income and above moderate-income units on the County Property and Hacienda Crossings, but only includes the lower-income units on the SCS Property that were identified in the Preferred Plan. All the remaining need in the "lower-income" category requires sites to allow "at least 30 units per acre." To satisfy the remaining need, the City will be required to amend the General Plan and/or rezone the sites to accommodate these units.

Table 3: Options to Distribute Remaining Need					
		Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Option A	**Alameda County Surplus Property**	441	0	441	882
	Hacienda Crossings	203	0	203	406
	Total:	644	0	644	1,288
Option B	**Alameda County Surplus Property**	322	0	322	644
	Hacienda Crossings	322	0	322	644
	Total:	644	0	644	1,288
Option C	**Alameda County Surplus Property**	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

- Alameda County Surplus Properties: The General Plan land use designation of Site D-2 (northern portion) and Site E-2 in the Transit Center is Campus Office and has Planned Development Zoning. The 13.35 acres are located north of the Dublin/Pleasanton BART station and are currently undeveloped. Staff preliminarily envisions the property could be developed to allow a density of 66 units per acre, which is the average residential density within the Transit Center.
- Hacienda Crossings: The General Plan land use designation for the Hacienda Crossings shopping center, located southeast of Dublin Boulevard and Hacienda Drive, is General Commercial and has Planned Development Zoning. Staff preliminarily envisions a mixed-use development with a minimum density of 48 units per acre, similar to the Waterford Place Shopping Center and Apartments. Based on meetings with the property owner, Staff recommends including those units on the two large parcels located at the northeast corner of the shopping center, as it could be accommodated on the parking lots and maintain the existing development.
- SCS Property: On February 15, 2022, the City Council approved the Preferred Plan for the SCS Property, which is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre Public/Semi Public site for affordable housing that contemplates between 70 and 150 units.

Refer to Attachment 2 for a map of the Preliminary Sites Inventory.

Downtown Sites

As shown in Table 2 above, 413 lower income units (389 very-low- and low-income, and 24 moderate-income) are identified in Downtown Dublin. These units were identified in the current Housing Element to accommodate the RHNA and would be reused in the Housing Element Update. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are); and (b)

the Housing Element requires the sites be rezoned "to allow residential use by right for housing developments in which at least 20% of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval," such as the Community Benefit Agreement, although it specifically allows for design review.

In order to reuse these units in the Housing Element Update, the City must identify actual parcels to accommodate the units. Staff identified four properties in Downtown Dublin to accommodate these lower-income units. These properties are shown in orange in Attachment 2. The four properties include: 1) the former Grocery Outlet property where the City entered into a Memorandum of Understanding to allow 80 affordable dwelling units; 2) the site with a vacant building at the southwest corner of Amador Valley and Amador Plaza Road; 3) a portion of the site where Hobby Lobby is located; and 4) the site of the former Willow Tree restaurant located at 6513 Regional Street.

A cornerstone of the Downtown Dublin Specific Plan is the Residential Development Pool whereby a Community Benefit Agreement is required to pull units from the pool. However, qualifying development on these sites must be "by right" and would not be subject to a Community Benefit Agreement, thus, the City would not achieve additional benefits by allocating these units from the existing pool. Therefore, Staff recommends adding these units to the Downtown Dublin Specific Plan outside of the Development Pool. The addition of these units outside of the Development Pool would support the Downtown Dublin Preferred Vision, which contemplates the additional units to support that vision.

Housing Element Programs

Each jurisdiction must identify specific programs in its Housing Element that will allow it to implement the stated policies and achieve the stated goals and objectives. Programs must include specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must also include a specific timeframe for implementation, identify the responsible party for implementation, describe the jurisdiction's specific role in implementation, and (whenever possible) identify specific, measurable outcomes.

Programs should reflect the results and analyses of the jurisdiction's local housing needs, available land and financial resources, and the mitigation of identified governmental and non-governmental constraints. For example, if the analysis identifies constraints related to local regulations, the Housing Element should identify specific programmatic actions to address that constraint.

To make adequate provision for the housing needs of people of all income levels, a jurisdiction must, at a minimum, identify programs that do all of the following:

- Identify adequate sites, with appropriate zoning and development standards and services to accommodate the locality's share of the regional housing needs for each income level.
- Assist in the development of adequate housing to meet the needs of extremely-low-, very-low-, low-, and moderate-income households.
- Conserve and improve the condition of the existing affordable housing stock.
- Preserve assisted housing developments at-risk of conversion to market-rate.

- Promote equal housing opportunities for all people, regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability.

Additionally, there are a number of new program topics required with the 6th Cycle Housing Element including the following:

- Affirmatively furthering fair housing.
- Promotion of ADUs and Junior ADUs.
- Objective Development Standards.
- Senate Bill 35 streamlining.
- Emergency shelters, transitional and supportive housing, and lower barrier navigation centers.
- Housing for persons with developmental disabilities.
- Farmworker and employee housing.
- Funding and rental assistance programs.
- Density Bonus; and removal of development constraints.

Staff is preparing the draft Housing Element to incorporate these programs as required by State law.

Public Outreach

The City is in the process of implementing outreach and engagement strategies with the community, stakeholders, and decision makers during the Housing Element Update process. Notable outreach strategies since the November 2, 2021 City Council meeting include the following:

- **Survey.** Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics. The City received 205 survey responses. Most respondents believe affordable and senior housing are missing in Dublin and prefer housing be located near transportation hubs. For complete survey results, refer to Attachment 3.
- **Workshops.** The City also hosted two Housing Element Workshops via Zoom on January 19, 2022, and February 17, 2022. The workshops provided an overview of the Housing Element and RHNA, potential sites to include in the Sites Inventory, progress to date, required policy and program topics, as well as next steps. The workshops also included an interactive component using an online tool called "Mentimeter," where the attendees provided feedback on their housing experience, housing challenges and opportunities, and their vision for housing in Dublin. Community members expressed a desire for more affordable and transitional/supportive housing, introducing residential uses to underperforming retail centers, and general support for the proposed sites to include in the sites inventory. Concerns were also expressed about potential impacts on parks and about the referendum of the East Ranch project impacting the ability to bring more market rate and affordable housing to the community. Recordings of the workshops are available on the City's

YouTube channel and on the Housing Element Update webpage.

- **Property Owner Meetings.** Additionally, Staff hosted one-on-one meetings with property owners of the "Additional Sites" under consideration to be included in the Sites Inventory. Both the representative for the Alameda County Surplus Land Authority and Hacienda Crossings shopping center are supportive of having their non-residential properties rezoned to accommodate the RHNA.

Project Schedule and Next Steps

Table 4 below summarizes the key dates in the Housing Element Update Process:

Table 4. Key Dates	
Step / Task	**Date(s)**
Public Review of Draft Housing Element	April 7 – May 7, 2022
Planning Commission Review of Draft Housing Element	April 26, 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 17, 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	November 2022 - January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) City Council Staff Report, dated November 2, 2021, without attachments
2) Sites Inventory Map
3) Survey Results

DUBLIN
CALIFORNIA

STAFF REPORT
CITY COUNCIL

Agenda Item 3.1

DATE: November 2, 2021

TO: City Council

SUBJECT: Status Report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

The City Council will receive a status report on the Housing Element Update, Regional Housing Needs Allocation, and Preliminary Sites Inventory. Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014-2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023-2031 planning period. Staff is seeking feedback from the City Council on policy direction about the Preliminary Sites Inventory. Following the meeting, Staff will finalize the sites inventory and incorporate it into the draft Housing Element for consideration by the City Council at a future public hearing.

STAFF RECOMMENDATION:

Receive the report and provide feedback on the Housing Element Update.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The City's Fiscal Year 2021-22 Budget sufficiently covers this cost. The cost to prepare the Housing Element Update will be offset by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 via the Regional Early Action Planning (REAP) Grant Program.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law, enacted in 1969, mandates that

local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

The City's current Housing Element covers the period of 2014-2022. The Housing Element must be updated and then certified by the California Department of Housing and Community Development (HCD) by January 2023 for the 2023-2031 planning period.

Regional Housing Needs Allocation

The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's Regional Housing Needs Determination (RHND) across the local jurisdictions in the nine-county Bay Area. Distribution of the RHND results in each jurisdiction's RHNA, which is the number of housing units the jurisdiction must plan for in the next Housing Element update. State law provides a series of statutory objectives that must be met in the RHNA methodology, including increasing affordability in an equitable manner, improving the balance between low-wage jobs and lower-income housing (jobs-housing fit), and addressing equity and fair housing. The statute also requires "consistency" between the RHNA and regional plans, such as Plan Bay Area.

On June 10, 2020, HCD released the RHND for the Bay Area, which identified 441,176 units (2.35 times the 187,990 units required in the current RHNA cycle). Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income).

On January 21, 2021, the ABAG Executive Board approved the Draft Regional Housing Needs Allocation (RHNA) Methodology and submitted the draft methodology to HCD for review. On April 12, 2021, HCD confirmed the Draft RHNA Methodology furthers the RHNA objectives.

On May 20, 2021, the ABAG Executive Board approved the Final Methodology and Draft Allocation, which assigns 3,719 units of housing to the City of Dublin. Table 1 shows the City's Draft Allocation by household income category for the 2023 – 2031 planning period:

Table 1. Dublin's 2023-2031 Draft Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,085	625	560	1,449	3,719

On July 9, 2021, the City filed an appeal of the Draft Allocation of 3,719 units based on direction of the City Council with emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. ABAG received appeals from 28 jurisdictions, including the City of Dublin. Based on the number of appeals filed, the ABAG Administrative Committee considered appeals on six dates in September and October 2021. The

City's appeal was heard by the ABAG Administrative Committee on September 24, 2021, and the Committee unanimously voted to preliminarily deny the City's appeal.

ABAG is anticipated to ratify the final determination of each appeal and issue Final Allocations that include adjustments from successful appeals in November 2021. If the total number of successfully appealed units is lower than 7% of the RHND (30,882 units), then ABAG shall redistribute the units proportionately. If the number is higher than 7% of the RHND, then ABAG may develop its own methodology to redistribute the units. The ABAG Executive Board will then conduct a public hearing and adopt the Final RHNA Plan in December 2021.

Preliminary Sites Inventory

The Housing Element must include an inventory of specific sites or parcels that are available for residential development to meet the RHNA. Land suitable for residential development must be appropriate and available for residential use in the planning period. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped for, and/or rezoned for, residential use.

On October 6, 2020, the City Council received a report on the Housing Element Update and RHNA. This included an overview of the framework for selecting sites to include in the Preliminary Sites Inventory. The City Council was generally supportive of evaluating the options presented by Staff and gave direction to include sites from the current Housing Element with by-right development rather than increase the minimum density as further discussed below.

Existing Sites

Staff prepared a Preliminary Sites Inventory to accommodate the Draft RHNA of 3,719 units. This inventory prioritizes pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA before looking to rezone additional sites. Refer to Attachment 1 for a map of existing sites. The following describes these components of the Preliminary Sites Inventory:

- Pipeline Projects: Pipeline projects are those that are at any stage within the City's entitlement process or under construction as of December 15, 2022, but that have not obtained a certificate of occupancy. An estimated 2,723 units are in the pipeline, including 266 very-low, 128 low, 202 moderate, and 2,127 above-moderate units. Staff made these estimates based upon approved entitlements, pending applications, and City Staff knowledge of forthcoming projects and inquiries with prospective applicants. It is noteworthy that the pipeline projects exceed the City's allocated above-moderate-income units. Refer to Attachment 2 for a list of these projects.
- Accessory Dwelling Units: Staff anticipates that the Site Inventory will include 149 very low-, 82 low-, and 17 moderate-income accessory dwelling units (ADUs). HCD's recent Housing Element certifications have allowed ADUs to be included in the Sites Inventory at a

rate of two times the average ADUs built annually from 2018 – 2021 and multiplied that by eight years to estimate ADU development for 2023 – 2031. Using this methodology, approximately 248 ADUs are included in the Preliminary Sites Inventory. ADU quantity and affordability level estimates are tentative based on recent Housing Element certifications. In the Bay Area, the actuals are likely to be based on ABAG's methodology in development for approval by HCD and use by local jurisdictions. ABAG's methodology is anticipated to be similar to the methodology approved by HCD in other certifications, which is based upon market conditions for ADUs rented in the region. HCD may perform a review of ADU production (based on Annual Progress Reports) two years into this next planning period and jurisdictions may need to identify additional sites if the ADU projections are not being met. Unlike other units, the location of anticipated ADUs do not need to be mapped in the Preliminary Sites Inventory.

- Existing Zoning: The City can take credit in the Preliminary Sites Inventory for existing zoning capacity as discussed below.
    - 5th Cycle Moderate-Income Sites: Staff has identified eligible sites from the current Housing Element that can be included in the Site Inventory to accommodate 252 moderate-income units. State law limits a jurisdiction's ability to re-use certain sites from the prior RHNA cycle. Those limits only apply to sites used to meet the lower-income categories. See below. A number of 5th Cycle Sites were designated as moderate or above-moderate-income sites, since they do not meet the minimum density of 30 dwelling units per acre required to count for lower-income categories. These sites can accommodate 252 units.
    - Public/Semi-Public Sites: Two Public/Semi-Public Sites in Eastern Dublin can accommodate 134 lower-income units. On June 15, 2021, the City Council adopted a General Plan and Eastern Dublin Specific Plan Amendment to change the land use designation of 2.5 acres of the GH PacVest and 2.0 acres of the East Ranch properties from Semi-Public to Public/Semi-Public. This amendment allows a broader range of uses, including the potential for affordable housing developed by a non-profit entity. These sites can accommodate 134 lower-income units, as the allowed densities exceed 30 units per acre.
    - Downtown Dublin Development Pool: Within the Downtown Dublin Specific Plan, 828 units remain in the Development Pool and, if the Housing Element meets certain requirements, the Sites Inventory for the lower-income categories may include 828 lower-income units in Downtown Dublin. Non-vacant sites that were identified in a prior Housing Element may not be counted towards RHNA unless: (a) the sites are zoned to allow up to 30 dwelling units per acre (they are) and (b) the Housing Element requires the sites be rezoned by 2026 "to allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households." A "use by right" is one in which the use does not require "a conditional use permit, planned unit development permit, or other discretionary local government review or approval" that would be subject to CEQA review, although it specifically allows for design review. In October 2020, the City Council gave direction to prioritize reusing such sites rather than up-zoning other property. These units in the Development Pool could be counted as lower-

income units if the City commits in the Housing Element to rezone the sites within 3 years to allow as a use by right housing developments in which at least 20% of the units are affordable to lower income households.

Table 2 below details how the various proposed components of the Preliminary Sites Inventory above would reduce the City's RHNA and require that the inventory include a site or sites that could accommodate 247 lower-income units.

Table 2. Dublin's Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Draft Allocation	1,710	560	1,449	3,719
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

To minimize the number of additional sites needed to accommodate the RHNA, Staff prepared an inventory scenario that assumes 100% of the units produced on the Public/Semi-Public sites and in Downtown Dublin would be affordable to lower-income households. This approach avoids the need to identify a significant number of additional sites that would need to be rezoned at densities of at least 30 units per acre.

On the other hand, this approach would create certain consequences under the "No Net Loss" law (Government Code § 65863) that are important considerations. Among other things, the "No Net Loss" requires a jurisdiction, if it approves a project on a site included in the Site Inventory with fewer than the number of lower-income units identified in the inventory, to identify additional sites to continue to accommodate the RHNA by income level. It is unlikely that 100% of the units actually produced on the Downtown Dublin sites would be affordable to lower-income households. The Public/Semi-Public Sites are likely to develop with affordable housing because the land use designation only allows residential uses if developed by "a non-profit entity and serves to meet affordable housing needs or the housing needs of an underserved economic segment of the community."

Therefore, if the actual development of these Downtown Dublin sites includes all or some portion of market rate units, the City will be required to identify new sites – within 180 days of the project approval – to accommodate the lower-income units that were included on the sites in the inventory. Quickly completing such an identification may be a difficult undertaking.

The City could limit this consequence of the "No Net Loss" law by assuming that a lower percentage of the units would be affordable to lower-income households. However, such an

alternative approach would require the Housing Element to include an increased number of sites in the Sites Inventory and would increase the overall number of units planned in the community.

Given the significant policy implications of either approach, Staff believes it prudent for the City Council to consider both approaches. Tables 3 and 4 below illustrate two affordability scenarios for the units in the Downtown: 100% and 50% affordable. The 100% affordable scenario could accommodate all but 247 RHNA units using existing sites. Alternatively, the 50% scenario can accommodate all but 644 RHNA units using existing sites. Both scenarios show a surplus of above-moderate-income units, since the Pipeline Projects exceed the City's allocated above-moderate-income units, and the 50% scenario assumes half the units in the Downtown are affordable and half are above-moderate-income units.

Table 3. Remaining Need with Downtown 100% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	786	42	-	828
Remaining Need	247	(18)	(695)	247

Table 4. Remaining Need with Downtown 50% Affordable Scenario				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Downtown Dublin	389	25	414	828
Remaining Need	644	(1)	(1,109)	644

It should be noted that the 100% scenario (Table 3) clusters most of the lower-income RHNA units in the Downtown. This approach further assumes that all remaining units in the Downtown Development Pool (i.e., 828 units) would be lower-income units. These units would be in addition to the 839 already existing and planned lower-income units in the Downtown.

As an additional consideration, this Housing Element cycle includes for the first time an express requirement the Housing Element "affirmatively further fair housing." Affirmatively furthering fair housing means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities." These new statutory obligations charge all public agencies with broadly examining their existing and future policies, plans, programs, rules, practices, and related activities and make proactive changes to promote more inclusive communities. Concentrating affordable housing in the Downtown has benefits, such as promoting transit-oriented development, decreasing household transportation expenses, and decreasing greenhouse gas emissions; however, HCD and others may argue that concentrating affordable housing in one area is inconsistent with the obligation to affirmatively further fair housing.

Additional Sites
As discussed above, the City would have to include an additional 247 or 644 units in the Sites Inventory, depending on the level of affordability as illustrated in the two scenarios above (Tables 3 and 4). This section addresses the potential "additional sites" that could accommodate the remaining need.

All of the remaining need is in the "lower income" category, which requires sites allow "at least 30 units per acre." To satisfy the additional remaining need, the City will need to amend the General Plan and/or rezone additional sites to accommodate these units. For each of these additional sites, Staff and the consultant assigned a potential density between 30 and 85 units per acre. The proposed densities are based on other similar existing sites/developments in Dublin. The assigned density for the additional sites could be adjusted based on direction from the City Council. Refer to Attachment 3 for a map of the additional sites.

Staff has identified the following properties that could accommodate the remaining units:

- Development Pool Amendment: The City could amend the Downtown Dublin Specific Plan to increase the Downtown Development Pool. This action would be consistent with the Downtown Dublin Preferred Vision which contemplates the need for additional units to support the transition of Dublin Place and Dublin Plaza over the term of 30-50 years. Such changes could accommodate between 1,200 - 2,200 lower-income units. The City can maintain the Downtown Development Pool after the Housing Element Update.
- Alameda County Surplus Properties: The General Plan land use designation for the remaining 13.35-acre undeveloped sites at the Transit Center (Sites D-2 and E-2) is currently Campus Office. If developed at a density of 85 units per acre, which is consistent with the existing development at the Transit Center, such as Avalon at Dublin Station and Dublin Station by Windsor, then these sites could accommodate up to 1,133 lower-income units, not including the southern portion of Site D-2 where the Westin Hotel is approved.
- SCS Property: The SCS Property is the vacant 76.9-acre property located north of I-580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The existing General Plan and EDSP assume residential development of 261 units. This site is the subject of a General Plan Amendment Study. The City Council directed Staff to work with the property owner to conduct a community outreach process to gather input on the future use and development of the property. That process is underway and the number of residential units on this site has not yet been determined.
- Hacienda Crossings: Rezoning a portion of Hacienda Crossings for mixed-use development at a minimum density of 48 units per acre could accommodate up to 1,839 lower-income units. Staff preliminarily envisions such density to result in a product like the Waterford Place Apartments, while balancing other impacts such as traffic and parking.
- North Side of Dublin Boulevard: Rezoning the commercial sites on the north side of Dublin Boulevard, between Dublin Court and Clark Avenue to a minimum density of 30 du/acre could accommodate up to 548 lower-income units. This density would be consistent with the existing Tralee Apartments located in the vicinity and meets the minimum density requirement to qualify as lower-income units. Additionally, the Tralee

Apartments could be cited as an example to HCD about the viability of these properties being redeveloped.

- IKEA Site: Rezoning approximately seven acres of the Ikea site not slated for the IKEA store to a minimum density of 48 units per acre could accommodate approximately 315 lower-income units. This density would be like that of the Waterford Place Apartments, which is the density Staff preliminarily envisions could be accommodated on this site, while balancing other impacts and development standards, such as traffic and parking.
- Hexcel Corporation Site: The Hexcel Site, located at 11711 Dublin Boulevard directly west of the Dublin Historic Park and Museums, comprises two parcels totaling 8.95 acres. Hexcel will be relocating from this site which is currently available for sale. The entire site has a General Plan Land Use of Business Park/Industrial. Both parcels are in the Dublin Village Historic Area Specific Plan and have a Business Park/Industrial land use. The eastern portion of the site is zoned Light Industrial (M-1) and the western portion of the site has Planned Development Zoning that allows Commercial-Office (C-O) uses. If the site is redeveloped at a minimum density of 30 units per acre, then 264 lower-income units could be accommodated. This density was selected as it meets the minimum density requirement to qualify as lower-income units.

Table 5 below summarizes the potential sites to accommodate Dublin's remaining need of 247 or 644 units, depending on the level of affordability as illustrated in the two scenarios:

Table 5. Potential Sites to Accommodate Remaining Need	
Site	Potential Number of Units
Development Pool Amendment and Retail District Up-Zoning	1,200 - 2200 units
Alameda County Surplus Properties	1,133 units
SCS Property	TBD
Hacienda Crossings	1,839 units
North Side of Dublin Boulevard	548 units
Ikea Site	315 units
Hexcel Corporation Site	264 units

When selecting "Additional Sites," notable factors and characteristics to consider include, but are not limited to, the following:

- Proximity to Public Transit and Vehicle Miles Traveled
- Displacement of Existing Uses
- Probability of Redevelopment
- Mix of Compatible Uses
- Site Constraints
- The extent to which a particular site affirmatively furthers fair housing

Tables 6 and 7 illustrate potential options to accommodate the remaining RHNA units again using the assumption that either 100% or 50% of the units on these sites are produced as affordable units. Simply for illustrative purposes, Table 6 adds 247 units at the Transit Center. Table 7 adds 450 units at the Transit Center and 194 units at Hacienda Crossings.

Table 6. Preliminary Sites Analysis Example (100% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	786	42	-	828
Alameda County Surplus Properties	247	-	-	247
Total	1,710	578	2,144	4,432

Table 7. Preliminary Sites Analysis Example (50% Affordable Scenario)				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Pipeline Projects	394	202	2,127	2,723
Accessory Dwelling Units	149	82	17	248
5th Cycle Sites	-	252	-	252
Public/Semi-Public Sites	134	-	-	134
Downtown Dublin	389	25	414	828
Alameda County Surplus Properties	450	-	450	900
Hacienda Crossings	194	-	194	388
Total	1,710	561	3,202	5,473

As shown in Table 6 above, the 100% affordable scenario would result in 4,432 units, including 713 more units than the City's Draft Allocation. Most of that excess includes 678 above-moderate-income units in the project pipeline. This option still relies on all remaining units in the Downtown Development Pool to satisfy a portion of the lower-income category. However, this reliance on the units in the Downtown could be reduced by increasing the number of lower-income units placed on the Alameda County Surplus Properties.

As shown in Table 7 above, the 50% affordable scenario would result in 5,473 units, including 1,754 more units than the City's Draft Allocation. That excess above our Draft Allocation primarily includes above-moderate-income units in the project pipeline, Downtown Dublin, Alameda County Surplus Properties, and Hacienda Crossings. This results from the assumption that only 50% of the

units on those sites would be affordable. This scenario would reduce the clustering of lower-income units in the Downtown by only relying on approximately half of the current Development Pool to satisfy the lower-income categories.

Staff seeks feedback from the City Council on the following questions:

1. What percentage of planned units should be assumed as affordable on opportunity sites? Should Staff assume 100%, 50%, or a different percentage of affordable units?
2. Based on the requirement to affirmatively further fair housing, should an emphasis be placed on providing lower-income affordable units in the Downtown or should they be dispersed throughout the City?
3. Which "Additional Sites" should be prioritized to accommodate the RHNA obligation not met by "Existing Sites"?

Following the meeting, Staff will work with the Consultant to refine and finalize the sites inventory to be included in the Housing Element which the City Council will consider adopting at a future public hearing.

Project Schedule and Next Steps
Table 8 below summarizes the key dates in the Housing Element Update Process:

Table 8. Key Dates	
Step / Task	Date(s)
Public Outreach (Survey and Stakeholder Workshops)	November 2021 – February 2022
City Council Approve Draft Housing Element and Submit to HCD for Review	May 2022
Environmental Review	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	December 2022 / January 2023

ENVIRONMENTAL DETERMINATION:

The informational report on the Housing Element Update is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378.

STRATEGIC PLAN INITIATIVE:

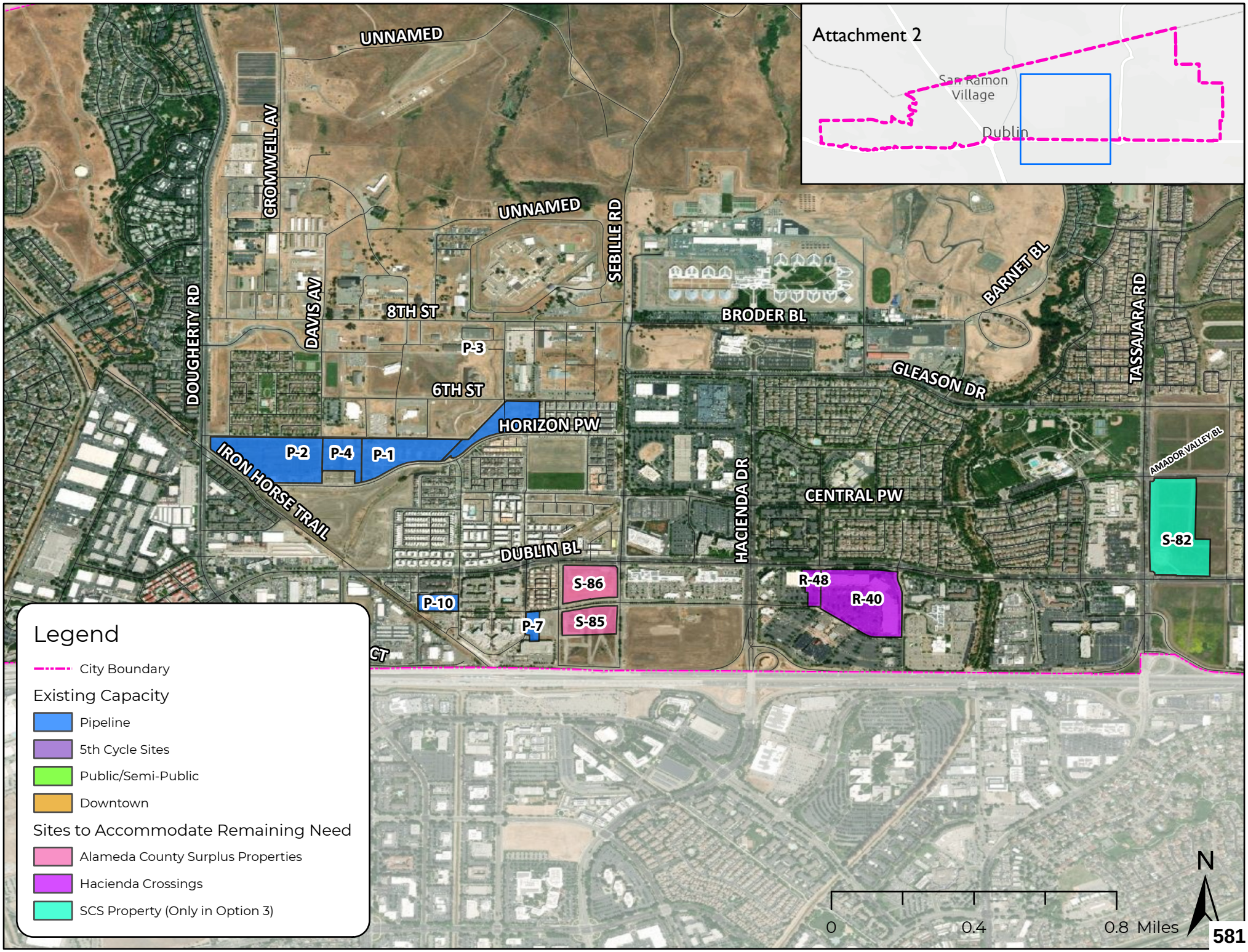
Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023-31.

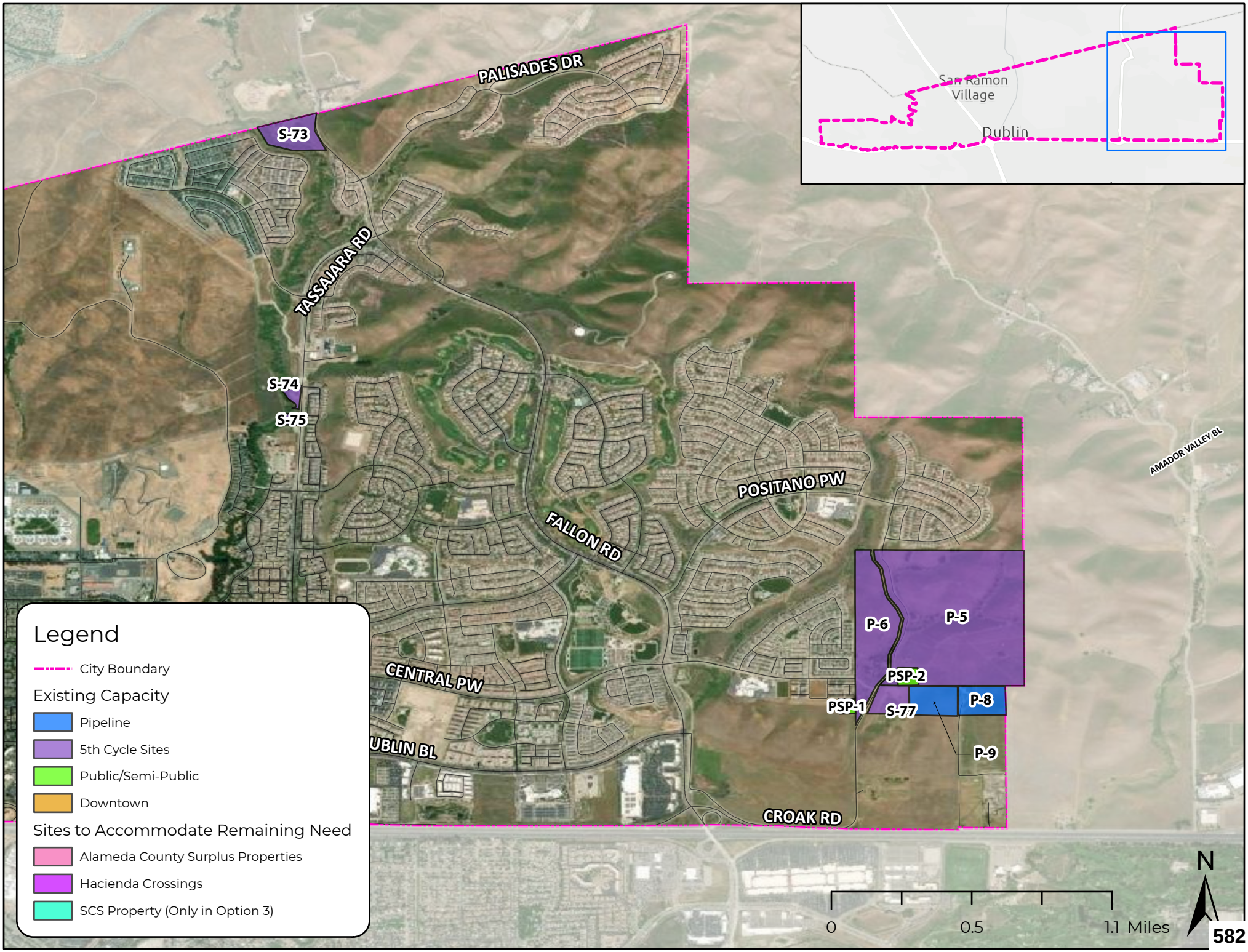
NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City Council Agenda was posted.

ATTACHMENTS:

1) Map of Existing Sites
2) Pipeline Projects Table
3) Map of Additional Sites


Attachment 2
San Ramon
Village
Dublin
UNNAMED
CROMWELL AV
UNNAMED
SEBILLE RD
BARNET BL
TASSAJARA RD
DOUGHERTY RD
DAVIS AV
8TH ST
BRODER BL
P-3
6TH ST
GLEASON DR
HORIZON PW
P-2
P-4
P-1
IRON HORSE TRAIL
HACIENDA DR
CENTRAL PW
AMADOR VALLEY BL
S-82
DUBLIN BL
S-86
R-48
R-40
P-10
P-7
S-85
CT
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.4
0.8 Miles
N


PALISADES DR
S-73
TASSAJARA RD
S-74
S-75
FALLON RD
POSITANO PW
AMADOR VALLEY BL
P-6
P-5
PSP-2
P-8
PSP-1
S-77
P-9
CENTRAL PW
UBLIN BL
CROAK RD
San Ramon Village
Dublin
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.5
1.1 Miles
N

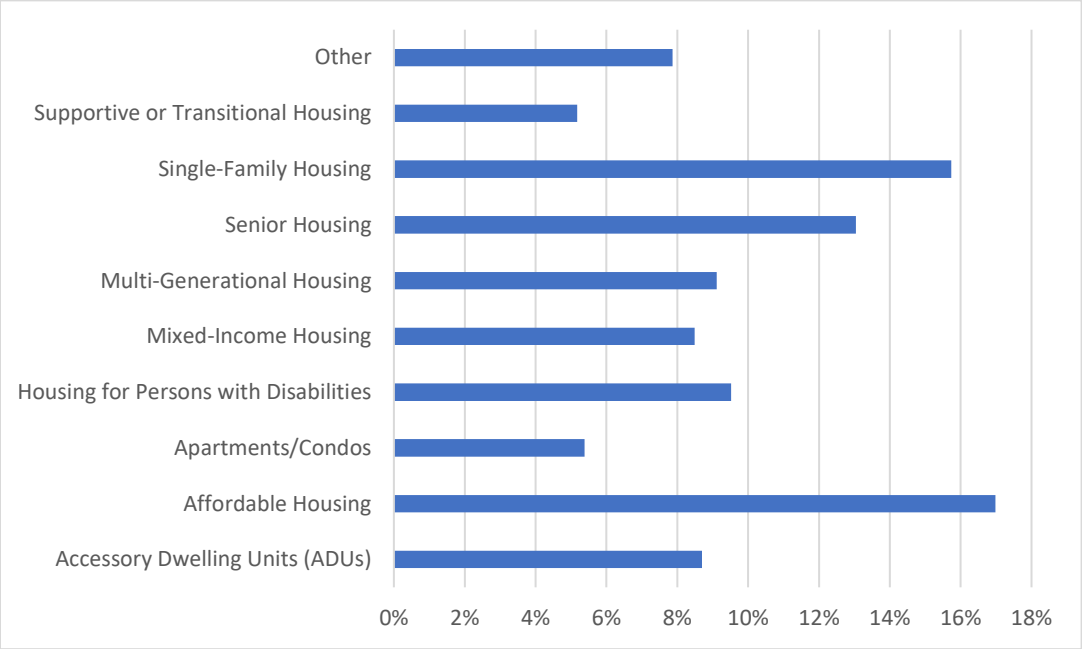

San Ramon Village
Dublin
PEPPERTREE RD
HILLROSE DR
DONOHUE DR
CANTERBURY LN
I680 NB
SILVERGATE DR
STARWARD DR
SAN RAMON RD
AMADOR VALLEY BL
I680 SB
VILLAGE PW
YORK DR
MAPLE DR
EBENSBURG LN
AMARILLO RD
CRONIN CI
HANSEN DR
REGIONAL ST
DUBLIN BL
AMADOR PLAZA RD
I680 SB TO I580 EB CONN
SAINT PATRICK WY
S-68
Int-4
S-17
AH-1
P-11
AH-3
AH-2
S-58
Legend
City Boundary
Existing Capacity
Pipeline
5th Cycle Sites
Public/Semi-Public
Downtown
Sites to Accommodate Remaining Need
Alameda County Surplus Properties
Hacienda Crossings
SCS Property (Only in Option 3)
0
0.2
0.4 Miles
N

Housing Element Update Community Survey

From December 20, 2021 through February 28 2022, the City of Dublin launched an online community survey to gather input and feedback regarding the Housing Element Update. Participants were asked to report on their housing experience in Dublin, consider potential policies and programs, and reflect on future housing opportunities in the City. A total of 205 surveys were completed and submitted. Below is a summary of the results.

Housing Types

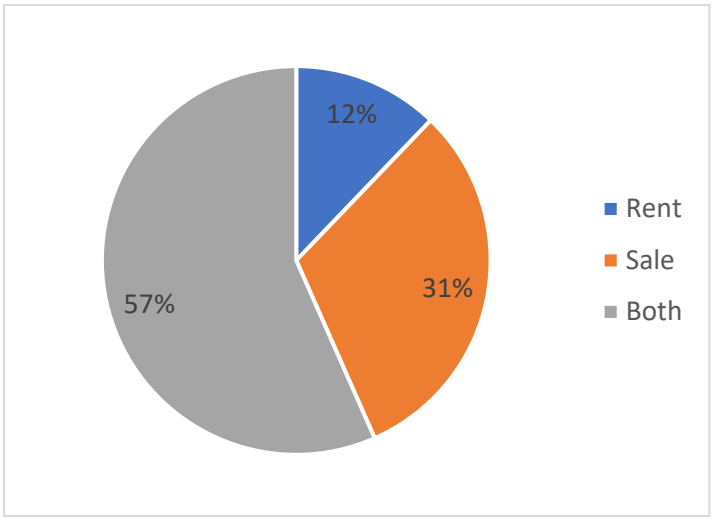
What Types of housing do you think Dublin is missing? (Please select all that apply)



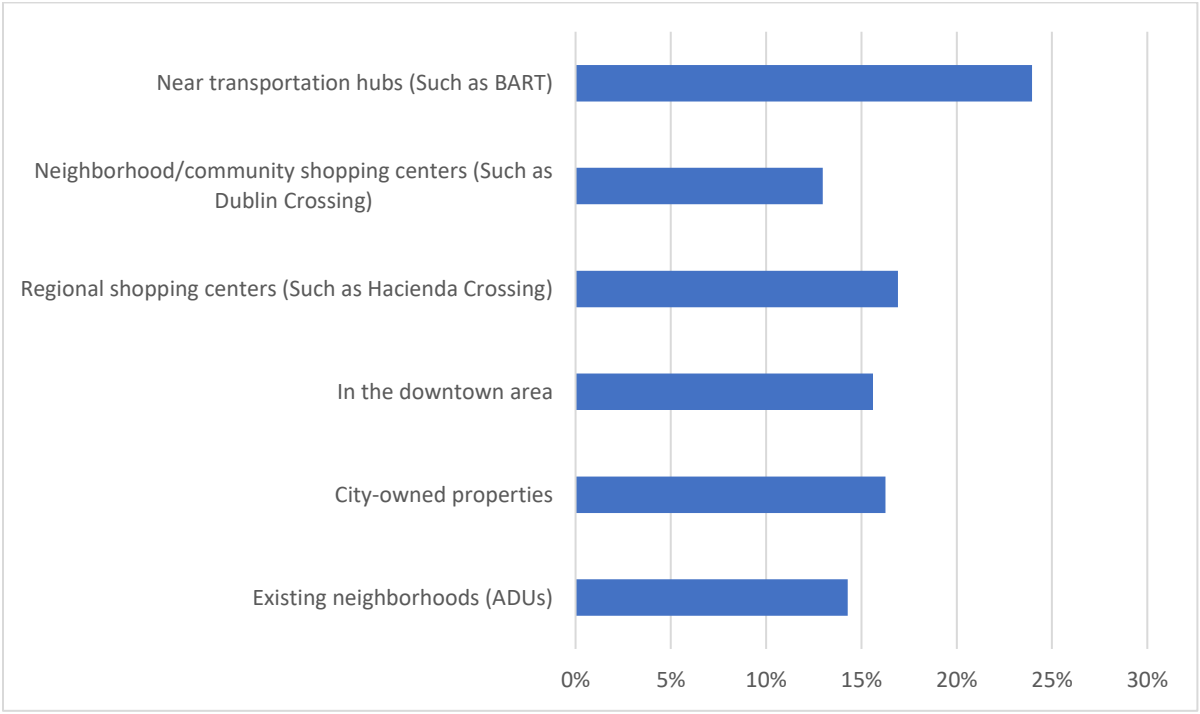
Other:

- One-level
- Assisted living through memory/long-term care
- Housing for Dublin workers earning minimum wage
- Low income/senior and diverse housing on the east side of town
- Middle income family housing
- Homes with yards
- Enough housing
- More schools

What type of housing, for rent or for sale, do you think is needed?



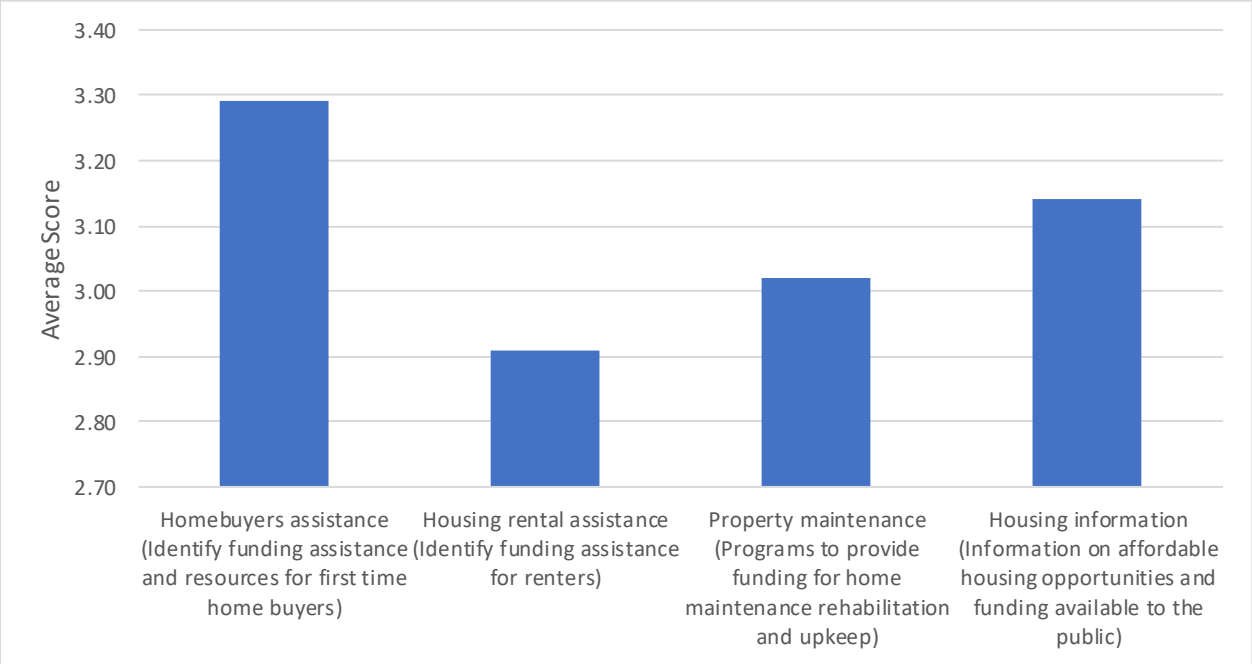
Where do you think the City should locate future housing that is required to be planned for in the Housing Element update? (Please select all that apply)



Housing Program Opportunities

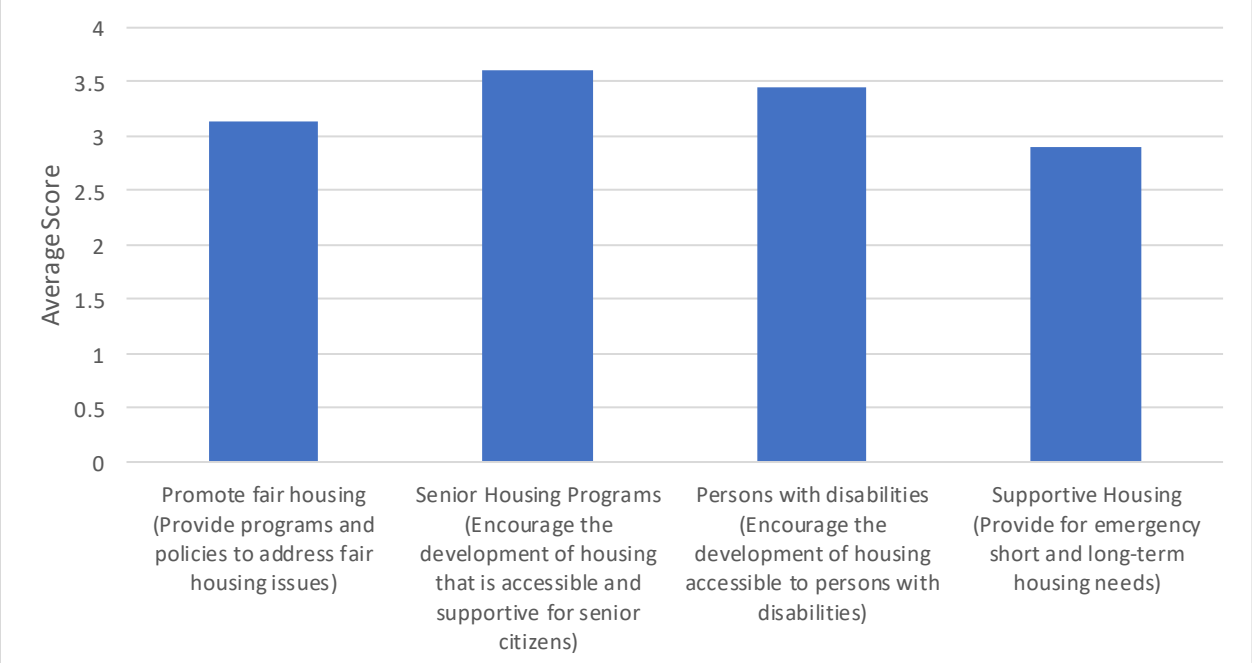
Community Assistance:

Please rate the following based on importance to the community. (1 being the least important and 5 being the most important)



Fair Housing:

Please rate the following based on importance to the community. (1 being the least important, 5 being the most important)



Vision for the Future

In 10 words or less, describe your vision for the future of housing in Dublin.

Infill and affordable housing
Affordable, quality housing for first time home buyers.
I don't to see over population nor do I want to have a lot of low income properties.
Equitable, affordable housing/good neighborhoods for all income levels.
Senior, stand-alone housing, single level.
Not growing.
No more honeycombs. 4-unit max groupings for apts, townhouses.
Town homes located in infill areas or underutilized retail. Leave open space open
Less houses. BUILD MORE SCHOOLS TO SUPPORT NUMBER OF HOMES HERE!
Need middle school and elementary school existing schools are overcrowded.
don't screw up property values
Low and middle income housing desperately needed
Dublin needs to stop additional housing and focus on supporting infrastructure. The city has become a plague of development and homes. Traffic is ridiculous.
Dublin WILL continue to grow; supply needs to keep up.
I think future housing should be scaled way down.
Stop building
Dublin is pretty much built out. We need closer to home employment, not more housing
inclusionary housing by private developers. no more huge apartment buildings.
NO MORE HOUSES PLEASE. The Dublin streets and corresponding freeways cannot handle more houses.
Where people from all incomes can find a home.
Just enough
Land in Dublin is already quite filled up and the school district can’t keep up. No more new housing
Affordable housing for mixed demographic population with access to schools, utilities, and basic infrastructure
Stop adding more houses to an already overpopulated city. Keep Dublin small.
More spacious single family homes with bigger lot six having more space between two adjacent homes.
Plan for baby boomers to remain in Dublin to open up existing houses to new families.
Equitable, fair, and transparent community needs.
Please have a affordable housing for low income families
For seniors.
Inclusive for all current and new residents
STOP the excessive overbuilding! Especially the dense housing of condos/townhomes. Dublin should not bear the sole responsibility for any housing shortage for the entire county/state. Schools are overcrowded, roads are overcrowded, great majority of residents agree we are overcrowded and also agree the explanation given to us that the City is required to continue building thousands of units is ridiculous. If this is the case, then push back and do something to change it. STOP allowing those outside our City to determine the well-being of our City based on reports and numbers read from afar. Those that live here and those that have taken positions responsible for our best interests have an obligation to fight for our best interests even when it’s hard and even when it’s directly against

current established criteria/rules. Circumstances change and therefore rules and criteria may also require change. STOP the building! DEMAND CHANGE to the current criteria. DO WHAT'S BEST AND WANTED FOR OUR RESIDENTS.
Denser housing that makes Dublin more walkable
stop sprawl, start building up, and support mixed-use
Affordable housing for Next generation to stay in Dublin.
Housing Maintenance / mortgage programs for disabled and elderly persons.
Diverse
Dublin is the city of choice for East Bay area
Housing in Dublin should be easily affordable and publicly funded.
It MUST involve additional community infrastructure.
Dublin needs more housing but spread out, not near to existing congested areas.
Less high density housing due to water shortage, climate change, and full schools. More senior citizen housing or senior communities.
accessible to all
No more housing at all.
Add housing to shopping centers, similar to the Waterford Place Apartments which sit above and adjacent to the Shops at Waterford. These properties are generally located near major traffic arteries and transit lines and can support increased density. Adding housing will also support retail without increasing vehicular travel.
Housing for all
Stop building!
Walkable, mixed-use, transit-oriented development
Provide help with SB 9 application
relentless development of large, trashy high-density eyesores
A great place for everyone to live.
I feel the city is overbuilt and overcrowded. More focus on improving infrastructure is needed than housing.
Stopping growth is futile, we need to increase housing supply
dense, accessible, affordable, inclusive, diverse, maintained, transit-oriented
I wish housing didn't outpace schools, but homebuilders rule us.
Modern and mixed with commercial areas and near public transportation
Affordable for housing for anyone to be able to live in this city.
Balanced housing with schools, commercial and SF/MF properties
Nice, safe community close to everything with range of housing options
Slow, steady growth that the schools can keep up with
affordable for those that grew up in this community, currently live and work here
Transit oriented housing for all income levels
Do not construct or allow housing until new schools are built
Smart growth does not burden residents
Dublin should invoke a 10-year moratorium on any new development and focus on failing infrastructure. Schools are overcrowded, there's a traffic nightmare on city roads, city services cannot support any new development. City council has turned Dublin into a concrete jungle and needs a break.

Dublin is overcrowded and there is no infrastructure to support any more homes. STOP Building new homes
Plenty of housing options for people
Dublin Boulevard should have a strong sense of place defined by 4 to 5 story apartments and condos.
Diverse, welcoming to all income levels and ages
We need more single family houses in Dublin
Less condos/stack n pac. Dublin Blvd/Bart areas so congested!
Where housing is seen as a right not a privilege and there is greater understanding that housing is not primarily an investment but a necessity. I hope to see communities with mixed styles of housing, so neighborhoods aren't separated into silos
Overcrowded high density housing is not recommended nor needed.
Less dense in fill housing
Have east Dublin get their share of more diverse housing types vs packing it all into west Dublin so it's not in their fancy backyards & neighborhoods
More housing but not in small downtown area
Great families and affordable housing
Less density
More affordable housing
More housing for all income levels is needed
Pause on housing development to allow infrastructure and schools to catch up.
SCS planning need more open space and infrastructure than housing
Don't turn into Fremont, you're starting to
Affordable
More supportive amenities and parks.
Quiet, safe, affluent, vibrant community
Stop the massive growth. More parks and open land.
no more housing! we are over capacity
More green, fewer new homes
No more dense neighborhoods. More infrastructure.
We need city rule for SB-9
More village like with higher core density areas and transit
Provide more mid-size (1300 - 1600 sq) affordable single-family houses (600K - 800k), instead of building BIG million dollars houses.
low-income housing, affordable housing is still out of reach.
Have more parks and less traffic. It is getting really crowded
One that has much less Mello Roos taxation
Sustainable environmentally conscious inclusive green spaces and community gardens
We need more retail to keep the revenue here.
For young family
Single family homes. Affordable rentals
Sick of stack and pack. NO ADUs. Changes character of neighborhood.
Better living for all
Best housing in the bay area
Available and Affordable to all

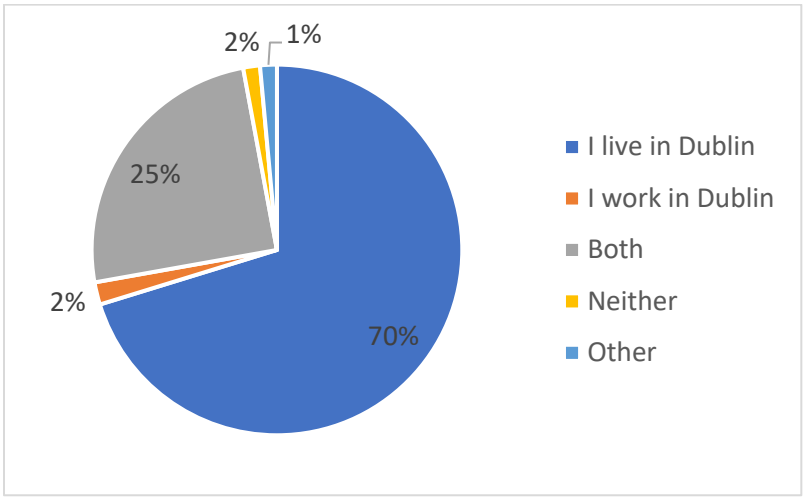
Someone in middle single income household 130k could afford a house HERE new perf everything is 780k++
no more housing. it's already too much
A significant reduction in the future approval of an unsustainable number of profligate housing developments.
High density housing ruining character of Dublin please stop it.
Build schools, not houses.
More single family houses needed
Slow down the building. Provide infrastructure.
No more new homes in Dublin. Enough is enough.
Affordable and accessible housing for every income level
Large single family homes with backyards
Please stop building!!! Dublin is full
Affordable single family houses for first time home buyers
Less density
Less houses
More individual homes. No more townhomes!
Walkable (accessible), sustainable. and neighborhood friendly.
needs based. not haphazard. Organized plans. not changed because business.
Develop without impacting already overcrowded schools, traffic, or community safety.
Semi-high-rise
Dublin used to be a great community existing primarily of single family homes. Now Dublin is known for apartments and townhomes. Outsiders don't think of Dublin as having traditional neighborhoods of single family homes. Dublin should work to get back to the neighborhoods which were integral in establishing a great community for families.
Keep the small town feel of the city.
Dublin doesn’t need any more condos or apartments
Smaller lot sizes. Build upwards. Don't neglect parks and traffic.
Single family detached homes with neighborhoods and yards are necessary.
Aesthetically pleasing, slow down planning, more schools
More schools for houses.
AFFORDABLE single family homes mixed with apartments and townhomes
More diversity inclusive neighborhoods
Affordable with supporting infrastructure such as schools and roads
Slow Down. Think 100 year plan.
Housing available for all types of individuals and families
less single-family, actually enough homes for those who want them
It’s already doomed, between DUSD and the City of Dublin there is no hope.
Less density, affordable 55+ single family home community
bousing that never exceeds infrastructure capacity - roads, water, transportation
Inclusive housing that builds a wonderful safe community
No need to construct new homes. Already too crowded
In need of single family homes with big backyards
Make it less crowded

Yards, community, trees
NO MORE HOUSING DEVELOPMENTS PLEASE! DUBLIN TOO OVERBUILT AND CROWDED.
More schools and parks. Less high density communities
More affordable housing to allow for opportunities for families
Have homes with large lot sizes
Need affordable housing, many of us are leaving Dublin because of housing costs....
Stop building multi-level townhouse style expensive condo developments.
Housing accessible to a mix of socioeconomic backgrounds
Balanced semi-urban open space town
Affordable, multigenerational, and senior housing especially on the eastern side.
Too many already, need community facilities
Housing needs are adequate, if you don preserve the nature and adjust only according to human needs, we will lose our way, let's not cram the city.
A shining example for the region for YIMBY, especially near Transit
No more housing, more libraries
Accessible for working class that works here
develop housing that creates prestige neighborhood to better the city
Build more homes.
More schools, less houses. Dublin school ratings have dropped due to overcrowding
Don't use up all the lands. Save some for future.
Please stop building these horrible tri-level homes with no front or backyards. We need single family 2-story homes with yards.
No further development, keep small town feel
Stop building homes!
More affordable housing and schools
I'm hoping that only single homes will be built in the future as there is enough high rise condos now. It's beginning to look like downtown New York or Detroit with only concrete for the children to play on. Dublin was once a beautiful country setting that attracted residents that wanted to leave the City. Now we are a City with not so many green space. Who is responsible for making all the decisions to compartmentalize people in square condos where your neighbor can hear you talking? Really, we've lived here for 50 plus years and are very disappointed in how Dublin has changed. More people, more accidents, more crime, more disagreements between neighbors, more litter etc. My vision is not a good one.
Fewer multi-family complexes; lower density
Stop building. Every piece of land does not have to have a structure on it. Nor are there the resources to support additional and continual building of homes. The population is declining for crying out loud.
Building up lots of, affordable, transit accessible, mixed-used units.
No more housing is my vision for Dublin's future.
STOP DESTROYING DUBLIN BY BUILDING ON EVERY SQUARE INCH!
Provide housing that facilitates resident investment in Dublin's 5-star status.
Less housing, more infrastructure like schools and parks please!
Turn existing buildings into housing. Toysrus, vacant buildings
More affordable options for all types of dwellings including for rent and for sale - also for seniors.
Only low income condos in built areas. Open land undeveloped

Demographics

The following questions will help us understand who in the community is participating in the process. Your information will be kept private.

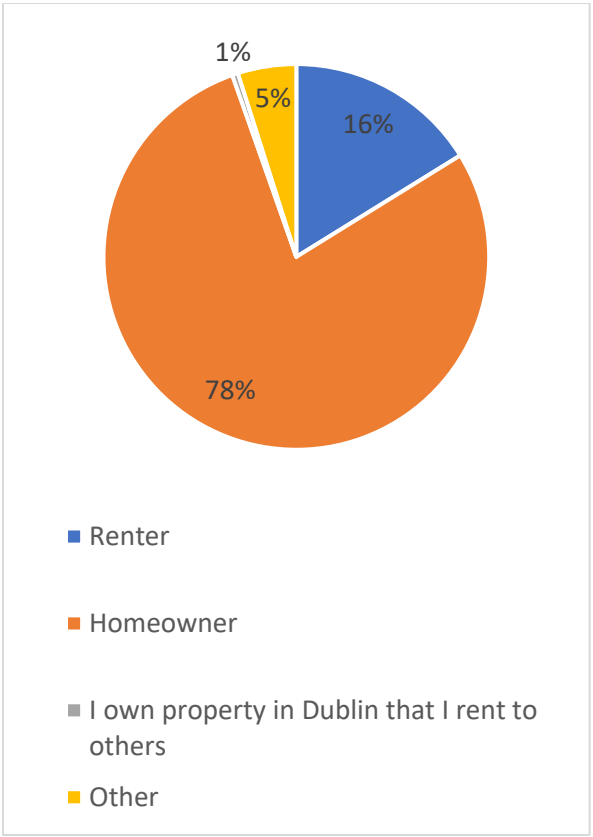
Do you live or work in Dublin?



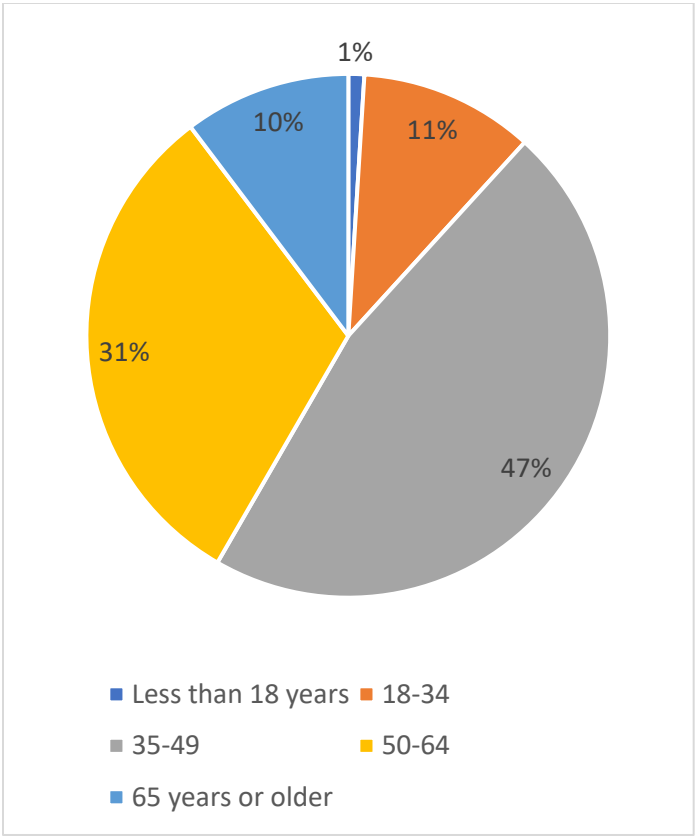
Other:

- Live with parents
- Dependent of a homeowner

Are you a renter of homeowner?



What is our age?



Item 7.1

DUBLIN
CALIFORNIA

Housing Element Update Check-In

City Council
March 15, 2022

1

Agenda

- Background
- Preliminary Sites Inventory
  - Additional Sites
  - Downtown Sites
- Program Requirements
- Public Outreach
- Next Steps



2

Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)



3

Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

4

Existing Zoning Strategies

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(202)	(2,127)	(2,723)
Accessory Dwelling Units	(149)	(82)	(17)	(248)
5th Cycle Sites	-	(252)	-	(252)
Public/Semi-Public Sites	(134)	-	-	(134)
Downtown Dublin	(389)	(24)	-	(413)
Remaining Need	644	-	(695)	

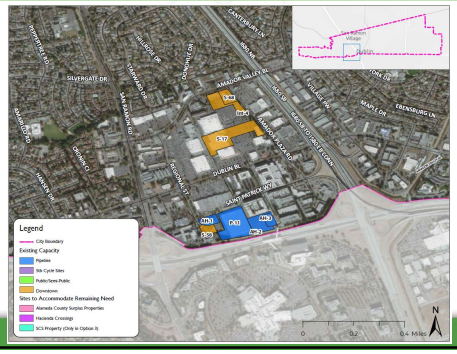
5

Additional Sites Distribution Options

Options to Distribute Remaining Need		Very Low and Low	Moderate	Above Moderate	Total
Option A	Alameda County Surplus Property	441	0	441	882
	Hacienda Crossings	203	0	203	406
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option B	Alameda County Surplus Property	322	0	322	644
	Hacienda Crossings	322	0	322	644
	SCS Property	0	0	0	0
	Total:	644	0	644	1,288
Option C	Alameda County Surplus Property	250	0	250	500
	Hacienda Crossings	244	0	244	488
	SCS Property	150	0	0	150
	Total:	644	0	494	1,138

6

Downtown Sites



7

Downtown Sites

- Must be rezoned to allow residential use by right
- Not subject to Community Benefit Agreement
- Staff recommends adding the 413 units outside Development Pool

8

Housing Element Programs

- Must include specific programs to implement goals, policies, and objectives
- Programs must include:
  - Implementation timeframe
  - Responsible party
  - City's role
  - Specific, measurable outcomes

9

New Policy Program Topics

- Affirmatively Furthering Fair Housing
- Promotion of Accessory Dwelling Unit (ADU) and Junior Accessory Dwelling Unit (JADU) Development*
- Objective Development Standards*
- Senate Bill 35 Streamlining
- Emergency Shelters, Transitional and Supportive Housing, and Lower Barrier Navigation Centers*

**Addressed in current Housing Element, but modifications required*

10

New Policy Program Topics (cont.)



- Housing for Persons with Developmental Disabilities*
- Farmworker and Employee Housing*
- Density Bonus and Removal of Development Constraints*

**Addressed in current Housing Element, but modifications required*

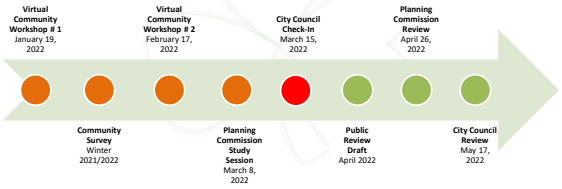
11

Public Outreach

- City Council Check-Ins
  - October 2020
  - November 2021
- Community Workshops
  - January 19, 2022
  - February 17, 2022
- Online Community Survey
  - December 2021 – February 2022
- One-On-One Property Owner Meetings

12

Tentative Schedule



13

Recommendation

- Receive presentation and provide feedback on:
  - Distribution of RHNA on additional sites
  - Selection of sites identified in Downtown Dublin
  - Including Downtown RHNA units outside of Downtown Dublin Development Pool

14

Thank you!

Questions?

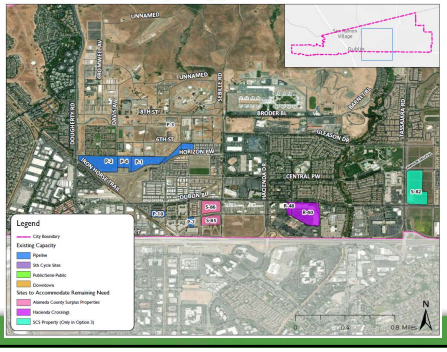
15

Alternative Distribution Option D

Alternative Option to Distribute Remaining Need				
	Very Low and Low	Moderate	Above Moderate	Total
Alameda County Surplus Property	250	-	-	250
Hacienda Crossings	244	-	-	244
SCS Property	150	-	494	644
Total:	644	0	494	1,138

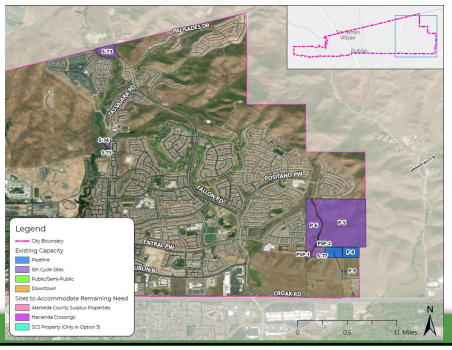
16

Candidate Sites



17

Candidate Sites (Continued)



18

F.10 Planning Commission Meeting #2

This Section contains materials prepared for the Planning Commission meeting on April 26, 2022.

STAFF REPORT
PLANNING COMMISSION

DATE: April 26, 2022

TO: Planning Commission

SUBJECT: Draft 2023 – 2031 Housing Element
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014 – 2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023 – 2031 planning period. In order to meet that mandate, the Housing Element Update must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) prior to that date. Staff prepared the Draft 2023 – 2031 Housing Element and it is currently available for public review. The Planning Commission is requested to review the Draft 2023 – 2031 Housing Element and recommend the City Council direct Staff to submit it to HCD for review.

STAFF RECOMMENDATION:

Review the Draft 2023 – 2031 Housing Element and adopt the **Resolution** recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for review.

DESCRIPTION:

Background
Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.
RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of

this process, the California Department of Housing and Community Development (HCD) identifies the total housing need for the nine-county Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing HCD's RHND across local jurisdictions, resulting in each jurisdiction's RHNA. Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income). The City filed an appeal of the Draft RHNA based on direction from the City Council with an emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. The City's appeal was rejected by the ABAG Administrative Committee.

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023 – 2031. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period. The City's Housing Element must demonstrate how it can accommodate its RHNA.

Table 1: Dublin's 2023 – 2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

The City prepared the Draft 2023-2031 Housing Element Update, which is currently available for public review. The Draft 2023-2031 Housing Element includes the following components:

- **Chapter 1: Introduction.** Contains a summary of the content, organization, and statutory considerations of the Housing Element.
- **Chapter 2: Housing Plan.** Describes Dublin's housing plan, including goals, policies, programs, and objectives.
- **Appendix A: Review of Past Performance.** Evaluates the housing programs and quantified objectives outlined in the past Housing Element and the City's efforts in meeting the program requirements and achieving the quantified objectives.
- **Appendix B: Community Profile.** Contains an analysis of the City's population, household and employment base, and the characteristics of the housing stock.
- **Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing.** Summarizes governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including funding and financial considerations, as well as a fair housing analysis.
- **Appendix D: Adequate Sites Analysis.** Identifies candidate sites by income category to meet the City's RHNA.
- **Appendix E: Housing Plan Programs Summary.** Summarizes Chapter 2.
- **Appendix F: Community Engagement Summary.** Summarizes the City's community engagement efforts to achieve public participation of all economic segments of the community.

- **Appendix G: Glossary of Terms.** Defines terms and acronyms using in the Housing Element.

The Planning Commission is being asked to review the Draft 2023-2031 Housing Element and recommend the City Council direct Staff to submit it to HCD for review.

Analysis

The following discussion focuses on two key components of the Draft 2023-2031 Housing Element, Chapter 2: Housing Plan and Appendix D: Adequate Sites Analysis.

Chapter 2: Housing Plan

The Housing Element must identify specific programs to implement stated policies and achieve goals and objectives, including specific actions the City will take. Programs must also identify: a specific implementation timeframe; responsible party; a description of the responsible party's specific role in implementation; and specific, measurable outcomes, whenever possible.

Chapter 2 includes housing programs that reflect the results and analyses of the City's local housing needs, available land and financial resources, and mitigation of identified governmental and non-governmental constraints, which are contained in Appendix B: Community Profile and Appendix C: Housing Constraints Resources, and Affirmatively Furthering Fair Housing. Many of the proposed housing programs are continuations of successful programs from the 2014-2022 Housing Element.

In accordance with State law, the following are new notable housing programs included in the Draft 2023 – 2031 Housing Element:

- **Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units.** Assisted housing are units whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs. There are 59 assisted multi-family units at-risk of converting from affordable to market-rate units during the ten years following the beginning of the planning period which starts in January 2023. The City is committed to preserving its stock of affordable housing and will provide technical assistance, seek additional nonprofit and for-profit partners, and facilitate financial assistance for assisted affordable housing units at-risk of conversion to market-rate units. The City will maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market rate.
- **Program B.8: Accessory Dwelling Unit Monitoring Program.** The City will continue to track accessory dwelling unit (ADU) applications, location, affordability, and other important features to ensure adequate ADU development is occurring to meet the City's 2023 – 2031 construction goals and evaluate the need to adjust programs and policies if the pace of construction is less than anticipated. Should changes need to be made due to a gap in the number of ADUs projected and the number of ADUs permitted, the City will make changes proportional to the gap identified. This may include, but is not limited to, further streamlining and incentivizing ADU construction, rezoning non-residential sites, or similar actions

- **Program B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of Assembly Bill 1397.** State law requires that any non-vacant site identified in a prior Housing Element must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower-income households, if they are to be considered an adequate site to accommodate the lower-income RHNA. Four non-vacant sites, located in Downtown Dublin, that were identified in the 2014-2022 Housing Element are shown to be suitable for lower-income housing in the Housing Element Sites Inventory. Therefore, the City is required by statute to permit at least 30 units per acre, which it does, on these sites and to allow residential use by right for housing developments when at least 20 percent of the proposed units are affordable to lower-income households. The City will amend the Downtown Dublin Specific Plan to allow these units by right and exclude them from the Development Pool and Community Benefit Agreement requirement.
- **Program B.10: Objective Design Standards and Streamlined Ministerial Review.** Senate Bill 35 requires local jurisdictions to provide a streamlined ministerial approval process for eligible multi-family residential developments, subject to objective zoning and design review standards. Eligible projects must include a specified level of affordability, be on an infill site, comply with existing general plan or zoning provisions, and comply with other requirements such as location and demolition restrictions. In March 2022, the City adopted Citywide Multi-Family Objective Design Standards (MFODS) and Zoning Ordinance Amendments to ensure that objective zoning and design review standards are in place for multi-family residential projects requesting a streamlined ministerial approval process. The City will continue to implement the Citywide MFODS.
- **Program B.14: Residential Incentives.** The Sites Inventory identifies several sites that allow residential and non-residential uses, including the non-vacant sites in Downtown Dublin, the Public/Semi-Public sites, the Alameda County Surplus Property Authority's property, and the Hacienda Crossings shopping center. To encourage residential development on these sites and maximize the development potential identified in the Sites Inventory, the City will promote existing residential incentives and identify potential new incentives as appropriate.
- **Program C.2: Safety Element and Environmental Justice Policies.** Senate Bill 1035 requires that the City revise the General Plan Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision of the Housing Element. Additionally, Senate Bill 1000 requires that the City incorporate environmental justice policies within the General Plan. The City will amend the General Plan in accordance with the requirements of SB 1035 and SB 1000.
- **Program E.1: Affirmatively Furthering Fair Housing.** Pursuant to Assembly Bill 686, the City will affirmatively further fair housing by taking meaningful actions that foster inclusive communities free from barriers which restrict access to opportunities based on protected classes, as defined by State law. To accomplish this, the City will collaborate with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution.

- **Program E.4: Low-Barrier Navigation Centers.** Senate Bill 48 requires approval 'by right' of certain low-barrier navigation centers that meet specified requirements. Low-barrier navigation centers are generally defined as service-enriched temporary living facilities focused on the transition of persons experiencing homelessness or at risk of becoming homeless into permanent housing. Low-barrier navigation centers connect individuals to income, public benefits, health services, and housing. To comply with State law, the City will adopt regulations and procedures for this type of use and establish a ministerial approval process.
- **Program E.5: Housing for Persons with Developmental Disabilities.** The housing needs of persons with developmental disabilities are typically not fully addressed by local zoning regulations. Persons with disabilities may require modifications to existing units, a varying range of supportive services, and affordable housing. To accommodate residents with developmental disabilities, the City will encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will also seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities.
- **Program E.6: Farmworker and Employee Housing.** California Health and Safety Code Sections 17021.5 and 17021.6 require agricultural employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. The City will amend the Dublin Municipal Code to comply with the Health and Safety Code Sections 17021.5, 17021.6, and 17021.8, as well as define agricultural and employee housing in a manner consistent with applicable Health and Safety Code Sections.

Appendix D: Adequate Sites Analysis

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (e.g., proximity to transit, job centers, and public or community services). Land suitable for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped, and/or rezoned, for residential use.

On November 2, 2021, and March 15, 2022, the City Council received a status report on the Housing Element Update and Preliminary Sites Inventory to accommodate the City's RHNA of 3,719 units. After accounting for pipeline projects, ADUs, and existing zoning to accommodate the RHNA, the Preliminary Sites Inventory identified a "remaining need" of 644 units. The City Council directed Staff to allocate 150 lower-income units to the future affordable housing site on the SCS Property and allocate the balance of the remaining need to the vacant Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center.

Since that time, several events triggered the need to make adjustments to the Sites Inventory. The approval for the East Ranch project was repealed - resulting in the loss of 68 lower-income housing units that had been included in the Preliminary Sites Inventory. Additionally, the City received a formal application for the SCS Dublin project, which includes up to 100 units on the affordable housing site – 50 units less than anticipated in the Preliminary Sites Inventory. Also, ABAG released the draft "Using ADUs to Satisfy RHNA" technical memorandum, which resulted in eight fewer moderate-income units than had been included in the Preliminary Sites Inventory. Staff reallocated these units to the Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center. This also resulted in allocating additional above moderate-income units to satisfy the City Council's direction that 50 percent of the units on these sites are above-moderate income. Table 2 illustrates a remaining need of 720 units to accommodate the City's RHNA based on these changes.

Table 2: Revised Sites Inventory				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(344)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

Table 3 demonstrates how the remaining need will be accommodated on the Alameda County Surplus Property at the Transit Center, Hacienda Crossings shopping center, and the SCS Property.

Table 3: Revised Distribution of Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

Appendix D: Adequate Sites Analysis provides detailed information on the sites identified to meet the City's RHNA.

Project Schedule and Next Steps

The Housing Element must be updated and certified by HCD by January 2023 for the 2023 – 2031 planning period. Additionally, the Housing Element Update will trigger recent State law

requirements to amend the General Plan, including policies regarding environmental justice and amendments to the Safety Element. Table 4 below summarizes the key dates to ensure the City receives HCD certification by the January 2023 deadline.

Table 4: Key Dates	
Step / Task	**Date(s)**
Public Review of Draft Housing Element	April 15 – May 15, 2022
City Council Review Draft Housing Element	May 17, 2022
HCD 90-Day Review of Draft Housing Element	May – August 2022
Environmental Review	June – November 2022
Prepare General Plan Safety Element and Environmental Justice Policy Amendments	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update	November 2022 – January 2023

The Planning Commission is being asked to review the Draft 2023 – 2031 Housing Element and adopt the Resolution (Attachment 1) recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review. The Draft 2023 – 2031 Housing Element is included as Attachment 2.

ENVIRONMENTAL DETERMINATION:

Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the Planning Commission and City Council's action to direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City implemented an outreach and engagement program to inform the community and seek input regarding the Housing Element Update. Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback. Staff also hosted two Housing Element Workshops on January 19 and February 17, 2022. The workshops provided an overview of the Housing Element, RHNA, Preliminary Sites Inventory, and required policy and program topics, and provided an opportunity for the community to provide feedback. The community was notified of these engagement opportunities through the City's social media, website, push notifications, and email. Additionally, Staff held one-on-one meetings with the property owners of the "Additional Sites" identified to satisfy the "remaining need" for sites to accommodate the RHNA. The City also has a Housing Element Update webpage on the City's website that serves as a landing place for information. The Planning Commission held a study session on March 8, 2022. The City Council also held meetings to receive updates regarding the Housing Element Update on February 18, 2020, October 6, 2020, June 15, 2021, November 2, 2021, and March 15, 2022. The feedback and information received through these outreach efforts was used to help create the proposed policies and programs to address the housing needs.

In accordance with State law, a public notice was published in the East Bay Times and posted at several locations throughout the City. Additionally, the Planning Commission Agenda and the Staff Report for this public meeting was also made available on the City's website.

ATTACHMENTS:

1) Planning Commission Resolution Recommending that the City Council Direct Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review
2) Draft 2023 – 2031 Housing Element

RESOLUTION NO. 22-XX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL DIRECT STAFF TO SUBMIT THE DRAFT 2023 – 2031 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin has prepared the Draft 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes goals to accomplish the following:

- Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents;
- Expand housing opportunities for all economic segments of Dublin's population;
- Use public and private resources to maintain and enhance existing residential neighborhood character;
- Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic; and
- Promote energy efficiency and conservation throughout Dublin.

WHEREAS, the Draft 2023 – 2031 Housing Element includes specific Housing Programs to implement the goals outlined above; and

WHEREAS, the Housing Programs are grouped into the following six categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program

WHEREAS, on February 18, 2020, the City Council received an informational report about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update; and

WHEREAS, on October 6, 2020, the City Council received a status update on the RHNA and Housing Element Update and provided feedback; and

WHEREAS, on November 2, 2021, the City Council conducted a Study Session on the RHNA and Housing Element Update, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Property Authority properties at the Transit Center and the Hacienda Crossings shopping center as sites to accommodate the remaining need; and

WHEREAS, between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics; and

WHEREAS, on January 19, 2022, and February 17, 2022, the City held Community Workshops to solicit input from the development community, service providers, housing advocates, residents, and property owners; and

WHEREAS, on March 8, 2022, the Planning Commission conducted a Study Session on the Housing Element Update; and

WHEREAS, on March 15, 2022, the City Council received a status report on the Housing Element Update and provided feedback on the Preliminary Sites Inventory, including: 1) the distribution of units on the additional sites to meet the remaining need; 2) the selection of sites identified in Downtown Dublin; and 3) holding units identified in Downtown Dublin outside of the Downtown Dublin Specific Plan Development Pool; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines and City of Dublin CEQA Guidelines and Procedures, require certain projects be reviewed for environmental impacts and environmental documents be prepared; and

WHEREAS, pursuant to CEQA, the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the Planning Commission and City Council's action to direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted; and

WHEREAS, a Staff Report was submitted to the Planning Commission recommending the City Council direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review; and

WHEREAS, the Planning Commission held a public meeting on April 26, 2022, to review the Draft 2023 – 2031 Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Planning Commission Chair

ATTEST:

Assistant Community Development Director

Item 7.1

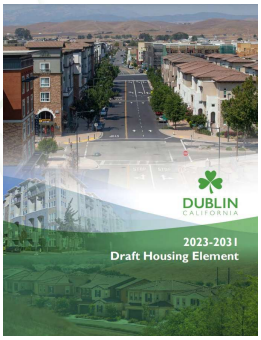
DUBLIN
CALIFORNIA

Draft 2023 – 2031 Housing Element

Planning Commission
April 26, 2022

Overview

- Background
- Housing Plan
- Adequate Sites Analysis
- Next Steps



Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)



Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

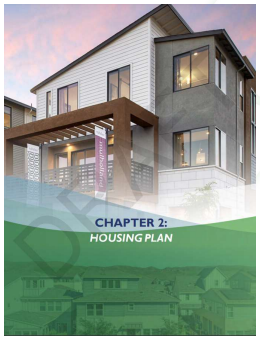
Housing Element Components

- **Chapter 1:** Introduction
- **Chapter 2:** Housing Plan
- **Appendix A:** Review of Past Performance
- **Appendix B:** Community Profile
- **Appendix C:** Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Housing Element Components

- **Appendix D:** Adequate Sites Analysis
- **Appendix E:** Housing Plan Programs Summary
- **Appendix F:** Community Engagement Summary
- **Appendix G:** Glossary of Terms

Housing Plan



- Identify specific programs to implement policies, goals and objectives
- Timeframe
- Responsible party
- Specific, measurable outcomes

Housing Plan

- Programs reflect the results and analyses of:
  - City's local housing needs
  - Available land and financial resources
  - Mitigation of identified governmental and non-governmental constraints
- Continuations of successful programs from the 2014-2022 Housing Element

Notable New Housing Programs

- **Program A.5:** Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units
- **Program B.8:** Accessory Dwelling Unit Monitoring Program
- **Program B.9:** Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397

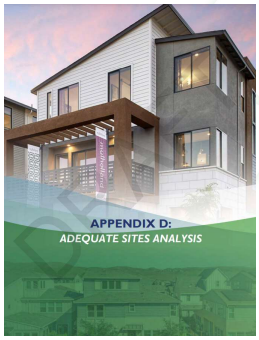
Notable New Housing Programs

- **Program B.10:** Objective Design Standards and Streamlined Ministerial Review
- **Program B.14:** Residential Incentives
- **Program C.2:** Safety Element and Environmental Justice Policies
- **Program E.1:** Affirmatively Furthering Fair Housing

Notable New Housing Programs

- **Program E.4:** Low-Barrier Navigation Centers
- **Program E.5:** Housing for Persons with Developmental Disabilities
- **Program E.6:** Farmworker and Employee Housing

Adequate Sites Analysis



- Inventory of specific parcels suitable and available for residential development
- Identify sites by income category

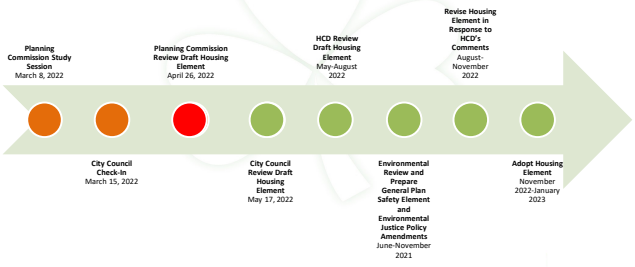
Sites Inventory

	Very Low- and Low-	Moderate-	Above Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

Distribution of Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

Tentative Schedule



Recommendation

- Adopt **Resolution** recommending that City Council direct Staff to submit Draft 2023 – 2031 Housing Element to HCD for review

F.11 City Council Meeting #6

This Section contains materials prepared for the City Council meeting on May 17, 2022.

STAFF REPORT
CITY COUNCIL

DATE: May 17, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Draft 2023 – 2031 Housing Element
Prepared by: Michael P. Cass, Principal Planner

EXECUTIVE SUMMARY:

Each California city and county must update its General Plan Housing Element every eight years to adequately plan to meet the existing and projected housing needs for all economic segments of the community. Dublin's current Housing Element is for the 2014 – 2022 planning period. State law mandates updates to the Housing Element no later than January 2023 for the 2023 – 2031 planning period. In order to meet that mandate, the Housing Element Update must be adopted by the City Council and certified by the California Department of Housing and Community Development (HCD) prior to that date. Staff prepared the Draft 2023 – 2031 Housing Element and it was available for public review between April 15 and May 15, 2022. The City Council is now being asked to review the Draft 2023 – 2031 Housing Element and consider directing Staff to submit it to HCD for review.

STAFF RECOMMENDATION:

Adopt the **Resolution** Directing Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review.

FINANCIAL IMPACT:

In July 2020, the City Council approved a consulting services agreement between the City and Kimley-Horn to assist Staff with preparation of the Housing Element Update. Kimley-Horn's contract amount is $403,000. The cost to prepare the Housing Element Update will be offset in part by grants totaling $401,436, including $55,000 from an approved Senate Bill 2 Planning Grant, $300,000 from the Local Early Action Planning (LEAP) Grant Program, and $46,436 from the Regional Early Action Planning (REAP) Grant Program. The City's Fiscal Year 2021-22 Budget sufficiently covers the remaining cost.

DESCRIPTION:

Background

Each local government in California is required to adopt a comprehensive, long-term General Plan for the physical development of the jurisdiction. A certified Housing Element is one of seven mandatory elements of the General Plan. Housing Element law mandates that local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community. The community's housing need is determined through the Regional Housing Needs Allocation (RHNA) process.

RHNA is the state-mandated process to identify the number of housing units, by affordability level, that each jurisdiction must accommodate in the Housing Element of its General Plan. As part of this process, the California Department of Housing and Community Development (HCD) identifies the total housing need for the nine-county Bay Area for an eight-year period, also referred to as the Regional Housing Needs Determination (RHND). The Association of Bay Area Governments (ABAG) is responsible for creating a methodology for distributing the RHND across local jurisdictions, resulting in each jurisdiction's RHNA. Distribution of the RHND includes two key components: 1) allocation of the total regional housing need across local jurisdictions; and 2) allocation of those total shares by income categories (i.e., very-low-, low-, moderate-, and above-moderate-income). The City filed an appeal of the Draft RHNA based on direction from the City Council with an emphasis on past performance and lack of suitable land, as well as the properties where the City does not have land-use authority. The City's appeal was rejected by the ABAG Administrative Committee.

On December 16, 2021, the ABAG Executive Board adopted the Final Regional Housing Needs Allocation Plan: San Francisco Bay Area, 2023 – 2031. The plan allocates 3,719 housing units to the City of Dublin. Table 1 shows the City's final RHNA by household income category for the 2023 – 2031 planning period. The City's updated Housing Element must demonstrate how it can accommodate its RHNA.

Table 1: Dublin's 2023 – 2031 Regional Housing Needs Allocation

	Very-Low-	Low-	Moderate-	Above-Moderate-	Total
Final Allocation	1,085	625	560	1,449	3,719

Staff prepared the Draft 2023-2031 Housing Element Update. The Draft Housing Element includes the following components:

- **Chapter 1: Introduction.** Contains a summary of the content, organization, and statutory considerations of the Housing Element.
- **Chapter 2: Housing Plan.** Describes Dublin's housing plan, including goals, policies, programs, and objectives.
- **Appendix A: Review of Past Performance.** Evaluates the housing programs and quantified objectives outlined in the past Housing Element and the City's efforts in meeting the program requirements and achieving the quantified objectives.

- **Appendix B: Community Profile.** Contains an analysis of the City's population, household and employment base, and the characteristics of the housing stock.
- **Appendix C: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing.** Summarizes governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including funding and financial considerations, as well as a fair housing analysis.
- **Appendix D: Adequate Sites Analysis.** Identifies candidate sites by income category to meet the City's RHNA.
- **Appendix E: Housing Plan Programs Summary.** Summarizes Chapter 2.
- **Appendix F: Community Engagement Summary.** Summarizes the City's community engagement efforts to achieve public participation of all economic segments of the community.
- **Appendix G: Glossary of Terms.** Defines terms and acronyms using in the Housing Element.

The City Council is being asked to review the Draft 2023 – 2031 Housing Element and adopt the Resolution (Attachment 1) directing Staff to submit the Draft 2023 – 2031 Housing Element (Attachment 2) to HCD for review. The Resolution permits Staff to make non-substantive edits identified in the Staff Report, changes discussed by the City Council, and other non-substantive changes to carry out the intent of the Resolution.

Analysis

The following discussion focuses on two key components of the Draft 2023 – 2031 Housing Element, Chapter 2: Housing Plan and Appendix D: Adequate Sites Analysis.

Chapter 2: Housing Plan

The Housing Element must identify specific programs to implement stated policies and achieve goals and objectives, including specific actions the City will take. Programs must also identify: a specific implementation timeframe; responsible party; a description of the responsible party's specific role in implementation; and specific, measurable outcomes, whenever possible.

Chapter 2 includes housing programs that reflect the results and analyses of the City's local housing needs, available land and financial resources, and mitigation of identified governmental and non-governmental constraints, which are contained in Appendix B: Community Profile and Appendix C: Housing Constraints Resources, and Affirmatively Furthering Fair Housing. Many of the proposed housing programs are continuations of successful programs from the 2014 – 2022 Housing Element.

In accordance with State law, the following are new notable housing programs included in the Draft 2023 – 2031 Housing Element:

- **Program A.5: Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units.** Assisted housing are units whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs. There are 59 assisted multi-family units at-risk of converting from affordable to market-rate units during the ten years following the beginning of the planning period which starts in January 2023. The City is committed to preserving its stock of affordable housing and will provide technical

assistance, seek additional nonprofit and for-profit partners, and facilitate financial assistance for assisted affordable housing units at-risk of conversion to market-rate units. The City will maintain an inventory and establish an early warning system for assisted housing units that have the potential to convert to market rate.

- **Program B.8: Accessory Dwelling Unit Monitoring Program.** The City will continue to track accessory dwelling unit (ADU) applications, location, affordability, and other important features to ensure adequate ADU development is occurring to meet the City's 2023 – 2031 construction goals and evaluate the need to adjust programs and policies if the pace of construction is less than anticipated. Should changes need to be made due to a gap in the number of ADUs projected and the number of ADUs permitted, the City will make changes proportional to the gap identified. This may include, but is not limited to, further streamlining and incentivizing ADU construction, rezoning non-residential sites, or similar actions
- **Program B.9: Non-Vacant Adequate Sites to Satisfy By-Right Requirements of Assembly Bill 1397.** State law requires that any non-vacant site identified in a prior Housing Element to accommodate lower-income households must be zoned at a minimum of 30 units per acre and allow residential use by right for housing developments in which at least 20% of the units are affordable to lower-income households, if they are to continue being considered an adequate site to accommodate the lower-income RHNA. Four non-vacant sites, located in Downtown Dublin, that were identified in the 2014-2022 Housing Element are shown to be suitable for lower-income housing in the Housing Element Sites Inventory. Therefore, the City is required by statute to permit at least 30 units per acre, which it does, on these sites and to allow residential use by right for housing developments when at least 20% of the proposed units are affordable to lower-income households. The City will amend the Downtown Dublin Specific Plan to allow these units by right and exclude them from the Development Pool and Community Benefit Agreement requirement.
- **Program B.10: Objective Design Standards and Streamlined Ministerial Review.** Senate Bill 35 requires local jurisdictions to provide a streamlined ministerial approval process for eligible multi-family residential developments, subject to objective zoning and design review standards. Eligible projects must include a specified level of affordability, be on an infill site, comply with existing general plan or zoning provisions, and comply with other requirements such as location and demolition restrictions. In March 2022, the City adopted Citywide Multi-Family Objective Design Standards (MFODS) and Zoning Ordinance Amendments to ensure that objective zoning and design review standards are in place for multi-family residential projects requesting a streamlined ministerial approval process. The City will continue to implement the Citywide MFODS.
- **Program B.14: Residential Incentives.** The Sites Inventory identifies several sites that allow residential and non-residential uses, including the non-vacant sites in Downtown Dublin, the Public/Semi-Public sites, the Alameda County Surplus Property Authority's property, and the Hacienda Crossings shopping center. To encourage residential development on these sites and maximize the development potential identified in the Sites Inventory, the City will promote existing residential incentives and identify potential new incentives as appropriate.

- **Program C.2: Safety Element and Environmental Justice Policies.** Senate Bill 1035 requires that the City revise the General Plan Safety Element to identify flood hazards and address the risk of fire hazards in certain lands upon each revision of the Housing Element. Additionally, Senate Bill 1000 requires that the City incorporate environmental justice policies within the General Plan. The City will amend the General Plan in accordance with the requirements of SB 1035 and SB 1000.
- **Program E.1: Affirmatively Furthering Fair Housing.** Pursuant to Assembly Bill 686, the City will affirmatively further fair housing by taking meaningful actions that foster inclusive communities free from barriers which restrict access to opportunities based on protected classes, as defined by State law. To accomplish this, the City will collaborate with local and regional organizations to review any housing discrimination complaints, assist in dispute resolution, and refer select complainants to appropriate state or federal agencies for further investigation, action, and resolution.
- **Program E.4: Low-Barrier Navigation Centers.** Senate Bill 48 requires approval 'by right' of certain low-barrier navigation centers that meet specified requirements. Low-barrier navigation centers are generally defined as service-enriched temporary living facilities focused on the transition of persons experiencing homelessness or at risk of becoming homeless into permanent housing. Low-barrier navigation centers connect individuals to income, public benefits, health services, and housing. To comply with State law, the City will adopt regulations and procedures for this type of use and establish a ministerial approval process.
- **Program E.5: Housing for Persons with Developmental Disabilities.** The housing needs of persons with developmental disabilities are typically not fully addressed by local zoning regulations. Persons with disabilities may require modifications to existing units, a varying range of supportive services, and affordable housing. To accommodate residents with developmental disabilities, the City will encourage construction and rehabilitation of housing with supportive services targeted for persons with developmental disabilities. The City will also seek State and Federal funding in support of housing construction and rehabilitation targeted for persons with developmental disabilities.
- **Program E.6: Farmworker and Employee Housing.** California Health and Safety Code Sections 17021.5 and 17021.6 require agricultural employee housing to be permitted by-right, without a Conditional Use Permit or other discretionary permit, in single-family residential zoning districts for six or fewer persons and in agricultural zones with no more than 12 units or 36 beds. The City will amend the Dublin Municipal Code to comply with the Health and Safety Code Sections 17021.5, 17021.6, and 17021.8, as well as define agricultural and employee housing in a manner consistent with applicable Health and Safety Code Sections.

Appendix D: Adequate Sites Analysis

The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the RHNA. Characteristics to consider when evaluating the appropriateness of sites include physical features (e.g., susceptibility to flooding, slope instability or erosion, and environmental considerations) and location (e.g., proximity to transit, job centers, and public or community services). Land suitable

for residential development includes vacant sites that are zoned for residential development, underutilized sites that are zoned for residential development and capable of being redeveloped at a higher density or with greater intensity, and vacant and underutilized sites that are not zoned for residential development, but can be redeveloped, and/or rezoned, for residential use.

On November 2, 2021, and March 15, 2022, the City Council received a status report on the Housing Element Update and Preliminary Sites Inventory to accommodate the City's RHNA of 3,719 units. After accounting for pipeline projects, ADUs, and existing zoning to accommodate the RHNA, the Preliminary Sites Inventory identified a "remaining need" of 644 units. The City Council directed Staff to allocate 150 lower-income units to the future affordable housing site on the SCS Property and allocate the balance of the remaining need to the vacant Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center.

Since that time, several events triggered the need to make adjustments to the Sites Inventory. The approval for the East Ranch project was repealed, resulting in the loss of 68 lower-income housing units that had been included in the Preliminary Sites Inventory. Additionally, the City received a formal application for the SCS Dublin project, which includes up to 100 units on the affordable housing site – 50 units less than anticipated in the Preliminary Sites Inventory. Also, ABAG released the draft "Using ADUs to Satisfy RHNA" technical memorandum, which resulted in eight fewer moderate-income units than had been included in the Preliminary Sites Inventory. Staff reallocated these units to the Alameda County Surplus Property Authority's property at the Transit Center and Hacienda Crossings shopping center. This also resulted in allocating additional above moderate-income units to satisfy the City Council's direction that 50% of the units on these sites are above-moderate income. Table 2 illustrates a remaining need of 720 units to accommodate the City's RHNA based on these changes.

Table 2: Sites Inventory				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(344)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

Table 3 demonstrates how the remaining need will be accommodated on the Alameda County Surplus Property at the Transit Center, Hacienda Crossings shopping center, and the SCS Property.

Table 3: Distribution of Remaining Need				
	Very-Low- and Low-	Moderate-	Above-Moderate-	Total

Table 3: Distribution of Remaining Need				
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

Appendix D: Adequate Sites Analysis includes the Sites Inventory and provides detailed information on the sites identified to meet the City's RHNA.

Public Review

The Draft Housing Element was available for public review from April 15 to May 15, 2022. The public comment received prior to publishing this report is included within the Public Feedback Form as Attachment 3. The public comment does not raise significant issues that require substantive modifications to the Draft Housing Element.

While the Housing Element was out for public review, ABAG issued a "Summary of Housing Element Review Letters." The Summary includes a review of 33 comment letters from HCD to jurisdictions in regions with earlier Housing Element deadlines. The most frequent comments are grouped into the following five categories: Affirmatively Furthering Fair Housing (AFFH); public participation; sites inventory; government constraints; and policies and programs. Additionally, the City has been participating in the ABAG-sponsored Alameda County Housing Collaborative, which provides technical and other assistance to Alameda County jurisdictions to support preparation of their Housing Elements. The Housing Collaborative performed a peer review of the Draft Housing Element. Based upon this feedback, Staff recommends the following modifications to the Draft Housing Element, prior to submitting it to HCD for review:

- Appendix B: Add a column to Table B-30: Occupied Units by Type and Tenure, outlining the total number of renters and owner-occupied units.
- Appendix B: Clarify the estimated number of units in need of replacement and rehabilitation in the Section D: Housing Challenges.
- Appendix C: Add language on HCD and ECHO Housing's fair housing enforcement in the Section A.1: Fair Housing Enforcement and Outreach Capacity.
- Appendix C: Add language in Section A.1: Non-Governmental Constraints, to clarify that densities identified in the Sites Inventory are not considered a constraint because land uses designations in Dublin already include minimum and maximum density requirements which preclude development applications at lower densities.
- Appendix C: Add a matrix in Section D: Affirmatively Furthering Fair Housing (AFFH) summarizing the AFFH issues and how they relate to the Housing Plan programs.
- Appendix F: Add a table summarizing the community feedback received, related policies and programs, and the City's response to said feedback.

Project Schedule and Next Steps

The Housing Element must be updated and certified by HCD by January 2023 for the 2023 – 2031 planning period. Additionally, the Housing Element Update will trigger recent State law

requirements to amend the General Plan, including policies regarding environmental justice and amendments to the Safety Element. Staff is currently preparing those General Plan Amendments, along with the analysis of the Draft Housing Element Update and related General Plan Amendments under the California Environmental Quality Act (CEQA). Table 4 below summarizes the key dates to ensure the City receives HCD certification by the January 2023 deadline.

Table 4: Key Dates	
Step / Task	**Date(s)**
Public Review of Draft Housing Element	April 15 – May 15, 2022
HCD 90-Day Review of Draft Housing Element	May – August 2022
Environmental Review	June – November 2022
Prepare General Plan Safety Element and Environmental Justice Policy Amendments	June – November 2022
Revise Housing Element in Response to HCD's Comments	August – November 2022
Adopt Housing Element Update (Planning Commission Review and City Council Adoption)	November 2022 – January 2023

ENVIRONMENTAL DETERMINATION:

Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the City Council's action to direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted.

PLANNING COMMISSION REVIEW:

On April 26, 2022, the Planning Commission reviewed the Draft 2023 – 2031 Housing Element and adopted Resolution No. 22-06 (Attachment 4) recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review.

STRATEGIC PLAN INITIATIVE:

Strategy 3: Create More Affordable Housing Opportunities.
Objective E: Update the City's General Plan Housing Element in accordance with state law and to ensure an adequate supply of sites to accommodate the City's Regional Housing Needs Allocation for the period 2023 – 31.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

The City implemented an outreach and engagement program to inform the community and seek input regarding the Housing Element Update. Between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback. Staff also hosted two Housing Element Workshops on January 19 and February 17, 2022. The workshops provided an

overview of the Housing Element, RHNA, Preliminary Sites Inventory, and required policy and program topics, and provided an opportunity for the community to provide feedback. The community was notified of these engagement opportunities through the City's social media, website, push notifications, and email. Additionally, Staff held one-on-one meetings with the property owners of the "Additional Sites" identified to satisfy the "remaining need" for sites to accommodate the RHNA. The City also has a Housing Element Update webpage on the City's website that serves as a landing place for information. The Planning Commission held a study session on March 8, 2022, and reviewed the Draft 2023 – 2031 Housing Element on April 26, 2022. The City Council also held meetings to receive updates regarding the Housing Element Update on February 18, 2020, October 6, 2020, June 15, 2021, November 2, 2021, and March 15, 2022. The feedback and information received through these outreach efforts was used to help create the proposed policies and programs to address the housing needs.

In accordance with State law, a public notice was published in the East Bay Times and posted at several locations throughout the City. Additionally, the City Council Agenda and the Staff Report for this public meeting was also made available on the City's website.

ATTACHMENTS:

1) Resolution Directing Staff to Submit the Draft 2023 – 2031 Housing Element to the California Department of Housing and Community Development for Review
2) Draft 2023 – 2031 Housing Element
3) Public Feedback Form
4) Planning Commission Resolution No. 22-06

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

DIRECTING STAFF TO SUBMIT THE DRAFT 2023 – 2031 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin prepared the Draft 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes goals which to accomplish the following:

- Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents;
- Expand housing opportunities for all economic segments of Dublin's population;
- Use public and private resources to maintain and enhance existing residential neighborhood character;
- Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic; and
- Promote energy efficiency and conservation throughout Dublin; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes specific Housing Programs to implement the goals outlined above; and

WHEREAS, the Housing Programs are grouped into the following six categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program; and

WHEREAS, on February 18, 2020, the City Council received an informational report about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update; and

WHEREAS, on October 6, 2020, the City Council received a status update on RHNA and the Housing Element Update and provided feedback; and

WHEREAS, on November 2, 2021, the City Council conducted a Study Session on the RHNA and Housing Element Update, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Property Authority properties at the Transit Center and the Hacienda Crossings shopping center as sites to accommodate the remaining need; and

WHEREAS, between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics; and

WHEREAS, on January 19, 2022, and February 17, 2022, the City held Community Workshops to solicit input from the development community, service providers, housing advocates, residents, and property owners; and

WHEREAS, on March 8, 2022, the Planning Commission conducted a Study Session on the Housing Element Update; and

WHEREAS, on March 15, 2022, the City Council received a status report on the Housing Element Update and provided feedback on the Preliminary Sites Inventory, including: 1) the distribution of units on the additional sites to meet the remaining need; 2) the selection of sites identified in Downtown Dublin; and 3) holding units identified in Downtown Dublin outside of the Downtown Dublin Specific Plan Development Pool; and

WHEREAS, the Draft Housing Element was available for public review from April 15 to May 15, 2022; and

WHEREAS, on April 26, 2022, the Planning Commission reviewed the Draft 2023 – 2031 Housing Element and adopted Resolution No. 22-06 recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review; and

WHEREAS, a Staff Report was submitted to the City Council recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review; and

WHEREAS, on May 17, 2022, the City Council reviewed the Draft 2023 – 2031 Housing Element; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines and City of Dublin CEQA Guidelines and Procedures, require certain projects be reviewed for environmental impacts and environmental documents be prepared; and

WHEREAS, pursuant to CEQA, the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the City Council's action to direct Staff to

submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not approved or adopted.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the City Council does hereby direct Staff to make non-substantive edits identified in the staff report, changes discussed by the City Council, and other non-substantive changes to carry out the intent of this Resolution and submit the Draft 2023 – 2031 Housing Element to HCD for review.

PASSED, APPROVED, AND ADOPTED this 17th day of May 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

Draft Housing Element – Public Feedback Form

1. What is you association to the City of Dublin?
    a. I am a Dublin resident
2. Please submit comments on Chapter 1 – Introduction.
    a. We understand housing needs but please work with the school district as one team to assure that schools are sufficient enough to accommodate more school aged residents to maintain and improve quality of education. And assure that every single high school student can graduate with the proper credits, etc. by preventing even more overcrowding.
3. Please submit comments on Chapter 2 - Housing Plan.
    a. Same comments as above. We support housing needs but it needs to be done responsibly. Increase in housing equals increase capacity and resources for all schools. It's not acceptable to say that the City Council and the School District are separate entities. This is ONE DUBLIN and supporting the schools as much you support developers is imperative.
4. Please submit comments on Appendix A - Review of Past Performance.
    a. N/A
5. Please submit comments on Appendix B - Community Profile.
    a. Same as above
6. Please submit comments on Appendix C - Housing Constraints, Resources, and AFFH.
    a. Same as above
7. Please submit comments on Appendix D - Adequate Sites Analysis.
    a. Same as above
8. Please submit comments on the Appendix E - Housing Plan Programs Summary.
    a. Same as above
9. Please submit comments on the Appendix F - Community Engagement Summary.
    a. Same as above
10. Please submit comments on the Appendix G - Glossary of Terms.
    a. Same as above
11. Please submit here any additional comments you have regarding the Dublin 2023-2031 Housing Element.
    a. Same as above. Dublin has done more than its share to help with housing shortage. Please do what you can to balance mew housing with providing adequate school space and resources for current and future students. Thank you.

RESOLUTION NO. 22-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL DIRECT STAFF TO SUBMIT THE DRAFT 2023 – 2031 HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR REVIEW

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin has prepared the Draft 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes goals to accomplish the following:

- Expand housing choice and multi-modal transportation opportunities for existing and future Dublin residents;
- Expand housing opportunities for all economic segments of Dublin's population;
- Use public and private resources to maintain and enhance existing residential neighborhood character;
- Provide housing opportunities for all Dublin residents, regardless of race, color, ancestry, national origin, religion, age, gender, gender identity and expression, marital status, familial status, medical condition or disability, military or veteran status, source of income, sexual orientation, or any other protected characteristic; and
- Promote energy efficiency and conservation throughout Dublin; and

WHEREAS, the Draft 2023 – 2031 Housing Element includes specific Housing Programs to implement the goals outlined above; and

WHEREAS, the Housing Programs are grouped into the following six categories:

- Housing Conservation and Preservation
- Housing Production
- Adequate Housing Sites
- Removal of Governmental Constraints
- Promoting Equal Housing Opportunity
- Green Building Program; and

WHEREAS, on February 18, 2020, the City Council received an informational report about the upcoming sixth cycle Regional Housing Needs Allocation (RHNA) and Housing Element Update; and

WHEREAS, on October 6, 2020, the City Council received a status update on the RHNA and Housing Element Update and provided feedback; and

WHEREAS, on November 2, 2021, the City Council conducted a Study Session on the RHNA and Housing Element Update, with focus on the Preliminary Sites Inventory. The City Council directed staff to disperse lower-income housing sites throughout Dublin and prioritized the Alameda County Surplus Property Authority properties at the Transit Center and the Hacienda Crossings shopping center as sites to accommodate the remaining need; and

WHEREAS, between December 20, 2021, and February 28, 2022, the City conducted an online survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. The 10-question survey, available in English and Mandarin, focused on housing needs, desired housing locations, community assistance, fair housing, the vision for housing, and demographics; and

WHEREAS, on January 19, 2022, and February 17, 2022, the City held Community Workshops to solicit input from the development community, service providers, housing advocates, residents, and property owners; and

WHEREAS, on March 8, 2022, the Planning Commission conducted a Study Session on the Housing Element Update; and

WHEREAS, on March 15, 2022, the City Council received a status report on the Housing Element Update and provided feedback on the Preliminary Sites Inventory, including: 1) the distribution of units on the additional sites to meet the remaining need; 2) the selection of sites identified in Downtown Dublin; and 3) holding units identified in Downtown Dublin outside of the Downtown Dublin Specific Plan Development Pool; and

WHEREAS, the California Environmental Quality Act (CEQA), together with State Guidelines and City of Dublin CEQA Guidelines and Procedures, require certain projects be reviewed for environmental impacts and environmental documents be prepared; and

WHEREAS, pursuant to CEQA, the City will prepare the necessary environmental review for the Draft 2023 – 2031 Housing Element. However, the Planning Commission and City Council's action to direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review is exempt from CEQA pursuant to CEQA Guidelines Section 15262, as the project involves only feasibility or planning studies for possible future actions which have not been approved or adopted; and

WHEREAS, a Staff Report was submitted to the Planning Commission recommending the City Council direct Staff to submit the Draft 2023-2031 Housing Element to HCD for review; and

WHEREAS, the Planning Commission held a public meeting on April 26, 2022, to review the Draft 2023 – 2031 Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review.

PASSED, APPROVED, AND ADOPTED this 26th day of April, 2022 by the following vote:

AYES: **Benson, Grier, Thalblum, Tyler, Wright**

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

ATTEST:

DocuSigned by:
Kristie Wheeler
9EDB9DB87254493...
Assistant Community Development Director

May 17, 2022

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council be available to the public.

The attached documents were received in the City Clerk's office after distribution of the May 17, 2022, Regular City Council meeting agenda packet.

Item 7.1

UNITED BROTHERHOOD OF CARPENTERS & JOINERS OF AMERICA
Carpenters Local 713, Alameda County

Mailing Address
1050 Mattox Road
Hayward, California 94541-1298

Union Meetings:
Second and Fourth
Thursdays

Phone: 510-581-7817
Fax: 510-581-1267 • E-Mail: carp713@carpenters713.org • Dispatch Fax: 510-733-2509 • www.carpenters713.org

May 13, 2022

Michael P. Cass
Principal Planner
City of Dublin
Community Development
100 Civic Plaza
Dublin, CA 94568
Via Email: michael.cass@dublin.ca.gov

Re: Dublin Housing Element Update

Dear Mr. Cass:

Please accept these comments on the above referenced Housing Element Update on behalf of the members of Carpenters Local 713, which represents working men and women in Dublin. We appreciate the opportunity and look forward to working together on this important endeavor.

To meet the urgent need for housing units outlined in the State's Regional Housing Needs Allocation (RHNA), as well as the policy goals outlined in the Dublin Housing Element and larger General Plan, it is vital that Dublin support efforts to build the local construction workforce. We commend the Housing Element's identifying of sites with the capacity to meet the City's RHNA, as the members of Local 713 who reside in Dublin are intimately familiar with the region's housing crisis. Local 713 has long been at the forefront of training the next generation of construction workers, opening pathways to the industry for diverse and traditionally underserved populations, and embracing new technologies and delivery methods to expedite the construction of much needed housing.

To support the policy goals of the Housing Element and overcome identified constraints, Local 713 is requesting that the City add local hire and apprenticeship requirements to the General Plan and Housing Element for all residential construction projects larger than 10 units. The standards Local 713 is proposing in this comment letter would help to ensure greater benefits for the broader community, help ensure that construction labor needs are met, and guarantee that new residential development projects within the City are making needed investments in the region's skilled construction industry workforce,

The City Should Bar Issuance of Building Permits Unless Each Future Residential Development of 10 units or Above has a Viable Apprenticeship Program and Local Hiring Requirements

The Carpenters propose the following additions to the Municipal Code of Dublin for any residential project larger than 10 units

Permitting requirements in the Municipal Code of Dublin

> A person, firm, corporation, or other entity applying for a building permit under the relevant section of the Municipal Code of Dublin, California shall be required to comply with the apprenticeship, healthcare, and local hire requirements of the Housing Element and General Plan. Failure to comply with the requirements set forth in this section shall be deemed a violation of this article.

Apprenticeship:

> For every apprenticeable craft, each general contractor and each subcontractor (at every tier for the project) will sign a certified statement under penalty of perjury that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards **OR** in an apprenticeship program approved by the State of California Division of Apprenticeship Standards that has a graduation rate of 50% or higher and has graduated at least thirty (30) apprentices each consecutive year for the five (5) years immediately preceding submission of the pre-qualification documents. The contractor or subcontractor will also maintain at least the ratio of apprentices required by California Labor Code section 1777.5.

Local Hire Policy:

> Contractor will be required to provide documentation that the contractor will hire a minimum of twenty-five percent (25%) of staff for any job classification with more than four (4) employees employed whose primary residence, which is not a post office box, is, and has been, within the Counties of Alameda or Contra Costa within 180 days of the expected date of issuance of the Notice to Proceed for the project.

While there has been a remarkable economic expansion in Dublin since 2010, rising inequality and displacement adds to the City's affordability crisis and threatens to undermine the region's strong economy. The Dublin Housing Element calls for greenhouse gas reduction and sustainable development, and notes that the City's jobs/housing imbalance continues to grow. Policies that require the utilization of apprentices and a local construction workforce, in tandem with programs currently operational by Local 713 outlined below, will help right that imbalance and ensure that this project helps the City meet the goals of the Dublin General Plan.

Local 713 has implemented many programs that will enable the City to meet the General Plan and Housing Element goals. These programs include a robust Joint Apprenticeship Training Committee, vigorous utilization of apprentices in Dublin, healthcare coverage for all members and their families, and innovation within the construction industry.

Joint Apprenticeship Training Committees (JATC's), such as the Carpenters Training Committee for Northern California (CTCNC), are a proven method of career training built around a strong partnership between employers, training programs and the government. This tripartite system is financially beneficial not only for the apprentice, but is a major benefit for the employer and the overall economy of Dublin. The CTCNC monitors current market conditions and adjusts the workflow of apprentices to meet the needs of the community, heading off any shortage of skilled workers. History has demonstrated that strong utilization of apprentices throughout the private sector helped California builders produce millions of units of housing.

CTCNC recruitment strategies include robust diversity and inclusionary outreach programs, such as pre-apprenticeship, with proven results in representative workplaces and strong local economies. It is imperative that our underserved populations have supportive and effective pathways to viable construction careers, while ensuring that employers are able to find and develop the best and brightest talent needed to thrive in a competitive economy.

Employer-paid health insurance plans for our members and their families provides preventative services to stay healthy and prevent serious illness. Timely care reduces the fiscal burden for our members and their families, and significantly reduces the utilization of safety-net programs administered by Dublin and Alameda County.

Embracing new technologies and delivery systems will have a significant impact on the construction industry, particularly the residential sector. Increasing housing delivery methods reduces project durations and provides Dublin residents housing sooner. Local 713 is at the forefront of ensuring that new construction technologies deliver those benefits while also creating work opportunities for those already in the trades as well as those looking to begin a construction career. These technologies could help the City meet its jobs/housing linkage goals within the Dublin General Plan and Housing Element.

Local 713 is in a unique position to address many of the key ideas outlined in the Dublin Housing Element Update. By investing in the training and utilization of apprentices, performing outreach to ensure that the workforce closely mirrors the demographics of our local community, providing employer-paid healthcare for our members and their families, and promoting innovation in the residential construction sector, Local 713 is prepared to assist in closing the affordability gap in Dublin and the Bay Area. We look forward to engaging City staff and elected leaders as the Housing Element moves forward and working cooperatively to bridge the needs of the City with the skills and tools of Local 713.

Thank you for your time and consideration of these comments.

Sincerely,

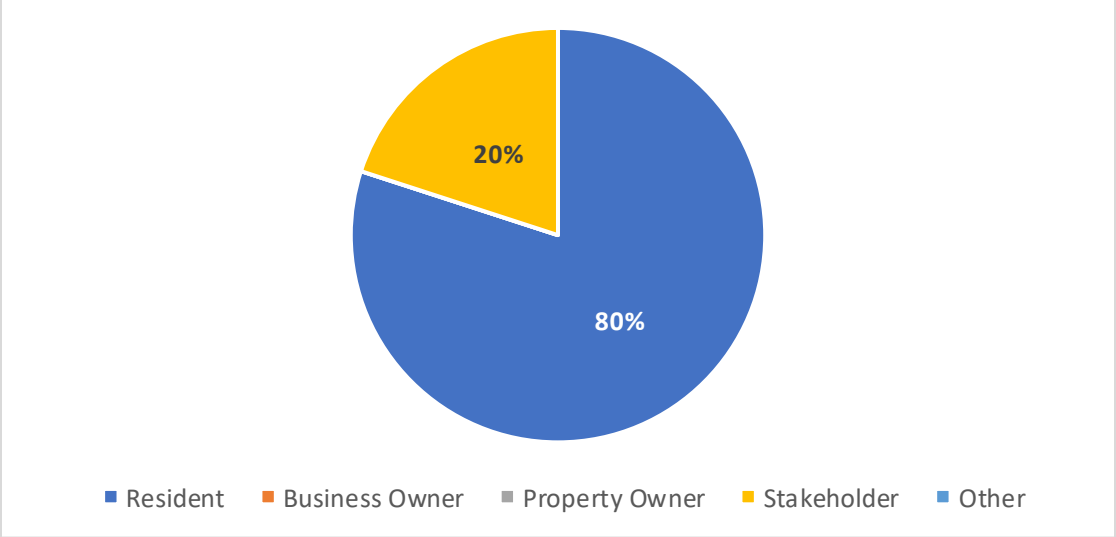
Daniel Gregg
Senior Field Representative
Carpenters Local 713

DG:jg
Opeu#29
Afl-cio

Public Review Draft Housing Element Feedback Form

On April 15, 2022, the City released the Public Review Draft of the 2023-2031 Housing Element for a 30-day public review. A feedback form was made available with the document to collect responses from the public. Listed below are the comments received; four feedback forms were submitted from the public.

1. **What is you association to the City of Dublin?**



2. **Please submit comments on Chapter 1 – Introduction.**
    a. We understand housing needs but please work with the school district as one team to assure that schools are sufficient enough to accommodate more school aged residents to maintain and improve quality of education. And assure that every single high school student can graduate with the proper credits, etc. by preventing even more overcrowding.
    b. Table 1-2 change heading from RHNA to Minimum Housing Units Required by RHNA. Page 1-10, first line add after "opportunities", "and the look and feel of the city,"
    c. Need to acknowledge "Individuals and families are directly affected by each jurisdiction's ability to plan for the housing needs of those who will live, work, and play in every community." as per https://www.hcd.ca.gov/community-development/housing-element/index.shtml. Table 1-2 heading should read Minimum Housing Units Required by RHNA rather than just RHNA. Page 1-10, First Line, after "opportunities", add "the look and character of the city,"
    d. Very minute, but it could be informative to mention the AMI ranges in dollars for each income category for the RHNA targets in Table 1-2. Overall, I found this chapter to be wonderfully written, easy to understand, and very informative for a broader audience. I especially appreciated Table 1-1, the clear-cut identification of Dublin's planned RHNA compliance is a recipe for smooth approval with CA HCD.

3. **Please submit comments on Chapter 2 - Housing Plan.**
    a. Same comments as above. We support housing needs but it needs to be done responsibly. Increase in housing equals increase capacity and resources for all schools. It's not acceptable to say that the City Council and the School District are separate entities. This is ONE DUBLIN and supporting the schools as much you support developers is imperative.
    b. See below:
        - Add Policy B.6 - Enforce the number of inclusionary affordable for-sale units in the City's Municipal Code.
        - Policy C.2 should be eliminated. It establishes the concept of replacement without any guidelines, therefore allowing multiple units to replace a single home. In addition, it is not necessary to accomplish City goals. Same vagueness regarding the word "enhancement."
        - Add Policy D.4 - Increase the RATE of affordable for-sale units in all future residential developments.
        - Page 2-10, second bullet point on the page, add the word "for-sale" after the word "affordable."
        - Page 2-10, third bullet point under the heading Objectives, add "for-sale" after the word "affordable."
        - Page 2-12, third bullet point, the concept of "deed-restricted" is undefined as well as impractical. Would the homeowner be REQUIRED to rent the ADU out? if so, how much? What if the property changes hands?
        - Program B.8 eliminate. The City is required to allow ADU's. That's fine. The City is not obligated to have a minimum quantity of ADU's built. Rezoning to accommodate ADU's is unnecessary and irresponsible.
        - Program B.9 eliminate. The statements in this section are false. The State law does NOT require non-vacant properties to be rezoned to accommodate 30 units per acre. That is just one choice that is given to a jurisdiction. It is my understanding that the current zoning in Dublin already allows for all of the RHNA housing assignments for the next RHNA cycle. Therefore no rezoning is necessary.
        - Page 2-16, third bullet point. The rezoning of the 2.5 acres is fine. However, the SCS Property developer has said that they will accommodate on-site inclusionary for-sale units. If the 100 unit parcel is IN ADDITION to the on-site units then fine; but if it is a land dedication to get out of building the inclusionary units that they indicated they would build, then that is not okay.
        - Page 2-16 delete the paragraph that begins with "The City will continue to use Specific Plans and appropriate zoning to ensure...". The City of Dublin does not need to rezone anything to accommodate the upcoming RHNA requirements
    c. Same as above
    d. Another comment on minutiae – I would appreciate it if there were more differentiation in the reference number for the policies and programs. This could ideally be done by

starting the reference letters/numbers for Goals and Policies with 2.1.x and starting the reference letters/numbers for Programs with 2.2.x, thus using the following format: chapter #.section #. Subsection letter/#.

4. **Please submit comments on Appendix A - Review of Past Performance.**
   a. No comment
   b. No comment
   c. Absolutely DISMAL previous cycles! I am ashamed of our City's complete disdain for the residents of Dublin and the workers who cannot even come close to being able to live here. Your List of Accomplishments is a collection of meetings attended, workshops facilitated, brochures printed and self-congragulatory rhetoric that drones on and on about how great you are, but in the final analysis it all means YOU DID ALMOST NOTHING to benefit your residents. Shame on you!! And shame on us for believing our elected officials when we read your voter pamphlet statements that you supported affordable housing.

   Housing Element Goals Progress Report
   RHNA Accomplishments*

Housing Units to be Constructed	Goal	RINA	Building Permits Issued
Very Low Income (0-50% AMI)	400	1,092	189
Low Income (51-80% AMI)	661	85	0
Moderate Income (81-120% AMI)	410	653	44
Upper Income (>120% AMI)	800	924	2,326
Total	1,610	3,330	2,644
Housing Rehabilitation			
Very Low Income (0-50% AMI)	20		17
Low Income (51-80% AMI)	25		12
Total	45		36

   Source: City of Dublin, 2014.
   Note: * New construction units based on building permits issued.
   Table A-1: 5th Planning Cycle Quantified Accomplishments
   You don't even list a goal this past cycle. Building such a huge amount of Market Rate housing and such a pathetic showing of the other categories is NOT an accomplishment, it is shameful!

Housing Assistance Type	RHNA	Accomplishments
Very Low-Income	796	26
Low-Income	446	39
Moderate-Income	425	79
Above Moderate-Income	618	4,878
TOTAL	2,285	5,022

   d. No critiques for Appendix A. Presenting a summary table of quantifiable past performance was a very transparent and informative method of disseminating such info.

5. **Please submit comments on Appendix B - Community Profile.**
    a. No comment
    b. No comment
    c. No comment
    d. I would appreciate it if there were a citation for the city's definition of "overcrowding" prior to their analysis of the phenomenon in Dublin. This could provide some clarity as well as ethos to what's being measured, namely cause I have seen some minor variation / discussion on how to properly measure overcrowding (see: https://www.huduser.gov/publications/pdf/measuring_overcrowding_in_hsg.pdf). I Particularly appreciated the attention to student housing needs, among other segments of the community profile section.
6. **Please submit comments on Appendix C - Housing Constraints, Resources, and AFFH.**
    a. No comment
    b. Table C-1 Re-calculate these numbers. These numbers are not credible. At $256 per square foot for vacant land in Dublin, this Draft table is claiming that on average, vacant land is (43560) ($256) $11M per acre. I did a search about 6-10 months ago on Zillow or Trulio and found that average to be about $0.5M per acres. The numbers in Table C-1 are ridiculous and misleading. Please correct this or eliminate it.
    c. Same as above
    d. On the "Access to Transit" section of Appendix C, I feel like it's worth prefacing the availability of transit options and the transit frequency. Without such context, the AllTransit Statistics on Dublin seem potentially misleading to those not familiar with our transportation. Other than that, this Appendix seems very thorough and objective.
7. **Please submit comments on Appendix D - Adequate Sites Analysis.**
    a. No comment
    b. No comment
    c. No comment
    d. If possible, I would like to see some explanation of the city's financial capacity to fulfill the proposed RHNA targets for very-low-income and low-income sites, particularly for the SCS Property since it'll be the first of the 3 primary sites for meeting the targets. Other than that, I think that the adequate sites identified to meet the low-income RHNA targets are very feasible to build. I will add though, that I do find a bit of concern with the specific parcel for the Hacienda Crossings Rezoning being placed at the North-East corner of the property. While I can understand the potential revenue that parcel could bring to the shops at Hacienda Crossings, I think that it's not the most hospitable site for maximizing transit accessibility for potential future residents, which is particularly imperative for very low-income households that may not otherwise have an option to buy a car. From the Bed, Bath and Beyond entrance, for example, it's a 20-minute walk to the Dublin/Pleasanton BART Station. I would reckon that the South West Corner of Hacienda Crossings would vastly improve transit access, especially considering the future Iron Horse Trail Connector being completed at IKEA Place.

8. **Please submit comments on the Appendix E - Housing Plan Programs Summary.**
    a. No comment
    b. No comment
    c. No comment
    d. No comment
9. **Please submit comments on the Appendix F - Community Engagement Summary.**
    a. No comment
    b. I already wrote to the city about the graphs for Community Assistance and Fair Housing. Please remove line segments between the data points. They don't belong on these graphs and they make the City look inept. Vision for the Future - comments from the community. There were some comments that seemed pro-housing and some were against more housing. There were at least 70% more comments against more housing than for more housing. I REALIZE THAT WE HAVE TO BUILD MORE HOUSING, but the community is tired of it. The City needs build what is required and then give it a rest. The city of Dublin is not shirking its housing responsibility; it has done far more than it's fair share of building.
    c. Vision for the Future - comments from the community. It appears that many respondents expressed concerns about housing. There were some comments that seemed pro-housing and some were against more housing. The community does not see a cohesive vision of the future coming from the City. It is almost as if the goal of the City is to avoid taking the time and interest in protecting the residents and looking to their future well being, such as the failure of the City to require relevant E!Rs for all projects and the recent (2015) appearance of Mello-Roos for infrastructure. All projects and modifications should be geared toward the long-term best outcome for the people of Dublin and the ecosystem which we all call home. Instead, there appears to be a push to find a way AROUND the challenges we face as a community and just check a box, almost as if the future well-being of our community is not a primary concern.
    d. No comment
10. **Please submit comments on the Appendix G - Glossary of Terms.**
    a. No comment
    b. Please add the following acronyms to the glossary that are used in this Housing Element.
    DMC - Dublin Municipal Code
    RHNA - Regional Housing Needs Allocation
    I know that you already list "Regional Housing Needs Allocation" but RHNA is used throughout.
    c. Same as above
    d. No comment

11. **Please submit here any additional comments you have regarding the Dublin 2023-2031 Housing Element.**
    a. Dublin has done more than its share to help with housing shortage. Please do what you can to balance mew housing with providing adequate school space and resources for current and future students. Thank you.
    b. I believe that some of the requirements stated in the Draft Housing Element which are claimed to be mandated from the State are not accurate. Some of the so-called "requirements" are solutions that the City wants to implement in order to build as much as they can - in spite of what residents want. The entire Draft Housing Element is geared toward more development than is necessary. In addition, the RHNA numbers from HCD are being legally challenged as well as challenged internally by another State agency. There is no reason to rezone anything in Dublin due to RHNA requirements. The zoning to accommodate RHNA is already in place. REVISE AND RESUBMIT.
    c. I found this draft document to be a study of "the language of the politics". Words that sound good, but are not really what will happen. It is not a vision, it is an excuse for why, as a City, we check the boxes and give away the farm to developers who find Dublin the soft target of the valley. I find it tragic that we have to say we should be building affordable housing to buy and get told that the reason it wasn't included was that the low income buyers would be uncomfortable living in a residential development. You can have a 1000 pages of tables talking about diversity, but you have no heart for those who are less well off.
    d. While this to a certain extent goes outside of the scope of the Housing Element itself, I would appreciate it if there were strategies in place to minimize parking as much as possible and expand bike, car, and scooter share services around high-density units planned for this Housing Element Cycle. Particularly pertinent for both CAP 2.0 goals as well as minimizing traffic impacts with these proposed developments, reducing parking and expanding other micro-mobility modes could be a key to making these communities as feasibly car-free as possible. In doing so, it'd benefit the community at large as well as incentivize future proximate commercial development that reinforces the car-free lifestyle of residents within these proposed developments.

Item 7.1

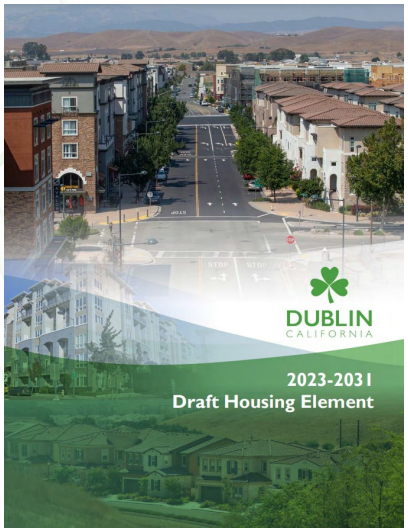
DUBLIN
CALIFORNIA

Draft 2023 – 2031 Housing Element

City Council
May 17, 2022

Overview

- Background
- Housing Element Components
  - Housing Plan
  - Adequate Sites Analysis
- Next Steps



DUBLIN

Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)

Dublin General Plan

- Land Use
- Parks and Open Space
- Schools, Public Lands, and Utilities
- Circulation and Scenic Highways
- **Housing**
- Conservation
- Seismic and Safety
- Noise
- Community Design and Sustainability
- Economic Development
- Water Resources and Energy Conservation

DUBLIN

Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

DUBLIN

Housing Element Components

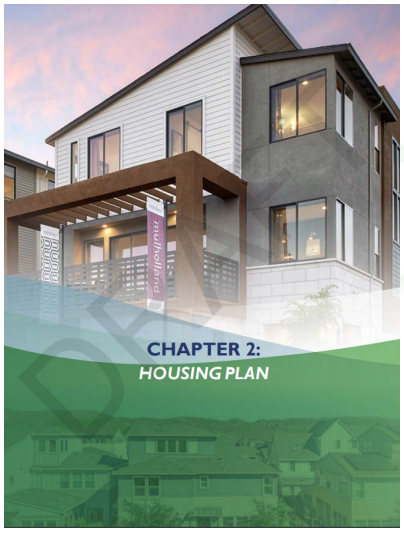
- **Chapter 1:** Introduction
- **Chapter 2:** Housing Plan
- **Appendix A:** Review of Past Performance
- **Appendix B:** Community Profile
- **Appendix C:** Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Housing Element Components

- **Appendix D:** Adequate Sites Analysis
- **Appendix E:** Housing Plan Programs Summary
- **Appendix F:** Community Engagement Summary
- **Appendix G:** Glossary of Terms

DUBLIN

Housing Plan



- Identify specific programs to implement policies, goals and objectives
- Timeframe
- Responsible party
- Specific, measurable outcomes

DUBLIN

Housing Plan

- Continuations of successful programs from the 2014-2022 Housing Element
- Programs reflect the results and analyses of:
  - City's local housing needs
  - Available land and financial resources
  - Mitigation of identified governmental and non-governmental constraints
- New legislative requirements

DUBLIN

Notable New Housing Programs

- **Program A.5:** Preserve and Monitor Affordable Units At-Risk of Converting to Market-Rate Units
- **Program B.8:** Accessory Dwelling Unit Monitoring Program
- **Program B.9:** Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397

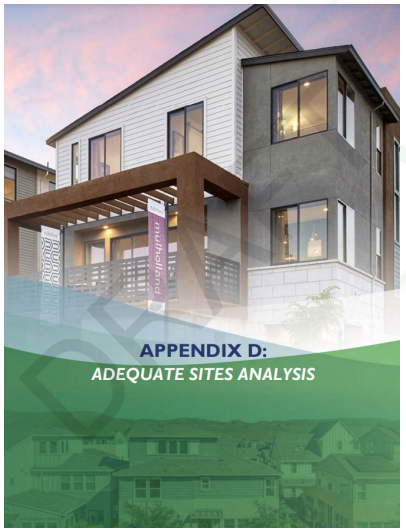
Notable New Housing Programs

- **Program B.10:** Objective Design Standards and Streamlined Ministerial Review
- **Program B.14:** Residential Incentives
- **Program C.2:** Safety Element and Environmental Justice Policies
- **Program E.1:** Affirmatively Furthering Fair Housing

Notable New Housing Programs

- **Program E.4:** Low-Barrier Navigation Centers
- **Program E.5:** Housing for Persons with Developmental Disabilities
- **Program E.6:** Farmworker and Employee Housing

Adequate Sites Analysis



- Inventory of specific parcels suitable and available for residential development
- Identify sites by income category

Sites Inventory

	Very Low- and Low-	Moderate-	Above Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(394)	(184)	(1,572)	(2,100)
Accessory Dwelling Units	(149)	(74)	(25)	(248)
5th Cycle Sites	0	(252)	(573)	(825)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(363)	(50)	0	(413)
Remaining Need	720	0	(721)	

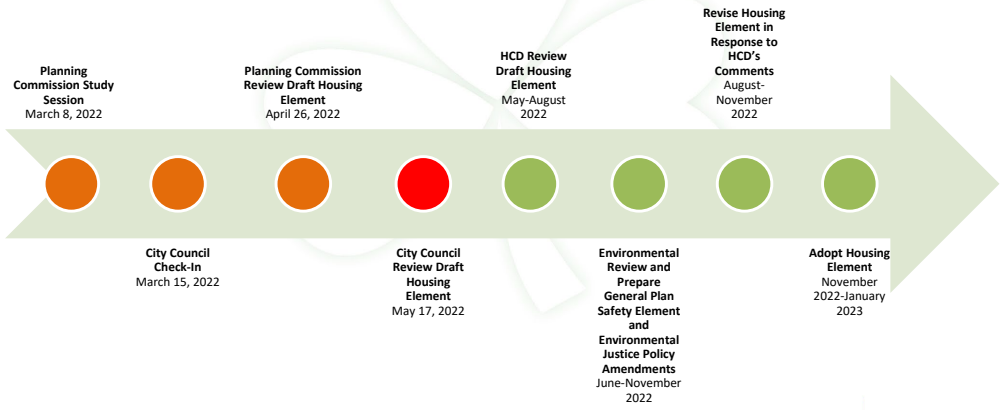
Distribution of Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Alameda County Surplus Property at the Transit Center	323	0	322	645
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	720	0	619	1,339

DUBLIN

DUBLIN

Tentative Schedule



Planning Commission Review

- Adopted **Resolution** recommending that the City Council direct Staff to submit the Draft 2023 – 2031 Housing Element to HCD for review

DUBLIN

DUBLIN

Recommendation

- Adopt **Resolution** directing Staff to submit Draft 2023 – 2031 Housing Element to HCD for review

DUBLIN
CALIFORNIA

F.12 Public Outreach Accomplishments

Following is a summary of all public outreach accomplishments:

Newsletters:

- City Report 2020-2021 newsletter
- City Report 2021-2022 newsletter
- Annual Report 2020-2021 newsletter
- Annual Report 2021-2022 newsletter

Backyard Brief:

- May 2021 (RHNA)
- July 2021 (RHNA appeal)
- January 2022 (survey and workshop promotion)
- February 2022 (survey and second workshop promotion)
- May 2022 (Draft Housing Element)

Website:

- Launched Fall 2020
- Periodically updated

Survey:

- December 10, 2021 – February 28, 2022
- English and Mandarin

Community Workshops:

- January 19, 2022
- February 17, 2022

Notify Me (website subscription):

- January 11, 2022 (survey and workshop promotion)
- February 10, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey)
- March 7, 2022 (study session)
- April 15, 2022 (Draft Housing Element)
- April 22, 2022 (Planning Commission Meeting on Draft Housing Element)
- May 13, 2022 (City Council Meeting on Draft Housing Element)
- August 15, 2022 (Revised Draft Housing Element)

Notify Me (Backyard Brief promotion):

- May 3, 2021
- July 1, 2021
- January 5, 2022
- February 1, 2022
- May 3, 2022

News Flash:

- January 11, 2021 (workshop promotion)
- May 3, 2021 (publicize the Backyard Brief)
- July 1, 2021 (publicize the Backyard Brief)
- July 30, 2021 (publicize the Annual Report)

- December 20, 2021 (promote the survey)
- January 5, 2022 (publicize the Backyard Brief)
- January 10, 2022 (workshop promotion)
- February 1, 2022 (second workshop promotion)
- February 1, 2022 (publicize Backyard Brief)
- February 7, 2022 (second workshop)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)
- March 9, 2022 (promote City Report)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- May 13, 2022 (City Council Meeting on Draft Housing Element)
- August 15, 2022 (Revised Draft Housing Element)

*Additionally, News Flash publicized summaries of City Council actions on the Housing Element.

Nextdoor:

- January 5, 2022 (publicize the Backyard Brief)
- May 3, 2021 (publicize the Backyard Brief)
- July 1, 2021 (publicize the Backyard Brief)
- December 20, 2021
- January 10, 2022 (workshop promotion)
- February 1, 2022 (publicize Backyard Brief)
- February 10, 2022 (second workshop)
- February 22, 2022
- April 15, 2022 (Draft Housing Element)
- May 3, 2022 (publicize Backyard Brief)
- May 6, 2022 (Draft Housing Element)
- May 13, 2022 (City Council Meeting on Draft Housing Element)

Facebook:

- December 21, 2021 (survey promotion)
- January 5, 2022 (survey promotion)
- January 11, 2022 (workshop promotion)
- January 18, 2022 (workshop promotion)
- January 20, 2022 (survey promotion, workshop recording, second workshop promotion)
- February 7, 2022 (survey and second workshop promotion)
- February 16, 2022 (survey and second workshop promotion)
- February 17, 2022 (second workshop)
- February 18, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)
- April 15, 2022 (Draft Housing Element)
- April 21, 2022 (Planning Commission Meeting on Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- August 16, 2022 (Revised Draft Housing Element)

Instagram:

- February 16, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)
- April 15, 2022 (Draft Housing Element) – Instagram Story
- April 22, 2022 (Planning Commission Meeting on Draft Housing Element) – Instagram Story

Twitter:

- December 21, 2021 (survey promotion)
- January 5, 2022 (survey promotion)
- January 11, 2022 (workshop promotion)
- January 18, 2022 (workshop promotion)
- January 20, 2022 (survey promotion, workshop recording, and second workshop promotion)
- February 7, 2022 (survey and second workshop promotion)
- February 16, 2022 (survey and second workshop promotion)
- February 17, 2022 (second workshop promotion)
- February 18, 2022 (survey and second workshop promotion)
- February 22, 2022 (survey deadline approaching)
- March 7, 2022 (study session)
- April 15, 2022 (Draft Housing Element)
- April 21, 2022 (Planning Commission Meeting on Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- August 16, 2022 (Revised Draft Housing Element)

YouTube:

- January 20, 2022 (workshop recording)
- February 18, 2022 (workshop recording)

TV30 Mayor's Report:

- June 17, 2021 (RHNA and appeal)
- October 14, 2021 (RHNA)
- January 13, 2022 (RHNA, sites inventory, survey)
- March 3, 2022 (RHNA, survey, workshops)

State of the City Address:

- April 20, 2022
- April 20, 2022 – May 31, 2022 (Streaming on TV30)

Postcards:

- January 10, 2022 (survey and workshop promotion)
- February 8, 2022 (survey and second workshop promotion)

Universal Email Notification List:

- January 10, 2022 (workshop)
- February 8, 2022 (survey and second workshop)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- August 15, 2022 (Revised Draft Housing Element)
- October 3, 2022 (Initial Study / Negative Declaration)
- October 14, 2022 (Housing Element, Associated General Plan and Specific Plan Amendments, Rezoning, and Initial Study / Negative Declaration)

Developer and Service Provider Email Notification List:

- February 8, 2022 (survey and second workshop)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)

- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- August 15, 2022 (Revised Draft Housing Element)
- October 3, 2022 (Initial Study / Negative Declaration)
- October 14, 2022 (Housing Element, Associated General Plan and Specific Plan Amendments, Rezoning, and Initial Study / Negative Declaration)

Newspaper:

- April 16, 2022
- May 6, 2022
- October 15, 2022

Permit Counter:

- April 15, 2022 (Draft Housing Element)
- October 3, 2022 (Initial Study / Negative Declaration)

Public Posting (Library, Senior Center, Shannon Center, Civic Center Kiosk):

- January 10, 2022 (survey and second workshop)
- February 8, 2022 (survey and second workshop)
- April 15, 2022 (Draft Housing Element)
- May 6, 2022 (Draft Housing Element)
- October 14, 2022 (Housing Element, Associated General Plan and Specific Plan Amendments, Rezoning, and Initial Study / Negative Declaration)

Planning Commission Meetings:

- March 8, 2022 (Study Session)
- April 26, 2022 (Draft Housing Element)
- October 25, 2022 (Housing Element, Associated General Plan and Specific Plan Amendments, Rezoning, and Initial Study / Negative Declaration)

City Council Meetings:

- February 18, 2020 (Informational Report)
- October 6, 2020 (Check-In)
- June 15, 2021 (RHNA Appeal)
- November 2, 2021 (Study Session)
- March 15, 2022 (Check-In)

May 17, 2022 (Draft Housing Element)
November 15, 2022 (Housing Element, Associated General Plan and Specific Plan Amendments, Rezoning, and Initial Study / Negative Declaration)

City of Dublin, California
@DublinPIO

Less than a week remains to participate in an important community survey!

The City's in the process of updating its General Plan Housing Element. Your feedback helps address housing needs of current & future Dublin residents.

Complete by 2/28!

More: bit.ly/DublinHousingE...



6:00 PM · Feb 22, 2022 · Hootsuite Inc.

1 Retweet 1 Like

City of Dublin, California
@DublinPIO

Final reminder for tonight's second virtual workshop on the Housing Element Update. Share your feedback at 6 p.m. to help address the housing needs of current & future Dublin residents.

Background, community survey, and Zoom link: bit.ly/DublinHousingE...



4:01 PM · Feb 17, 2022 · Hootsuite Inc.

1 Retweet 1 Like

City of Dublin, California
@DublinPIO

Join us tomorrow for a second virtual workshop to give feedback on the Housing Element Update, which helps address housing needs of current and future Dublin residents.

📅 Thursday, Feb. 17, at 6 p.m.

Zoom link, first workshop & community survey:
bit.ly/DublinHousingE...



7:01 AM · Feb 16, 2022 · Hootsuite Inc.

2 Retweets 2 Likes

City of Dublin, California
@DublinPIO

Have feedback on the the Housing Element Update but couldn't make our first of two Community Workshops last night?

Next: Feb. 17, 6 p.m. (virtual)

Catch up:
👉1st workshop: ow.ly/Q0An50Hzkju
👉Background: bit.ly/DublinHousingE...
👉Survey: bit.ly/HEUsurvey



4:01 PM · Jan 20, 2022 · Hootsuite Inc.

1 Retweet

DUBLIN
CALIFORNIA

BACKYARD BRIEF

A MONTHLY NEWSLETTER FROM THE DUBLIN CITY MANAGER

City of Dublin Seeking Feedback on the Housing Element Update

The City of Dublin is conducting a survey to receive community feedback that will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. This is a key step in the community outreach process associated with updating Dublin's Housing Element. **Take the survey**. The survey is available in English and Mandarin and is open through February 28, 2022.

The City will also hold the second of two workshops to receive community feedback on the Housing Element Update on **Thursday, February 17, 2022, at 6:00 p.m.**, via Zoom.

Please click the link to join the Workshop via computer audio: **https://dublinca.zoom.us/j/82382805239?pwd=c2taeG41WlhydEVGaEN4c1lKanNxZz09**
Passcode: ES0vdg89 or join by phone at (669) 900-9128 (San Jose)
Webinar ID: 823 8280 5239
Passcode: 05005976

The first Housing Element Workshop was held on January 19, 2022. A recording of the workshop is available on the **City's YouTube channel**.

City of Dublin Housing Element Update Survey Now Available

The City of Dublin is currently in the process of updating its General Plan Housing Element for the 2023-2031 planning period, per State law. Housing Element law mandates local governments update their Housing Element every eight years to demonstrate how the jurisdiction has adequately planned to meet the existing and projected housing needs of all economic segments of the community, which is determined through the Regional Housing Needs Allocation (RHNA) process. The City is seeking feedback from residents on the Housing Element Update through an online survey.

The feedback provided in the survey will help to create policies and programs that appropriately address the housing needs of current and future Dublin residents. This is a key step in the ongoing public outreach process associated with updating Dublin's Housing Element. The Housing Element Survey will be open through February 28, 2022. **Take the survey**.

The City of Dublin will hold a Housing Element Update Workshop on **Wednesday, January 19, at 6:00 p.m.** via Zoom. A Zoom link will be included in future noticing and provided on the **Housing Element webpage**.

For more information on the City's Housing Element Update, please visit the City of Dublin **website**.

DUBLIN
CALIFORNIA

100 Civic Plaza, Dublin, CA 94568
www.dublin.ca.gov | dublininfo@dublin.ca.gov | 925-833-6650
CityofDublinCA DublinPIO

F. 13 Candidate Sites Meetings

Prior to the start of the Housing Element Update and throughout the update process, the City organized one-on-one meetings and outreach events to discuss housing development on parcels now identified as candidate housing sites in **Appendix D**. The following lists the outreach the was conducted:

Alameda County Surplus Property:

- February 8, 2022 – City Staff met with Stuart Cook of the Alameda County Surplus Property Authority.
- July 27, 2022 – City Staff met with Eileen Dalton of the Alameda County Surplus Property Authority.
- August 18, 2022 – City Staff met with Eileen Dalton of the Alameda County Surplus Property Authority.

Hacienda Crossing:

- February 10, 2022 – City Staff met with Mariah Michaud (partial owner of the Hacienda Crossings shopping center).

SCS Property:

- May 19, 2021 – City held a Community Advisory Committee meeting to understand community focus areas followed by brainstorming ideas for the site.
- May 25, 2021 – Consultant team provided the Planning Commission with a presentation on the project background.
- June 1, 2021 – Consultant team presented the City Council with project background information, market research, and a summary of initial stakeholder outreach.
- June 29, 2021 – Urban Land Institute conducted a Technical Advisory Panel of independent industry professionals to assess the SCS Property and advise on the planning and community outreach.
- August 25, 2021 – City hosted a virtual community meeting to provide background research on the project and facilitate an interactive brainstorming session. An online feedback form was made available for extended feedback opportunities.
- October 10, 2021 – City hosted a second virtual community meeting to discuss three plan options regarding the layout of streets, parks, plazas, and land-uses.
- October 26, 2021 – Consultant team presented the Planning Commission with vision options.
- January 12, 2022 – City hosted a third virtual community meeting to discuss the vision options and gather feedback.
- January 25, 2022 – Consultant team presented the Planning Commission with the final SCS Property Preferred Plan and outcomes from community engagement efforts.
- February 15, 2022 – Consultant team presented the City Council with the public outreach efforts and the response to the Preferred Plan. That evening, the City Council approved the SCS Property Preferred Plan.
- *Important Outcomes: The outreach conducted led to the identification of the parcel on which affordable housing units would be located. This parcel is identified in **Appendix D** as a candidate housing site.*

F. 14 Special Needs Population Outreach

The following provides a list of the organizations the City outreached to throughout the 2023-2031 Housing Element Update process regarding workshops, public meetings, and engagement opportunities. These include organizations that directly work with and represent the best interest of special needs populations in Dublin, as well as various housing developers and agencies. This section also includes public meeting comments from the City's Human Services Commission.

- Affordable Housing Associates
- Alameda Country Behavioral Health Care Services
- Alameda County Housing & Community Development
- Alameda Housing Authority
- Allied Housing/Abode Services
- Bonita House, Inc.
- California Affordable Housing Law Project
- California Home Source
- California Housing Partnership Corporation
- Community Economics, Inc.
- Community Resources for Independent Living (CRIL) Main Office
- Community Resources for Independent Living (CRIL) Tri-Valley Office
- East Bay Community Foundation
- East Bay Habitat for Humanity
- East Bay Housing Organizations (EBHO)
- ECHO Housing-Livermore Office
- Envirocom Communications Strategies, LLC
- EveryOne Home
- Goldfarb & Lipman LLP
- Green Building in Alameda County
- Housing Consortium of the East Bay
- Klein Financial Corporation
- Land is Development, LLC
- Lawrence Livermore National Laboratory
- Local Initiatives Support Corporation (LISC), Bay Area
- Merritt Community Capital Corporation
- Mid-Peninsula Housing Coalition
- Non-Profit Housing Association of Northern California (NPH)
- Northern California Community Loan Fund
- Rental Housing Association
- Resources for Community Development
- Satellite Housing, Inc.
- Senior Support Services
- The John Stewart Company
- Tri-City Homeless Coalition
- Tri-Valley Haven
- Tri-Valley Interfaith Poverty Forum
- Alameda County Surplus Property Authority
- Anderson Second Family LP
- Alameda County
- Apolstolic Church of Fremont
- Avalon Bay Communities
- Bay Area Rapid Transit District
- Braddock & Logan Services, Inc.
- Brookfield Homes
- Charter Properties
- City Ventures
- Collier Canyon Properties
- Discovery Homes
- Dublin Land Company
- EBJ Partners LP
- Eden Housing, Inc.
- Emerald Valley Land
- Jordan Charitable Trust/Varni, Fraiser, Hartwell & Rodgers
- Kaiser Foundation Hospitals
- KB Home Northern California/Bay Area
- Kingsmill Group

- MacKay & Somps
- MidPen Housing Corp.
- Pacific Union Holdings, Inc.
- Regent Properties
- Righetti Partners
- ROEM Development Corporation
- SCS Development Company
- Signature Properties
- Standard Pacific Homes
- Summerhill Homes
- Sun Cal Companies
- Sun Valley Land Development
- The DeSilva Group
- Toll Brothers
- Valley Christian Center
- Valley Oak Partners, LLC
- Westgate Ventures
- Northern CA Carpenters Regional Council
- Weinberg, Roger & Rosenfeld
- Dublin Unified School District
- CalTrans District 4, Coord. & Project Development
- Dublin San Ramon Services District
- Adams Broadwell Joseph & Cardozo
- Human Services Commission
- Brookfield Properties Development
- TRI Pointe Homes
- Benchmark Home Construction, Inc.
- DeNova Homes, Inc.
- KB Home Northern California
- KB Homes
- The Hanover Company
- DeSilva Gates
- Eden Housing
- Southern Land Company
- Community Housing Developers, Inc. (CHD)
- Arcadia Development Co.
- Lenox Homes
- Mark Sweeney
- Smith Quality Homes, Inc.
- Wong-Young Development Corporation
- O'Brien Homes
- Davidon Homes
- Hello Housing
- Bay Vista Development
- Mercy Housing
- Shea Homes
- Essex Property Trust
- Desilva Group
- Tim Lewis Communities
- Guy Houston
- BRIDGE Housing
- Crinnion Construction, Inc.
- Richmond American Homes
- CHISPA/CCRB
- Mike Knuppe
- Signature Homes, Inc.
- Mike Carey
- Meritage Homes of California, Inc.
- Trumark Homes
- Lennar Homes
- Simon Properties
- Blackhawk Services
- The Grupe Company
- Pulte Homes
- Habitat for Humanity EBSV
- Meritage Housing
- Greenbriar Land Company
- Signature Development Group
- Bella Vista Land Advisors
- Ponderosa Homes
- Taylor Morrison
- Brotman Commercial Real Estate Services, Inc.
- Regis Homes Bay Area, LLC
- Swift Real Estate
- Pacific West Communities
- PulteGroup
- Hawk Development
- Haven Development
- Maxon Construction
- KGIP
- D.R. Horton

- PCJ Real Estate Advisors, LLC
- Signature Homes
- Landsea Homes
- DR Horton
- Brookfield Residential
- Century Communities
- DRG Builders, Inc.
- Legacy Partners
- Anton DevCo
- Dahlin Architecture
- Warmington Residential California
- ECHO Housing
- Hacienda Owners Association
- Ryder Homes
- Hively
- Alameda County ALL IN
- Alameda County Housing and Community Development
- Muslim Community Center
- Keystone Adult Learning Center
- Goodness Village
- VFW
- Bay Area Community Services (BACS)
- Shepherd's Gate (Livermore)
- Viet Nam Veterans of Diablo Valley
- PUSD
- Contra Costa Interfaith Housing
- Greenbelt Alliance
- East Bay Asian Local Development Corporation
- Narika
- Pleasanton Military Families
- Tri-Valley Anti-Poverty Collaborative
- CRIL
- East Bay Housing Organization
- East Bay innovations
- Kaleidoscope Community Adult Program, Easterseals
- Chabot/Las Positas Community College District
- Housing Authority of County of Alameda (HACA)
- Neighborhood Solutions
- Sunflower Hill
- Tri-Valley REACH
- RCEB, Regional Center of the East Bay
- Spectrum Community Services, aka Meals on Wheels
- Open Heart Kitchen
- Alameda County Behavioral Healthcare Services
- Alameda County Social Services
- East Bay Rental Housing Association
- Abode
- City Serve of the Tri-Valley
- Senior Support Program of the Tri-Valley
- Brookfield Properties Development
- BIA|Bay Area
- Bay West Development

The City also received the following comment during public Planning Commission and City Council meetings regarding the 2023-2031 Housing Element:

- Planning Commission Meeting (April 26, 2022) - Persons with disabilities will benefit greatly from assisted living projects. It is very important that people with disabilities have access to safe housing that have services available. In the Dublin community of persons with disabilities, many residents have problems affording disability services. These services sometimes cost too much, especially for disabled individuals with many medical needs. Assisted living projects can help these residents afford the care that they need. Some disabled residents would like to see more assisted living projects with services rather than new housing projects that do not accommodate services for persons with disabilities.

As part of the Environmental Justice (EJ) Element's outreach, the City outreached to the following agencies to conduct stakeholder interviews to identify potential EJ issues and opportunities:

- Abode HOPE Mobile Health Clinic
- BACS Valley Wellness
- East Bay Innovations
- Human Services Commission
- Open Heart Kitchen
- Senior Support Program of the Tri-Valley
- Shepherd's Gate

Representatives from East Bay Innovations, the City's Human Services Commission, and Open Heart Kitchen participated. East Bay Innovations is an organization that strives to support people with disabilities to live independently and secure stable employment. The City's Human Services Commissions is dedicated to outreach, education, and collaboration to address the community's human service needs as represented in the adopted needs assessment. Open Heart Kitchen is an organization focused on equitable access to nutritious food for all today, while building food security tomorrow.

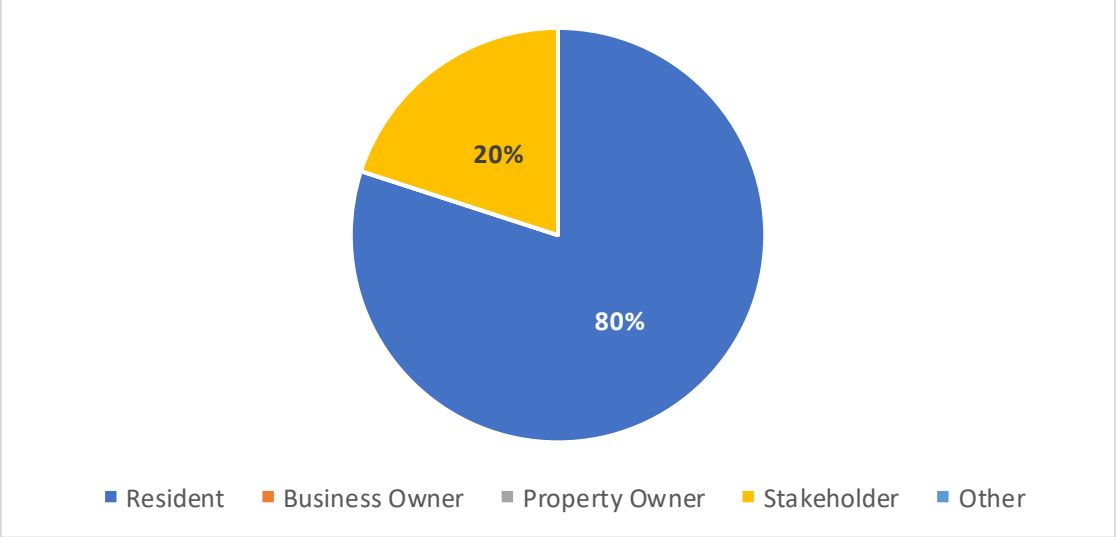
F. 15 Public Review Draft Comments

The following provides comments received on the Public Review Housing Element Draft.

Public Review Draft Housing Element Feedback Form

On April 15, 2022, the City released the Public Review Draft of the 2023-2031 Housing Element for a 30-day public review. A feedback form was made available with the document to collect responses from the public. Listed below are the comments received; four feedback forms were submitted from the public.

1. **What is you association to the City of Dublin?**



2. **Please submit comments on Chapter 1 – Introduction.**
    a. We understand housing needs but please work with the school district as one team to assure that schools are sufficient enough to accommodate more school aged residents to maintain and improve quality of education. And assure that every single high school student can graduate with the proper credits, etc. by preventing even more overcrowding.
    b. Table 1-2 change heading from RHNA to Minimum Housing Units Required by RHNA. Page 1-10, first line add after "opportunities", "and the look and feel of the city,"
    c. Need to acknowledge "Individuals and families are directly affected by each jurisdiction's ability to plan for the housing needs of those who will live, work, and play in every community." as per https://www.hcd.ca.gov/community-development/housing-element/index.shtml. Table 1-2 heading should read Minimum Housing Units Required by RHNA rather than just RHNA. Page 1-10, First Line, after "opportunities", add "the look and character of the city,"
    d. Very minute, but it could be informative to mention the AMI ranges in dollars for each income category for the RHNA targets in Table 1-2. Overall, I found this chapter to be wonderfully written, easy to understand, and very informative for a broader audience. I especially appreciated Table 1-1, the clear-cut identification of Dublin's planned RHNA compliance is a recipe for smooth approval with CA HCD.

3. **Please submit comments on Chapter 2 - Housing Plan.**
    a. Same comments as above. We support housing needs but it needs to be done responsibly. Increase in housing equals increase capacity and resources for all schools. It's not acceptable to say that the City Council and the School District are separate entities. This is ONE DUBLIN and supporting the schools as much you support developers is imperative.
    b. See below:
        - Add Policy B.6 - Enforce the number of inclusionary affordable for-sale units in the City's Municipal Code.
        - Policy C.2 should be eliminated. It establishes the concept of replacement without any guidelines, therefore allowing multiple units to replace a single home. In addition, it is not necessary to accomplish City goals. Same vagueness regarding the word "enhancement."
        - Add Policy D.4 - Increase the RATE of affordable for-sale units in all future residential developments.
        - Page 2-10, second bullet point on the page, add the word "for-sale" after the word "affordable."
        - Page 2-10, third bullet point under the heading Objectives, add "for-sale" after the word "affordable."
        - Page 2-12, third bullet point, the concept of "deed-restricted" is undefined as well as impractical. Would the homeowner be REQUIRED to rent the ADU out? if so, how much? What if the property changes hands?
        - Program B.8 eliminate. The City is required to allow ADU's. That's fine. The City is not obligated to have a minimum quantity of ADU's built. Rezoning to accommodate ADU's is unnecessary and irresponsible.
        - Program B.9 eliminate. The statements in this section are false. The State law does NOT require non-vacant properties to be rezoned to accommodate 30 units per acre. That is just one choice that is given to a jurisdiction. It is my understanding that the current zoning in Dublin already allows for all of the RHNA housing assignments for the next RHNA cycle. Therefore no rezoning is necessary.
        - Page 2-16, third bullet point. The rezoning of the 2.5 acres is fine. However, the SCS Property developer has said that they will accommodate on-site inclusionary for-sale units. If the 100 unit parcel is IN ADDITION to the on-site units then fine; but if it is a land dedication to get out of building the inclusionary units that they indicated they would build, then that is not okay.
        - Page 2-16 delete the paragraph that begins with "The City will continue to use Specific Plans and appropriate zoning to ensure...". The City of Dublin does not need to rezone anything to accommodate the upcoming RHNA requirements
    c. Same as above
    d. Another comment on minutiae – I would appreciate it if there were more differentiation in the reference number for the policies and programs. This could ideally be done by

starting the reference letters/numbers for Goals and Policies with 2.1.x and starting the reference letters/numbers for Programs with 2.2.x, thus using the following format: chapter #.section #. Subsection letter/#.

4. **Please submit comments on Appendix A - Review of Past Performance.**
   a. No comment
   b. No comment
   c. Absolutely DISMAL previous cycles! I am ashamed of our City's complete disdain for the residents of Dublin and the workers who cannot even come close to being able to live here. Your List of Accomplishments is a collection of meetings attended, workshops facilitated, brochures printed and self-congragulatory rhetoric that drones on and on about how great you are, but in the final analysis it all means YOU DID ALMOST NOTHING to benefit your residents. Shame on you!! And shame on us for believing our elected officials when we read your voter pamphlet statements that you supported affordable housing.

   Housing Element Goals Progress Report
   RHNA Accomplishments*

Housing Units to be Constructed	Goal	RINA	Building Permits Issued
Very Low Income (0-50% AMI)	400	1,092	189
Low Income (51-80% AMI)	661	85	0
Moderate Income (81-120% AMI)	410	653	44
Upper Income (>120% AMI)	800	924	2,326
Total	1,610	3,330	2,644
Housing Rehabilitation			
Very Low Income (0-50% AMI)	20		17
Low Income (51-80% AMI)	25		12
Total	45		36

   Source: City of Dublin, 2014.
   Note: * New construction units based on building permits issued.
   Table A-1: 5th Planning Cycle Quantified Accomplishments
   You don't even list a goal this past cycle. Building such a huge amount of Market Rate housing and such a pathetic showing of the other categories is NOT an accomplishment, it is shameful!

Housing Assistance Type	RHNA	Accomplishments
Very Low-Income	796	26
Low-Income	446	39
Moderate-Income	425	79
Above Moderate-Income	618	4,878
TOTAL	2,285	5,022

   d. No critiques for Appendix A. Presenting a summary table of quantifiable past performance was a very transparent and informative method of disseminating such info.

5. **Please submit comments on Appendix B - Community Profile.**
    a. No comment
    b. No comment
    c. No comment
    d. I would appreciate it if there were a citation for the city's definition of "overcrowding" prior to their analysis of the phenomenon in Dublin. This could provide some clarity as well as ethos to what's being measured, namely cause I have seen some minor variation / discussion on how to properly measure overcrowding (see: https://www.huduser.gov/publications/pdf/measuring_overcrowding_in_hsg.pdf). I Particularly appreciated the attention to student housing needs, among other segments of the community profile section.
6. **Please submit comments on Appendix C - Housing Constraints, Resources, and AFFH.**
    a. No comment
    b. Table C-1 Re-calculate these numbers. These numbers are not credible. At $256 per square foot for vacant land in Dublin, this Draft table is claiming that on average, vacant land is (43560) ($256) $11M per acre. I did a search about 6-10 months ago on Zillow or Trulio and found that average to be about $0.5M per acres. The numbers in Table C-1 are ridiculous and misleading. Please correct this or eliminate it.
    c. Same as above
    d. On the "Access to Transit" section of Appendix C, I feel like it's worth prefacing the availability of transit options and the transit frequency. Without such context, the AllTransit Statistics on Dublin seem potentially misleading to those not familiar with our transportation. Other than that, this Appendix seems very thorough and objective.
7. **Please submit comments on Appendix D - Adequate Sites Analysis.**
    a. No comment
    b. No comment
    c. No comment
    d. If possible, I would like to see some explanation of the city's financial capacity to fulfill the proposed RHNA targets for very-low-income and low-income sites, particularly for the SCS Property since it'll be the first of the 3 primary sites for meeting the targets. Other than that, I think that the adequate sites identified to meet the low-income RHNA targets are very feasible to build. I will add though, that I do find a bit of concern with the specific parcel for the Hacienda Crossings Rezoning being placed at the North-East corner of the property. While I can understand the potential revenue that parcel could bring to the shops at Hacienda Crossings, I think that it's not the most hospitable site for maximizing transit accessibility for potential future residents, which is particularly imperative for very low-income households that may not otherwise have an option to buy a car. From the Bed, Bath and Beyond entrance, for example, it's a 20-minute walk to the Dublin/Pleasanton BART Station. I would reckon that the South West Corner of Hacienda Crossings would vastly improve transit access, especially considering the future Iron Horse Trail Connector being completed at IKEA Place.

8. **Please submit comments on the Appendix E - Housing Plan Programs Summary.**
    a. No comment
    b. No comment
    c. No comment
    d. No comment
9. **Please submit comments on the Appendix F - Community Engagement Summary.**
    a. No comment
    b. I already wrote to the city about the graphs for Community Assistance and Fair Housing. Please remove line segments between the data points. They don't belong on these graphs and they make the City look inept. Vision for the Future - comments from the community. There were some comments that seemed pro-housing and some were against more housing. There were at least 70% more comments against more housing than for more housing. I REALIZE THAT WE HAVE TO BUILD MORE HOUSING, but the community is tired of it. The City needs build what is required and then give it a rest. The city of Dublin is not shirking its housing responsibility; it has done far more than it's fair share of building.
    c. Vision for the Future - comments from the community. It appears that many respondents expressed concerns about housing. There were some comments that seemed pro-housing and some were against more housing. The community does not see a cohesive vision of the future coming from the City. It is almost as if the goal of the City is to avoid taking the time and interest in protecting the residents and looking to their future well being, such as the failure of the City to require relevant E!Rs for all projects and the recent (2015) appearance of Mello-Roos for infrastructure. All projects and modifications should be geared toward the long-term best outcome for the people of Dublin and the ecosystem which we all call home. Instead, there appears to be a push to find a way AROUND the challenges we face as a community and just check a box, almost as if the future well-being of our community is not a primary concern.
    d. No comment
10. **Please submit comments on the Appendix G - Glossary of Terms.**
    a. No comment
    b. Please add the following acronyms to the glossary that are used in this Housing Element.
    DMC - Dublin Municipal Code
    RHNA - Regional Housing Needs Allocation
    I know that you already list "Regional Housing Needs Allocation" but RHNA is used throughout.
    c. Same as above
    d. No comment

11. **Please submit here any additional comments you have regarding the Dublin 2023-2031 Housing Element.**
    a. Dublin has done more than its share to help with housing shortage. Please do what you can to balance mew housing with providing adequate school space and resources for current and future students. Thank you.
    b. I believe that some of the requirements stated in the Draft Housing Element which are claimed to be mandated from the State are not accurate. Some of the so-called "requirements" are solutions that the City wants to implement in order to build as much as they can - in spite of what residents want. The entire Draft Housing Element is geared toward more development than is necessary. In addition, the RHNA numbers from HCD are being legally challenged as well as challenged internally by another State agency. There is no reason to rezone anything in Dublin due to RHNA requirements. The zoning to accommodate RHNA is already in place. REVISE AND RESUBMIT.
    c. I found this draft document to be a study of "the language of the politics". Words that sound good, but are not really what will happen. It is not a vision, it is an excuse for why, as a City, we check the boxes and give away the farm to developers who find Dublin the soft target of the valley. I find it tragic that we have to say we should be building affordable housing to buy and get told that the reason it wasn't included was that the low income buyers would be uncomfortable living in a residential development. You can have a 1000 pages of tables talking about diversity, but you have no heart for those who are less well off.
    d. While this to a certain extent goes outside of the scope of the Housing Element itself, I would appreciate it if there were strategies in place to minimize parking as much as possible and expand bike, car, and scooter share services around high-density units planned for this Housing Element Cycle. Particularly pertinent for both CAP 2.0 goals as well as minimizing traffic impacts with these proposed developments, reducing parking and expanding other micro-mobility modes could be a key to making these communities as feasibly car-free as possible. In doing so, it'd benefit the community at large as well as incentivize future proximate commercial development that reinforces the car-free lifestyle of residents within these proposed developments.

F.16 Summary of Public Comments

The following provides a summary of all public comments received and associated policy programs.

Table F-1: Summary of Public Comments

Summary of Public Comments	Policy Programs
The City needs more affordable units.	A number of policies and programs are included within the Housing Plan aimed at promoting and facilitating the development of affordable housing in the City.
Stop building housing in the City.	Comment has been noted.
Low- and middle-income units needed.	A number of policies and programs are included within the Housing Plan aimed at promoting and facilitating the development of housing affordable to low- and middle-income households.
Affordable housing needs to be located near community resources, schools, and infrastructure.	As part of the adequate sites analysis, the City has identified sites for future housing growth that is located near community resources. Infrastructure has been assessed as part of this analysis.
Build single-family homes, not apartment buildings.	As part of the Zoning Ordinance, the City facilitates and promotes the development of a variety of housing types so as to address the housing needs of all segments of the community.
Add senior housing options.	Programs are included within the Housing Plan aimed at promoting and facilitating the development of a variety of housing types – including senior housing.
Stop sprawl and building up with mixed-use.	Program B.1 is included in the Housing Plan to facilitate and incentivize the development of mixed-use projects and place housing units near community resources and public transportation options.
Create transit-oriented developments for all income levels.	A number of programs are included within the Housing Plan aimed at promoting and facilitating the development of housing units affordable for a range of incomes near public transportation.
City needs to focus on improving infrastructure.	As part of the adequate sites analysis, the City has evaluated access to infrastructure and identified appropriate sites.
Don't neglect parks, open space, and traffic in new developments.	The City continues to implement its development standards for residential projects, as well as work with housing developers on proposed projects to provide affordable units while maintaining necessary resources and accessing potential impacts on traffic and surrounding neighborhoods.
Keep the small-town feel of Dublin.	Comment has been noted.
Create affordable, multigenerational, and senior housing on the eastern side of the City.	Programs are included in the Housing Plan to provide for the development of senior housing, as well as promote multigenerational and affordable units. Units have been identified as part of the adequate sites analysis on the City's eastern side.
Coordinate with schools on ensuring there is room for future students as housing growth continues.	The City continues to assess and review community resources, and as part of the Housing Plan will continue to outreach to the community to identify potential future needs.
Persons with disabilities will benefit greatly from assisted living projects.	The City has included the following programs in the Housing Plan to provide for the development of units for persons with disabilities: Programs B.2, B.17, D.6, E.1, E.3, and E.5.
Comment received by HCD: Revise the PD Ordinance so that it no longer requires a two-stage legislative	As outlined in Appendix C, a Planned Development Stage 1 and Stage 2 Development Plan may be adopted concurrently or separately, which is the decision of the developer.

Table F-1: Summary of Public Comments	
Summary of Public Comments	**Policy Programs**
process. All "legislative" zoning issues should be addressed in the initial zoning approval. All subsequent approvals should be non-legislative in nature.	
Comment received by HCD: Commit to facilitating and approving all housing projects that currently have a Stage 1 PD zoning without requiring a Stage 2 PD approval.	The HAA, the Housing Crisis Act of 2019 (Senate Bill 330), and various other state laws prevent or restrict the ability to deny projects that are consistent with applicable, objective standards in effect at a time when the application is deemed complete. The City maintains the opinion that housing developments with an adopted PD Stage 1 Development Plan qualify under the HAA. The City has the practice of approving housing developments with only a Stage 1 Development Plan approval, as evidenced by the East Ranch project approval in May 2022. The City has had collaborative conversations with other property owners with only a PD Stage 1 Development Plan and Staff is currently working with one where the applicant is asserting their rights under the HAA for a project approval with only a PD Stage 1 Development Plan.
Comment received by South Bay YIMBY: End apartment bans in high opportunity areas.	The City continues to ensure that all residents have access to high-quality resources and opportunities. The City will continue to work with developers to identify opportunities throughout the City. The City takes actions as detailed in Program E.1 to improve affordable housing opportunities.
Comment received by South Bay YIMBY: Accommodate 7,970 low-income homes in the site inventory.	As detailed in Appendix D, the City's adequate sites inventory and RHNA accommodates 1,710 extremely low-, very low-, and low-income homes. The City is required to accommodate the RHNA allocation. The City will continue to work with developers to create affordable units.

E.14 Summary of Public Comments

The following provides a summary of all public comments received and associated policy programs.

Table F-1: Summary of Public Comments

Summary of Public Comments	Policy Programs
The City needs more affordable units.	A number of policies and programs are included within the Housing Plan aimed at promoting and facilitating the development of affordable housing in the City.
Stop building housing in the City.	Comment has been noted.
Low and middle income units needed.	A number of policies and programs are included within the Housing Plan aimed at promoting and facilitating the development of housing affordable to low- and middle-income households.
Affordable housing needs to be located near community resources, schools, and infrastructure.	As part of the adequate sites analysis, the City has identified sites for future housing growth that is located near community resources. Infrastructure has been assessed as part of this analysis.
Build single-family homes, not apartment buildings.	As part of it's Zoning Code, the City facilitates and promotes the development of a variety of housing types so as to address the housing needs of all segments of the community.
Add senior housing options.	Programs are included within the Housing Plan aimed at promoting and facilitating the development of a variety of housing types – including senior housing.
Stop sprawl and building up with mixed-use.	Program B.1 is included in the Housing Plan to facilitate and incentivize the development of mixed-use projects so as to place housing units near community resources and public transportation options.
Create transit oriented developments for all income levels.	A number of programs are included within the Housing Plan aimed at promoting and facilitating the development of housing units affordable for a range of incomes near public transportation.
City needs to focus on improving infrastructure.	As part of the adequate sites analysis, the City has evaluated access to infrastructure and identified appropriate sites.
Don't neglect parks, open space, and traffic in new developments.	The City continues to implement its development standards for residential projects, as well as work with housing developers on proposed projects to provide affordable units while maintaining necessary resources and accessing potential impacts on traffic and surrounding neighborhoods.
Keep the small-town feel of Dublin.	Comment has been noted.
Create affordable, multigenerational, and senior housing on the eastern side of the City.	Programs are included in the Housing Plan to provide for the development of senior housing, as well as promote multigenerational and affordable units. Units have been identified as part of the adequate sites analysis on the City's eastern side.
Coordinate with schools on ensuring there is room for future students as housing growth continues.	The City continues to access assess and review community resources, and as part of the Housing Plan will continue to outreach to the community to identify potential future needs.

This Page Intentionally Left Blank.



APPENDIX G:
GLOSSARY OF HOUSING TERMS

Glossary of Housing Terms

Above Moderate-Income Household. A household with an annual income usually greater than 120percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available legibility limits established by the U.S. Department of housing and Urban Development (HUD) for the Section 8 housing program.

Accessory Dwelling Unit (ADU). An ADU is a residential unit that provides independent living facilities for one or more persons and includes separate kitchen, sleeping, and bathroom facilities. An ADU may be a part of, attached to, or detached from a single-family, two-family, or multifamily residence and is subordinate to the principal residence. An ADU also includes an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, and a manufactured home, as defined in Section 18007 of the Health and Safety Code.

Agricultural Housing. Dwellings and/or living quarters for farm laborers, or other types of dwellings determined to be substantially similar to the above by the Director of Community Development.

Affirmatively Furthering Fair Housing (AFFH). Affirmatively Furthering Fair Housing (AFFH) is a legal requirement that federal agencies and federal grantees further the purposes of the Fair Housing Act. AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

Apartment. An apartment is a multifamily building of three or more individual residential units that is under single ownership. An apartment may have one or more rooms in an apartment house or dwelling occupied, intended, or designated for occupancy by one family for sleeping or living purposes and containing one kitchen.

Area Median Income (AMI). The midpoint of a geographic area's income distribution, to account for regional differences in cost of living.

Assisted Housing. Generally multi-family rental housing, but sometimes single-family ownership units, whose construction, financing, sales prices, or rents have been subsidized by federal, state, or local housing programs including, but not limited to Federal Section 8 (new construction, substantial rehabilitation, and loan management set-asides), Federal Sections 213, 236, and 202, Federal Sections 221 (d) (3) (below-market interest rate program), Federal Sections 101 (rent supplement assistance), CDBG, FmHA Sections 515, multi-family mortgage revenue bond programs, local redevelopment and in lieu fee programs, and units developed pursuant to local inclusionary housing and density bonus programs.

Below-Market-Rate (BMR). Any housing unit specifically priced to be sold or rented to low- or moderate-income households for an amount less than the fair-market value of the unit. Both the State of California and the U.S. Department of Housing and Urban Development set standards for determining which households qualify as "low income" or "moderate income." The financing of housing at less than prevailing interest rates.

Boarding House. A housing unit used for residential purposes, other than a hotel, where lodging and meals are provided for compensation for five or more non-transient persons, who are not living as a single housekeeping unit. All residents are be counted when determining the number of persons lodging in a boarding house, including managers, landlords, or building superintendents. A Boarding House is considered to be a Multifamily Dwelling.

Build-Out. That level of urban development characterized by full occupancy of all developable sites in accordance with the General Plan; the maximum level of development envisioned by the General Plan. Build-out does not assume that each parcel is developed to include all floor area or housing units possible under zoning regulations.

Caretaker Residence. Permanent or temporary housing that is secondary or accessory to the primary use of the property. Such dwellings are used for housing a caretaker employed full-time on the site of a non-residential use where a caretaker is needed for security purposes or to provide 24-hour care or monitoring of facilities, equipment, or other conditions on the site.

Community Care Facility. A 24-hour residential facility providing care for persons, including: the elderly, persons in an alcoholism or drug abuse recovery or treatment facility, persons in a facility for mentally disordered, handicapped persons or dependent and neglected children, persons in an intermediate care facility/developmentally disabled-habilitative, intermediate care facility/developmentally disabled-nursing, and congregate living health facilities. A Community Care Facility may be located in any type of residence.

Community Development Block Grant (CDBG). A grant program administered by the U.S. Department of Housing and Urban Development (HUD) on a formula basis for entitled communities and administered by the State Department of Housing and Community Development (HCD) for non-entitled jurisdictions. This grant allots money to cities and counties for housing rehabilitation and community development, including public facilities and economic development.

Condominium. A multi-family building where the units are individually owned, and the common space is owned collectively by condominium unit owners. A condominium structure may have two or more units.

Covenants, Conditions, and Restrictions (CC&Rs). A term used to describe restrictive limitations that may be placed on property and its use, and which usually are made a condition of holding title or lease.

Deed. A legal document which affects the transfer of ownership of real estate from the seller to the buyer.

Density Bonus. The allocation of development rights that allow a parcel to accommodate additional square footage or additional residential units beyond the maximum for which the parcel is zoned, usually in exchange for the provision or preservation of an amenity at the same site or at another location.

Density, Residential. The number of permanent residential dwelling units per acre of land. Densities specified in the General Plan may be expressed in units per gross acre or per net developable acre.

Developable Land. Land that is suitable as a location for structures and that can be developed free of hazards to, and without disruption of, or significant impact on, natural resource areas.

Discretionary Action. An action or approval which requires the exercise of judgment or deliberation when the City decides to approve or disapprove a project.

Down Payment. Money paid by a buyer from his own funds, as opposed to that portion of the purchase price which is financed.

Duplex. A building on a single lot containing two dwelling units each of which is totally separated from the other by a shared wall that extends from the foundation to the roof.

Dwelling Unit (DU). One or more habitable rooms that are designed and/or used as independent living quarters for one family, with facilities for living, eating and sleeping, with no more than one kitchen facility consisting of one or more of the following: sink, cooking facility or refrigerator (except that two kitchens are allowed where the habitable floor area of the dwelling is 8,000 square feet or larger), and at least one bathroom, and where all such habitable areas have access to each other from within the building. Any detached structure or portion of a dwelling which has a separate entry and is separate from that dwelling, containing a full bathroom including a water closet, basin, and shower or bathtub or containing a half bathroom including a water closet and basin, the area of which half bathroom exceeds 20 square feet, shall also be considered a dwelling or dwelling unit.

Elderly Housing. Typically, one- and two-bedroom apartments or condominiums designed to meet the needs of persons 62 years of age and older or, if more than 150 units, persons 55 years of age and older, and restricted to occupancy by them.

Emergency Shelter. A facility that provides temporary, short-term housing, with minimal supportive services, for individuals or families experiencing homelessness, provided that no facility is used as temporary, short-term housing by any individual or family for more than 30 consecutive days. Supplemental services may include food, counseling, and access to other social programs. No individual or household may be denied emergency shelter because of an inability to pay.

Extremely Low-Income Household. A household with an annual income that is less than 30 percent of the area median family income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Fair Market Rent. The rent, including utility allowances, determined by the United States Department of Housing and Urban Development for purposed of administering the Section 8 Program.

Family. The term "Family" is defined by the Dublin Municipal Code as one or more persons occupying a dwelling and living as a single, non-profit housekeeping unit, including any servants. This is distinguished from a group occupying a boarding house, community care facility, supportive or transitional housing when configured as group housing, hotel or motel, club, fraternity or sorority house. The U.S. Bureau of the Census defines "Family" as two or more persons related by birth, marriage, or adoption. The California Governor's Office of Planning and Research - General Plan Guidelines defines "Family" as an Individual or a group of persons living together who constitute a bona fide single-family housekeeping unit in a dwelling unit, not including a fraternity, sorority, club, or other group of persons occupying a hotel, lodging house, or institution of any kind.

General Plan. A comprehensive, long-term plan mandated by State Planning Law for the physical development of a city or county and any land outside its boundaries which, in its judgment, bears relation to its planning. The plan shall consist of seven required elements: land use, circulation, open space, conservation, housing, safety, and noise. The plan must include a statement of development policies and a diagram or diagrams illustrating the policies.

Goal. A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort.

Green Building. Green or sustainable building is the practice of creating healthier and more resource-efficient models of construction, renovation, operation, maintenance, and demolition. (U.S. Environmental Protection Agency)

Historic Preservation. The preservation of historically significant structures and neighborhoods until such time as, and in order to facilitate, restoration and rehabilitation of the building(s) to a former condition.

Historic Property. A historic property is a structure or site that has significant historic, architectural, or cultural value.

Household. All those persons—related or unrelated—who occupy a single housing unit. (See "Family.")

Housing and Community Development Department (HCD). The State agency that has principal responsibility for assessing, planning for, and assisting communities to meet the needs of low- and moderate-income households.

Housing Element. One of the seven State-mandated elements of a local general plan, it assesses the existing and projected housing needs of all economic segments of the community, identifies potential sites adequate to provide the amount and kind of housing needed, and contains adopted goals, policies, and implementation programs for the preservation, improvement, and development of housing. Under State law, Housing Elements must be updated every five years.

Housing Payment. For ownership housing, this is defined as the mortgage payment, property taxes, insurance, and utilities. For rental housing this is defined as rent and utilities.

Housing Ratio. The ratio of the monthly housing payment to total gross monthly income; also called Payment-to-Income Ratio or Front-End Ratio.

Housing Unit. The place of permanent or customary abode of a person or family. A housing unit may be a single-family dwelling, a multi-family dwelling, a condominium, a modular home, a mobile home, a cooperative, or any other residential unit considered real property under State law.

Housing and Urban Development, U.S. Department of (HUD). A cabinet-level department of the federal government that administers housing and community development programs.

Implementing Policies. The City's statements of its commitments to consistent actions.

Implementation. Actions, procedures, programs, or techniques that carry out policies.

Infill Development. The development of new housing or other buildings on scattered vacant lots in a built-up area or on new building parcels created by permitted lot splits.

Jobs-Housing Balance. A ratio used to describe the adequacy of the housing supply within a defined area to meet the needs of persons working within the same area. The General Plan uses SCAG's definition which is a job total equal to 1.2 times the number of housing units within the area under consideration.

Junior Accessory Dwelling Unit (JADU). A unit that is no more than 500 square feet in size that is contained entirely within the walls of a single-family residence, including attached garages, and that has a separate entrance. At a minimum, a Junior Accessory Dwelling Unit shall include an efficiency kitchen with a food preparation counter, cooking facility with appliances and storage cabinets, and may include separate sanitation facilities or may share sanitation facilities within the existing single-family residence.

Land Use Classification. A system for classifying and designating the appropriate use of properties.

Live-Work Units. Buildings or spaces within buildings that are used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work.

Lot Coverage. The maximum lot area which may be covered with buildings and structures. Buildings and structures include all land covered by Principal Buildings, garages and carports, Accessory Structures, covered decks and gazebos, and other enclosed and covered areas; but not standard roof overhangs, cornices, eaves, uncovered decks, swimming pools, paved areas such as walkways, driveways, patios, uncovered parking areas or roads. All areas of coverage are computed in terms of net lot area at ground level.

Low-Income Household. A household with an annual income usually between 51 and 80 percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Low-Income Housing Tax Credits. Tax reductions provided by the federal and State governments for investors in housing for low-income households.

Manufactured Housing. Residential structures that are constructed entirely in the factory, and which since June 15, 1976, have been regulated by the federal Manufactured Home Construction and Safety Standards Act of 1974 under the administration of the U.S. Department of Housing and Urban Development (HUD). (See "Mobile home" and "Modular Unit.")

Ministerial Action. A non-discretionary action or approval where the City merely has to determine whether a project conforms with applicable statutes, ordinances, or regulations.

Mixed-Use. Properties on which various uses, such as office, commercial, institutional, and residential, are combined in a single building or on a single site in an integrated development project with significant functional interrelationships and a coherent physical design. A "single site" may include contiguous properties.

Mobile Home. A vehicle designed and equipped for human habitation, and for being drawn behind a vehicle. Such mobile home must either be constructed after September 15, 1971, and issued an insignia of approval by the California Department of Housing and Community Development and permanently located on a permanent foundation system, or be constructed after July 15, 1976, and issued an insignia of approval by the U.S. Department of Housing and Urban Development and permanently located on a permanent foundation system, or other type of housing determined to be substantially similar to the above by the City of Dublin Director of Community Development or designee.

Mobile Home/Manufactured Home Park. A development or subdivision of an existing parcel, or contiguous parcels, of land for the purpose of separate sale, lease, or financing to allow the installation of mobile homes or manufactured homes.

Moderate-Income Household. A household with an annual income usually between 81 and 120 percent of the area median income adjusted by household size, as determined by a survey of incomes conducted by a city or a county, or in the absence of such a survey, based on the latest available eligibility limits established by the U.S. Department of Housing and Urban Development (HUD) for the Section 8 housing program.

Monthly Housing Expense. Total principal, interest, taxes, and insurance paid by the borrower on a monthly basis. Used with gross income to determine affordability.

Multi-Family Residence. A building or a portion of a building used and/or designed as residences for two or more families living independently of each other. This Includes: half-plex structures (a half-plex is a single residential unit that is half of a two-unit building where a property line separates the two units); duplexes, triplexes, and fourplexes (detached buildings under one ownership with two, three, or four residential units (respectively) in the same building); and apartments (five or more units under one ownership in a single building); attached unit projects such as condominiums and townhouses; and Boarding House. This use type may include other residential types determined to be substantially similar to the above by the City of Dublin Director of Community Development, or designee.

Ordinance. A law or regulation set forth and adopted by a governmental authority, usually a city or county.

Overcrowded Housing Unit. A housing unit in which the members of the household, or group are prevented from the enjoyment of privacy because of small room size and housing size. The U.S. Bureau of Census defines an overcrowded housing unit as one which is occupied by more than one person per room.

Parcel. A lot or tract of land.

Person with a Disability. Any individual (1) with a physical or mental impairment that substantially limits one or more major life activities; (2) with a record of such impairment; or (3) who is regarded as having such an impairment. A physical or mental impairment includes, but is not limited to, conditions such as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, Human Immunodeficiency Virus (HIV), developmental disabilities, mental illness, drug addiction, and alcoholism.

Planning Area. The area directly addressed by the general plan. A city's planning area typically encompasses the city limits and potentially annexable land within its sphere of influence.

Policy. A specific statement of principle or of guiding action that implies clear commitment but is not mandatory. A general direction that a governmental agency sets to follow, in order to meet its objectives before undertaking an action program. (See "Program.")

Poverty Level. As used by the U.S. Census, families and unrelated individuals are classified as being above or below the poverty level based on a poverty index that provides a range of income cutoffs or "poverty thresholds" varying by size of family, number of children, and age of householder. The income cutoffs are updated each year to reflect the change in the Consumer Price Index.

Program. An action, activity, or strategy carried out in response to adopted policy to achieve a specific goal or objective. Policies and programs establish the "who," "how" and "when" for carrying out the "what" and "where" of goals and objectives.

Redevelop. To demolish existing buildings; or to increase the overall floor area existing on a property; or both; irrespective of whether a change occurs in land use.

Regional. Pertaining to activities or economies at a scale greater than that of a single jurisdiction and affecting a broad geographic area.

Regional Housing Needs Allocation. A quantification by the local council of governments of existing and projected housing need, by household income group, for all localities within a region.

Rehabilitation. The repair, preservation, and/or improvement of substandard housing.

Residential. Land designated in the General Plan and zoning ordinance for building consisting of dwelling units. May be improved, vacant, or unimproved. (See "Dwelling Unit.")

Residential Care Facility. A facility that provides 24-hour care and supervision to its residents.

Retrofit. To add materials and/or devices to an existing building or system to improve its operation, safety, or efficiency. Buildings have been retrofitted to use solar energy and to strengthen their ability to withstand earthquakes, for example.

Rezoning. An amendment to the map to effect a change in the nature, density, or intensity of uses allowed in a zoning district and/or on a designated parcel or land area.

Section 8 Rental Assistance Program. A federal (HUD) rent-subsidy program, which is one of the main sources of federal housing assistance for low-income households, operates by providing "housing assistance payments" to owners, developers, and public housing agencies to make up the difference between the "Fair Market Rent" of a unit (set by HUD) and the household's contribution toward the rent, which is calculated at 30 percent of the household's adjusted gross monthly income (GMI). "Section 8" includes programs for new construction, existing housing, and substantial or moderate housing rehabilitation.

Senior Citizen Apartment. A multi-family building of three or more residential units that is under single ownership where all units are restricted to occupants aged 62 and older.

Shared Living Facility. The occupancy of a dwelling unit by persons of more than one family in order to reduce housing expenses and provide social contact, mutual support, and assistance. Shared living facilities serving six or fewer persons are permitted in all residential districts by Section 1566.3 of the California Health and Safety Code.

Single-Family Dwelling, Attached. A dwelling unit occupied or intended for occupancy by only one household that is structurally connected with at least one other such dwelling unit. (See "Townhouse.")

Single-Family Dwelling, Detached. A dwelling unit occupied or intended for occupancy by only one household that is structurally independent from any other such dwelling unit or structure intended for residential or other use. (See "Family.")

Single Housekeeping Unit. A residence with two or more members, whose members are a non-transient interactive group of persons jointly occupying a single dwelling unit, including but not limited to the joint use of common areas and sharing household activities and responsibilities such as meals, chores, and expenses.

Single Room Occupancy (SRO). A building or buildings constructed or converted for residential living consisting of one-room dwelling units, where each unit is occupied by a single individual or two persons living together as a domestic unit, and where the living and sleeping space are combined. A one-room dwelling unit is not required to contain a bathroom or a kitchen except that if a bathroom or kitchen is not provided within the unit such common facilities shall be provided on-site for residents. A unit that contains both a bathroom and kitchen shall be considered a studio unit and not a Single Room Occupancy Unit. Common facilities for laundry may or may not be provided on-site.

Special Housing Needs. Special housing needs are those associated with specific demographic or occupational groups that call for specific Housing Element program responses. State law specifically requires Housing Element analysis of the special housing needs of people who are elderly or disabled

(including developmental disabilities), female-headed households, large families, farmworkers, and people experiencing homelessness. These special-needs groups often spend a disproportionate amount of their income to secure safe and decent housing and are sometimes subject to discrimination based on their specific needs or circumstances.

Subsidize. To assist by payment of a sum of money or by the granting to terms or favors that reduces the need for monetary expenditures. Housing subsidies may take the forms or mortgage interest deductions or tax credits from federal and/or state income taxes, sale, or lease at less than market value of land to be used for the construction of housing, payments to supplement a minimum affordable rent, and the like.

Substandard Housing. Residential dwellings that, because of their physical condition, do not provide safe and sanitary housing.

Supportive Housing. Housing with no limit on length of stay, that is occupied by the target population as defined in California Health and Safety Code Section 53260(d), and that is linked to onsite or offsite services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Target Areas. Specifically, designated sections of the community where loans and grants are made to bring about a specific outcome, such as the rehabilitation of housing affordable by very low- and low-income households.

Target Population. Target population refers to people with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly people, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and people experiencing homelessness.

Tax Increment. Additional tax revenues that result from increases in property values within a redevelopment area. State law permits the tax increment to be earmarked for redevelopment purposes but requires at least 20 percent to be used to increase and improve the community's supply of very low- and low-income housing.

Tenure. A housing unit is owner-occupied if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is owner-occupied only if the owner or co-owner lives in it. All other occupied units are classified as renter-occupied including units rented for cash rent and those occupied without payment of cash rent.

Townhouse. A single-family unit constructed in a group of three or more attached units in which each unit extends from the foundation to the roof and with its own front and rear access to the outside. A townhouse unit can be individually owned.

Transitional Housing. A dwelling unit occupied by seven or more homeless persons or families (large) or six or fewer homeless persons or families (small), which is operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time which shall be no less than six months.

Undevelopable. Specific areas where topographic, geologic, and/or superficial soil conditions indicate a significant danger to future occupants and a liability to the City.

Acronyms Used

AB: Assembly Bill
ABAG: Association of Bay Area Governments
ACS: American Community Survey
ADU: Accessory Dwelling Unit
AFFH: Affirmatively Furthering Fair Housing
AFH: Assessment of Fair Housing
AI: Analysis of Impediments
AMI: Area Median Income
BMR: Below Market Rate
CAR: California Association of Realtors
CDBG: Community Development Block Grant
CDDS: California Department of Developmental Services
CEC: California Energy Commission
CEQA: California Environmental Quality Act
CHAS: Comprehensive Housing Affordability Strategy
CPCU: California Public Utilities Commission
DDSP: Downtown Dublin Specific Plan
DMC: Dublin Municipal Code
DSRSD: Dublin San Ramon Services District
DU/AC: Dwelling Units Per Acre
DU: Dwelling Unit
EBDA: East Bay Dischargers Authority
ECHO: Eden Council for Hope and Opportunity
EDD: California Employment Development Department
FAR: Floor Area Ratio
FEMA: Federal Emergency Management Agency
FMR: Fair Market Rate
HACA: Housing Authority of the County of Alameda
HAMI: HUD Area Median Income
HAMFI: HUD Area Median Family Income
HCD: California State Department of Housing and Community Development
HCVP: Section 8 Housing Choice Voucher Program
HH: Household(s)
HMDA: Home Mortgage Disclosure Act
HOA: Homeowners Association
HOME: HOME Investment Partnership Program
HCD: California Department of Housing and Community Development
HUD: Department of Housing and Urban Development
ICC: International Code Council
JADU: Junior Accessory Dwelling Unit
LAFCO: Local Agency Formation Commission
LAVWMA: Livermore Amador Valley Water Management Agency
LIHTC: Low Income Housing Tax Credit
MFI: Median Family Income
MFODS: Multi-Family Objective Design Standards
MSA/MD: Metropolitan Statistical Area/Metropolitan Division
OEHHA: California Office of Environmental Health Hazard Assessment
PG&E: Pacific Gas and Electric
R/ECAP: Racially & Ethnically Concentrated Areas of Poverty
RCAA: Racially & Ethnically Concentrated Areas of Affluence
RHNA: Regional Housing Needs Allocation
RHND: Regional Housing Needs Determination
ROI: Regional Opportunity Index
RTP: Regional Transportation Plan
SB: Senate Bill
SRO: Single-Room Occupancy Unit
SWP: State Water Project
TCAC/HCD: California Tax Credit Allocation Committee/HCD
TOD: Transit-Oriented Development
UBG: Urban Growth Boundaries
UC: University of California



DUBLIN
CALIFORNIA

Attachment 3
Exhibit 2 to Attachment 1

Chapter 8

ENVIRONMENTAL RESOURCES MANAGEMENT: SEISMIC SAFETY AND SAFETY ELEMENT

8.1 INTRODUCTION

Government Code sec. 65302(g) requires safety elements to address the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards or geologic hazards; flooding; and wildfires and urban fires. The statute requires that seismic and geologic hazard areas be mapped. It also requires the element to address evacuation routes, military installations, peakload water supply, minimum road widths and clearances around structures for geologic and fire hazards identified in the element.

Addressing the hazards relevant to Dublin, this Seismic Safety and Safety Element provides an assessment of the risk of ground shaking, rupture, and failure due to earthquakes. The element discusses landslide, subsidence and liquefaction hazards. It also discusses flooding, and urban and wildfires fires. Related discussion and analysis of these hazards is located in the Technical Supplement and the Conservation Element (Chapter 4).

Chapter One of the General Plan defines the City's Planning Area to include the Primary Planning Area, Eastern Extended Planning Area, Western Extended Planning Area, Dublin's Crossing Planning area, and the area known as Doolan-Collier Canyons. The City's Planning Area, herein referred to as the Planning Area, offers examples of most of the geologic hazards commonly found in California, but only two—downslope movement (mainly landslides) and surface fault rupture due to earthquakes—are significant constraints on the location of urban development. Downslope movement includes landslides, rockfalls, debris flows, and soil creep. Factors affecting downslope movement are groundwater, rock and soil type, slope angle, propensity to erosion, seismic activity, vegetation, and grading or other human alterations.

The Calaveras Fault is the major active fault in the Planning Area with rupture potential and runs parallel to and just west of San Ramon Road. The Pleasanton Fault, near the west edge of Camp Parks, is difficult to locate precisely. The State has identified Alquist-Priolo Earthquake Fault Zones along both faults, requiring detailed studies of rupture hazards prior to construction.

Few potential building sites within the Primary or Extended Planning Areas are without geologic impact or hazard. The hazard may be actual, such as an active landslide or proximity to an active fault, or potential, such as a proposed cut that might activate a landslide. Mitigation of hazards may increase construction cost, but will reduce long-term costs to both property owners and the City.

8.2 SEISMIC SAFETY

8.2.1 ALL PLANNING AREAS

Geological and Seismic Hazards in Dublin

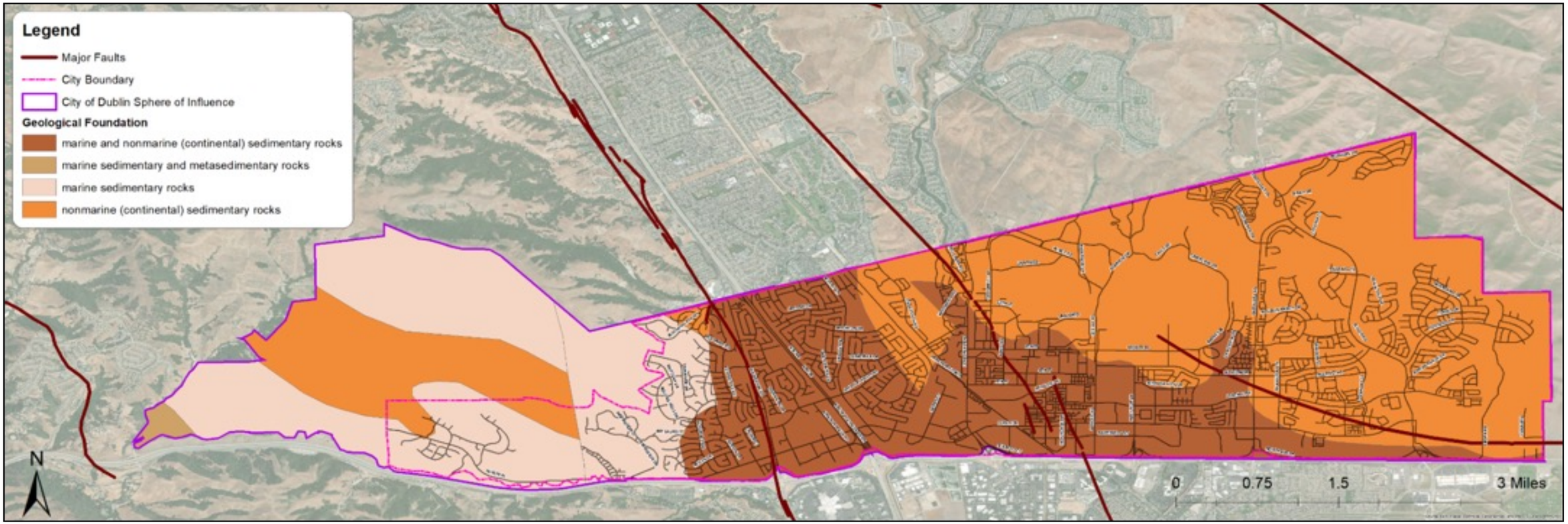
The Planning Area is diverse geologically, as a result of the seismic setting of the region and the effects of climate. **Figure 8-1** shows the different geological foundations of the Planning Area. Susceptibility

to geological and seismic hazards is directly related to proximity to active faults.

The Calaveras Fault runs through the western portion of the Planning Area along San Ramon Road and extends 76 miles. **Figure 8-1** and **Figure 8-2** illustrate the location of the Calaveras Fault as well as other onshore and structural faults. According to the California Department of Conservation 2010 Geological Map data, Dublin has synclines and quaternary faults throughout the Planning Area. Synclines are folds in the Earth's crust with younger layers closer to the center of the structure, leading to a less stable structural foundation. Quaternary faults are faults that have evidence of movement in the past 1.6 million years. Thus, these faults are considered active and a geological hazard. Because of the Planning Area's proximity to active faults, the ground is susceptible to geological and seismic hazards, including expansive soils, subsidence, liquefaction, and landslides.

DUBLIN GENERAL PLAN DUBLIN GEOLOGIC AREA MAP

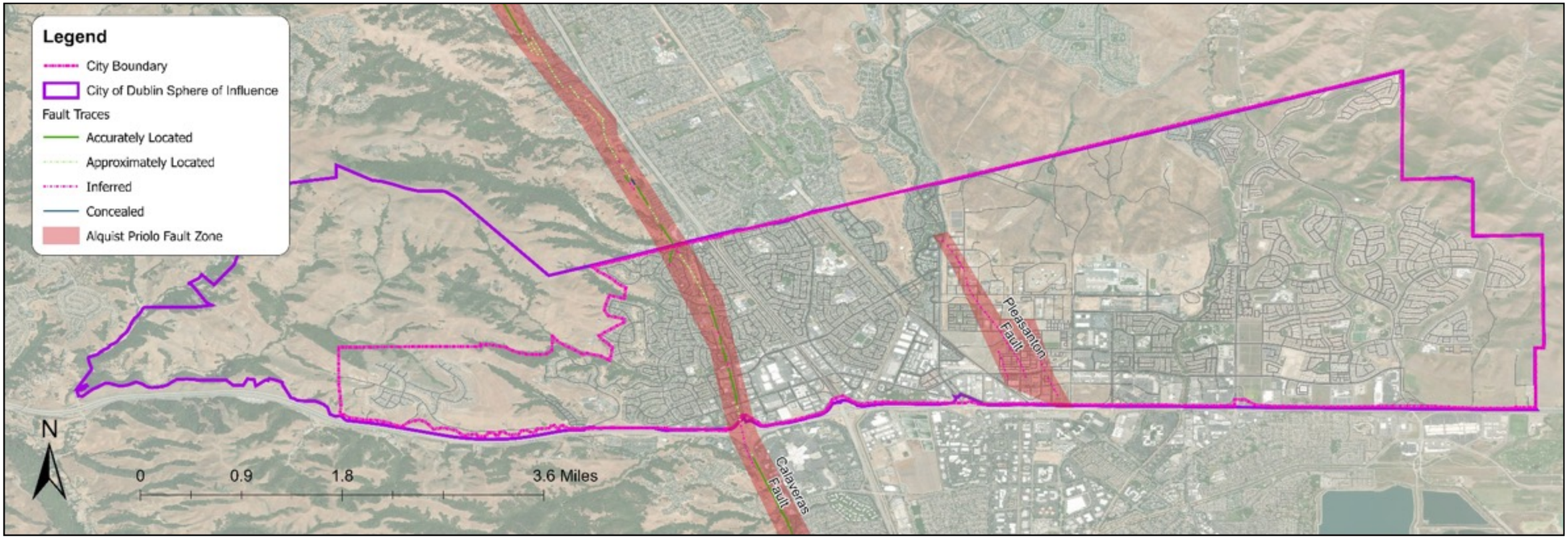
(Figure 8-1)



Source: California Geological Survey, Geologic Map of California, 2010

DUBLIN GENERAL PLAN DUBLIN ALQUIST PRIOLO FAULT AREA MAP

(Figure 8-2)



Source: California Geological Survey, Seismic Hazard Zones: Alquist-Priolo Fault Zones & Alquist-Priolo Fault Traces, 2021

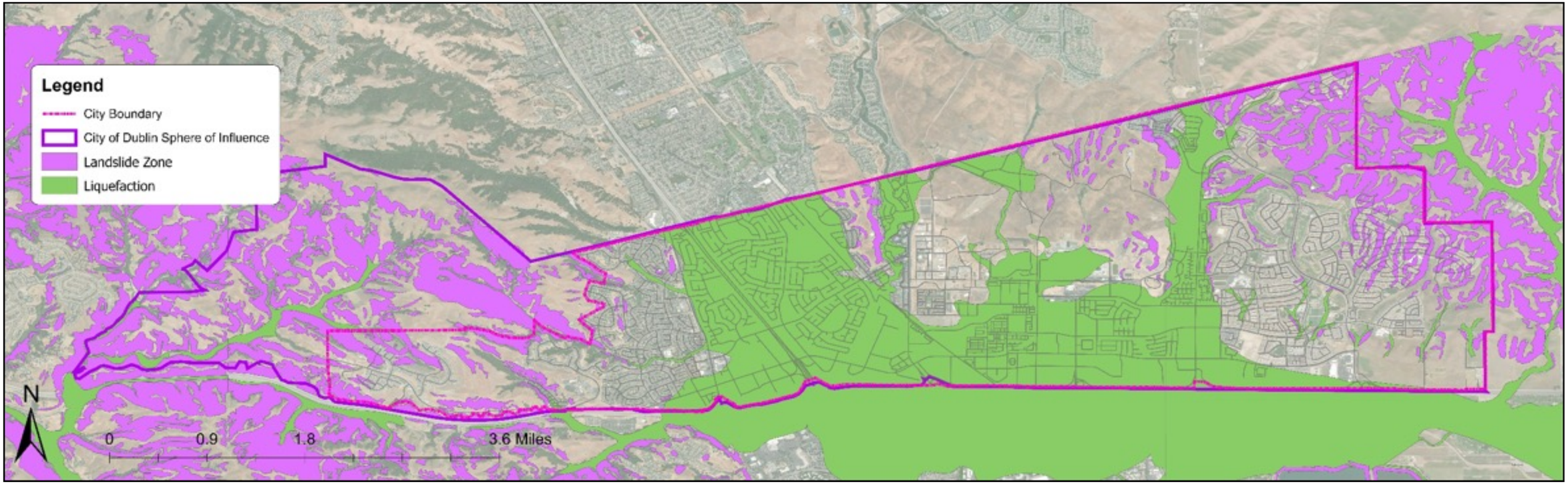
Liquefaction and Landslide Hazards

Liquefaction is one of the most destructive secondary effects of seismic shaking. According to the United States Geologic Survey (USGS), liquefaction takes place when loosely packed, water-logged sediments at or near the ground surface lose their strength in response to strong ground shaking. Expansive soils and subsidence occur due to an abundance of moisture in the soil, causing the soil's foundation to move unstably. This leads to liquefaction and landslide hazards. Liquefaction occurring beneath buildings and other structures can cause major damage during earthquakes. It occurs primarily on saturated and loose, fine to medium grained soils, in areas where the groundwater table is 50 feet or less below the surface. Liquefaction and landslide hazards often occur due to expansive soils. In general, according to the United States Department of Agriculture (USDA) Natural Resources Conservation Service, Dublin is underlain by sediments, such as clays, silt loams, and substratum. As shown in **Figure 8-3**, the zones with higher liquefaction potential exist along Dublin Boulevard, Village Parkway, and Tassajara Road.

Landslides are often associated with earthquakes, but other factors may also influence their occurrence, including slope, soil moisture content, and subsurface geology composition. The potential for landslides increases with vegetation loss from wildfires or droughts. The City's hillside areas are located west of San Ramon Road, east of Tassajara Road, and northwest of Camp Parks. As shown in **Figure 8-3**, the hillside areas in the eastern and western portions of the Planning Area have higher landslide susceptibility. The City has adopted hazard mitigation requirements in the Dublin Municipal Code and Tri-Valley Hazard Mitigation Plan (HMP), including programs to retrofit and relocate structures in high hazard areas. With existing hazard mitigation in place, the Planning Area is considered to have a slight risk for landslides.

DUBLIN GENERAL PLAN DUBLIN LANDSLIDE AND LIQUEFACTION RISK ZONES

(Figure 8-3)



Source: California Geological Survey, Seismic Hazard Zones: Landslide and Liquefaction Zones, 2021

A. Guiding Policy

1. Geologic hazards shall be mitigated or development shall be located away from geologic hazards in order to preserve life, protect property, and reasonably limit the financial risks to the City of Dublin and other public agencies that would result from damage to poorly located public facilities.

B. Implementing Policies

1. Structural and Grading Requirements
    a. All structures shall be designed to the standards delineated in the Dublin Building Code and Dublin's Grading Ordinance. A "design earthquake" shall be established by an engineering geologist for each structure for which ground shaking is a significant design factor.
    b. Structures intended for human occupancy shall be at least 50 feet from any active fault trace; freestanding garages and storage structures may be as close as 25 feet. These distances may be reduced based on adequate exploration to accurately locate the fault trace.
    c. Generally, facilities should not be built astride potential rupture zones, although certain low-risk facilities may be considered. Critical facilities that must cross a fault, such as oil, gas, and water lines, shall be designed to accommodate the maximum expected offset from fault rupture. Site specific evaluations shall determine the maximum credible offset.
2. Required Geotechnical Analyses
    a. A preliminary geologic hazards report shall be prepared for all subdivisions. Any other facility that could create a geologic hazard, such as a road or a building on hillside terrain, must also have such a study. Each of the geologic and seismic hazards described in the Seismic Safety and Safety Element must be evaluated. This hazard analysis shall be prepared by a California licensed engineering geologist.
    b. Detailed geologic studies shall be required at the tentative subdivision map stage for all projects located within a landslide and/or liquefication zone as identified in Figure 8-3, and for other proposed projects if the preliminary investigation indicates a potential geologic hazard. Proposals for mitigation shall be included at this stage. The detailed analysis for projects in a landslide and/or liquefaction zone must consider:
        - Cumulative effect of new development on a partially developed slide;
        - Effects of septic leach systems, garden watering, and altered drainage patterns;
        - Impact of a maximum credible earthquake;
        - Where applicable, passage of the Calaveras Fault through or under landslide deposits;
        - Debris flow and other downslope hazards (especially common in the Eastern Extended Planning Area). Care must be taken not to locate structures in the path of potential debris flows; and
        - Where published maps identify or show "ancient" or quaternary slides on sites

of proposed development, their stability must be analyzed, and effects of the proposed development on the area's stability must be evaluated by a soils engineer.

c. If the preliminary report indicates liquefaction potential, an engineering analysis and design, if necessary, to mitigate liquefaction hazards, shall be required for all structures planned for human occupancy.

d. Evaluation for shrink-swell potential shall be included with all soils reports and design recommendations formulated where the potential is present. These analyses and recommendations shall include public streets and utilities to reduce future public repair costs.

e. A surface fault rupture evaluation, as outlined by the State of California Department of Conservation, California Geological Survey, and in accordance with the Alquist-Priolo Earthquake Fault Zoning Act shall be required for all development within the identified Earthquake Fault Zones as shown on Figure 8-1). The surface fault rupture evaluation shall be conducted as part of the development review process after building sites are specifically defined.

f. Any changes in grading or building design that would be significantly affected by geologic hazards or soils conditions, or in turn would significantly alter geologic or soils conditions, shall be accompanied by a re-analysis of those conditions. In addition, any conditions discovered during excavation or grading that significantly depart from the previously described geologic and soils setting shall be evaluated.

3. Existing Structures

   a. Post-earthquake or damage reconstruction of existing structures shall be permitted only if mitigating factors are incorporated.

4. Data Review and Collection

   a. All required reports and data shall be reviewed by the Alameda County Geologist or a consulting engineering geologist. This individual shall participate in the review process from the earliest proposal stage to completion of the project.

   b. A file of all geologic and soils reports and grading plans shall be maintained as reference material for future planning and design on each site as well as on adjacent sites.

   c. City and developer shall endeavor to fully disclose hazards to present and future occupants and property owners.

5. Earthquake Response Plan

   a. In 2020, the City adopted an Emergency Operations Plan which serves as the foundation for disaster response and recovery operations in Dublin. The City will periodically review the Plan to prepare for and respond to seismic events.

   b. The City shall continue to partner with Alameda County to generate evacuation routes based upon the incident.

8.3 FIRE SAFETY

8.3.1 ALL PLANNING AREAS

Wildfires

A wildfire is any uncontrolled fire occurring on undeveloped land that requires fire suppression. Wildfires can be ignited by lightning or by human activity such as smoking, campfires, equipment and vehicle use, and arson. Fire hazards present a considerable risk to vegetation and wildlife habitats throughout Alameda County. While the primary fire threat in the Bay Area is from wildfire, urban conflagration is a major hazard that can occur due to many causes such as wildfires, earthquakes, gas leaks, chemical explosions, or arson. Wildfire risk increases due to climate change because of higher temperatures and longer dry periods over longer fire seasons. Additionally, wildfire risk will also be influenced by potential changes in vegetation.

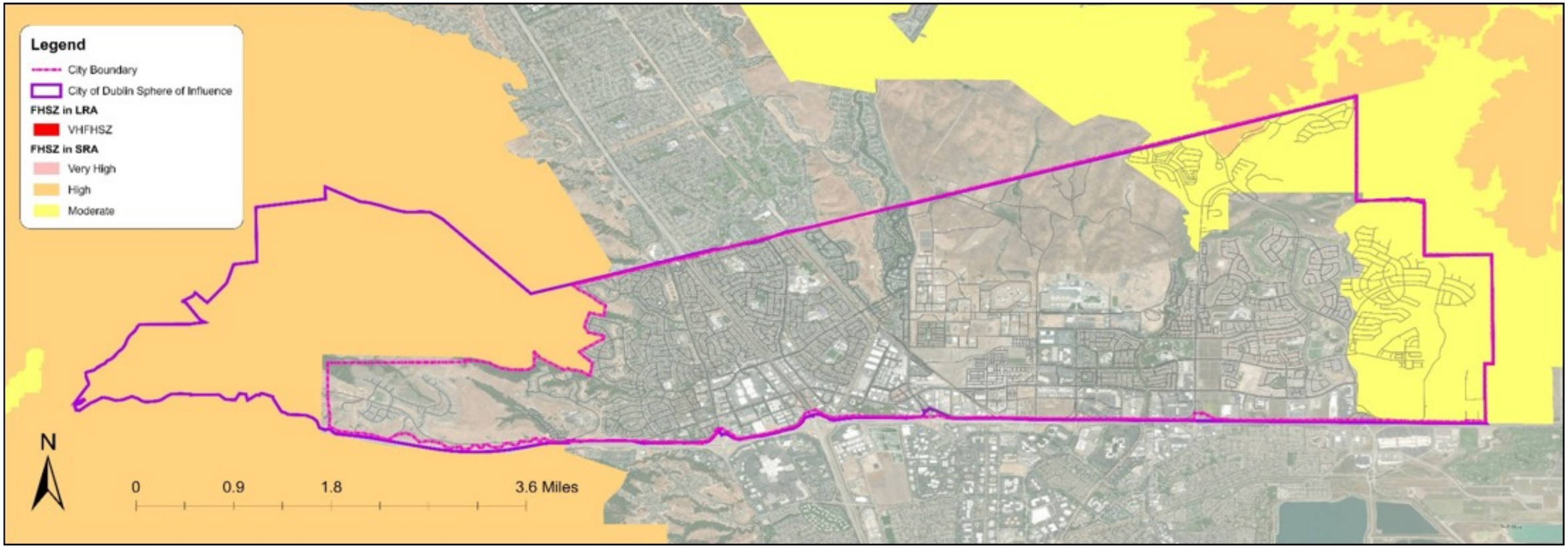
The size and location of housing stock and critical infrastructure determine the severity of wildfires. The impacts of a fire are felt long after the fire is extinguished. In addition to the loss of property in fires, the loss in vegetation and changes in surface soils alter the environment. When all supporting vegetation is burned away, hillsides become destabilized and prone to erosion. The burnt surface soils are harder and absorb less water. When winter rains come, this leads to increased runoff, erosion, and landslides in hillside areas. According to the USGS, steep drainage basins recently burned by wildfire can generate deadly and destructive debris flow. To help reduce losses from this type of landslide and hazards associated with wildfires, the USGS conducts post-fire debris-flow hazard assessment for select fires in the western U.S. As of 2022, the USGS Emergency Assessment of Post-Fire Debris-Flow Hazards does not have wildfire debris-flow hazard data for the City of Dublin.

Wildfires present a substantial hazard to life and property in areas of Dublin that are built within or adjacent to hillside areas, commonly known as the Wildland Interface. The northeast and east regions of the Planning Area are located in Moderate Fire Hazard Severity Zones (MFHSZ), as shown on **Figure 8-4**. The west regions of the Planning Area and portions of the northeast region are located in High Fire Hazard Severity Zones (HFHSZ). According to the California Department of Forestry and Fire (CalFire), the City only has one area that is located in a High Fire Hazard Severity Zone (HFHSZ). This area is located along the City boundaries east of Fallon Road and Palisades Drive. According to CalFire and as shown on **Figure 8-4**, there are no areas within the Planning Area that are classified as a Very High Fire Hazard Severity Zone (VHFHSZ).

DUBLIN GENERAL PLAN DUBLIN

(Figure 8-4)

FIRE HAZARD SEVERITY ZONES



Source: California Department of Forestry and Fire Protection, Fire and Resource Assessment Program (FRAP), Alameda County CAL FIRE Fire Hazard Severity Zones, Alameda County CAL FIRE State Responsibility Areas, Alameda County CAL FIRE Incorporated Cities, 2021

According to CalFire, the following wildfires of over 10 acres were recorded near the City in recent years:

- *June 8, 2013, Vasco Fire:* Burned 240 acres off Vasco Road and North Vasco Road, north of Livermore. The fire was contained within one day.
- *July 6, 2013, Fallon Fire:* Burned 38 acres off Fallon Road and Camino Tassajara, near Dublin. The fire was contained within one day by Alameda County Fire Department (ACFD).
- *October 4, 2013, Highland Fire:* Burned 150 acres along Highland Road, near Livermore. The fire was contained within one day by CalFire's Santa Clara Unit (SCU).
- *June 25, 2015, Tesla Fire:* Burned 53 acres off Tesla Road, southeast of Livermore. The fire was contained within one day by CalFire's SCU.
- *August 22, 2015:* Burned 2,700 acres off Tesla Road near Corrall Hollow Road, between Livermore and Tracy. This fire took four days to contain with 18 fire personnel and five engines.
- *July 16, 2020, Hollow Fire:* Burned 253 acres along Tesla Road and Mclaughlin Road, southeast of Livermore. The fire was contained within three days by CalFire's SCU.
- *August 18, 2020, SCU Lightning Complex Fire:* Burned 396,624 acres within multiple locations throughout Santa Clara, Alameda (southeast of Livermore), Contra Costa, San Joaquin, Merced, and Stanislaus Counties. The fire was contained within 45 days.
- *August 16, 2022, Eden Fire:* Burned 58 acres along Eden Canyon Road and Interstate 580. The City of Dublin opened the Shannon Community Center as a space for evacuees. The fire was contained within a day.

Urban Fires

Fires could also ignite in urbanized areas of the Planning Area because of a wildfire, earthquake, or some other phenomena. A disruption in the water system, causing a reduction in hydrant pressures, could allow a normally controllable structure fire to escape containment by firefighting forces and spread to adjoining buildings or cause spot fires with flying brands and ignite other buildings downwind by igniting wood roofs or vegetation. Steep, inaccessible slopes and brush create a high fire hazard in the western hills. Additionally, areas within the Extended Planning Areas adjacent to open space are susceptible to fire hazards. For projects that are constructed outside a fire station service area (greater than 1.5 miles from the nearest fire station) and/or interface with open space, certain built-in fire protection measures are required.

Fire Hazard Severity Zones and Fire Response

There are no areas within the Planning Area that are classified as a VHFHSZ. The Alameda County Fire Department (ACFD) serves as the fire department for the City of Dublin and provides all fire prevention, fire protection, and First Responder Emergency Medical Services including advanced life support (paramedics) within the City. ACFD includes three specialized response teams, which include Hazardous Materials Unit, Urban Search and Rescue Unit, and Water Rescue Team Unit.

Dublin San Ramon Services District (DSRSD) supplies water to the City of Dublin for both domestic use and fire protection purposes through a series of pipelines, pump stations, and reservoirs. For

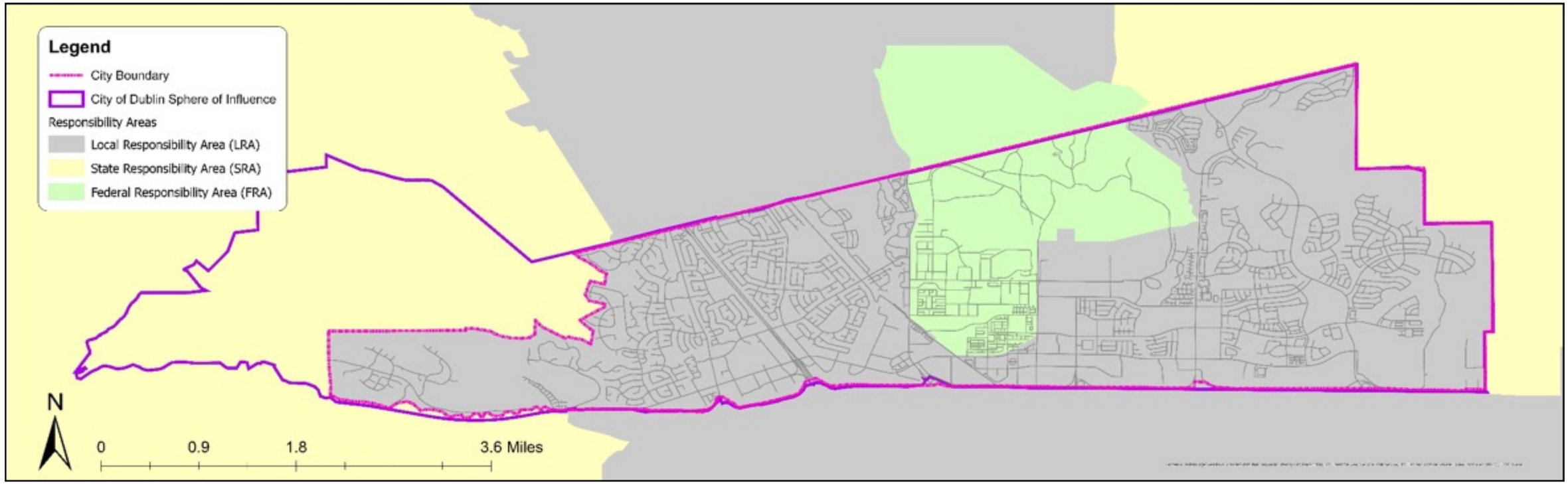
fire protection, Alameda County Fire specifies the required fire flows which the DSRSD system is designed to provide. The ACFD requires a minimum of 1,500 gallons of water per minute for two hours. The DSRSD system has separate fire protection storage with an adequate volume of water for two simultaneous fires and storage is kept full at all times.

In Dublin, the ACFD is responsible for Locally Responsible Areas (LRAs). LRAs are incorporated cities, urban regions, agriculture lands, and portions of the desert where the local government is responsible for wildfire protection. The U.S. Army is responsible for Federal Responsibility Areas (FRAs) in Dublin. The FRA in Dublin, as depicted in **Figure 8-5**, is located in the Parks Reserve Forces Training Area (Camp Parks), east of Dougherty Road, west of Arnold Road, and north of Dublin Boulevard. While the State Responsibility Areas (SRAs) are not located within City boundaries, there are SRAs adjacent east and west of City boundaries.

Evacuation plans in the event of a fire emergency can be found on the City's website. The City partners with Alameda County to create evacuation routes for the City. As of 2022, the City has an "Emergency Alerts" page on the City website. In the event of an emergency, residents can opt-in to receive emergency communication and notifications. For more information on emergency procedures, the City has a "Disaster Preparedness" webpage available for up-to-date information on how residents can best prepare for an emergency event.

DUBLIN GENERAL PLAN DUBLIN FIRE RESPONSIBILITY AREAS

(Figure 8-5)



Source: California Department of Forestry and Fire Protection, Fire and Resource Assessment Program (FRAP), Alameda County CAL FIRE Fire Hazard Severity Zones, Alameda County CAL FIRE State Responsibility Areas, Alameda County CAL FIRE Incorporated Cities, 2021

Figure 8-6 depicts essential facilities located throughout Dublin, including those near or in MFHSZ and HFHSZ. Essential facilities include fire service and emergency responder locations as well as places that can be used as emergency shelters, such as schools, in the event of a hazardous event. Essential public facilities work together with fire stations during hazardous events to provide community organization and services in the event of an emergency.

The City continues to implement mitigation and emergency preparedness programs and policies. The City enforces the California Building Code which are outlined in Dublin Municipal Code Chapter 7.32. The City's mitigation plans include programs and policies that provide outreach activities related to hazard mitigation and disaster preparedness, utilize vegetation management, and encourage post-disaster recovery planning in development. More information on programs and procedures in response to hazardous events in the City can be found in the Tri-Valley HMP.

A. Guiding Policy

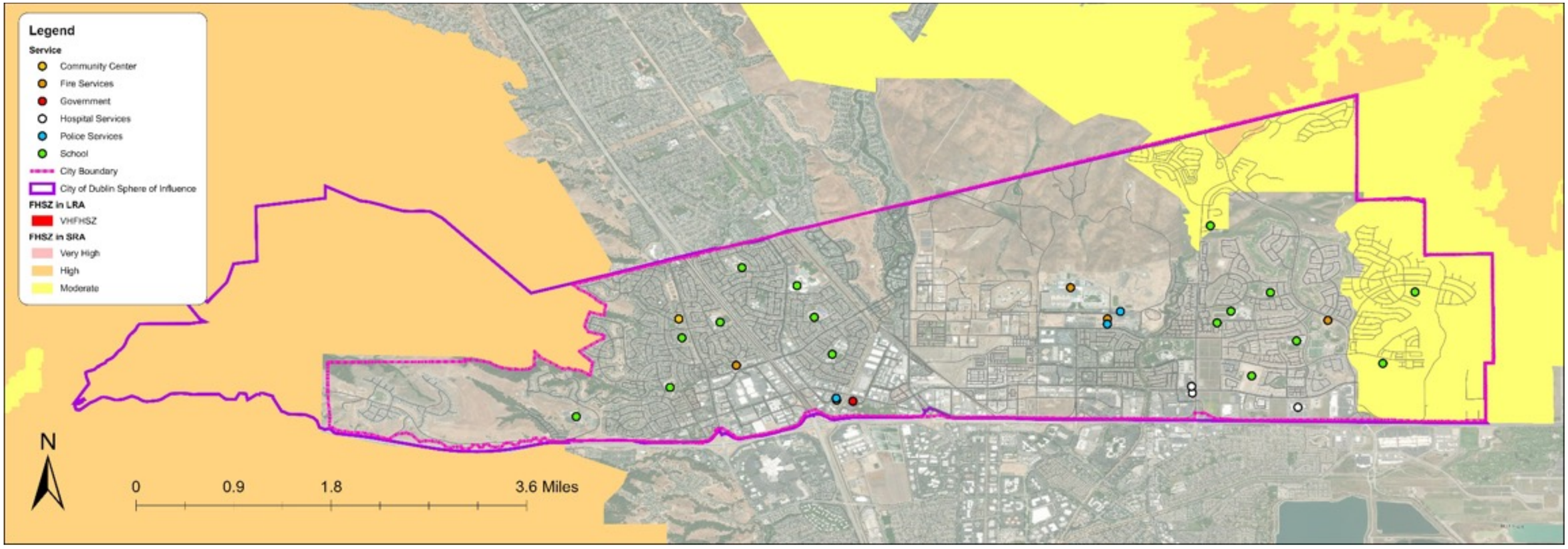
1. The Local Hazard Mitigation Plan (LHMP) for the Tri-Valley was developed in accordance with the Disaster Mitigation Act of 2000 (DMA 2000) and followed FEMA's 2011 Local Hazard Mitigation Plan guidance. The LHMP, included as an appendix to the Comprehensive Emergency Management Plan, incorporates a process where hazards are identified and profiled, the people and facilities at risk are analyzed, and mitigation actions are developed to reduce or eliminate hazard risks. The implementation of these mitigation actions, which include both short- and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The City will periodically review and update the Plan to prepare for emergencies.

B. Implementing Policies

1. The City shall continue to enforce the wildfire urban interface regulations to mitigate wildfire risk.
2. The City shall encourage voluntary avoidance of planting certain undesirable vegetation that are invasive due to their physical or chemical characteristics related to flammability risk on private properties in the Moderate or High Fire Hazard Severity Zones.
3. The City shall continue to require property owners to conduct regular maintenance on their properties and roadways to reduce the fire danger and maintain a fire-safe landscape.
4. The City shall partner with Alameda County to map evacuation routes and periodically update as necessary in accordance with applicable state laws.
5. The City shall require special precautions against fire as a condition of development approval in the western hills and elsewhere in the Extended Planning Areas where proposed development would interface with open space.

DUBLIN GENERAL PLAN DUBLIN
ESSENTIAL FACILITIES & FIRE HAZARD SEVERITY

(Figure 8-6)



Source: California Department of Forestry and Fire Protection, Fire and Resource Assessment Program (FRAP), Alameda County CAL FIRE Fire Hazard Severity Zones, Alameda County CAL FIRE State Responsibility Areas, Alameda County CAL FIRE Incorporated Cities. Google Earth, 2021

8.4 FLOODING AND DAM FAILURE

8.4.1 ALL PLANNING AREAS

Flooding

The Federal Emergency Management Agency (FEMA) defines flooding to be a general or temporary condition of partial or complete inundation of two or more acres of normally dry land or of two or more properties. Flooding can occur from an overflow of inland or tidal waters, unusual and rapid accumulation or runoff of surface waters, mudslides, and collapse or subsidence of land along a body of water due to erosion. Flash floods are an example of what results from large and intense rainfalls that occur over short periods of time. The responsibility for managing flood risks is shared across federal, state, and local government agencies and the private sector. The U.S. Army Corps of Engineers (USACE) established the National Flood Risk Management Program (NFIP), which provides current and accurate floodplain information by identifying and assessing flood hazards, improving public awareness and comprehension of flood hazards and risk, and integrating flood damage and flood hazard programs across federal, state, and local agencies. Flooding associated with severe storms has been among the most common disasters in the Bay Area during the period from 1950 to 2015, occurring on average 1.3 times a year over the past 60 years. Heavy rainfall often brings many areas of localized flooding, especially in low-lying areas of the region.

Figure 8-7 illustrates flood prone areas in the City of Dublin based on data from FEMA. The areas shown identify the 100- and 500-year flood zones in portions of the Primary and Eastern Extended Planning Areas; no 100- or 500-year flood zones have been identified in the Western Extended Planning Area. Areas along Alamo and Tassajara Creeks, and near Interstate 680 are within the 100-year flood zone. Locations near Interstate 580, including a portion of the downtown area, are within the 500-year flood zone. The Planning Area is not located within a 200-year flood zone.

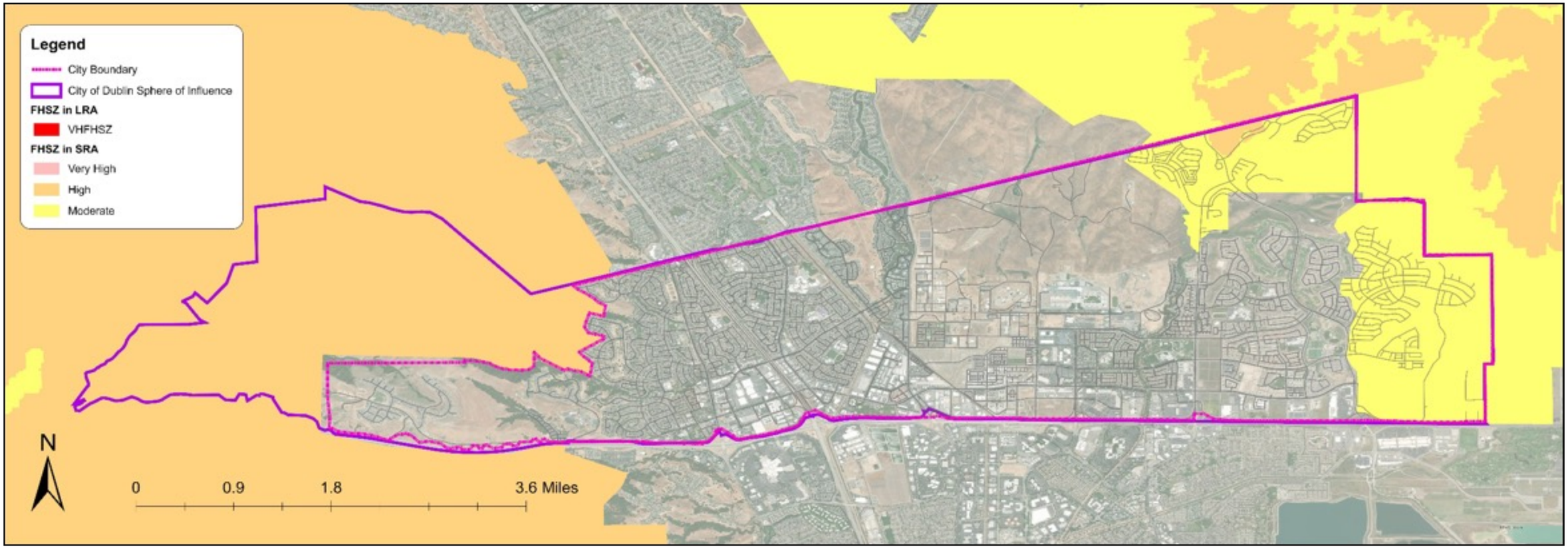
Most of the areas in the 100-year flood and 500-year flood zones have been built upon. Any new construction in flood prone areas must comply with Dublin Municipal Code Chapter 7.24 (Flood Control) including constructing the first floor above the flood level.

A number of channel improvements have been implemented since the early 1990s as a result of local developments partnering with Zone 7 and/or the City of Dublin, and Caltrans transportation projects. Channel improvements have been made along Tassajara Creek (Line K), Alamo Creek (Line F), and Big Canyon Creek (Line J-1). In addition to the major creeks in Dublin, several tributaries have undergone improvements as well, including the undergrounding of Line G-3 and raising the channel wall of Line G-5. Based on recent FEMA Preliminary Flood Insurance Rate Map Panels and designated floodway maps available from the Central Valley Flood Protection Board, portions of the City are in "Zone X," defined as an "area of minimal flood hazard." As of 2021, the Department of Water Resources' "Best Available Map" tool shows that portions of the Planning Area are located within a 100-year or 500-year flood zone. Due to the City's location, floodway maps from the Central Valley Flood Protection Board do not show any floodways and levee centerlines in the City of Dublin, and the Planning Area is not located in any levee protection zones.

Responsibility for flood protection in Dublin lies with Zone 7, which maintains improved flood-control channels and installs new drainage channels. Under Zone 7 permits, development projects have improved many of the existing channels and created new flood protection facilities. Zone 7 continues to work with local jurisdictions and the development community to identify means and methods to provide greater flood protection for its service area, including the City of Dublin. **Figure 8-8** includes essential facilities that can provide emergency shelter and response in the event of a flood emergency.

DUBLIN GENERAL PLAN DUBLIN FEMA FLOOD RISK MAP

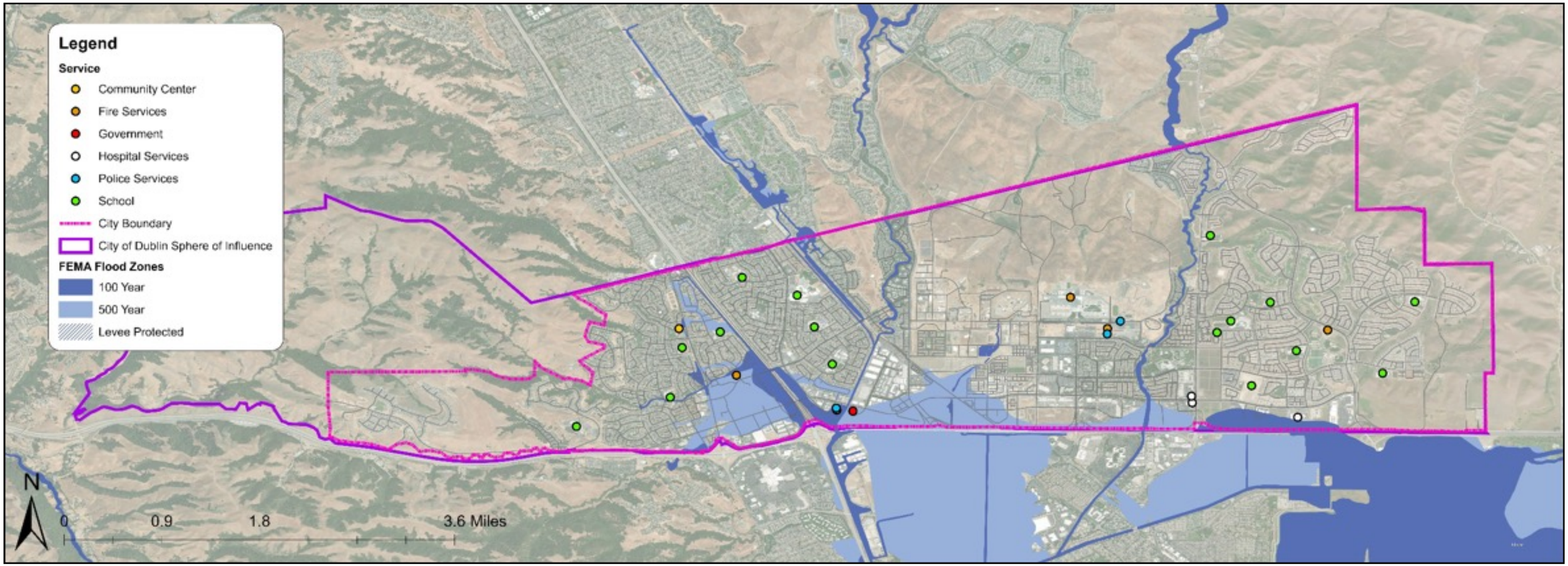
(Figure 8-7)



Source: Federal Emergency Management Agency (FEMA), FEMA Flood Maps, National Flood Hazard Layer, 2021

DUBLIN GENERAL PLAN DUBLIN
ESSENTIAL FACILITIES AND FEMA FLOOD RISK ZONES

(Figure 8-8)



Source: Federal Emergency Management Agency (FEMA), FEMA Flood Maps, National Flood Hazard Layer, 2021

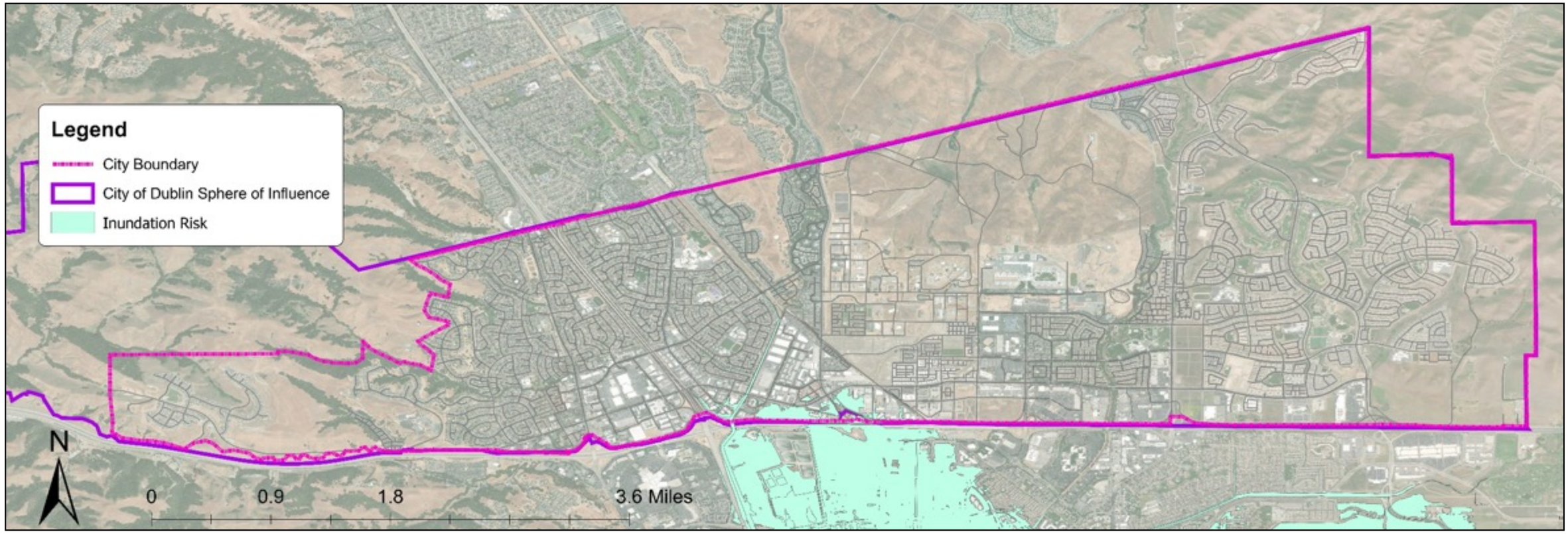
Dam Failure

Dam failure is an uncontrolled release of impounded water from a reservoir through a dam due to structural failures or deficiencies in a dam. A dam is an artificial barrier that can store water, wastewater, or liquid-borne materials for reasons such as flood control, human water supply, irrigation, livestock water supply, energy generation, containment of mine tailings, recreation, or pollution control. More than a third of the country's dams are greater than 50 years old. Approximately 14,000 dams nationally pose a significant hazard to life and property if failure occurs. Reservoir or dam failure may result in loss of life and damage to structures, roads, and utilities. Several influences can affect the severity of a reservoir or dam failure event: the amount of water impounded and the density, type, and value of the development and infrastructure located downstream of the reservoir or dam. Furthermore, downed tree limbs and other debris can cause localized flooding during heavy rain events.

According to the California Division of Safety of Dams (DSOD) Dam Breach Inundation Map, as of 2022, there are 23 dams in Alameda County of which 18 are classified as high or extremely high hazard according to the DSOD Downstream Hazard Classification Guidelines. Of these, the Del Valle Dam has the highest potential to impact the City of Dublin if a dam failure were to occur. **Figure 8-9** depicts the inundation risk for the City of Dublin. As shown in **Figure 8-9**, a portion of the southern area of the City, along Interstate 580 near Dougherty Road, is of extremely high inundation risk due to the proximity to the Del Valle Dam.

DUBLIN GENERAL PLAN DUBLIN INUNDATION RISK

(Figure 8-9)



Source: California Geological Survey, California Governor's Office of Emergency Services, and AECOM, 2021 State of California, Tsunami Hazard Area Map, Alameda County, 2021

According to the 2021 Alameda County Local Hazard Mitigation Plan, there have been three recorded dam failures in Alameda County, all of which did not take place in Dublin. The three recorded dam failures in Alameda County are:

- 1905: Piedmont #1 Dam had an outlet wall sheared off at the core wall.
- 1918: Calaveras Dam failure during construction in 1918. A landslide damaged the upstream shell of the dam and destroyed the dam's outlet tower.
- 2015: Inflatable dam on Alameda Creek (Rubber Dam 3) failed due to vandalism, releasing a significant supply of the community's water into San Francisco Bay.

Dam failures have a low incidence of occurrence. Since 2017, DSOD has instituted stricter inspection and emergency response procedures. To mitigate and prepare for dam failure events, the City has implemented mitigation activities and programs, including retrofitting and relocating structures in high hazard areas, streamlining permit processes of residential and commercial structures following disaster, and providing outreach activities related to hazard mitigation and disaster preparedness.

A. Guiding Policy

1. Regulate development in hillside areas to minimize runoff by preserving woodlands and riparian vegetation. Retain creek channels with ample right-of-way for maintenance and for maximum anticipated flow.

B. Implementing Policies

1. Dedication of broad stream corridors shall be required as a condition of subdivision or other development approval.
2. Riparian vegetation shall be protected and removal of woodlands shall be prohibited wherever possible. Vegetation shall be replanted according to the standards in the Eastern Dublin Specific Plan or other applicable standards (see also General Plan Guiding Policy 3.1.A).
3. Drainage studies of entire small watersheds shall be required and assurance that appropriate mitigation measures will be completed as needed prior to approval of development in the extended Planning Areas.
4. The City shall continue to participate in the Federal Emergency Management Agency's (FEMA) flood insurance program.
5. See additional policies in the Conservation Element (Chapter 7).

8.5 HAZARDOUS MATERIALS

Hazardous materials are defined as any material that due to its quantity, concentration, physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released. Federal, state, and local agency databases maintain comprehensive information on the location of facilities that use large quantities of hazardous materials, as well as facilities that generate hazardous waste. Hazardous materials are transported on the freeways, and some are used by Dublin industries. The Dublin San Ramon Services District, Alameda County Fire Department, and the Dublin Police Services form the City's hazardous materials team.

8.5.1 ALL PLANNING AREAS

A. Guiding Policies

1. The City shall maintain and enhance the ability to regulate the use, transport, and storage of hazardous materials and to quickly identify substances and take appropriate action during emergencies.
2. The City shall minimize the risk of exposure to hazardous materials from contaminated sites.

B. Implementing Policies

1. The City shall consider formation of a regional hazardous materials team consisting of specially trained personnel from all Tri-Valley public safety agencies.
2. As part of the City's Comprehensive Emergency Response Plan, the City has adopted a Hazardous Materials Response Plan. The City will periodically review the Plan to prepare for and respond to emergencies related to hazardous materials.
3. The City shall review and enforce the City's ordinances regulating the handling, transport, and storage of hazardous materials and hazardous waste.
4. The City shall require site-specific hazardous materials studies for new development projects where there is a potential for the presence of hazardous materials from previous uses on the site. If hazardous materials are found, require the clean-up of sites to acceptable regulatory standards prior to development.

8.6 AIRPORT LAND USE COMPATIBILITY

8.6.1 EASTERN EXTENDED PLANNING AREA

A. Guiding Policy

1. All proposed land uses within the Airport Influence Area (AIA) shall be reviewed for consistency with the safety compatibility policies and airspace protection policies of the Airport Land Use Compatibility Plan (ALUCP) for the Livermore Municipal Airport.

B. Implementing Policy

1. Adopt an Airport Overlay Zoning District to ensure that all proposed development within the Airport Influence Area (AIA) is reviewed for consistency with all applicable Livermore Municipal Airport, Airport Land Use Compatibility Plan (ALUCP) policies.

RESOLUTION NO. XX – 22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AMENDING THE DOWNTOWN DUBLIN SPECIFIC PLAN TO SPECIFY RESIDENTIAL UNITS ON THREE HOUSING ELEMENT SITES ARE ALLOWED BY RIGHT AND NOT SUBJECT TO THE DEVELOPMENT POOL OR COMMUNITY BENEFIT PROGRAM (PLPA-2022-00036)

WHEREAS, the Downtown Dublin Specific Plan (DDSP) project area is located in the southwestern portion of the City and is approximately 284 acres in size. The project area is generally bound by Village Parkway to the east, Interstate 580 to the south, San Ramon Road to the west, and Amador Valley Boulevard to the north; and

WHEREAS, on February 1, 2011, the Dublin City Council adopted Resolution No. 09-11 approving the DDSP and associated implementation actions; and

WHEREAS, on May 6, 2014, City Council adopted an amendment (Resolution No. 49-14) to the DDSP to increase the number of residential units permitted in Downtown Dublin by 1,200 and decrease the amount of commercial square footage permitted by 773,000 square feet, to create minimum density thresholds for the Transit-Oriented and Retail Districts, to restrict residential development west of San Ramon Road in the Retail District, and other minor amendments; and

WHEREAS, on December 3, 2019, the City Council adopted an amendment (Resolution No. 126-19) to the General Plan and DDSP to combine the residential dwelling unit allocation into one pool for all three districts; and

WHEREAS, residential development within the DDSP is governed by a Development Pool; and

WHEREAS, State law requires any non-vacant site identified in a prior Housing Element to be zoned at a minimum density of 30 units per acre and allow residential use by-right for housing developments in which at least 20 percent of the units are affordable to low-income households, if the units would accommodate the very low- and low-income categories of the City's Regional Housing Needs Allocation; and

WHEREAS, there are three sites in Downtown Dublin, including 7590 Amador Valley Boulevard (APN 941-0305-028-00), 7050 Amador Plaza Road (APN 941-0305-040-00), and 6513 Regional Street (APN 941-1500-030-00), that were identified in the 2014 – 2022 Housing Element and are included in the 2023 – 2031 Housing Element Sites Inventory; and

WHEREAS, amendments to the DDSP are proposed to specify the residential units on the three Housing Element sites in Downtown Dublin are allowed by right and not subject to the Downtown Dublin Development Pool or Community Benefit Program provided that 20 percent of

the units on each site are affordable to lower income households, hereafter referred to as the "2022 DDSP Amendments" or the "Project;" and

WHEREAS, consistent with California Government Code Section 65352.3, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed 2022 DDSP Amendments. None of the contacted tribes requested a consultation within the statutory consultation periods and no further action is required; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study for the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings, which found that there was no substantial evidence that the Project would have a significant adverse effect on the environment and, therefore, pursuant to the requirements of CEQA, the City prepared a Negative Declaration, dated October 3, 2022, which reflects the City's independent judgment and analysis; and

WHEREAS, the Initial Study/Negative Declaration was circulated for public review from October 4, 2022, through November 2, 2022; and

WHEREAS, the City of Dublin received no comment letters on the Initial Study/Negative Declaration; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the Project, including the proposed DDSP Amendments, on October 25, 2022, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the Planning Commission adopted Resolution No. 22-14 recommending that the City Council approve the 2022 DDSP Amendments, which Resolution is incorporated herein by reference; and

WHEREAS, a Staff Report, dated November 15, 2022, and incorporated herein by reference, described and analyzed the 2022 DDSP Amendments for the City Council; and

WHEREAS, the City Council held a properly noticed public hearing on the 2022 DDSP Amendments on November 14, 2022, at which time all interested parties had the opportunity to be heard; and

WHEREAS, the City Council considered all above-referenced reports, recommendations, and testimony to evaluate the Project.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City Council finds that the 2022 DDSP Amendments, as set forth below, are in the public interest will promote general health, safety, and welfare, and that the DDSP, as amended, will remain internally consistent.

BE IT FURTHER RESOLVED that the City Council hereby approves the following amendments to the DDSP:

List of Tables in the Table of Contents shall be amended to add Table 6-2 Development Pool and Community Benefit Program Exemptions, as follows:

List of Tables
Table 6-2: Development Pool and Community Benefit Program Exemptions ……122

Page 47, Section 3.5 Future Development Assumptions, Development Plan, Paragraph 5 and 6 shall be amended to increase the number of dwelling units permitted from 2,500 to 2,916 units and specify 416 of these units are exempt from the Community Benefit Program, as follows:

This Specific Plan allows for a future construction of approximately 2.2 million square feet of non-residential development and 2,916 residential dwelling units (416 of these units are exempt from the Community Benefit Program as further described in Section 6.4 Development Pool and Community Benefit Program).

Assuming an average of 1,200 square feet per residential unit (and an average of 500 square feet per hotel room), this represents 5.83 million square feet under this Specific Plan.

Page 48, Table 3-4: Net New Development shall be amended to increase the number of dwelling units permitted from 2,500 to 2,916 units and add a note specifying 416 of these units are exempt from the Community Benefit Program, as follows:

Table 3-4: Net New Development

DISTRICT	NON-RESIDENTIAL (SF)	RESIDENTIAL (DU)	MINIMUM RESIDENTIAL DENSITY
Retail	2,166,810 (+150 hotel rooms)	2,916	22 units/net acre
Transit-Oriented			30 units/net acres
Village Parkway	20,730		No minimum
Total	**2,262,540 (includes 150 hotel rooms)**	**2,916**	

Notes: Includes projects that have been approved, but not yet constructed.

Includes 416 units which are exempt from the Development Pool, as further discussed in Section 6.4: Development Pool and Community Benefit Program.

Page 120, Section 6.4 Development Pool and Community Benefit Program shall be amended to clarify that Table 6-1: Development Pool is only showing the development potential that is subject to the Community Benefit Program, as follows:

As discussed in Section 3.5: Future Development Assumptions, a base and maximum floor area ratio (FAR) is provided for each district in the Specific Plan Area (please refer to Table 3-3: Base and Maximum FAR per District). Property owners are allowed to intensify their site up to the Base FAR by right (non-residential square footage only). If a property owner would like to intensify their site beyond the Base FAR established for their District or construct residential dwellings, they may do so by entering into the Community Benefit Program and obtaining the additional development potential from the Development Pool.

The following Table illustrates the additional development potential (beyond the Base FAR) for each District that is subject to the Community Benefit Program.

Page 122, Section 6.4 Development Pool and Community Benefit Program shall be amended to add a new subsection about the Development Pool and Community Benefit Program Exemptions and Table 6-2 at the end of the section, as follows:

Development Pool and Community Benefit Program Exemption
The 2023-2031 Housing Element identifies three sites in the Downtown Dublin Specific Plan area to accommodate up to 416 units to satisfy a portion of the City's Regional Housing Need Allocation. The 416 units are allocated to the sites shown in Table 6-2 and are excluded from the Development Pool and exempt from the Community Benefit Program. To qualify, at least 20 percent of the exempt units on each of the sites identified in Table 6-2 must be affordable to lower-income households.

Table 6-2: Development Pool and Community Benefit Program Exemptions

2023-2031 HOUSING ELEMENT SITE NUMBER	ADDRESS	ASSESSOR'S PARCEL NUMBER	MAXIMUM NUMBER OF EXEMPT UNITS
4	7590 Amador Valley Blvd.	941-0305-028-00	80
20	7050 Amador Plaza Road	941-0305-040-00	160
21	6513 Regional Street	941-1500-030-00	176

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING AMENDMENTS TO THE PLANNED DEVELOPMENT ZONING STAGE 1 DEVELOPMENT PLAN AND APPROVING A STAGE 2 DEVELOPMENT PLAN FOR SITES D-2 AND E-2 OF THE DUBLIN TRANSIT CENTER (APNs: 986-0034-012-00 AND 986-0034-014-00) (PLPA-2022-00036)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City.

B. The Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community.

C. State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years.

D. The City of Dublin prepared the 2023 – 2031 Housing Element in accordance with State law.

E. The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's Regional Housing Needs Allocation (RHNA), which is included as Appendix D: Adequate Sites Analysis in the 2023 – 2031 Housing Element.

F. After accounting for pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA, the Adequate Sites Analysis identified a "remaining need" of 755 units.

G. A portion of the remaining need is proposed to be accommodated on Sites D-2 and E-2 (APNs: 986-0034-012-00 and 986-0034-014-00) at the Dublin Transit Center.

H. On December 3, 2002, the City Council adopted Ordinance No. 21-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Dublin Transit Center, which among other approvals, established a maximum of 1,800 residential units for the Transit Center and specified Sites D-2 and E-2 shall be developed with a Campus Office use.

I. The City proposes to amend Ordinance No. 21-02 to change the allowed land use on Sites D-2 and E-2 from Campus Office to Campus Office/High-Density Residential and increase the maximum residential density from 1,800 units to 2,515 units ("the Project").

J. Consistent with California Government Code Section 65352.3, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed Planned Development Zoning Amendments. None of the contacted tribes requested a consultation within the statutory consultation periods and no further action is required.

K. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

L. The City prepared an Initial Study for the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings, which found there was no substantial evidence that the project would have a significant adverse effect on the environment and, therefore, pursuant to the requirements of CEQA, the City prepared a Negative Declaration (ND), dated October 3, 2022, which reflects the City's independent judgement and analysis.

M. The Initial Study/Negative Declaration was circulated for public review from October 4, 2022, through November 2, 2022.

N. The City of Dublin received no comment letters on the Initial Study/Negative Declaration.

O. On October 25, 2022, the Planning Commission reviewed the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings and adopted Resolution No. 22-14 recommending that the City Council: 1) adopt an Initial Study/Negative Declaration; 2) approve the 2023 – 2031 Housing Element and authorize Staff to submit the Housing Element to the California Department of Housing and Community Development for certification; 3) approve associated amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan; and 4) approve amendments to the Planned Development Zoning for Sites D-2 and E-2 at the Transit Center and Hacienda Crossings shopping center.

P. On November 15, 2022, the City Council held a properly noticed public hearing on the project, including the Initial Study/Negative Declaration, at which time all interested parties had the opportunity to be heard.

Q. A Staff Report, dated November 15, 2022, and incorporated herein by reference, described and analyzed the Project, including the 2023 – 2031 Housing Element, corresponding amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and Planned Development Zoning Stage 1 Development Plan Amendments, for the City Council.

R. The City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

SECTION 2. FINDINGS

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows:

1. The Planned Development ("PD") Zoning Stage 1 Development Plan Amendment and Stage 2 Development Plan for northern 6.42 acres of sites D-2 and all of site E-2 at the Dublin Transit Center meets the purpose and intent of Chapter 8.32 in that it provides a comprehensive development plan that will be consistent with the General Plan and Eastern Dublin Specific Plan, as amended, and protects the integrity and character of the area by creating a desirable use of land that is sensitive to surrounding land uses. The Project will allow a broader range of uses, including the potential for housing.

2. Development of the Project under the PD zoning will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide a variety of uses for the proposed Campus Office/High-Density Residential sites. The subject parcels are surrounded by residential uses to the north and west, by undeveloped land and Interstate-580 to the south, and by commercial development and undeveloped land to the east.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows:

1. The PD zoning for the proposed Campus Office/High-Density Residential parcels will be harmonious and compatible with existing and potential development in the surrounding area, will take into account adjacent land uses and will provide a wide range of amenities for the community within the development and the surrounding neighborhoods.

2. The conditions of the proposed Campus Office/High-Density Residential parcels are physically suitable for the uses permitted through the PD zoning in terms of type and intensity of the proposed zoning.

3. The PD zoning will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety, and welfare in that the Project will comply with all applicable development regulations and standards.

4. The PD zoning is consistent with and in conformance with the Dublin General Plan and Eastern Dublin Specific Plan, as amended, in that the proposed uses are compatible with the General Plan land use designation of Campus Office/High-Density Residential.

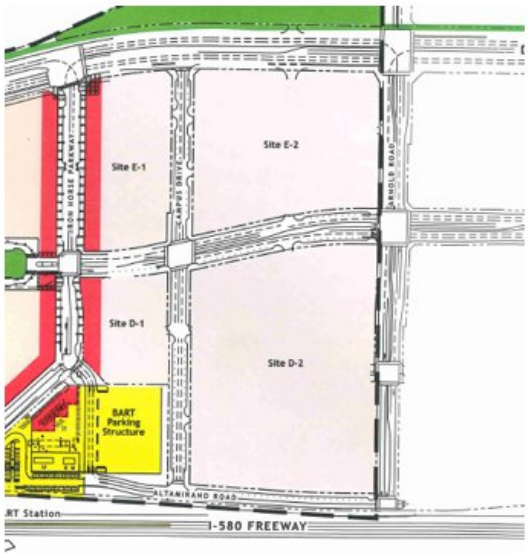
C. Pursuant to the California Environmental Quality Act, the City Council adopted Resolution No. xx-22 approving an Initial Study/Negative Declaration, prior to approving the Project.

SECTION 3. AMENDMENT TO EXISTING STAGE 1 DEVELOPMENT PLAN AND ADOPTION OF A STAGE 2 DEVELOPMENT PLAN

The Planned Development Zoning Stage 1 Development Plan for the Dublin Transit Center is set forth in Ordinance No. 21-02. Amendments to the Stage 1 Development Plan and standards for the Stage 2 Development Plan for the Dublin Transit Center Sites D-2a and E-2 are set forth below.

1. **Statement of Proposed Uses.** The Stage 1 DP booklet, Appendix 2, Dublin Transit Center PD Zoning and Uses on page A.6-7 is amended to add "Multi-Family Dwelling" as a permitted use on Site D-2a and all of Site E-2.

2. **Stage 1 Site Plan.** Amend the annotations on the Conceptual Illustrative Site Plan in the Stage 1 DP booklet on page 1.5 to state "Office and/or Multi-Family Dwellings," rather than "Office." Additionally, amend page 1.15 of the Stage 1 DP Booklet to designate the northern 6.42 acres of Site D-2 as Site D-2a and the southern 5.88 acres as Site D-2b, as shown below:



Existing



Proposed

Campus Office / High Density Residential

3. **Site Area, Proposed Densities.** The table titled Dublin Transit Center: Proposed Land Uses in the Stage 1 DP Book on page 1.13 is amended as follows to add the High-Density Residential land use and up to 222 units on Site D-2a and up to 493 units on Site E-2 and footnote #5.

Site	Area (gr.ac.)	Area (net ac.)	GP/EDSP Land Use	Max. Sq. Ft.	Max. Units	FAR (gross)	Density (gross)	FAR (net)	Density (net)	Ancillary Retail Sq. Ft.	Additional Units
D-2a	9.04	6.42	Campus Office and/or High-Density Residential	496,166	222	1.26	25	1.80	35		
D-2b	8.28	5.88	Campus Office	454,433	0	1.26	0	1.80	0		
E-2	11.20	7.70	Campus Office and/or High-Density Residential	560,000	493	1.15	44	1.67	64		
Total	**90.65**	**65.25**		**2,000,000**	**2,215**					**70,000**	**300**
Summary											
d/e	38.30	26.40	Campus Office and/or High-Density Residential	2,000,000	715	1.20	25-44	1.80	35-64	22,500	300

NOTES:

5. Site D-2a and all of Site E-2 allow Campus Office and/or High-Density Residential land uses. The floor area ratio applies to both development options (Campus Office and High Density Residential) and is for the

combined commercial and residential uses, if residential units are incorporated, or for commercial uses if commercial is used exclusively. The floor area ratio does not apply to projects with only residential uses.

4. **Phasing Plan.** For the Phasing Plan, see Stage 1 DP booklet, page 1.17. Amend the legend to state "Campus Office/High Density Residential" for Site D-2a and all of Site E-2.

5. **Master Neighborhood Landscape Plan.** See Stage 1 DP booklet, page 2.2 to 2.41. Amend the annotations on the "Streetscape, Open Space, & Landscape" Figures to state "Office and/or Multi-Family Dwellings," rather than "Office."

9. **Applicable Requirements of Dublin Zoning Ordinance.** Except as specifically provided in the Stage 1 and 2 Development Plan, the use, development, improvement, and maintenance of the property shall be governed by the Dublin Zoning Ordinance and shall comply with the Citywide Multi-Family Objective Design Standards.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 5. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three public places in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

SECTION 6. EFFECTIVE DATE

The Ordinance shall take effect upon certification of the 2023 – 2031 Housing Element by HCD.

PASSED, APPROVED, AND ADOPTED this __th day of _____ 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING AMENDMENTS TO THE PLANNED DEVELOPMENT ZONING STAGE 1 DEVELOPMENT PLAN AND APPROVING A STAGE 2 DEVELOPMENT PLAN FOR HACIENDA CROSSINGS SHOPPING CENTER (APNs: 986-0008-009-00 AND 986-0008-010-00) (PLPA-2022-00036)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City.

B. The Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community.

C. State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years.

D. The City of Dublin prepared the 2023 – 2031 Housing Element in accordance with State law.

E. The Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's Regional Housing Needs Allocation (RHNA), which is included as Appendix D: Adequate Sites Analysis in the 2023 – 2031 Housing Element.

F. After accounting for pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA, the Adequate Sites Analysis identified a "remaining need" of 755 units.

G. A portion of the remaining need is proposed to be accommodated on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center (formerly known as the Santa Rita Commercial Center).

H. On January 17, 1995, the City Council adopted Resolution No. 95-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Santa Rita Commercial Center, which among other approvals, established regulations for the use, improvement, and maintenance of the property.

I. The City proposes to amend Resolution No. 95-02 to add "Multi-Family Residence" as a permitted principal land use on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center, and establish a maximum of up to 594 residential units and objective design standards for the two parcels ("the Project").

J. Consistent with California Government Code Section 65352.3, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed Planned Development Zoning Amendments. None of the contacted tribes requested a consultation within the statutory consultation periods and no further action is required.

K. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

L. The City prepared an Initial Study for the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings, which found there was no substantial evidence that the project would have a significant adverse effect on the environment and, therefore, pursuant to the requirements of CEQA, the City prepared a Negative Declaration, dated October 3, 2022, which reflects the City's independent judgement and analysis.

M. The Initial Study/Negative Declaration was circulated for public review from October 4, 2022, through November 2, 2022.

N. The City of Dublin received no comment letters on the Initial Study/Negative Declaration.

O. On October 25, 2022, the Planning Commission reviewed the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings and adopted Resolution No. 22-14 recommending that the City Council: 1) adopt an Initial Study/Negative Declaration; 2) approve the 2023 – 2031 Housing Element and authorize Staff to submit the Housing Element to the California Department of Housing and Community Development for certification; 3) approve associated amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan; and 4) approve amendments to the Planned Development Zoning for Sites D-2 and E-2 at the Transit Center and Hacienda Crossings shopping center

P. On November 15, 2022, the City Council held a properly noticed public hearing on the Project, including the Initial Study/Negative Declaration, at which time all interested parties had the opportunity to be heard.

Q. A Staff Report, dated November 15, 2022, and incorporated herein by reference, described and analyzed the Project, including the 2023 – 2031 Housing Element, corresponding amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and Planned Development Zoning Stage 1 Development Plan Amendments, for the City Council.

R. The City Council did hear and use independent judgment and considered all said reports, recommendations, and testimony hereinabove set forth.

SECTION 2. FINDINGS

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows:

1. The Planned Development ("PD") Zoning Stage 1 Development Plan Amendment and Stage 2 Development Plan for the two parcels at the Hacienda Crossings shopping center meets the purpose and intent of Chapter 8.32 in that it provides a comprehensive development plan that will be consistent with the General Plan and Eastern Dublin Specific Plan, as amended, and protects the integrity and character of the area by creating a desirable use of land that is sensitive to surrounding land uses. The Project will allow a broader range of uses, including the potential for housing.

2. Development of the Project under the PD zoning will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide a variety of uses for the proposed sites. The subject parcels are surrounded by residential uses to the north, by commercial development to the east and west, and by commercial development and Interstate 580 to the south.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows:

1. The PD zoning for the two parcels will be harmonious and compatible with existing and potential development in the surrounding area, will take into account adjacent land uses and will provide a wide range of amenities for the community within the development and the surrounding neighborhoods.

2. The conditions of the two parcels are physically suitable for the uses permitted through the PD zoning in terms of type and intensity of the proposed zoning.

3. The PD zoning will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety, and welfare in that the Project will comply with all applicable development regulations and standards.

4. The PD zoning is consistent with and in conformance with the Dublin General Plan and Eastern Dublin Specific Plan, as amended, in that the proposed uses are compatible with the General Plan land use designation of General Commercial.

C. Pursuant to the California Environmental Quality Act, the City Council adopted Resolution No. xx-22 approving an Initial Study/Negative Declaration, prior to approving the Project.

SECTION 3. AMENDMENT TO EXISTING STAGE 1 DEVELOPMENT PLAN AND ADOPTION OF A STAGE 2 DEVELOPMENT PLAN

The Planned Development Zoning Stage 1 Development Plan for the Hacienda Crossings shopping center is set forth in Resolution No. 95-02. Amendments to the Stage 1 Development Plan and standards for the Stage 2 Development Plan for the two subject parcels (APNs: 986-0008-009-00 and 986-0008-010-00) are set forth below.

2. The permitted principal land uses are amended to add "Multi-Family Residence."

8.J. The required parking spaces are amended to add the following parking requirements:

USE	PARKING REQUIRED
Residential Units	Per Dublin Municipal Code Section 8.76

11. The following objective design standards shall apply to Multi-Family Residences:

    The Hacienda Crossings shopping center is as a pedestrian- oriented mixed-use development with service, retail, commercial, and entertainment uses serving the daily needs of nearby residential neighborhoods and the larger community. Multi-family residential development with ground floor retail/commercial uses and residential units above is strongly encouraged on two parcels within the shopping center (APNs: 986-0008-009-00 and 986-0008-010-00). An internal street network shall be added to the shopping center with new minimum eight-foot-wide unobstructed sidewalks to accommodate pedestrian circulation and to divide large parking areas into smaller lots. New multi-family residential and mixed-use buildings shall:

    A. Form a continuous edge along the internal street network that gives definition and scale to the street where buildings are built up to and parallel to sidewalks, except deviations may provide for outdoor dining areas, entry plazas, and other outdoor gathering areas.
    B. Incorporate balconies and upper story windows that open on internal streets and other outdoor gathering areas.
    C. Be designed with ground floor facades fronting internal streets with at least 60 percent transparent window surface.
    D. Include colorful awnings, signage, lighting, and other architectural details along facades to emphasize the pedestrian scale and experience.

    The following development standards shall apply to Multi-Family Residences:

STANDARD	REQUIREMENT
Access	
Building Entrance	At least 1 public entrance per business with street frontage shall be provided along a façade facing the street. Locate entrances in key retail clusters close together.
Pedestrian Access	Direct pedestrian access shall be provided from the sidewalk and parking areas, including structured parking, to building entrances (excluding private service entrances).
Service Access	Service access must be located a minimum of 15 feet from storefront or residential entrances.
Density	Residential units are allowed at a minimum density of 48 dwelling units per acre.

Mixed-Use Development	Ground floor retail or office shall be provided with a minimum Floor Area Ratio of 0.3. Retail or office space shall be built along at least 80 percent of the property's street frontage and setback no more than 10 feet from the building setback requirement. Minimum height of ground floor retail/commercial to second floor is 18 feet.
Common Useable Outdoor Space	Common useable outdoor space for the residential units shall be provided at a rate of 15 percent of the site's total area.
Height Limits	56 feet
Stories	Four stories

Multi-Family Residences shall also comply with the Citywide Multi-Family Objective Design Standards.

SECTION 4. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 5. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three public places in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

SECTION 6. EFFECTIVE DATE

The Ordinance shall take effect upon certification of the 2023 – 2031 Housing Element by HCD.

PASSED, APPROVED, AND ADOPTED this __th day of _____ 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

Environmental Justice Memo

"Environmental justice" is defined in California law as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (California Government Code Section 65040.12(e)).

1. Senate Bill 1000 – Environmental Justice in Local Land Use Planning

Senate Bill (SB) 1000 - Environmental Justice in Local Land Use Planning (2015-2016) amended California's Planning and Zoning Law to require local governments to identify disadvantaged communities and incorporate environmental justice (EJ) into their general plans. The purpose of SB 1000 is to provide transparent public engagement in local government planning and decision making, to reduce pollutants associated with health risk in environmental justice communities, and to promote equitable access to health-inducing benefits such as healthy food options, housing, public facilities, and recreation.

SB 1000 added to the required elements of the general plan an environmental justice element, or related goals, policies, and objectives integrated into other elements, that identifies disadvantaged communities, as defined, within the area covered by the general plan of the city, county, or city and county, if the city, county, or city and county has a disadvantaged community. Cities and counties are required, on or after January 1, 2018, upon the adoption or revision of two or more elements concurrently, to:

- Adopt an environmental justice element, or include related environmental justice goals, policies, and objectives integrated in other elements;
- Identify objectives and policies to reduce the unique or compounded health risks in disadvantaged communities, by means that include, but are not limited to, the reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity;
- Identify objectives and policies to promote civil engagement in the public decision-making process; and
- Identify objectives and policies that prioritize improvements and programs that address the needs of disadvantaged communities.

2. Relevant Guidance and Related Laws

The State of California Office of Planning and Research (OPR) is required to adopt and periodically revise the State's General Plan Guidelines (GPG) for the preparation and content of general plans for all cities and counties in California. The GPG serves as the "how-to" resource for drafting a general plan and was last updated comprehensively in 2017. OPR issues technical advisories that supplement the GPG to reflect new information or requirements. *Chapter 4: Required Elements*, was most recently updated, in June

2020, to incorporate Subsection *4.8, Environmental Justice Element* (referred to as "EJ Guidance").[1] The GPG serves as the primary source regarding requirements, methodology, best practices, and tools for the City of Dublin (City) to form its Environmental Justice Strategy.

OPR's EJ Guidance includes:

- A brief history of EJ in California;
- A summary of SB 1000 (2016), which established EJ requirements for general plans under Government Code Section 65302(h);
- A summary of the regulatory and policy context related to EJ;
- Guidance for determining whether an EJ element or equivalent is required in a local jurisdiction, including identifying the location of disadvantaged communities (as defined in Government Code Section 65302(h)(4)(A)) as well as the nature of their environmental burdens, health risks, and needs;
- Guidance for community engagement when addressing EJ and disadvantaged communities; and
- Guidance for developing EJ goals, policies, and programs that address the unique and compounded health risks in disadvantaged communities and prioritize improvements and programs that meet the needs of disadvantaged communities.

In addition to EJ Guidance, OPR established principles set forth in GPG Chapter 3: Community Engagement and Outreach, Chapter 5: Equitable and Resilient Communities, and Chapter 6: Healthy Communities.

Prior to the passage of SB 1000, the Legislature passed SB 535 (2012, de Leon) directing the California Environmental Protection Agency (CalEPA) to create and maintain an EJ Program and an EJ Task Force to facilitate the use of environmental justice considerations in compliance and enforcement programs and enhance communications with community members to maximize benefits in disproportionately impacted areas. The legislation gave CalEPA responsibility for identifying those communities.

SB 535 directed 25 percent of the proceeds from the Greenhouse Gas (GHG) Reduction Fund towards projects that provide a benefit to disadvantaged communities. In 2016, the Legislature passed Assembly Bill (AB) 1550 (Gomez), which requires 25 percent of proceeds from the GHG Reduction Fund be spent on projects located in disadvantaged communities.

[1] State of California Office of Planning and Research, General Plan Guidelines, Chapter 4: Required Elements, June 2020. Available at https://opr.ca.gov/docs/20200706-GPG_Chapter_4_EJ.pdf. Accessed December 7, 2021.

3. Methodology to Determine the Existence of Disadvantaged Communities

Local jurisdictions are required to incorporate EJ in their general plan if they have a disadvantaged community and are concurrently adopting or revising two or more elements of their general plan. OPR strongly encourages jurisdictions without formally defined disadvantaged communities to consider creating an optional EJ element to promote equity and protect human health in their community.

The GPG suggests the following steps in determining: 1) whether the EJ element is mandatory for a specific jurisdiction; and, if so, 2) pathways for compliance. An overview of each step is presented in Figure 1, *Process for Determining and Addressing EJ Requirements,* of *EJ Guidance*.

"Disadvantaged communities" means an area identified by CalEPA pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation. (Government Code Section 65302(h)(4)(A)).

The statute further defines "low-income area" to mean "an area with household incomes at or below 80 percent of the statewide median-income or with household incomes at or below the threshold designated as low-income by the [California] Department of Housing and Community Development's list of state income limits adopted pursuant to Section 50093." (Government Code Section 65302(h)(4)(C)). Based on the statutory language in Government Code Section 65302(h), there are essentially three potential definitions for a disadvantaged community. Jurisdictions have the discretion to choose which definitions to apply. Local jurisdictions are encouraged to conduct a thorough screening analysis of their planning area using all three definitions and then verify the findings with local or regional agencies and community input to ensure that disadvantaged communities are properly identified.

OPR recommends the following methods for the disadvantaged community screening analysis (see Figure 2, *Recommended Screening Process for Identifying Disadvantaged Communities,* within *EJ Guidance* which illustrates this process):

1. Map the planning area census tracts that have a combined score of 75 percent or higher in CalEnviroScreen.
2. Map the planning area census tracts at or below statewide median income.
3. Map the planning area at or below the Department of Housing and Community Development's (HCD) state income limits and examine for disproportionate pollution burden.
4. Incorporate community-specific data and examine for additional pollution burden.

The California Communities Environmental Health Screening Tool ("CalEnviroScreen") is a data tool developed by CalEPA's Office of Environmental Health Hazard Assessment (OEHHA). CalEnviroScreen provides Statewide data that can be used to identify communities disproportionately impacted by, or vulnerable to, environmental pollution and contaminants. The mapping tool contains 13 indicators related to pollution burden and eight indicators that track population characteristics and other vulnerabilities. The environmental pollution indicators include air quality and harmful emissions (including pesticides),

drinking water and groundwater, traffic, hazardous and solid waste, and toxic releases and cleanups. Population characteristics include rates of asthma, cardiovascular disease, and low birth-weight infants, education attainment, housing burden, linguistic isolation, unemployment, and poverty. CalEnviroScreen is used by CalEPA to aid in administering environmental justice grants, promote compliance with environmental laws, prioritize site-cleanup activities and identify opportunities for sustainable economic development. It is also being used to identify disadvantaged communities in California, pursuant to SB 535, AB 1550, and Health and Safety Code Section 39711.

4. Environmental Justice Stakeholder Interviews

The GPG suggests a city conduct early community engagement during the screening process. This outreach should include and prioritize low-income communities, communities of color, sensitive populations, and tribal governments, as well as organizations focused on public health and EJ. Targeted outreach with EJ stakeholders should strive to ensure that the location of disadvantaged communities as well as the nature of their environmental burdens, concerns, and needs are accurately identified.

The City developed a list of seven agencies and other nongovernmental organizations (NGOs) that could provide relevant input.

- Abode HOPE Mobile Heath Clinic
- BACS Valley Wellness
- East Bay Innovations
- Human Services Commission
- Open Heart Kitchen
- Senior Support Program of the Tri-Valley
- Shepherd's Gate

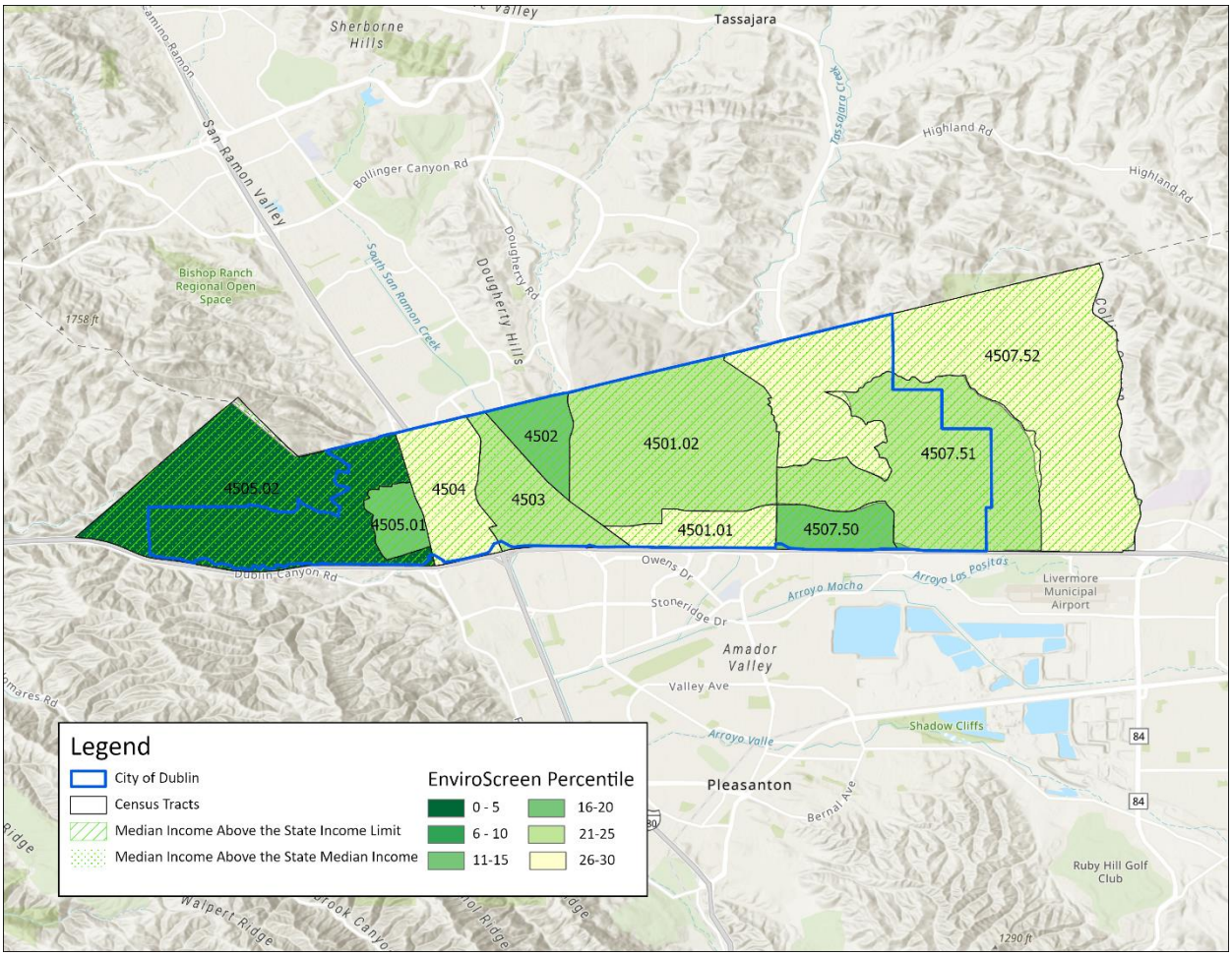
The City's consultant, Kimley-Horn and Associates, contacted these agencies and NGOs, and conducted stakeholder interviews intended to identify potential EJ issues and opportunities in disadvantaged communities and the entire City. These discussions sought meaningful engagement with underserved populations in disadvantaged and underserved communities, the aging population, and communities who do not speak English as their primary language. Representatives from three organizations, including East Bay Innovations, the City's Human Services Commission, and Open Heart Kitchen, agreed to participate (see **Attachment A**). Survey results were fairly consistent and identified populations within the City with lower-than-average income levels and/or experiencing intermittent or housing insecurity. Interviewed representatives acknowledged that the City provides multiple grants and partnerships to assist residents in need.

5. Analyses

Data was downloaded from CalEnviroScreen 4.0 and analyzed to determine if communities within Dublin meet the definition of a "disadvantaged community." Three sets of data were used to determine the pollution burden and income level of the citizens of Dublin, at the census tract level.

In accordance with the suggested methodology (see Section 3, *Methodology to Determine the Existence of Disadvantaged Communities,* above), Figure 1**,** *Screening Process for Identifying Disadvantaged Communities*, presents the total pollution burden data and map the household median-income greater than the Statewide median income and those household incomes greater than the HCD's State income limits. Each data set is described in detail below.

Figure A: Screening Process for Identifying Disadvantaged Communities



As shown in the legend to Figure A, the solid shading, from dark green to yellow, represents the CalEnviroScreen scores, with green being the lowest scores. The hashing indicates those tracts with households greater than HCD's State median income level, and the dots indicate those census tracts with households greater than the State income limit. As illustrated in Figure A, based on CalEPA's latest data regarding the thirteen pollution burden indices and eight population characteristics, the ten census tracts within the City's boundaries scored within the 0 to 30th percentiles of the Statewide average. Census tracts 4504, 4501.01, and 4507.52 had the highest CalEnviroScreen percentile in Dublin of 26-30 percent, meaning about 64-70 percent of the State's census tracts experience worse environmental exposure and effects than these census tracts. In addition, based on HCD data, all ten census tracts within the City have

a median household income greater than the State median income level and they all have a median income greater than the State income limit.

As recommended in the GPG, the results from all three data sets, CalEnviroScreen, income greater than Statewide median income, and income greater than HCD's State income limit, were combined to screen for the presence of disadvantaged communities. The results are presented in Figure A, *Screening Process for Identifying Disadvantaged Communities*. The ten census tracts within Dublin are greater than both the State median income levels and HCD's State income limits. No census tracts within Dublin contain households below the State median income levels or HCD State income limits. **Therefore, none of the ten census tracts within the City of Dublin meet the statutory definition of a disadvantaged community based on the combination of the CalEnviroScreen and income levels.**

However, because CalEnviroScreen presents data at the census tract level, the City investigated whether smaller communities and neighborhoods that could be considered disadvantaged exist. Thus, further examination of community input and other individual pollution burden indicators was performed to complete the screening process for possible disadvantaged communities. As described in Section 4, Kimley-Horn conducted outreach where agency representatives shared their awareness of disadvantaged communities and sensitive populations in Dublin, gained primarily through the delivery of needed services. These disadvantaged communities were described as linguistically isolated, primarily elderly, and lower socio-economic levels. However, outreach did not identify substantial numbers of individuals within these communities. Furthermore, since all areas of Dublin fall in the 30th percentile (cleanest third in the State) with respect to pollution burden, the smaller existing disadvantaged communities and neighborhoods are not affected by substantial environmental pollution or other hazards.

6. Conclusion

The analyses performed in accordance with the GPG found the following:

- The combined CalEnviroScreen percentiles for all 10 census tracts in the City are below the 75 percent level established by statute (SB 1000);
- All census tracts within the City of Dublin have median household incomes at or above the State median-income level and the HCD State income limit; and
- Although community outreach efforts identified specific communities of concern, they did not indicate substantial numbers of individuals within the City and none which experience disproportionally severe environmental pollution or other hazards.

Based on this analysis, the City does not have any communities meeting the definition of a disadvantaged community under SB 1000. The City has a Climate Action Plan (CAP), which establishes greenhouse gas reduction targets for 2030 and 2045 and strategies to meet these targets. Additionally, the City's General Plan (GP) addresses water resources and energy conservation in Chapters 12 and 13 respectively. Therefore, in accordance with SB 1000 and OPR's guidance, the inclusion of an EJ Element, or EJ policies in other required General Plan Elements for the City, is not required.

Attachment A

Environmental Justice Outreach

Phone Surveys

ENVIRONMENTAL JUSTICE PHONE INTERVIEW QUESTIONS

Name of Organization: **Open Heart Kitchen**

POC: Christi Williams *Phone:(925) 500-8241*

Interviewed: August 10th, 2022, at 9 AM

Introduction

A. What is the focus or mission of your organization?
- Equitable access to nutritious food today, while building a food secure tomorrow

B. What specific communities within or outside the City of Dublin do you serve?
- Underemployed, low-income seniors, lower-income families

Disadvantaged Community Identification

1. Are you aware of sensitive populations or disadvantaged communities within the City?
- Yes

2. In what way would you describe this community as disadvantaged – lower socio-economic levels? linguistically isolated/non-English speakers? Primarily elderly or children? Disabilities or chronically ill?
- Can be described in terms of linguistically isolated/non-English speakers. Community is also primarily elderly.

Housing

3. Do you feel that safe and affordable housing is easily found within the City?
- No, there are many people who are unhoused.

4. Is there a type of housing that the City should encourage more of? (houses, apartments, etc.)
- They should build more apartments especially since there is less room now. More housing should be geared towards seniors like senior apartments so they have a place to live even with changed living situations like income, family support, etc.

5. Do you feel the City does enough to assist people in need to locate and maintain affordable housing?
- -No

Appendix A – Environmental Justice Outreach

Community Character

6. Is public transit readily available to your community?

- Many of their clients use public transit.

7. Are public facilities like parks and health centers are adequately available to your community?

- There are lots of parks and health centers available for seniors

8. Is the infrastructure in your community (sidewalks, powerlines, etc.) adequately maintained?

   N/A

Quality of Life

9. Is your community directly affected by effects of pollution? Is the burden excessive, compared to other regions of the City?

   N/A

10. Is your community adequately protected from/prepared for hazards such as drought, wildfires, or sea level rise?

    N/A

11. Are adequate health and wellness resources focused on sensitive members of your community (e.g. seniors, young children, homeless)?

    There is however, it is a matter of affordability for many people like seniors, lower-income families, and the unsheltered.

12. Are healthy, affordable food choices equally or comparably available to all, including disenfranchised members of your community?

    There aren't affordable options in general. Many seniors feel like they aren't able to get groceries affordably, so their program Open Heart Kitchen helps tremendously with elders who usually only eat one meal. For example, many of their senior clients have voiced that the one meal received from Open Heart Kitchen can suffice for two meals within the same day as they do not eat as much food.

Public Policy

13. Do City policies and services adequately support the needs of your community?

    Yes, Dublin does a dramatic job advertising because this program has been able to inform many people in the community since they are extremely busy and sometimes even have to turn people away.

14. Do City policies adequately support the growth and development of your community?

    N/A

15. Should the City enact more policies focused on climate change preparedness? Environmental pollution?

    N/A

16. Are potential issues or concerns within your community easily communicated with the City? Are those issues adequately addressed?

    N/A

17. Are resources like public meeting notices and environmental documents adequately made available to you or your community?

    Yes, a lot of information is passed along to the community especially to the elderly community, especially many do not use online services; however, they are still being informed.

18. Final thoughts:

    OHK noticed that there is a very large Asian senior population so there's a lot of translation services for their menus, food delivery, and assistance, etc. They have many volunteers that assist in speaking simplified Chinese and/or other languages to help communities receive their services.

Thank you for your time. If you would like more information about the Housing and Safety Element updates, please visit the City's website under community development.

ENVIRONMENTAL JUSTICE PHONE INTERVIEW QUESTIONS

Name of Organization: **Human Services Commission**

POC: Anastasia Nelson *Phone: (925) 833-6611*

Interviewed: August 10th, 2022, at 10 AM

Introduction

A. What is the focus or mission of your organization?
- Mission: The City of Dublin Health Services Commission is dedicated to outreach, education, and collaboration to address the community's human service needs as represented in the adopted needs assessment.
- Vision: The human services commission seeks solutions to the needs identified in the adopted needs assessment. The Commission will make recommendations to the Council on priorities for efforts that are consistent with the City Council's adopted mission, vision, and values.

B. What specific communities within or outside the City of Dublin do you serve?
- Seniors, low-income families, moderate income families

Disadvantaged Community Identification

1. Are you aware of sensitive populations or disadvantaged communities within the City?
- Yes

2. In what way would you describe this community as disadvantaged – lower socio-economic levels? linguistically isolated/non-English speakers? Primarily elderly or children? Disabilities or chronically ill?
- Would be described as lower socio-economic levels and linguistically isolated (Like Asian ethnicities, non-native speakers)

Housing

3. Do you feel that safe and affordable housing is easily found within the City?
- Yes

4. Is there a type of housing that the City should encourage more of? (houses, apartments, etc.)
- Perhaps pushing for more multi-family housing and more ownership instead of renting opportunities for homes

5. Do you feel the City does enough to assist people in need to locate and maintain affordable housing?
- Not necessary as there is more ownership affordable housing that is needed.

Community Character

6. Is public transit readily available to your community?
- Yes, there are lots of public transit available. For example, the BART train that allows many people to get around the city.

7. Are public facilities like parks and health centers are adequately available to your community?
- Yes, there are lots of parks and health centers. They also have parks for disabled communities called the (All-abilities Park). These public facilities are also very impacted with people and are quite busy.

8. Is the infrastructure in your community (sidewalks, powerlines, etc.) adequately maintained?
- Yes, infrastructure is pretty well maintained. The public has access online to report things for repairs. For example, See-click-fix, is a very accessible tool for people to report anything that needs to be fixed through an anonymous program.

Quality of Life

9. Is your community directly affected by effects of pollution? Is the burden excessive, compared to other regions of the City?
- Not too affected; Dublin is close to the Bay so air pollution travels more so to the central valley.

10. Is your community adequately protected from/prepared for hazards such as drought, wildfires, or sea level rise?
- Yes. Dublin San Ramon Service Districts (DSRD) will send out measures regarding water conservation and other measures to prepare the community for hazards.

11. Are adequate health and wellness resources focused on sensitive members of your community (e.g. seniors, young children, homeless)?
- Yes. Dublin works with an agency such as Axis Community Health held in Livermore to provide regular healthcare/mental health services for community members.

12. Are healthy, affordable food choices equally or comparably available to all, including disenfranchised members of your community?
- Yes, Dublin helps with healthy, affordable food choices. For example, they supported a project in Livermore for commercial kitchen called Open Heart Kitchen that helps disadvantaged communities get hot food. To help out with Open Heart Kitchen, they recently issued a $300k check to help out with their efforts on top of a previously issued check of the same value.

Public Policy

13. Do City policies and services adequately support the needs of your community?

- Yes, between the three cities (Tri-Valley); Dublin more closely helps with services close by through the Human Services Commission.

14. Do City policies adequately support the growth and development of your community?

- Yes, because they are one of the fastest growing cities

15. Should the City enact more policies focused on climate change preparedness? Environmental pollution?

    N/A

16. Are potential issues or concerns within your community easily communicated with the City? Are those issues adequately addressed?

- Yes, community members can go to main webpage of the City and find links to stay informed with departments in Dublin and easily report their issues/concerns. For example, their see-click-fix program.

- Issues are adequately addressed because Dublin is a very customer service-geared city that ensures the public is informed and their needs are met.

17. Are resources like public meeting notices and environmental documents adequately made available to you or your community?

- Yes, because it's all linked in planning commissions or requests through city clerk offices.

18. Final thoughts:

Thank you for your time. If you would like more information about the Housing and Safety Element updates, please visit the City's website under community development.

ENVIRONMENTAL JUSTICE PHONE INTERVIEW QUESTIONS

Name of Organization: **East Bay Innovations**

POC: Tom Heinz *Phone: (510) 301-4724*

Interviewed: August 11th, 2022, at 4 PM

Introduction

A. What is the focus or mission of your organization?

- Supporting people with disabilities to live on their own and to secure employment

B. What specific communities within or outside the City of Dublin do you serve?

- Communities throughout Alameda County

Disadvantaged Community Identification

1. Are you aware of sensitive populations or disadvantaged communities within the City?

   - Yes
2. In what way would you describe this community as disadvantaged – lower socio-economic levels? linguistically isolated/non-English speakers? Primarily elderly or children? Disabilities or chronically ill?

   - People with disabilities often are extremely low income and need access to supportive services

Housing

3. Do you feel that safe and affordable housing is easily found within the City?

   - No
4. Is there a type of housing that the City should encourage more of? (houses, apartments, etc.)

   - Apartments
5. Do you feel the City does enough to assist people in need to locate and maintain affordable housing?

   - N/A

Community Character

6. Is public transit readily available to your community?

   - Yes, but important for housing to be located on transit lines

7. Are public facilities like parks and health centers are adequately available to your community?

   - Yes

8. Is the infrastructure in your community (sidewalks, powerlines, etc.) adequately maintained?

   - N/A

Quality of Life

9. Is your community directly affected by effects of pollution? Is the burden excessive, compared to other regions of the City?

   - No

10. Is your community adequately protected from/prepared for hazards such as drought, wildfires, or sea level rise?

    - It is not too protected as smoke during wildfires can be very difficult for people with chronic health conditions.

11. Are adequate health and wellness resources focused on sensitive members of your community (e.g. seniors, young children, homeless)?
    - Yes

12. Are healthy, affordable food choices equally or comparably available to all, including disenfranchised members of your community?
    - No

Public Policy

13. Do City policies and services adequately support the needs of your community?

    - Not by the City itself

14. Do City policies adequately support the growth and development of your community?

    - No

15. Should the City enact more policies focused on climate change preparedness? Environmental pollution?

    - Yes

16. Are potential issues or concerns within your community easily communicated with the City? Are those issues adequately addressed?

    - N/A

17. Are resources like public meeting notices and environmental documents adequately made available to you or your community?

    - N/A

18. Final thoughts:

Thank you for your time. If you would like more information about the Housing and Safety Element updates, please visit the City's website under community development.

STATE OF CALIFORNIA - BUSINESS, CONSUMER SERVICES AND HOUSING AGENCY GAVIN NEWSOM, *Governor*

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
2020 W. El Camino Avenue, Suite 500
Sacramento, CA 95833
(916) 263-2911 / FAX (916) 263-7453
www.hcd.ca.gov

August 29, 2022

Kristie Wheeler, Assistant Director
Community Development Department
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Dear Kristie Wheeler:

RE: City of Dublin's 6th Cycle (2023-2031) Draft Housing Element

Thank you for submitting the City of Dublin's (City) draft housing element received for review on May 31, 2022, along with revisions received on July 25, 2022 and August 15, 2022. Pursuant to Government Code section 65585, subdivision (b), the California Department of Housing and Community Development (HCD) is reporting the results of its review. Our review was facilitated by a conversation on July 7, 2022 with Michael Cass, Principal Planner and consultants Bill Wiseman and Ines Galmiche. In addition, HCD considered comments from Tom Evans, South Bay YIMBY, and Building Industry Association of the Bay Area (BIA) pursuant to Government Code section 65585, subdivision (c).

The draft element addresses many statutory requirements; however, revisions will be necessary to comply with State Housing Element Law (Article 10.6 of the Gov. Code). The enclosed Appendix describes the revisions needed to comply with State Housing Element Law.

For your information, pursuant to Assembly Bill 1398 (Chapter 358, Statutes of 2021), if a local government fails to adopt a compliant housing element within 120 days of the statutory deadline (January 31, 2023), then any rezoning to accommodate the regional housing needs allocation (RHNA), including for lower-income households, shall be completed no later than one year from the statutory deadline. Please be aware, if the City fails to adopt a compliant housing element within one year from the statutory deadline, the element cannot be found in substantial compliance until rezones to accommodate a shortfall of sites are completed.

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City should continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly

available and considering and incorporating comments where appropriate. Please be aware, any revisions to the element must be posted on the local government's website and to email a link to all individuals and organizations that have previously requested notices relating to the local government's housing element at least seven days before submitting to HCD.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant; the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities programs; and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the City will meet housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the City to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Planning and Research at: https://www.opr.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the hard work and dedication the housing element team provided during the review. We are committed to assisting the City in addressing all statutory requirements of State Housing Element Law. If you have any questions or need additional technical assistance, please contact Jose Ayala, of our staff, at Jose.Ayala@hcd.ca.gov.

Sincerely,

Paul McDougall
Senior Program Manager

Enclosure

APPENDIX
CITY OF DUBLIN

The following changes are necessary to bring the City's housing element into compliance with Article 10.6 of the Government Code. Accompanying each recommended change, we cite the supporting section of the Government Code.

Housing element technical assistance information is available on HCD's website at https://www.hcd.ca.gov/hcd-memos. Among other resources, the housing element section contains HCD's latest technical assistance tool, *Building Blocks for Effective Housing Elements (Building Blocks),* available at https://www.hcd.ca.gov/building-blocks and includes the Government Code addressing State Housing Element Law and other resources.

A. Housing Needs, Resources, and Constraints

1. *Affirmatively further[ing] fair housing in accordance with Chapter 15 (commencing with Section 8899.50) of Division 1 of Title 2…shall include an assessment of fair housing in the jurisdiction. (Gov. Code, § 65583, subd. (c)(10)(A).)*

   Enforcement and Outreach: The element includes a general statement that the City complies with State and local fair housing laws; however, it should provide discussion to support this statement such as listing some state and federal housing laws and describing how the City complies with these laws. For more information on fair housing laws, please see HCD's guidance (p. 28) at https://www.hcd.ca.gov/affirmatively-furthering-fair-housing.

   Integration and Segregation: While the element adds additional information and data, it must analyze this data for trends over time, patterns across census tracts, and coincidence with other components of the assessment of fair housing. Additionally, the element must evaluate patterns on a regional basis, comparing the City within the Tri-Valley subregion and Alameda County or bay area region as a whole. This analysis should particularly emphasize disparities in income compared to the region and include appropriate programmatic responses to encourage housing mobility and promote new affordable housing opportunities, regardless of the regional housing need allocation (RHNA).

   Racially Concentrated Areas of Affluence (RCAA): While the element adds information for HCD's AFFH Data Viewer, the element must also include an analysis regarding the presence of a RCAA in the jurisdiction. The analysis should evaluate the patterns and changes over time at a local (e.g., neighborhood to neighborhood) and regional level (e.g., City to Tri-Valley and City to County).

   Disproportionate Housing Need: While the element adds data regarding homelessness counts over the past five years, it should include meaningful analysis from this data, including disproportionate impacts on protected characteristics (e.g., race, family,

disability), patterns of need and access to opportunities, including services, and transportation.

Identified Sites and Affirmatively Furthering Fair Housing (AFFH): The element includes some discussion of the number of sites by concentrations of socio-economic characteristics. However, this approach to whether identified sites affirmatively further fair housing does not account for where the sites are located. The analysis should address the number of units by all income groups, and location (e.g., neighborhood, planning area, census tract), discuss any isolation of the RHNA by income group and evaluate the magnitude of the impact on existing concentrations of socio-economic characteristics by area. The analysis should be supported by local data and knowledge and other relevant factors and address overlapping fair housing issues with other components of the assessment of fair housing (e.g., segregation and integration, concentrated areas of poverty, disparities in access to opportunity).

Local Data and Knowledge: The element includes some code enforcement data and public outreach, but generally does not meet this requirement. The element must incorporate public outreach into the evaluation of fair housing. For example, the element includes public comment about how the City needs more affordable housing and then another public comment to not build apartments. These comments could be incorporated into the discussion of segregation and integration, explaining a high need for housing choices but then opposition to address that could contribute to the disparities of incomes when comparing the City to the broader region. Further, the City could utilize other sources of local data and knowledge to supplement the data and mapping including planning documents such as locally adopted ordinances, other elements of the general plan, infrastructure assessments, and mobility assessments to fully describe the impacts on fair housing patterns and trends.

Other Relevant Factors: While the element adds general information regarding redlining and anti-displacement policies, the element should complement federal, state, and regional data with other relevant factors. Other relevant factors include describing historical zoning and land use practices, the presence of any CC&Rs (or lack thereof), Camp Parks, and local, state, federal investments in Dublin, such as any community improvement plans, Bay Area Rapid Transit (BART), and the expansion of Dublin east of Dougherty Blvd to fully analyze factors related to fair housing issues in the City. This analysis should discuss how other relevant factors affect the patterns and disparities in access to opportunities in the City and region.

Contributing Factors: The element mentions fair housing issues and goals and priorities from the analysis on fair housing. However, these issues and goals do not appear adequate to facilitate the formulation of significant and meaningful action to AFFH. The element should re-assess and *prioritize* contributing factors upon completion of analysis and make revisions as appropriate.

Goals, Actions, Metrics, and Milestones: The element must be revised to add or modify goals and actions based on the outcomes of a complete analysis. Goals and actions must specifically respond to the analysis and to the identified and prioritized contributing

factors to fair housing issues and must be significant and meaningful enough to overcome identified patterns and trends. Actions must have specific commitments, milestones, geographic targeting, and metrics and given that most of the City is considered a higher-income community, the element should focus on programs that enhance housing mobility and encourage the development of more affordable housing choices in an inclusive manner.

2. *An inventory of land suitable and available for residential development, including vacant sites and sites having realistic and demonstrated potential for redevelopment during the planning period to meet the locality's housing need for a designated income level, and an analysis of the relationship of zoning and public facilities and services to these sites. (Gov. Code, § 65583, subd. (a)(3).)*

   Realistic Capacity: The element does not meet this requirement. Currently, the element (pp. D-9 and D-10) state the City calculated unit capacity on sites, there is no supportive information to justify buildout assumptions. While the element provides assumptions of buildout for sites included in the inventory, it must also describe the specific trends, factors, and other evidence that led to the assumptions. For some sites, the City appears to list the maximum density allowed in a zone multiplied by the size of the parcel. The estimate of the number of units for each site must be adjusted as necessary, based on the land use controls and site improvements, typical densities of existing or approved residential developments at a similar affordability level in that jurisdiction, and the current or planned availability and accessibility of sufficient water.

   In addition, the element must account for the likelihood of 100 percent nonresidential uses in zones that allow 100 percent nonresidential uses or are designed for nonresidential uses. The analysis should discuss what zones allow 100 percent nonresidential uses, the presence or absence of any performance standards requiring residential uses, recent trends of all development in these zones, how often 100 percent nonresidential uses occurs, and account for that likelihood in the calculation of residential capacity.

   Suitability of Nonvacant Sites: The element must include an analysis demonstrating the potential for redevelopment of nonvacant sites. The analysis shall consider factors including the extent to which existing uses may constitute an impediment to additional residential development, the city's or county's past experience with converting existing uses to higher density residential development, the current market demand for the existing use, an analysis of any existing leases or other contracts that would perpetuate the existing use or prevent redevelopment of the site for additional residential development, development trends, market conditions, and regulatory or other incentives or standards to encourage additional residential development on these sites. For example, Sites 18-20 are identified with existing big box store and parking lot uses, but no analysis was provided to demonstrate whether these existing uses would impede residential development of these sites. Additionally, Sites 23 and 25 have existing residential uses on the site. The description of existing uses should be sufficiently detailed to facilitate an analysis demonstrating the potential for residential development within the planning period. The element can summarize past experiences converting

existing uses to higher density residential development, include current market demand for the existing use, provide analysis of existing leases or contracts that would perpetuate the existing use or prevent additional residential development and include current information on development trends and market conditions in the City and relate those trends to the sites identified. The element could also consider indicators such as age and condition of the existing structure expressed developer interest, low improvement to land value ratio, and other factors.

Accessory Dwelling Units (ADU): The element projects 248 ADUs over the planning period which well exceeds recent production (15 units per year). While the element includes Program B-7 (ADUs) with a few actions to promote ADUs, the element should reduce the number of ADUs assumed per year (e.g., 20 units per year) and utilize more recent information on permitted units to support realistic assumptions.

Large Sites: While the element states large sites will only use ten acres of buildable acreage to accommodate lower-income RHNA, it must still provide analysis regarding the development of housing for lower-income households on large sites where the acreage exceeds ten acres. For example, the element should describe how development will work on site, including opportunities and timing for specific-plan development, further subdivision, parceling, site planning or other methods to facilitate appropriately sized sizes and encourage the development of housing affordable to lower-income households on the identified site within the planning period. Absent sufficient evidence that sites of equivalent size with affordability were successfully developed during the planning prior planning period or other evidence that demonstrates the suitability of these sites, the large sites are deemed inadequate to accommodate housing for lower-income households. Based on the outcomes of this analysis, the element should add or modify programs.

Publicly-Owned Sites: Pursuant to Government Code section 65583, subdivision (c)(1), rezones to accommodate a shortfall must occur within three years of adoption of the housing element. While Program C.1 (Sites Inventory and RHNA Monitoring) states rezoning strategies will occur within three years of the January 31, 2023 submittal deadline, Program B.16 (Publicly-Owned Lands) states has a timeframe of three to five years. Program B.16 should include a specific commitment to facilitate development on these sites in the planning period. For example, instead of stating the City will coordinate with the Alameda County Surplus Property Authority within three to five years, the element should include the actual schedule and the actual actions with timing necessary to allow development in the planning period, including any known impediments to development (e.g., leasing, surplusing). In addition, Program C.1 or B.16 should include actions to facilitate development such as zoning, outreach with developers, incentives, fee waivers, priority processing, and financial assistance. Therefore, the City must amend Program B.16 to address the timing inconsistency and include the relevant development actions described herein, or identify additional sites to ensure available sites for the planning period.

Environmental Constraints: While the element generally concludes that identified sites are not environmentally constrained, it should also discuss whether there are any other

known conditions precluding development on identified sites (e.g., irregular shapes, leases, contamination, title conditions, lawsuits) and add or modify programs as appropriate.

Electronic Sites Inventory: For your information, pursuant to Government Code section 65583.3, the City must submit an electronic sites inventory with its adopted housing element. The City must utilize standards, forms, and definitions adopted by HCD. Please see HCD's housing element webpage at https://www.hcd.ca.gov/community-development/housing-element/index.shtml#element for a copy of the form and instructions. The City can reach out to HCD at sitesinventory@hcd.ca.gov for technical assistance.

Zoning for a Variety of Housing Types:

- *Emergency Shelters*: The element includes a discussion of capacity and a program to modify parking requirements but it should also list all development standards and evaluate compliance with state requirements, including any constraints on the development of emergency shelters.
- *Transitional and Supportive Housing*: Transitional and supportive housing must be permitted as a residential use in all zones allowing residential uses and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. (Gov. Code, § 65583, subd. (a)(5).) The element must demonstrate compliance with these requirements or add or revise programs that comply with the statutory requirements.

3. *An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (7), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures... (Gov. Code, § 65583, subd. (a)(5).)*

   Land Use Controls: While the element describes development standards and some land use controls, it must also analyze those land use controls for impacts on housing supply (number of units), costs, financial feasibility, timing, approval certainty and ability to achieve maximum densities without exceptions (e.g., conditional use permits, variance, planned development).

   In addition, the element concludes parking requirements are not an impediment to development; however, no analysis or supporting information was provided. The element should address parking requirements for multifamily development, particularly the covered or garaged parking requirement plus guest parking space for smaller bedroom types for impacts on cost, supply, housing choice, and financial feasibility and include programs to address identified constraints.

Processing and Permit Procedures: While the element now describes that most residential development requires a site development review and lists the approval body and required findings, it must also analyze the impacts on housing supply, cost, timing and approval certainty. For example, the element notes site development reviews are subject to planning commission approval but should also discuss the typical number of hearings and whether projects often are subject to subsequent submittal. Also, some listed approval findings appear subjective and should be evaluated for impact approval certainty, costs and timing.

In addition, the element generally describes a Planned Development (PD) Zoning District Ordinance process but must analyze this process for impacts on supply, cost, financial feasibility, timing and approval certainty. For example, the analysis should clearly state whether the Planned Development process is mandatory or optional, whether the burden of establishing zoning and development standards typically rests with the City or developers, particularly on identified sites, impacts of the PD Zoning Ordinance's process to obtain a Stage 2 Development Plan, the potential for projects to be subject to a referendum under the Ordinance, any additional legislative approvals and any other requirements or mechanisms that may act as a constraint. For your information, a zone that lacks fixed development standards is not zoning and is considered a constraint on development and may not be utilized toward the RHNA unless a program is added to establish zoning and development standards pursuant to Government Code section 65583 (c)(1). In addition, the element must also describe the Ordinance's compliance with state housing laws, including, but not limited to, SB 330's five-hearing limit, time limits associated with the Permit Streamlining Act, and any additional constraints that might only be resolved through litigation under the Housing Accountability Act, creating an additional constraint on residential development. The element must add or modify programs to address this constraint on development.

Inclusionary Housing: While the element describes the City's inclusionary requirements, it should also describe how the City's inclusionary requirements work with other state housing laws, such as State Density Bonus Law.

Constraints on Housing for Persons with Disabilities: The element must evaluate constraints on housing for persons with disabilities, as follows:

- *Reasonable Accommodation*: The element indicates a reasonable accommodation is subject to a zoning clearance and must meet various development standards like design compatibility, setbacks and lot coverage. The element further describes no requests have occurred in recent years and applicants may utilize the planned development process – a highly complicated and costly discretionary process that takes a year. First, the lack of requests is not an indicator that the current process works and is more an indicator the process acts as a constraint. Second, a reasonable accommodation is intended as an exception process to zoning, development standards and any other land use controls to provide access to housing for persons with disabilities. Contrarily, the City requires requests for exceptions to meet development standards. This

process is a clear constraint on housing for persons with disabilities and the element must add or modify programs to establish an appropriate process.

- *Definition of Family*: The element defines a family as "one or more persons occupying a dwelling and living as a single, nonprofit housekeeping unit, including any servants". The element distinguished this definition from a group occupying a boarding house, community care facility, supportive or transitional housing when configured as group housing, hotel or motel, club, fraternity, or sorority house. These housing types should not be excluded from residential zones, most notably low-density zones, which can constrain the availability of housing choices for persons with disabilities. The element should analyze the definition of family and exclusion of several housing types as a potential constraint for persons with disabilities and add or modify programs as appropriate.

4. *An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including… …the length of time between receiving approval for a housing development and submittal of an application for building permits for that housing development that hinder the construction of a locality's share of the regional housing need in accordance with Government Code section 65584... (Gov. Code, § 65583, subd. (a)(6).)*

   Approval Times: The element mentions requirements to analyze the length of time between application approval and building permits and then concludes projects are constructed in a reasonable time. However, to better inform the analysis and policies and programs, the element must identify the actual length of time between receiving approval for housing development and submittal of application for building permits and discuss any hindrances on construction.

B. Housing Programs

1. *Include a program which sets forth a schedule of actions during the planning period, each with a timeline for implementation, which may recognize that certain programs are ongoing, such that there will be beneficial impacts of the programs within the planning period, that the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the Housing Element... (Gov. Code, § 65583, subd. (c).)*

   To have a beneficial impact in the planning period and address the goals of the housing element, programs must be revised with discrete timelines (e.g., month and year), including for Program A.4 (Condominium Conversion Ordinance), Program A.5 (Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate), Program B.4 (Inclusionary Zoning), Program B.5 (Commercial Linkage Fee), Program B.7 (Accessory Dwelling Units and Junior Accessory Dwelling Units), Program B.9 (Non-Vacant Adequate Sites to Satisfy By-Right Requirements of AB 1397), Program B.11 (Transitional and Supportive Housing), Program B.12 (Single-Room Occupancy), Program B.15 (Replacement Housing), Program B.16 (Publicly-Owned Lands), Program

B.17 (Community Care Facilities), Program C.2 (Safety Element and Environmental Justice Policies), Program D.3 (Emergency Shelters), Program D.4 (Monitoring of Development Fees), Program E.1 (Affirmatively Further Fair Housing), Program E.2 (Equal Housing Opportunity), Program E.4 (Low-Barrier Navigation Centers), Program E.5 (Housing for Persons with Developmental Disabilities), Program E.6 (Farmworker and Employee Housing), and Program E.7 (First-Time Homebuyer Loan Program).

Additionally, all programs should be evaluated to ensure meaningful and specific actions, objectives, and commitments. Programs containing unclear language (e.g., "consider"; etc.) should be amended to include specific and measurable actions. These programs include Program B.12 (Single-Room Occupancy).

In addition, many program actions involve a review of existing standards, procedures, and practices, and additional actions "as necessary" or "if needed". However, the programs should list the specific trigger for additional action, such as the amount of code enforcement cases in Program A.3 (Code Enforcement) or the pace of condominium conversions for Program A.4 (Condominium Conversion Ordinance). The element should review all programs with such language, and describe what action, or lack thereof, would trigger additional program changes.

2. *Identify actions that will be taken to make sites available during the planning period with appropriate zoning and development standards and with services and facilities to accommodate that portion of the city's or county's share of the regional housing need for each income level that could not be accommodated on sites identified in the inventory completed pursuant to paragraph (3) of subdivision (a) without rezoning, and to comply with the requirements of Government Code section 65584.09... (*Gov. Code, § *65583, subd. (c)(1).)*

   As noted in Finding A2, the element does not include a complete site analysis, therefore, the adequacy of sites and zoning were not established. Based on the results of a complete sites inventory and analysis, the City must add or revise programs to address a shortfall of sites or zoning available to encourage a variety of housing types. In addition, the element must be revised as follows:

   Adequate Sites: The element describes a shortfall of sites (p. D-15) and indicates rezoning will occur to accommodate the RHNA. While the element includes Program C.1 (Sites Inventory and RHNA Monitoring), it must specifically commit to acreage, allowable densities and anticipated units. In addition, if necessary, to accommodate the housing needs of lower-income households, programs should specifically commit to rezoning pursuant to Government Code section 65583.2, subdivisions (h) and (i).

   Publicly-Owned Sites: As previously described, Program B.16 must be revised to ensure sites on publicly-owned land are made available within three years of the beginning of the planning period. This program should commit to a schedule of actions for development, such as coordinating with developers, making zoning available, issuing requests for proposals, facilitating subsequent entitlement and issue permits.

The program should also include a numeric objective consistent with the assumptions in the sites inventory.

Large Sites: The element must add a program to facilitate the development of lower-income housing on sites with an acreage of more than ten acres. This program should include a schedule of actions to facilitate parceling and zoning consistent with site inventory assumptions on appropriately sized sites (e.g., 1 to 10 acres).

3. *Address and, where appropriate and legally possible, remove governmental and nongovernmental constraints to the maintenance, improvement, and development of housing, including housing for all income levels and housing for persons with disabilities. The program shall remove constraints to, and provide reasonable accommodations for housing designed for, intended for occupancy by, or with supportive services for, persons with disabilities. (Gov. Code, § 65583, subd. (c)(3).)*

   As noted in Findings A3 and A4, the element requires a complete analysis of potential governmental and nongovernmental constraints. Depending upon the results of that analysis, the City may need to revise or add programs and address and remove or mitigate any identified constraints.

   In addition, Program B.17 (Community Care Facilities) should commit to amend zoning to allow these uses in all zones allowing residential uses.

4. *Promote and affirmatively further fair housing opportunities and promote housing throughout the community or communities for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics... (Gov. Code, § 65583, subd. (c)(5).)*

   As noted in Finding A1, the element must include a complete assessment of fair housing. Based on the outcomes of that analysis, the element must add or modify programs.

5. *The housing program shall preserve for low-income household the assisted housing developments identified pursuant to paragraph (9) of subdivision (a). The program for preservation of the assisted housing developments shall utilize, to the extent necessary, all available federal, state, and local financing and subsidy programs identified in paragraph (9) of subdivision (a), except where a community has other urgent needs for which alternative funding sources are not available. The program may include strategies that involve local regulation and technical assistance. (Gov. Code, § 65583, subd. (c)(6).)*

   Program A.5 (Preserve and Monitor Affordable Units At-Risk of Converting to Market Rate) should be revised to commit to proactively seeking funding for units at-risk of converting to market rate uses.

C. Public Participation

Local governments shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the Housing Element, and the element shall describe this effort. (Gov. Code, § 65583, subd.(c)(9).)

While the element describes the public input received through the community outreach process, it generally describes why changes are not needed instead of responding with revisions. The City should re-consider public comments and make changes to the element.

DUBLIN
CALIFORNIA

Dublin 2023-2031 Housing Element

Initial Study / Negative Declaration

October 3, 2022
Planning Application Number: PLPA-2022-00036



Kimley»Horn

Table of Contents

Project Background 1

Project Title 1
Lead Agency 1
Contact 1
Project Location & Setting 1
Purpose and Regulatory Context 1
Prior CEQA Analysis 2
General Plan Land Use Designations 2
Zoning Designations 3
Description of the Project 3
Existing Zoning Sites 7
Summary of the Project 7
Basis for the Impact Analysis 9
Other Public Agencies Whose Approval Is Required 10

Environmental Factors Potentially Affected 11

Determination 12

Aesthetics 13
Agricultural and Forestry Resources 16
Air Quality 17
Biological Resources 20
Cultural Resources 23
Energy 24
Geology and Soils 25
Greenhouse Gas Emissions 27
Hazards and Hazardous Materials 28
Hydrology and Water Quality 31
Land Use and Planning 34
Mineral Resources 35
Noise 35
Population and Housing 37
Public Services 38
Recreation 41
Transportation 41

Tribal Cultural Resources 43
Utilities and Service Systems 44
Wildfires 47

Mandatory Findings of Significance **48**

List of Figures

Figure 1(a-c): 2023-2031 RHNA Sites Inventory Map

List of Tables

Table 1: Summary of Sites Inventory

Table 2: Existing and Proposed General Plan and Zoning Summary

Table 3: Dublin Housing Element GPA/Rezone Properties Land Use Summary

Dublin 2023-2031 Housing Element

Initial Study

Project Background

Project Title

Dublin 2023-2031 Housing Element
PLPA-2022-00036

Lead Agency

City of Dublin
Community Development Department
100 Civic Plaza
Dublin, CA 94568

Contact

Michael P. Cass
Principal Planner
Phone: 925-833-6610
michael.cass@dublin.ca.gov

Project Location & Setting

The City of Dublin (City) is located in the San Francisco Bay Area in the eastern portion of Alameda County, California. The City of Pleasanton is located to the south, the City of San Ramon is located in to the north, and unincorporated Alameda County land is located to the east and west. Interstate 580 forms the southern boundary of the City and Interstate 680 bisects the western portion of the City in a north-south direction.

The project site includes the entirety of the City of Dublin as it relates to implementation of the Housing Element in general. Additionally, there are three sites in the proposed Housing Element that would require amendments to the General Plan, Specific Plans, Rezoning, or a combination thereof (as described below). These sites are shown in Figures 1a -c: 2023 – 2031 RHNA Sites Inventory Map.

Purpose and Regulatory Context

The Housing Element is a State-mandated chapter of the City's General Plan. The purpose of the Housing Element is to identify and plan for the City's existing and projected housing needs of all economic segments of the community. The Housing Element contains a detailed outline and work program of the City's goals, policies, programs, and objectives that preserve, improve, and ensure housing for a sustainable future. Each eight-year planning cycle, the City is allocated

a specific number of housing units to plan for – this is referred to as the Regional Housing Needs Allocation (RHNA), determined by the Association of Bay Area Governments (ABAG). The RHNA quantifies current and future housing growth for all cities and counties within the ABAG region. Through research and analysis, the Housing Element identifies available candidate housing sites and establishes policies and programs to accommodate the RHNA. The Housing Element is a critical tool for the City to plan for growth within the community over the eight-year cycle, between 2023 and 2031.

Pursuant to the requirements of the California Environmental Quality Act (CEQA), an Initial Study (IS) is conducted by a lead agency to determine if a project may have a significant effect on the environment (CEQA Guidelines Section 15063[a]). If there is substantial evidence that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) must be prepared, in accordance with CEQA Guidelines Section 15064(a). However, if the lead agency determines the impacts are, or can be reduced to, less than significant, a Mitigated Negative Declaration (MND) or Negative Declaration (ND) may be prepared instead of an EIR (CEQA Guidelines Section 15070[b]). Pursuant to CEQA Guidelines Section 15070, an MND or ND is appropriate when the project's Initial Study identifies potentially significant effects, but:

- Revisions to the project were made that would avoid or reduce the effects to a point where clearly no significant effects would occur; and
- There is no substantial evidence that the project, as revised, may have a significant effect on the environment.

This Initial Study, prepared by the City of Dublin, determined that the project would not have a significant environmental effect, and the preparation of an EIR is not required. Furthermore, no impacts were identified that would require mitigation; therefore, a Negative Declaration can be prepared.

Prior CEQA Analysis

Prior CEQA analysis that are incorporated herein by reference include the following: 1) Dublin General Plan EIR (February 1984); 2) Downtown Dublin Specific Plan EIR (2010); 3) Eastern Dublin General Plan Amendment and Specific Plan EIR (1993); 4) Dublin Transit Center EIR (2001); and 5) Santa Rita Commercial Center Project (subsequently renamed Hacienda Crossing) IS/ND (1995).

General Plan Land Use Designations

The Dublin General Plan (1994, as amended) provides for a range of land use designations in the City that can accommodate residential units. These include:

Residential

- Rural Residential/Agriculture (one dwelling unit [du] per 100 gross residential acres)
- Estate Residential (0.01 - 0.8 du/acre [ac])

- Low-Density Single Family (0.5 - 3.8 du/ac)
- Single Family Residential (0.9 - 6.0 du/ac)
- Medium-Density Residential (6.1 - 14.0 du/ac)
- Medium/High-Density Residential (14.1 - 25.0 du/ac)
- High-Density Residential (25.1+ du/ac)

Specific Plan Districts

- Downtown Dublin - Village Parkway District
- Downtown Dublin - Transit-Oriented District
- Downtown Dublin - Retail District
- Dublin Crossing

Commercial/Industrial

- General Commercial (as part of a mixed-use development)
- Neighborhood Commercial (as part of a mixed-use development)
- Campus Office (as part of a master planned mixed-use development)
- Mixed-Use
- Mixed Use 2/Campus Office
- Medium/High-Density Residential and Retail Office

Zoning Designations

A significant portion of the City of Dublin is subject to Planned Development (PD) zoning through which one or more properties are planned as a unit with development standards tailored to the site. Many of the existing PD zoned properties allow residential development. Other zones that allow residential development (permitted outright) include:

- Single-Family Residential (R-1)
- Two-Family Residential (R-2)
- Multi-Family Residential (R-M)

Description of the Project

Under state law, every city and county in California must prepare a Housing Element as part of its General Plan. The Housing Element must document in detail existing conditions and projected needs in accordance with state housing law provisions. The Housing Element is also required to contain goals, policies, programs, and quantified objectives that address housing needs over the next eight-year period. The proposed 2023–2031 Housing Element will serve as

the City's guiding policy document to meet future needs of housing for all the City's economic groups and will replace the existing 2015-2023 Housing Element.

Unless stated otherwise in the following analysis, the terms "project" and "proposed project" refer to the adoption of the 2023–2031 Housing Element, associated amendments to the General Plan, including the Land Use Map and Seismic Safety and Safety Element. The project also includes amendments to the Downtown Dublin Specific Plan and Eastern Dublin Specific Plan and associated changes to the City's Zoning Map.

The Housing Element consists of a comprehensive update to the City's 5th Cycle Housing Element of the City's General Plan. The Housing Element identifies residential sites adequate to accommodate a variety of housing types for all income levels and needs of special population groups, defined under state law (California Government Code Section 65583). The Housing Element also analyzes governmental constraints to housing maintenance, improvement, and development; addresses conservation and improvement of the condition of existing affordable housing stock; and outlines policies and programs that promote housing opportunities for all persons.

California Government Code, Section 65588(a)(2), Review and Revision, requires that a proposed Housing Element review the goals, policies, programs, and objectives of the existing Housing Element, and report on the attainment and disposition of the programs. In some instances, the programs from the previous Housing Element are continued through to the 2023–2031 Housing Element. Many existing programs have been amended and continue to reflect current conditions in the City as described in Chapter 2: Housing Plan of the 2023-2031 Housing Element.

The Housing Element is required to identify sites by income category to meet the City's RHNA. The sites identified in the Housing Element represent the City's ability to accommodate housing at the designated income levels during the 2023-2031 planning period.

Adequate Sites Analysis

As described in Appendix D: Adequate Sites Analysis of the Housing Element, the City's 2023-2031 RHNA can be accommodated through a variety of methods, including:

- Projects in the pipeline
- Future development of accessory dwelling units (ADUs)
- Capacity on existing, residentially-zoned sites
- Identification of land to rezone to accommodate remaining RHNA

Table 1: Summary of Sites Inventory shows the City's 2023-2031 RHNA by income category and the number of units that would be provided by each of these methods.

Table 1: Summary of Sites Inventory

	Extremely Low-/Very Low-Income	Low-Income	Moderate-Income	Above Moderate-Income	Total
RHNA (2023-2031)	**1,085**	**625**	**560**	**1,449**	**3,719**
Projects in the Pipeline and ADUs					
Projects in the Pipeline	535		210	2,104	2,849
Accessory Dwelling Units	96		48	16	160
Existing Zoning					
Downtown Dublin	190		50	0	240
Vacant 5th Cycle Sites	0		252	0	252
Public/Semi-Public Sites	134		0	0	134
Total Potential Capacity Based on Existing GP and Zoning	**324**		**302**	**0**	**626**
Strategies to Accommodate Remaining Need					
Alameda County Surplus Properties	358		0	357	715
Hacienda Crossings	297		0	297	594
SCS Property	100		0	0	100
Additional Rezone Capacity	**755**		**0**	**654**	**1,409**
Sites Inventory Total					
Total Units (All Categories)	**1,710**		**560**	**2,774**	**5,044**

After utilizing pipeline projects, ADUs, and existing residentially zoned land, the City has a remaining unmet housing need of 755 very low- and low-income units. To accommodate this remaining need, the City has identified a total of 24.8 net buildable acres that will require a General Plan Amendment (GPA), Specific Plan Amendment (SPA), and/or rezone, namely: 1) Alameda County Surplus Property Authority Sites (APNs 986-0034-014-00 and 986-0034-012-00); 2) Hacienda Crossings Shopping Center (APNs 986-0008-009-00 and 986-0008-010-00); and 3) SCS Dublin (APN 985-0051-006-00), which are described below. Collectively, these properties are identified as the "Remaining Needs Sites" and are shown in Figures 1a -c: 2023 – 2031 RHNA Sites Inventory Map.

In addition, the City has proposed amendments to the Downtown Dublin Specific Plan to exclude two sites and a pipeline project, totaling 416 units, that are identified in the Sites Inventory to meet the City's RHNA from the Downtown Dublin Development Pool as further discussed below.

Remaining Needs Sites

Alameda County Surplus Property Authority

The Alameda County Surplus Property Authority sites are located south of Dublin Boulevard, west of Arnold Road, and north and south of Martinelli Way. The two vacant parcels, which are owned by the Alameda County Surplus Property Authority, total 19.7 acres, of which 13.82 acres are buildable due to the approval of a Westin Hotel on the southern 5.88 acres of the site. Per the Housing Element Sites Inventory, 10.8 acres are identified for future residential development, allowing the remaining approximately three acres to be developed with another compatible use.

The project's proposed density of 66 dwelling units per acre is comparable to the average residential density within the broader Dublin Transit Center, and is based on existing development trends, proximity to high-capacity transit, and coordination with the property owner. In total, the 10.8 acres could accommodate 715 units, of which 358 units are estimated to be affordable to lower-income households and 357 units to above moderate-income households.

To accommodate housing on the two sites, the project includes: 1) a General Plan Amendment and Eastern Dublin Specific Plan Amendment to change the land use designation from Campus Office to Campus Office/High-Density Residential; and 2) a Planned Development (PD) Rezone to allow residential use.

Hacienda Crossings

The Hacienda Crossings sites (formerly known as the Santa Rita Commercial Center) are bound by Dublin Boulevard, Toyota Drive, Hacienda Crossings, and Hacienda Drive and comprise two parcels totaling 21.2 acres. The 21.2 acres are part of the total retail site (75+ acres), which currently consist of one-story retail uses and surface parking.

Of the 21.2 acres, only 12.4 acres are identified as buildable acreage for future residential development. The two parcels are envisioned to develop with residential units at an average density of 48 dwelling units per acre, which is similar in density to the nearby Waterford Place Apartments. In total, the 12.4 acres could accommodate up to 594 units, of which 297 units are estimated to be affordable to lower-income households and 297 units to above moderate-income households.

To accommodate housing on the two sites, the project includes a Planned Development (PD) Rezone to allow residential uses.

SCS Dublin Affordable Housing Site

On February 15, 2022, the City Council approved a Preferred Plan for the SCS Dublin property, which is a vacant 76.9-acre property located north of Interstate 580 between Tassajara Road and Brannigan Street and extending to the north of Gleason Drive. The Preferred Plan includes a 2.5-acre site for affordable housing that contemplates between 70 and 150 units to

accommodate a portion of the lower-income RHNA. For the purposes of this Initial Study, the SCS Dublin affordable housing site is envisioned to include 100 high-density affordable housing units at a density of 40 dwelling units per acre. A separate SCS Dublin Draft EIR was prepared based on the Preferred Plan.

Although the General Plan land use designation for the site of General Commercial allows housing as part of a mixed-use development, the project includes: 1) a General Plan Amendment and Eastern Dublin Specific Plan Amendment to change the land use designation from General Commercial to Public/Semi-Public; and 2) a PD Rezone to allow an affordable residential project.

Existing Zoning Sites

Downtown Dublin

The Downtown Dublin Specific Plan establishes development standards and design guidelines to create a mixed-use center that provides a wide array of opportunities for shopping, services, dining, working, living, and entertainment in a pedestrian-friendly and aesthetically pleasing setting that attracts both local and regional residents. Downtown Dublin consists of 284 acres and the Specific Plan designates three districts: Village Parkway, Transit-Oriented, and Retail. Although all three districts allow residential development, only the Transit-Oriented and Retail Districts allow development at a density of at least 30 dwelling units per acre.

- **Transit-Oriented District**. The Transit-Oriented District is zoned to allow a minimum residential density of 30 dwelling units per acre with a maximum of 85 dwelling units per acre.
- **Retail District**. The Retail District is zoned to allow a minimum residential density of 22 dwelling units per acre and has no maximum density.

Residential development within the Downtown Dublin Specific Plan is governed by a "Development Pool," whereby a property owner/developer must request residential units from the Development Pool in exchange for entering into a Community Benefit Program Agreement.

The Development Pool is comprised of 2,500 units and has a projected remaining balance of 796 units. Two sites and a pipeline project, totaling 416 affordable lower-income units are identified in the Sites Inventory to help meet the City's RHNA. To facilitate the development of these units, Program B.9 in the Housing Plan specifies that these units will not be subject to the Development Pool, nor a Community Benefit Program Agreement.

The project includes an amendment to the Downtown Dublin Specific Plan to implement Program B.9.

Summary of the Project

The existing and proposed General Plan land use changes are summarized in Table 2: Existing and Proposed General Plan and Zoning Summary. The proposed net new residential

development associated with the project is shown in Table 3: Dublin Housing Element GPA/Rezone Properties Land Use Summary.

Table 2: Existing and Proposed General Plan and Zoning Summary

Rezone Property	Existing GP Land Use	Proposed GP Land Use	Existing Zoning	Proposed Zoning
Alameda County Surplus Property Authority Sites	CO	CO/HDR	PD	PD
Hacienda Crossings	GC	GC[1]	PD	PD
SCS Dublin Affordable Housing Site	GC	P/SP	PD	PD

CO: Campus Office
GC: General Commercial
HDR: High-Density Residential
P/SP: Public/Semi-Public
PD: Planned Development

Table 3: Dublin Housing Element GPA/SPA/Rezone Properties Land Use Summary

Property	Gross Acreage	Buildable Acreage	Rezone Density / Acre	Net Potential Units
Alameda County Surplus Property Authority Sites	19.8	10.8	66	715
Hacienda Crossings	21.2	12.4	48	594
SCS Dublin Affordable Housing Site	2.5	2.5	40	100
Total	**43.5**	**24.7**		**1,409**

Discretionary permits and future CEQA evaluation may be required prior to approval of future housing development facilitated by the Housing Element, except for development permitted by right such as projects seeking streamlined, ministerial approval under SB 35. This also includes emergency shelters, low barrier navigation centers, and small licensed residential care facilities for six or fewer persons. ADUs and Junior ADUs are also exempt from CEQA, pursuant to State CEQA Guidelines Section 15268 (Ministerial Projects) and Public Resources Code (PRC) Section

[1] The General Commercial designation allows mixed use projects incorporating retail, service, and/or office uses, with residential uses also allowed as part of the mix when location and design ensure compatibility.

21080(b)(1) and discretionary permits per California Government Code (CGC) Sections 65852.2 and 65852.22. In addition, ADUs can be categorically exempt from CEQA pursuant to State CEQA Guidelines Sections 15301 and 15303, authority cited under PRC Sections 21083 and 21087.

Basis for the Impact Analysis

The impact analysis in this Initial Study is focused on the changes that would occur as a result of implementation of the project. With the exception of the Alameda County Surplus Properties sites, residential land uses are permitted under the General Plan and Eastern Dublin Specific Plan on the other two Remaining Needs Sites to meet the City's RHNA for lower-income households. Thus, this Initial Study analyzes the change in land use on the Alameda County Surplus Properties sites and the addition of residential development on the Hacienda Crossings and SCS Dublin Affordable Housing sites. In addition, the analysis takes into consideration the two sites and one pipeline project in Downtown Dublin Specific Plan area that would not be subject to the Development Pool and, therefore, would increase residential development allowed in Downtown Dublin.

The impact analysis takes a conservative approach and assumes that the increase in residential development would be allowed with implementation of the 2023-2031 Housing Element and there would be net new development with no credit given for development that would otherwise be allowed under existing General Plan and Specific Plan land use designations and/or zoning. As such, the assumptions used in this Initial Study analyze the incremental change of a projected 1,825 additional units and 5,457 people over the eight-year Housing Element cycle and is within the City's General Plan buildout assumptions of 83,595 people by 2040.

Note that the 1,825 additional residential units represent the maximum units allowed on the three Remaining Needs Sites and the units that would not be subject to the Downtown Dublin Specific Plan Development Pool.

For the purpose of this Initial Study, no new residential development projects are being proposed and the project does not authorize the construction of any particular development. This Initial Study only evaluates implementation of the Housing Element's policies and programs and changes in allowable land use, all with the intent of providing more affordable housing, consistent with State law. Future development would be required to comply with all City regulations and CEQA, as applicable.

Additionally, all sites identified in the Housing Element to meet the City's remaining RHNA are located in existing urban areas of the City that already have substantial infrastructure improvements and are already served by the respective public services providers.

As such, potential future development would be typical of an urban environment and consistent with the overall intent of the City's General Plan. This line of reasoning is applied to the impact analysis throughout the subsequent environmental analysis.

Other Public Agencies Whose Approval Is Required

California Department of Housing and Community Development (for the Dublin 2023-2031 Housing Element)

Environmental Factors Potentially Affected

The environmental factors that would be potentially affected by this project are:

- Aesthetics
- Agriculture and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfires
- Mandatory Findings of Significance

Determination

On the basis of this initial evaluation:

I find that the project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	
I find that the project MAY have a significant effect on the environment and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the project MAY have a potentially significant or a potentially significant unless mitigated impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the project, nothing further is required.	**X**

CITY OF DUBLIN

Michael P. Cass — October 3, 2022

Michael P. Cass, Principal Planner — Date

Aesthetics

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

Environmental Setting

Project Impacts and Mitigation Measures

(a and b) Scenic vistas, views, and resources

Dublin is visually dominated by urban areas in the lower and flatter elevations, and expanses of grassland and rolling hills in higher elevated open space intermixed with some limited residential development.

Land within the City of Dublin generally consists of flat land with a distinct but gentle slope from north to south, towards the I-580 freeway. No major visual features (hillsides and ridges or watercourses) exist on the Remaining Needs Sites.

Scenic corridors consist of land visible from the highway right-of-way and is comprised primarily of natural features and landforms. Scenic corridors are defined as corridors that possess highly scenic and natural features, as viewed from the highway. Topography, vegetation, viewing distance, and/or jurisdictional lines determine the corridor boundaries.

Scenic highways and routes in and around Dublin include I-580, I-680, San Ramon Road, Dougherty Road, Tassajara Road, Doolan Road, and Fallon Road. No scenic resources exist on the Remaining Needs Sites, including but not limited to significant stands of trees, rock outcroppings, or bodies of water.

Scenic vistas and views are protected through several guiding policy documents and regulatory requirements. The Dublin General Plan includes the following applicable policies:

- Policy 10.5.3.A: Incorporate distinctive design features along regional corridors that reinforce a positive image of Dublin. Both within the right-of-way and on adjacent private development, utilize features such as gateway elements, street trees, median planting, special lighting, separated and ample sidewalks, crosswalks, seating, special signs, street names, landscape, decorative paving patterns, and public art. Consider undergrounding utilities along these roadways.
- Policy 10.5.3.B: Maintain views through development to distant vistas (i.e. foothills) and view corridors along regional corridors, wherever feasible.
- Policy 10.5.3.C: Incorporate visual screening techniques such as berms, dense and/or fast-growing landscaping, and appropriately designed fencing where feasible, to ensure that visually challenging features, such as parking lots, loading docks, storage areas, etc. are visually attractive as seen from regional corridors.
- Policy 10.5.3.D: Provide landscaping and articulated design to soften the visual appearance of existing and new walls and fences that are adjacent to regional corridors, wherever feasible.
- Policy 10.5.3.E: Encourage attractive and high-quality landscaping along the edge of the freeways and development surrounding on- and off-ramps to provide softer and more attractive views both to and from the freeways. Landscaping on private property should complement the buildings and overall site design.

The EDSP recognizes Tassajara Road as a scenic corridor and requires that major ridgelands be maintained from scenic corridors. The EDSP goals and policies encourage development that maintains views from scenic corridors to Visually Sensitive Ridgelands, as shown in EDSP Figure 6.3: Environmental Constraints.

The Eastern Dublin Scenic Corridor Policies and Standards identifies the view looking northeast to the ridgelands from the Tassajara Road overpass as a designated viewpoint within the project area. Per the Eastern Dublin Scenic Corridor Policies and Standards, implementation of development shall maintain generally uninterrupted views and have structures that do not extend above the horizon of the Visually Sensitive Ridgelands for more than 25 percent of the total horizon line (the limits of the Visually Sensitive Ridgelands as seen from Viewpoint 2). It also requires development projects to submit a scenic design analysis as part of the Tentative Map and Site Development Review Permit application process for all development projects within 700 feet of Tassajara Road, Fallon Road, and I-580.

Future residential development would be required to demonstrate consistency with the policies and standards described above as part of their respective development review and permitting process. As such, the proposed project would not adversely affect any scenic vista, view or resource, and there would be no impact.

(c) Substantially degrade the visual character of the site or surrounding area

While the Housing Element encourages the provision of a range of housing types and affordability levels, it does not include any specific designs or proposals for development that would degrade the existing visual character of the City. Future development implemented through the policies of the Housing Element and associated land use changes would have the effect of incrementally changing the visual character in the City.

Future development would be subject to applicable General Plan policies and zoning regulations related to height, mass and scale, architectural style, materials, landscaping, and a variety of other standards that would ensure consistency with the visual character of their surrounding areas. All future projects would also be subject to subsequent CEQA analysis, as applicable. There are no policies in the Housing Element or land use changes which either permit or promote development in areas that are not currently developed with existing uses and/or are surrounded by urban development.

Therefore, the project would not substantially degrade the visual character or quality of the surrounding area, and there would be no impact.

(d) Create a new source of substantial light or glare

Outdoor lighting when viewed at night can result in glare that can be defined as “excessive, uncontrolled brightness” from a luminaire. Glare can also occur during the day due to light reflecting off building materials such as highly polished metal and reflective glass. Inappropriate installation of light and reflective materials in future housing could result in effects on nighttime and daytime views through scattering excessive light in the viewers’ eyes, causing a partial or complete inability to see due to light scattering in the eye. The effects of excessive light and glare can result in nuisance impacts ranging from viewer annoyance or an inability to see features in the night sky, to health and safety impacts such as temporary blindness while operating a motor vehicle.

The project does not directly include any specific development designs or proposals that would increase daytime glare or nighttime illumination in the City. Future development implemented through the policies of the Housing Element and associated land use changes would result in new sources of light and glare. Outdoor lighting would be required in parking lots and pedestrian pathways for security purposes as well as accent lighting in landscaping and architectural features. Indoor lighting would also likely be visible through windows. Lighting associated with vehicle travel to and from the Remaining Needs Sites would also be generated.

Future housing developed to meet local and regional housing needs would be subject to the City’s Municipal Code regulating the installation and operation of lighting. Implementation of the lighting requirements of the General Plan and Municipal Code would ensure that lighting is appropriately designed to provide necessary security while not creating undue nuisance or hazards for people at surrounding properties or on roadways in the vicinity of the Remaining Needs Sites. Additionally, Citywide Multi-Family Objective Design Standard 3.7.E requires all building-mounted and site light fixtures for multi-family residences to be fully shielded.

Furthermore, future housing would be reviewed as part of the Site Development Review Permit application process to limit the use of highly reflective materials, thereby minimizing the potential for daytime glare.

Therefore, the project would not directly create a new source of substantial light or glare, and there would be no impact.

Agricultural and Forestry Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
2. AGRICULTURE AND FORESTRY RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Dept. of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment project and the Forestry Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Aire Resources Board. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

Project Impacts and Mitigation Measures

(a-e) Convert farmland, conflict with zoning, loss of forest land

The Housing Element does not propose any land use change or rezoning of agricultural uses or forest land. In addition, the Housing Element does not propose any specific development that would result in the conversion of farmland to non-agricultural use. Furthermore, no Williamson Act Land Conservation Contract lands or forest land presently exist on the Remaining Needs Sites, nor are any agricultural operations on-going.

Therefore, the project would not directly convert farmland, conflict with zoning or result in the loss of forest land, and there would be no impact.

Air Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?				X
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non- attainment under an applicable federal or state ambient air quality standard?				X
c) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

Project Impacts and Mitigation Measures

(a) Consistent with air quality plans

Dublin is located within the San Francisco Bay Area Air Basin (Air Basin), which includes Alameda County, Contra Costa County, Marin County, Napa County, San Francisco County, San Mateo County, and Santa Clara County. The Air Basin composes of an area of approximately 5,340 square miles in the San Francisco Bay Area.

The Bay Area Air Quality Management District (BAAQMD) is responsible for local control and monitoring of criteria air pollutants throughout the Air Basin. BAAQMD, in coordination with Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), is also responsible for developing, updating, and implementing the Bay Area Clean Air

Plan for the basin. A Clean Air Plan is a plan prepared and implemented by an air pollution district for a county or region designated as nonattainment of the national and/or California Ambient Air Quality Standards. The term non-attainment area is used to refer to an air basin where one or more ambient air quality standards are exceeded. The BAAQMD 2017 Clean Air Plan was approved by the Air Resources Board and is an integral part of the State Implementation Plan.

If a project is inconsistent with the growth assumptions of the regional air quality attainment plans, then it would conflict with or obstruct the implementation of such plans. Projects that result in unplanned population growth, as identified in local general plans and/or community plans, would be considered inconsistent with the respective Clean Air Plan. As described in the Population and Housing section, the project would not induce substantial unplanned population growth within the City as the future development of new housing units over the eight-year cycle (to 2031) would be consistent with ABAG's 2040 population estimate of 83,595, as used in the 2017 Clean Air Plan.

Therefore, future development would be required to comply with air quality plans, and the project has no impact.

(b) Violate air quality standards or cause cumulatively considerable air pollutants

Future residential development would result in an increase in criteria pollutants during construction activities, such as excavation and grading, and operational activities. However, residential developments are not considered a source of emission, such as odors, that would adversely affect a substantial number of people.

Operational emissions generated by both stationary and mobile sources would result from normal daily activities as part of the occupation of future residential development. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices, the operation of landscape maintenance equipment, generators, and the use of consumer products. Mobile emissions would be generated by motor vehicles traveling to and from future residential development.

BAAQMD has set its CEQA significance thresholds based on trigger levels for the federal New Source Review (NSR) Program and BAAQMD's Regulation 2, Rule 2 for new or modified sources. The NSR Program was created by the Federal Clean Air Act (FCAA) to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based National Ambient Air Quality Standards (NAAQS). NAAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect public health. Therefore, projects that do not exceed BAAQMD's mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

According BAAQMD's 2017 Clean Air Plan, the major air quality improvements achieved over the past several decades have greatly benefited public health in the Bay Area, even as the region's population, the amount of motor vehicle travel, and economic output have all grown

substantially. Population exposure to unhealthy ozone levels declined dramatically. In 1986–1988, the average Bay Area resident was exposed to unhealthy ozone concentrations 213 hours per year. Exposure to unhealthy ozone levels (ozone exceeding the state one-hour standard of 95 parts per billion) has been reduced to less than one hour per year during the 2012–2014 period, an overall reduction of 99.8 percent.[2] Ozone levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. Nitrogen oxide (NO_X) emissions (an ozone precursor) from electric utilities have also decreased due to the use of cleaner fuels and renewable energy.

The 2017 Clean Air Plan control strategy includes 85 control measures to reduce multiple pollutants and serve both to protect public health and to protect the climate. With continued implementation of the control measures, the 2017 Clean Air Plan projects continued reductions in emissions and ambient concentrations of ozone and particulate matter (PM) and decreases in population exposure to the most harmful air pollutants, such as fine PM and toxic air contaminants (TACs), in impacted communities.

In addition to BAAQMD, air quality standards are protected through a number of General Plan policies. In particular, Implementing Policy 7.5.1.A.2 requires an air quality analysis for new development projects that could generate significant air emissions on a project and cumulative level and Guiding Policy 13.3.2.A which encourages the installation of energy efficient improvements and alternative energy technology in new residential and commercial development. Additionally, Implementing Policy 13.3.2 requires the installation of conduit to serve electric vehicle parking spaces and encourages the installation of charging stations.

Future residential development would also be required to meet NAAQS and BAAQMD thresholds during construction and operation. Measures such as dust control and equipment type are applied to grading or clearing permits.

Future development associated with the project would also be subject to environmental review pursuant to CEQA. as applicable, and the City's local procedures to determine if any long-term air quality impacts would occur from the operation of a specific new development. As such, future implementation of the project would not result in a cumulative net increase of any criteria pollutant in which the project region is in nonattainment under federal and state ambient air quality standards.

Therefore, the project would not directly violate air quality standards or cause cumulatively considerable air pollutants, and there would be no impact.

[2] Bay Area Air Quality Management District, *Clean Air Plan 2017*, page 2/24, 2017.

(c-d) Expose sensitive receptors to pollutant concentrations or create objectionable odors

A sensitive receptor is defined by BAAQMD as facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas.

The Air Basin is designated as attainment for carbon monoxide (CO). Emissions and ambient concentrations of CO have decreased dramatically in the Air Basin with the introduction of the catalytic converter in 1975. No exceedances of the California Ambient Air Quality Standards (CAAQS) or NAAQS for CO have been recorded at nearby monitoring stations since 1991.

Future development would result in an increase in criteria pollutants during construction activities, such as excavation and grading, and operational activities. However, residential developments once operational are not considered a source of emission, such as odors, that would adversely affect a substantial number of people.

Future development would be required to comply with local regulations such as the General Plan policies related to air quality, conform with the 2017 Clean Air Plan, and meet NAAQS and BAAQMD thresholds during construction and operation. Compliance with these policies and regulations is part of the construction rather than entitlement process. Measures such as dust control and equipment type are applied to grading or clearing permits.

Therefore, the project would not directly expose sensitive receptors to pollutant concentrations or create objectionable odors, and there would be no impact.

Biological Resources

ENVIRONMENTAL IMPACTS Issues		Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
4.	**BIOLOGICAL RESOURCES. Would the project:**				
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations,				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Project Impacts and Mitigation Measures

(a-d) Substantial adverse effect on candidate, sensitive, or special status species; natural habitats and wetlands, migratory fish or wildlife.

The Housing Element itself does not specifically authorize the construction of any housing development, nor does it indicate when specific housing projects would occur. The Housing Element is a policy document that addresses the housing need in the City; no actual development is proposed as part of the Housing Element. The project would not result in the approval of any physical improvements. Future development would be subject to project-specific environmental review pursuant to CEQA, as applicable.

Furthermore, existing applicable federal, state, and/or local policies would prevent future development in areas that support sensitive or special status species, federally protected wetlands, or migration corridors. Applicable regulations include the Federal Endangered Species Act, Section 404 of the Clean Water Act, the California Endangered Species Act, and Sections 2050 through 2098 of the California Fish and Game Code.

Therefore, the project would not directly cause a substantial adverse effect on candidate, sensitive, or special status species, natural habitats and wetlands, migratory fish or wildlife, and there would be no impact.

(e) Conflict with local policies or ordinance including tree preservation or any adopted habitat conservation or natural community conservation plans.

The Dublin General Plan includes a number of policies designed to protect and preserve biological resources, particularly in riparian and stream corridors (Guiding Policies 7.2.1.A.1 and 7.2.1.A.2) and protection of oak woodlands (Guiding Policy 7.4.1.A.1).

Additionally, the Eastern Dublin Specific Plan contains a number of policies and programs associated with biological resources that would potentially apply to future development projects. These include:

- Policy 6-16: To ensure long-term protection, high- value habitat areas either should be dedicated as public open space or restricted from potentially harmful development and activities with deed restrictions and design standards.
- Policy 6-17: Impacts to sensitive wildlife species that occur in the planning area will be avoided wherever possible. Mitigation programs will be required as necessary to reduce or eliminate impacts on special status species.
- Policy 6-21: Direct disturbance or removal of trees or native vegetation cover should be minimized and should be restricted to those areas actually designated for the construction of improvements.
- Program 6L: The City shall require development applicants to conduct a pre-construction survey within 60 days prior to habitat modification (clearing construction and road site, etc.) to verify the presence or absence of sensitive species, especially the San Joaquin kit fox, nesting raptors, the red-legged frog, western pond turtles, the California tiger salamander, and other species of special concern.

The protection of heritage trees in the City of Dublin is covered by Dublin Municipal Code (DMC) Chapter 5.6 Heritage Trees. DMC Sections 5.60.080 to 5.60.100 include tree protection regulations. A tree permit is required for the removal of any heritage tree on public or private property. Furthermore, the City may require additional conditions barring the issuance of a tree removal permit including that one (1) or more replacement trees be planted of a designated species, size, and location. The proposed project does not modify these requirements and they would continue to apply to future development projects.

There are no adopted habitat conservation plans (HCPs) or natural community conservation plans (NCCPs) within the City.

Therefore, the project would not directly conflict with local policies or ordinance include tree preservation or any adopted habitat conservation or natural community conservation plans, and there would be no impact.

Cultural Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?				X
c) Disturb any human remains, including those interred outside of dedicated cemeteries?				X

Project Impacts and Mitigation Measures

(a-c) Historic and archaeological resources

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. There are no known historic resources located on any of the Remaining Needs Sites. According to the SCS Dublin Draft EIR, there are no cultural resources on the SCS Dublin Affordable Housing Site.

Where applicable, future project development would be reviewed to ensure that conflicts with existing known cultural and historical resources are minimized. Additionally, construction activities associated with future development have the potential to uncover archaeological resources, including human remains found outside of cemeteries. Guiding Policy 7.7.1.A.2 of the General Plan requires that all development projects follow state regulations as set forth in Public Resources Code Section 21083.2 regarding discovery of archaeological sites, and Historical Resources, as defined in Section 5020.1 of the Public Resources Code. The Eastern Dublin Specific Plan also includes policies related to the protection of cultural resources, notably Policies 6-24 through 6-25. DMC Section 8.48.020 Archaeology Regulations identifies

procedures in the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation.

While this information can be provided as part of the CEQA process, the code provisions apply even if the construction or activity is otherwise ministerial or exempt from CEQA. Section 15300.2(f) of the CEQA Guidelines prohibits the use of an exemption if the project affects historical resources.

Therefore, the project would not directly affect historic and archaeological resources, and there would be no impact.

Energy

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
6. Energy. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation??				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

Project Impacts and Mitigation Measures

(a-b) Consumption of energy and energy efficiency plans

Short-term construction and long-term operational activities resulting from future development would result in energy consumption. Construction activities would consume energy to power electric-operated equipment; during transportation of construction equipment, vehicles, and construction employee passenger vehicles; and in the form of construction materials that would need to be manufactured. During operation activities, energy would be consumed for building operations (such as ventilation, heating/cooling, operation of electrical systems, etc.), and transportation of vehicles.

However, the project does not provide site-specific designs or development proposals and would not directly result in the approval of any physical improvements. Therefore, no direct consumption of energy would occur. Future development would result in more efficient consumption of electrical and natural gas energy as new structures would be required to be constructed in accordance with current energy regulations, such as Title 24 standards and applicable CALGreen requirements which are stricter than previous regulations.

California's Energy Efficiency Standards for Residential and Non-residential Buildings create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. For example, requirements for energy efficient lighting, heating and cooling systems, and green building materials are expected to save additional electricity and natural gas.

Therefore, the project would not directly result in the consumption of energy nor conflict with energy efficiency plans, and there would be no impact.

Geology and Soils

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
7. GEOLOGY AND SOILS. Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				X
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

(a-f) Geologic resources

Construction of new housing could increase exposure for people and structures to seismic hazards, including rupture of a fault, strong seismic shaking, and seismic-related ground failure. Similarly, future development could result in construction on expansive or erosive soils, or be proposed in areas subject to landslide or collapse.

The General Plan addresses geology and soils as part of the Seismic Safety and Safety Element, and the City has adopted the California Building Code (CBC) that includes provisions for construction in seismically active areas, and on different soil types. The City ensures that compliance with these requirements occurs at the time of building permit issuance.

The Housing Element includes an inventory of sites to accommodate the City's RHNA, but it does not propose development projects. The project does not change the requirement that all existing and future development in the City must comply with the General Plan policies and the CBC, which includes the requirement to prepare a design-level geotechnical investigation for all future development projects.

No specific development is proposed, and no changes to policies resulting in increased erosion would occur. Continued adherence to the standards of the existing CBC and compliance with the National Pollutant Discharge Elimination System (NPDES) permit and Storm Water Pollution Prevention Plan (SWPPP) requirements, as well as implementation of best management practices (BMPs), would limit impacts related to soil erosion. Additionally, all future development would be required to implement BMPs for construction activities to control and minimize the volume of surface runoff.

All future development projects must comply with all City, state, and federal standards pertaining to stormwater run-off and erosion.

Therefore, the project would not directly affect geologic resources, and there would be no impact.

Greenhouse Gas Emissions

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

Project Impacts and Mitigation Measures

(a, b) Generate greenhouse gas (GHG) emissions or conflict with GHG plans or regulations

The proposed project does not include specific development designs or development proposals. Future development of housing units could result in an increase in greenhouse gas (GHG) emissions during both construction and operational activities; however, development must be consistent with the General Plan and with regional plans that are based on the land use pattern of the General Plan.

Future development as a result of the project would occur in urban areas of the City where public services and infrastructure are currently provided. This development would include direct emissions from area and mobile sources, and indirect GHG emissions from energy consumption, water demand, and solid waste.

Existing regulations would apply to any future residential development, including the California Green Building Standards Code and California's Title 24 Building Energy Efficiency Standards, and Title 20 standards which include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances. Compliance with the CBC would be implemented during the building permit process and would be verified as part of building permit issuance and construction inspections.

Additionally, future residential development would be required to include additional energy efficiency and GHG reduction design features per City's Climate Action Plan 2030. The purpose of the CAP 2030 is to meet the State's 2030 GHG emissions reductions target of at least 40 percent below 1990 levels by 2030. The CAP 2030 identifies GHG reduction strategies and measures that relate to renewable and carbon-free energy, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership. The CAP 2030 is a qualified GHG Reduction Strategy under CEQA, which can be used to determine the significance of GHG emissions from a project (CEQA Guidelines Section 15183.5). BAAQMD also recognizes the use of a CAP as a significance threshold for a project's GHG emissions. Therefore, the project does not change these requirements and future projects would be required to be consistent with the CAP 2030.

Therefore, the project would not directly generate greenhouse gas (GHG) emissions or conflict with GHG plans or regulations, and there would be no impact.

Hazards and Hazardous Materials

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

Project Impacts and Mitigation Measures

(a and b) Transport, use, release, or disposal of hazardous materials

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. To the extent there are potentially hazardous materials used in construction or during operations associated with future residential development projects, there would be no impacts due to compliance with all applicable regulatory requirements. These include federal regulations such as the Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act, the Occupational Safety and Health Administration's (OSHA) Hazardous Waste Operations and Emergency Response Standard, as well as state regulations including the Hazardous Waste Control Act and numerous regulations as administered through the Department of Toxic Substance Control and the California Office of Emergency Services.

Future residential development would not result in the transport, use or disposal of hazardous materials, since residential development does not use, store or transport significant quantities of hazardous materials.

Therefore, the project would not directly result in the transport, use, release, or disposal of hazardous materials, and there would be no impact.

(c) Emit hazardous materials within one-quarter mile of an existing or proposed school

The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within on-quarter mile of an existing or proposed school since the expansion of uses would not involve the handling of hazardous materials, as described above.

Therefore, the project would not directly emit hazardous materials within one-quarter mile of an existing or proposed school, and there would be no impact.

(d) Listed as a hazardous materials site

The project does not propose any physical change on the environment. Implementation of the project would have no direct effect on any known or potential hazardous material sites. Future development would be required to comply with all relevant regulations regarding the cleanup of hazardous sites, as regulated through the California Department of Toxic Substance Control.

Therefore, the project would not directly affect listed hazardous material sites, and there would be no impact.

(e) Proximity to a public or private airport

Portions of the City are located within the Livermore Airport's Airport Safety Zone, Airport Protection Area, and/or Airport Influence Area. Implementation of the policies and programs identified in the Housing Element would not conflict with airport's Airport Land Use Compatibility Plan (ALUP). Additionally, the Remaining Needs Sites are not located in proximity to the Airport Safety Zone, Airport Protection Area and/or Airport Influence Area and, therefore, would not cause a significant safety hazard.

Therefore, the project would not directly affect public or private airports, and there would be no impact.

(f) Impair the implementation of an emergency response plan or emergency evacuation plan

No emergency evacuation plan would be affected by the proposed project since no roadways would be blocked or otherwise altered.

Therefore, the project would not directly impair implementation of an emergency response plan or emergency evacuation plan, and there would be no impact.

(h) Expose people or structures to wildland fires

As further discussed in the Wildfire section below, the project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Therefore, the project would not expose people or structures to wildland fires, and there would be no impact.

Hydrology and Water Quality

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
10. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin??				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river through the addition of impervious surfaces, in a manner which would:				X
i) Result in substantial erosion or siltation on- or off-site?				X
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?				X
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
iv) Impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
control plan or sustainable groundwater management plan?				

Project Impacts and Mitigation Measures

(a) Violate water quality or waste discharge requirements

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. Any future development project, including development on the Remaining Needs Sites, would be required to be designed to treat all of its stormwater runoff for water quality and hydromodification management to meet current Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Provision C.3 requirements as prescribed in the Municipal Regional NPDES Permit issued by the San Francisco Bay Regional Water Quality Control Board.

Therefore, the project would not directly violate water quality or waste discharge requirements, and there would be no impact.

(b) Substantially deplete or interfere with groundwater supplies

The project is within the Livermore Valley Groundwater Basin, which extends about 14 miles from the Pleasanton Ridge east to the Altamont Hills and about three miles from the Livermore Upland north to the Orinda Upland. The Alameda County Flood Control and Water Conservation District, known as Zone 7, extracts groundwater from the Livermore Valley Main Groundwater Basin (Main Basin), which contains high-yielding aquifers and good quality groundwater. The Main Basin has an estimated storage capacity of approximately 254,000 acre feet (af). The California Department of Water Resources (DWR) has not identified the Main Basin as a basin in overdraft or a basin expected to be in overdraft. The Main Basin is considered a storage facility and not a long-term source of water supply because Zone 7 only pumps groundwater it has artificially recharged using its surface water supplies.

As such, future water sources would rely on surface water supplies from the Dublin San Ramon Services District (DSRSD) and not local groundwater supplies. The project is required to support Zone 7's groundwater recharge program to only pump groundwater it artificially recharges using its imported surface water or locally-stored runoff from Arroyo del Valley. Compliance with this requirement would maintain groundwater at a no net loss for the Livermore Valley Groundwater Basin.

Therefore, the project would not directly result in a net increase in groundwater extraction from Livermore Valley Groundwater Basin, and there would be no impact.

(c) Substantially alter existing drainage patterns

Future development would not significantly change existing drainage patterns and proposed storm drain facilities would be required to be adequately sized for project runoff. All future development projects would be required to comply with the City's drainage system planned improvements and Watercourse Ordinance with appropriate sizing and construction of downstream facilities. Additionally, General Plan Implementing Policy 7.3.1.B.2 requires the City to review development proposals to ensure site design that minimizes soil erosion and volume and velocity of surface runoff. In addition, General Plan Guiding Polices 12.3.5.A.1 through 12.3.5.A.3 include provisions to protect the quality and quantity of surface water, and minimize stormwater runoff, and provide adequate stormwater facilities.

Therefore, the project would not directly substantially alter existing drainage patterns, and there would be no impact.

(g) Inundation by seiche, tsunami, or mudflow

The City is not located near a major body of water that could result in a seiche. The risk of potential mudflow is considered low since no historic landslides or mudflows have been identified in the City.

Therefore, the project would not directly result in inundation by seiche, tsunami, or mudflow, and there would be no impact.

(h) Conflict with water quality control or groundwater management plans

Future development would be required to incorporate and comply with the drainage system master planned improvements as designed and approved by state and local agencies. Applicable regulations include but are not limited to the Municipal Regional Stormwater NPDES Permit Provision C.3 Requirements (MRP), and the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). All future development projects would also be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit. General Plan Implementing Policy 7.3.1.B.1 requires the City to enforce these and other applicable water quality control regulations for all new development projects.

DSRSD, the City of Pleasanton, the City of Livermore, and the California Water Service Company have agreements with Zone 7 limiting their extraction of the long-term sustainable yield of the Main Basin. This agreement, along with Zone 7's other groundwater management activities, keeps the groundwater budget in balance under average hydraulic conditions. Each of these entities, known as retailers, has a groundwater pumping quota (GPQ) and are responsible for a fee if they pump in excess of their GPQ.

Given these agreements, future development projects would not result in groundwater overdraft, substantial local groundwater level drawdown, or substantially redirect stormwater such that natural basin recharge would be precluded.

Therefore, the project would not directly conflict with water quality control or groundwater management plans, and there would be no impact.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X

Project Impacts and Mitigation Measures

(a) Physically divide an established community

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. Projects with the potential to divide a community include highways, railways, and large building or infrastructure projects that change the street grid. Future development of the Remaining Needs Sites would be infill in existing urban areas of the City and would be incorporated within the existing street grid.

Therefore, the project would not physically divide an established community, and there would be no impact.

(b) Conflict with general plan

The Housing Element is a mandatory element of the General Plan and has been prepared to ensure consistency with it. As a policy-level document, the Housing Element encourages the provision of a range of housing types and affordability levels but does not include specific development proposals

Future development of the Remaining Needs Sites would be reviewed for consistency with the Dublin General Plan, Specific Plans and Zoning Ordinance, and any applicable land use plan, policy or regulation of an agency having jurisdiction over the project. Furthermore, future development projects would be reviewed in compliance with CEQA prior to approval, as

applicable. Project and site-specific concerns would be evaluated and addressed as development projects for specific sites are proposed.

Therefore, the project would not conflict with any applicable land use plan, policy or regulation of an agency having jurisdiction over the project, and there would be no impact.

Mineral Resources

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Project Impacts and Mitigation Measures

(a-b) Loss of known or identified mineral resource

The City does not have any mineral extraction areas so there would be no impacts to mineral resources.

Noise

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
13. NOISE. Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Generation of excessive groundborne vibration or groundborne noise levels?				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

Project Impacts and Mitigation Measures

(a-b) Exposure to or generate noise or vibration exceeding standards

Noise in Dublin comes from transportation sources, including freeways, arterials, and roadways and non-transportation sources, such as commercial/industrial activities, construction equipment and various community activities. The noise environment in Dublin is dominated by vehicular traffic including vehicular generated noise along Interstates 580 and 680 and primary and secondary arterials. In addition, a number of other sources contribute to the total noise environment such as construction activities, power tools, and gardening equipment.

The Noise Element of the City of Dublin General Plan establishes residential, commercial, and industrial land use compatibility standards for noise measured at the property line of the receiving land use. The land use compatibility noise criteria provide the basis for decisions on location of land uses in relation to noise sources and for determining noise mitigation requirements. Per the City's Land Use Compatibility for Community Noise Environments standards for residential land uses, the normally acceptable exterior noise level is 60 dBA CNEL or less, and noise levels over 70 dBA CNEL are considered normally unacceptable.

Per General Plan Implementing Policy 9.2.1.B.4, noise impacts related to all new development is required to be analyzed by a certified acoustic consultant. General Plan Implementing Policy 9.2.1.B.6 requires the City to review all multi-family development proposals within the projected 60 CNEL contour for compliance with noise standards (45 CNEL in any habitable room) as required by state law.

As no specific development projects are proposed by the project, no specific noise and vibration impacts can be evaluated. Indirect construction activity associated with future potential development could result in temporary increases in noise levels. All construction activities would be required to comply with the City's Municipal Code requirements and undergo project-level CEQA review to analyze impacts related to noise when more specific project details are known. Such compliance would reduce excessive noise levels associated with construction activities.

Operational noise associated with future residential development would be from stationary and mobile sources similar to current urban conditions and by the nature of their use would not exceed existing standards.

Therefore, the project would not result in exposure to or generate noise or vibration exceeding standards, and there would be no impact.

(c) Excessive noise level near a public or private airport

Some portions of the City are located within the Livermore Municipal Airport's Airport Safety Zone, Airport Protection Area, and/or Airport Influence Area. However, the Remaining Need Sites would not be located in proximity to the Airport Safety Zone, Airport Protection Area and/or Airport Influence Area. Furthermore, the type of (light) aircraft, the distance to the airport, and the frequency of noise would not result in significant excessive noise level impacts to future residential uses.

Therefore, the project would not result in exposure to excessive noise level near a public or private airport, and there would be no impact.

Population and Housing

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
14. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

Project Impacts and Mitigation Measures

(a-b) Population growth and displacement

According to the US Census (2020), the average Dublin household size is 2.99 persons. While no specific development projects are proposed, the project includes 1,825 additional units to meet the City's RHNA, resulting in an estimated additional population of 5,457 persons Future growth associated with the project would be within the City's population growth forecast from 72,589 (2020 US Census population) to 83,595 by 2040 (Plan Bay Area 2040). Therefore, the project's population growth would be consistent with the City's population projections.

Implementation of the project would accommodate additional housing and no housing units or people would be displaced as a result of the project.

Therefore, the project would not result in induced substantial population growth or result in existing housing displacement, and there would be no impact.

Public Services

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X

Project Impacts and Mitigation Measures

(a) Fire

The Alameda County Fire Department ("Fire Department") provides fire protection, emergency medical services, and public assistance to the City of Dublin. The Fire Department serves approximately 508 square miles and has a service population of 394,000 people in their entire service area.

Although the addition of new residents associated with future development would increase the demand for fire services. This additional demand, which would be located within an existing urban area, has been anticipated by the Fire Department. As such, implementation of the project is not anticipated to have an adverse effect on response times for fire protection and emergency services and would not affect the Fire Department's ability to serve the project or City at large.

The project would be required to comply with all applicable state and local building and fire codes. In accordance with California Code of Regulations Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and

emergency medical services. The California Fire Code contains regulations relating to construction and maintenance of buildings and the use of premises. These codes require a development plan that provides for fire protection systems, ingress and egress, maximum occupancy limitations, and construction techniques and materials dictated by the proposed use of the structure (refer to the City of Dublin's Municipal Code, Chapter 5.08, Fire Code).

Specifically, the Fire Department would review future development plans for conformance with locally-defined performance standards including the California Fire Code, as adopted by the Fire Department, and California Building Code standards, and fund on-site and off-site improvements consistent with existing City regulations and requirements. The City would collect public facilities fees (per DMC Chapter 7.78) from future project applicants to help off-set fire protection-related capital improvements and on-going maintenance expenses, such as ensuring adequate water supplies and pressure for fire suppression and minimizing wildland fire hazards.

Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities or need for new or physical altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives, and there would be no impact.

(b) Police

The Alameda County Sheriff's Office provides law enforcement to the City of Dublin on a contract basis (known locally as "Dublin Police Services"). Dublin Police Services responded to 30,706 calls for service in 2020 with an average patrol response time of approximately 5.3 minutes (Dublin Police Services, 2021). This response time meets the Alameda County Sheriff's Office standards and the industry average of five minutes.

Although the addition of new residents in the City would increase the demand for police services, implementation of the project is not anticipated to have an adverse effect on response times for police services and would not affect the ability of Dublin Police Services to serve the project.

Future development projects would be required to pay public facilities fees (DMC Chapter 7.78) to help off-set police service capital improvements and on-going maintenance expenses prior to issuance of a building permit to ensure that future projects would not cause impacts on law enforcement services.

Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities or need for new or physical altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives, and there would be no impact.

(c) Schools

Dublin Unified School District (DUSD) provides Transitional Kindergarten (TK) through grade 12 educational services to the City of Dublin. During the 2020-2021 school year, DUSD had a total enrollment of 12,604 students, 689 certified staff members, 359 classified staff, and 65 administrators.

In accordance with Government Code Section 65995(h), future development projects would be required to pay school impact fees at the time of the building permit issuance. DUSD currently implements a Level 2 fee of $7.96 per square foot of residential development and $0.78 per square foot for commercial and industrial uses. These fees are used by DUSD to mitigate impacts associated with long-term operation and maintenance of school facilities.

Future project applicant's fees would be determined at the time of the building permit issuance and would reflect the most current fee amount established by DUSD. School fees from residential and commercial uses would help fund necessary school service and facilities improvements to accommodate anticipated population and school enrollment growth within DUSD's service area and would allow for DUSD to allocate these funds as deemed necessary. Pursuant to Government Code Section 65995, payment of development fees is "full and complete mitigation" for impacts on schools. Therefore, there would be no impact.

(d, e) Parks and other public facilities

The City of Dublin's Parks and Recreation Master Plan establishes the goals, standards, policies, and action programs to guide the acquisition, development, and management (operations and maintenance) of Dublin's park and recreation facilities through the ultimate build-out of the City in accordance with the General Plan.

Future residential development would increase the demand for neighborhood and community parks due to the projected increase in the population. The City's Public Facilities Fee would be applied to future development projects, which would vary depending on the size and location of the development, and credits for the dedication of land and funding for construction of the parks.

Construction associated with future development would incrementally increase the long-term maintenance demand for roads and other public facilities. However, such additional maintenance demands would be off set by additional City fees and property tax revenues accruing to the City.

Therefore, the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks or other public facilities or need for new or physical altered parks or other public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives, and there would be no impact.

Recreation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
16. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Project Impacts and Mitigation Measures

(a, b) Increase the use of existing recreation facilities causing deterioration or require new recreation facilities

See the Public Services section for a discussion of recreation facilities.

Transportation

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
17. TRANSPORTATION. Would the project:				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)??				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

Project Impacts and Mitigation Measures

(a) Conflict with applicable transportation circulations plans/standards

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. These sites identified in the Housing Element for future housing development are located in existing urban areas and would not change the existing street grid if developed.

Per General Plan Guiding Policy 5.9.1.A.1, prior to issuance of any building permit, a project applicant is required to pay development impact fees that would address potential traffic impacts. This requirement is independent of the CEQA process and would be unaffected by the project. In addition, any future development projects supported by the Housing Element and land use changes would be reviewed as part of development review process to ensure compliance with state, regional, and local plans.

Therefore, the project would not conflict with any program, plan, ordinance, or policy addressing the circulation system, and there would be no impact.

(b) Conflict with CEQA Guidelines Section 15064.3

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. Future development would be subject to project-specific environmental review pursuant to CEQA, as applicable.

Per the City of Dublin Transportation Impact Analysis (TIA) Guidelines, future development projects would be analyzed to determine if they would result in traffic impacts based on vehicle miles traveled (VMT). Section 4.2 of the City of Dublin TIA Guidelines provides criteria for land use types and intensities that can be “screened out” from requiring detailed VMT analysis because the nature of these land uses is presumed to have a less than significant VMT impact; this includes affordable housing projects. If a project contains less than 100 percent affordable housing, the portion that is affordable is screened out of needing a detailed VMT analysis.

Market-rate housing projects would be evaluated using the City’s Travel Demand Model, an area specific version of the Alameda County Transportation Commission (ACTC) Travel Demand Model, to calculate the average VMT per capita. The threshold of significance is defined at 15 percent below the regional average, or 24.7 miles. As part of the development review process, all future residential projects would be analyzed per the City’s TIA Guidelines to ensure consistency with CEQA Guidelines Section 15064.3.

Therefore, the project would not conflict with CEQA Guidelines Section 15064.3, and there would be no impact.

(c) Substantially increase hazards due to a design feature or result in inadequate emergency access

Future development projects would be reviewed to ensure that design features would not increase hazards nor result in inadequate emergency access. General Plan Guiding Policies 5.2.2.A.1, 5.2.2.A.3, 5.2.3.A.1, and 5.4.3.A.1 and Implementing Policy 5.2.2.B.2 would require pedestrian and vehicular design to ensure there is adequate emergency access. In addition, the City's Bicycle and Pedestrian Plan as well as applicable City roadway and fire design standards would be implemented, as applicable, as part of the development review process.

Therefore, the project would not substantially increase hazards due to a design feature or result in inadequate emergency access, and there would be no impact.

Tribal Cultural Resources

ENVIRONMENTAL IMPACTS Issues		Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
18.	**TRIBAL CULTURAL RESOURCES. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**				
a)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or				X
b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

Project Impacts and Mitigation Measures

(a) Listed or eligible for listing in the California Register of Historical Resources

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. The Remaining Needs Sites are either undeveloped or covered with parking lots such that there are no listed or eligible for listing historical resources.

Therefore, the project would not affect any historic resources listed or eligible for listing in the California Register of Historical Resources, and there would be no impact.

(b) Significant resource pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1

Per Senate Bill 18, the City of Dublin sent letters to 14 California Native American Tribes regarding the project. No requests for consultation were received.

Furthermore, given the programmatic nature of the project, any future development would be required to comply with applicable regulatory requirements protecting tribal cultural resources, including Public Resources Code Section 5024.1.

Therefore, the project would not result in an substantial adverse change in the significance of a resource to a California Native American tribe, and there would be no impact.

Utilities and Service Systems

ENVIRONMENTAL IMPACTS Issues		Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
19.	**UTILITIES AND SERVICE SYSTEMS. Would the project:**				
a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				X
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project projected demand in addition to the provider's existing commitments?				X
d)	Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
otherwise impair the attainment of solid waste reduction goals?				
e) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Project Impacts and Mitigation Measures

(a, c) Wastewater treatment requirements and facilities

The Housing Element is a policy document and would not result in the approval of any physical improvements.

Wastewater associated with future development would be accommodated within the DSRSD Wastewater Treatment Plant. Per the DSRSD 2017 Wastewater Treatment and Biosolids Facilities Master Plan, DSRSD's Wastewater Treatment Plant has a total capacity of 75 million gallons per day (mgd).

Future development associated with land use changes represent a delta from their existing commercial, or mixed-use land use designation and this incremental change is not considered significant in context to the City's General Plan buildout assumptions. Furthermore, as discussed in the Population and Housing Section, the additional population associated with the project would be consistent with the General Plan buildout projections. The DSRSD Master Plan anticipates adequate wastewater treatment capacity to meeting projected future demand during the Housing Element planning period.

General Plan Implementing Policy 4.5.1.B.1 requires that prior to project approval, developers demonstrate that adequate capacity exists in sewage treatment and disposal facilities for their projects prior to the issuance of building permits.

Eastern Dublin Specific Plan Program 9Q: Connection to Public Sewers requires all developments within the Specific Plan area to be connected to public sewers. Exceptions to this requirement, in particular septic tank systems, are allowed upon receipt of written approval from Alameda County Environmental Health Department and DSRSD.

Therefore, the project would not result in a significant impact to wastewater treatment requirements and facilities, and there would be no impact.

(b) Sufficient water supplies

The Housing Element is a policy document and would not result in the approval of any physical improvements.

DSRSD has master planned their water supply capacity, water distribution system, reservoirs and pumping in the project area in accordance with the General Plan demand levels and buildout projections as documented in the current Urban Water Management Plan (UWMP, 2020). Connection fees are based on these master plans.

General Plan Guiding Policy 12.3.1.A.1 requires the City to work with Zone 7 and DSRSD to secure an adequate water supply for, and provide water delivery to, existing and future customers in Dublin.

Per SB 610, a residential project with 500 or more units is required to prepare a Water Supply Assessment to determine water supply sufficiency for a 20-year projection in addition to the demand of existing and other planned future uses. Per SB 221, future development projects would be required to obtain written verification from DSRSD that sufficient water supply is available. This may include the use of recycled water as a way of water conservation.

Future development associated with land use changes represent a delta from their existing commercial, or mixed-use land use designation and this incremental change is not considered significant in context to the City's General Plan buildout assumptions. Furthermore, as discussed in the Population and Housing Section, the additional population associated with the project remains consistent with the General Plan buildout projections. The UWMP anticipates adequate water supply for meeting projected future demand during the Housing Element planning period.

Therefore, the project would not result in a significant impact to water supply, and there would be no impact.

(d, e) Solid waste disposal and regulatory compliance

Approval of future development projects would incrementally increase the generation of solid waste. Over the long term, the annual rate of solid waste reaching the landfill would decrease as a result of statewide regulations mandating increased recycling and organics diversion.

General Plan Implementing Policy 4.4.1.B.3 requires that prior to project approval, the applicant must demonstrate that capacity exists in solid waste disposal facilities for their project. In addition, future development projects would be required to comply with the Dublin Municipal Code regarding solid waste, which includes DMC Chapter 5.32 - Solid Waste Management; Chapter 7.30 - Waste Management Plan; and Chapter 7.98 - Solid Waste and Recycling Enclosure Standards.

Therefore, the project would not result in a significant impact to solid waste disposal and regulatory compliance, and there would be no impact.

Wildfires

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
20. Wildfires. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan??				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

Project Impacts and Mitigation Measures

(a) Impair emergency response plan

Given the programmatic nature of the project, any future development projects would be required to comply with the City's Wildfire Management Plan and DMC Chapter 7.32 to ensure that emergency access and response plans are not impaired. Future development would also be reviewed as part of the development review process to ensure there is adequate fire protection and emergency response access.

Therefore, the project would not impair an adopted emergency response plan or emergency evacuation plan, and there would be no impact.

(b) Pollutants or uncontrolled spread

None of the Remaining Needs Sites are located in areas mapped as a Very High Fire Hazard Severity Zone and, therefore, potential future projects would not be exposed to wildfire risk.

Future development would be reviewed as part of the development review process to minimize the risk that any pollutant concentrations from wildfires.

Therefore, the project would not exacerbate wildfire risk due to slope, prevailing winds or other factors, and there would be no impact.

(c) Infrastructure

Potential future development would occur as infill, replacement, or new residential development within existing urban areas in the City. Thus, it is not anticipated that any future development projects would require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or result in temporary or ongoing impacts to the environment.

Future development would be reviewed as part of the development review process to ensure that all infrastructure is constructed according to the latest City and state fire code requirements.

Therefore, the project would not exacerbate wildfire risk due to required installation or maintenance of related infrastructure, and there would be no impact.

(d) Slope instability resulting in post-fire slope instability

None of the Remaining Needs Sites are located areas that are subject to landslides. Therefore, potential future projects would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. As discussed in the Hydrology and Water Quality section, future development projects would be required to prepare an erosion control plan that implements slope erosion control measures during and post-construction and does not change historic drainage patterns outside of the project site.

Therefore, the project would not expose people or structures to significant risk, and there would be no impact.

Mandatory Findings of Significance

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
21 MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

(a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?

As discussed and analyzed in this document, the project would not degrade the quality of the environment. Additionally, for the reasons discussed in the Biological Resources section, the project would not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal. Further, for the reasons identified in the Cultural Resources section, the project would not substantially affect significant cultural resources, and no impacts to such resources would occur.

(b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

No impacts have been identified in this document and, therefore, there are none that would be cumulatively considerable.

The project includes a Housing Element Update, which is a policy-level document that encourages the provision of a variety of housing types and affordability levels. The project does not include specific development proposals. All future residential development associated with the land use changes within the City would be required to conform to local regulations, including the General Plan and Dublin Municipal Code. Environmental impacts as a result of future development projects would be considered pursuant to CEQA, as applicable.

As such, this Initial Study demonstrates that there is no substantial evidence that the project may have a significant effect on the environment and, therefore, a Negative Declaration is warranted consistent with CEQA Guidelines Section 15070.

(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The project would not result in adverse environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

All future residential development within the City would be required to conform to local regulations, including the General Plan and Dublin Municipal Code. Environmental impacts as a result of future development projects would be considered pursuant to CEQA, as applicable. Therefore, the project would result in no environmental effects that would cause substantial direct or indirect adverse effects on human beings, and there would be no impact.

As such, this Initial Study demonstrates that there is no substantial evidence that the project may have a significant effect on the environment and, therefore, a Negative Declaration is warranted consistent with CEQA Guidelines Section 15070.



Source: Kimley-Horn, 2022

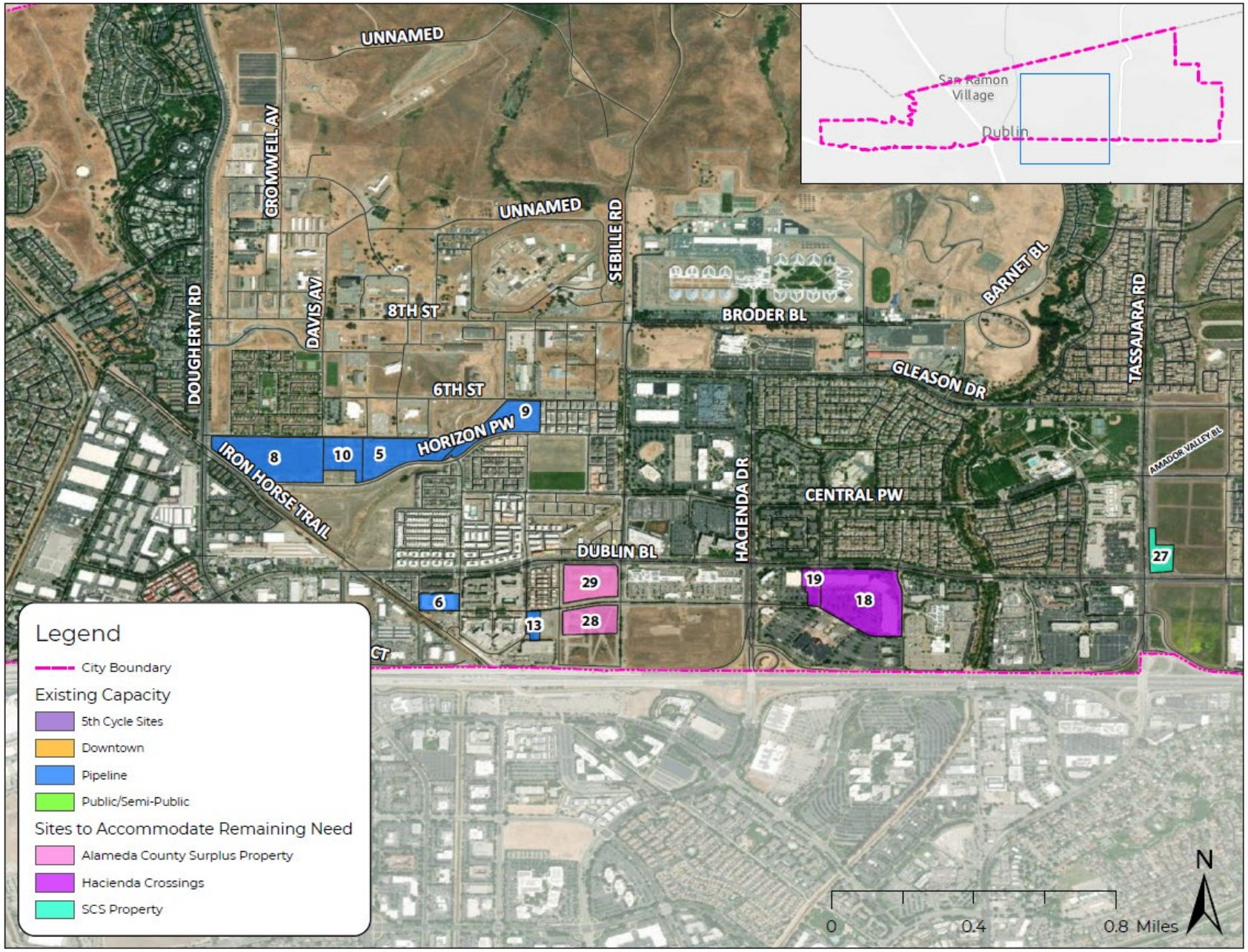
Kimley»Horn
Expect More. Experience Better.

Not to scale

Figure Figure 1(a): 2023-2031 RHNA Sites Inventory Map

Dublin 2023-2031 Housing Element

CEQA Initial Study



Source: Kimley-Horn, 2022

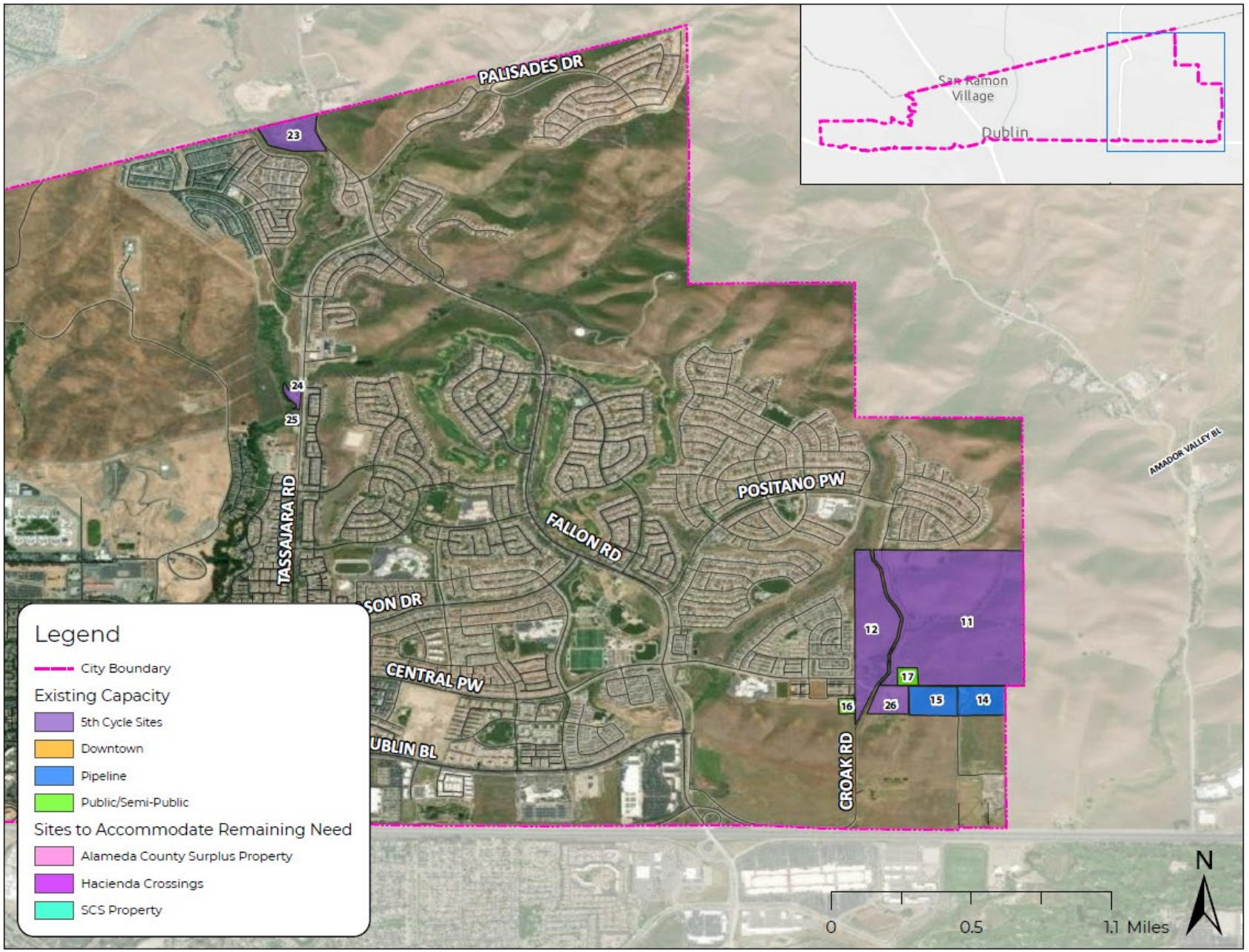
Kimley»Horn
Expect More. Experience Better.

Not to scale

Figure Figure 1(b): 2023-2031 RHNA Sites Inventory Map

Dublin 2023-2031 Housing Element

CEQA Initial Study



Source: Kimley-Horn, 2022

Kimley»Horn
Expect More. Experience Better.

Not to scale

Figure Figure 1(c): 2023-2031 RHNA Sites Inventory Map

Dublin 2023-2031 Housing Element

CEQA Initial Study

RESOLUTION NO. 22-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL: 1) ADOPT AN INITIAL STUDY/NEGATIVE DECLARATION; 2) APPROVE THE 2023 – 2031 HOUSING ELEMENT AND AUTHORIZE STAFF TO SUBMIT THE HOUSING ELEMENT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT FOR CERTIFICATION; 3) APPROVE ASSOCIATED AMENDMENTS TO THE GENERAL PLAN, EASTERN DUBLIN SPECIFIC PLAN, AND DOWNTOWN DUBLIN SPECIFIC PLAN; AND 4) APPROVE AMENDMENTS TO PLANNED DEVELOPMENT ZONING FOR SITES D-2 AND E-2 OF THE DUBLIN TRANSIT CENTER AND HACIENDA CROSSINGS SHOPPING CENTER (PLPA-2022-00036)

WHEREAS, the State of California requires cities and counties to adopt a comprehensive, long-term General Plan for the physical development of the City; and

WHEREAS, the Housing Element is one of seven mandated elements of the General Plan and must address the existing and projected housing needs for all economic segments of the community; and

WHEREAS, State law requires Housing Elements to be updated and certified by the California Department of Housing and Community Development (HCD) every eight years; and

WHEREAS, the City of Dublin prepared the 2023 – 2031 Housing Element in accordance with State law; and

WHEREAS, the Housing Element must include an inventory of specific sites or parcels that are suitable for residential development and available for use in the planning period to accommodate the City's Regional Housing Needs Allocation (RHNA), which is included as Appendix D: Adequate Sites Analysis in the 2023 – 2031 Housing Element; and

WHEREAS, after accounting for pipeline projects, accessory dwelling units, and existing zoning to accommodate the RHNA, the Adequate Sites Analysis identified a "remaining need" of 755 units; and

WHEREAS, a portion of the remaining need is proposed to be accommodated on Sites D-2 and E-2 (APNs: 986-0034-012-00 and 986-0034-014-00) at the Dublin Transit Center, which requires amendments to the General Plan and Eastern Dublin Specific Plan land use designations for the two sites; and

WHEREAS, on December 3, 2002, the City Council adopted Ordinance No. 21-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Dublin Transit Center, which among other approvals specified Sites D-2 and E-2 shall be developed with a Campus Office use; and

WHEREAS, amendments are proposed to Ordinance No. 21-02 to change the allowed land use on Sites D-2 and E-2 from Campus Office to Campus Office/High-Density Residential and allow up to 715 residential units on these sites; and

WHEREAS, a portion of the remaining need is proposed to be accommodated on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center (formerly known as the Santa Rita Commercial Center)

WHEREAS, on January 17, 1995, the City Council adopted Resolution No. 95-02 approving a Planned Development Rezone with a Stage 1 Development Plan for the Santa Rita Commercial Center, which among other approvals, established regulations for the use, improvement, and maintenance of the property; and

WHEREAS, amends are proposed to Resolution No. 95-02 to add "Multi-Family Residence" as a permitted principal land use on two parcels (APNs: 986-0008-009-00 and 986-0008-010-00) at the Hacienda Crossings shopping center, and allow up to 594 units and objective design standards for the two parcels; and

WHEREAS, in accordance with Senate Bill (SB) 1035, the City prepared amendments to the Seismic Safety and Safety Element to identify flood hazards and address the risk of fire hazards in certain lands; and

WHEREAS, the 2023 – 2031 Housing Element, associated amendments to the General Plan, including the Land Use Element, and Seismic Safety and Safety Element, associated amendments to the Downtown Dublin Specific Plan and Eastern Dublin Specific Plan, and Planned Development Zoning Amendments to Sites D-2 and E-2 at the Transit Center and the Hacienda Crossings shopping center are collectively referred to as the "Project;" and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City prepared an Initial Study for the 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings to determine if they may have a significant effect on the environment; and

WHEREAS, the Initial Study determined that the proposed 2023 – 2031 Housing Element and corresponding General Plan Amendments, Specific Plan Amendments, and rezonings would not have any significant environmental effects and the preparation of a Negative Declaration is the appropriate CEQA document; and

WHEREAS, the Initial Study/Negative Declaration was circulated for public review from October 4, 2022, through November 2, 2022; and

WHEREAS, the City of Dublin received no comment letters on the Initial Study / Negative Declaration at the time the Planning Commission forwarded their recommendation to the City Council; and

WHEREAS, consistent with Section 65352.3 of the California Government Code, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed General Plan Amendment. None of the contacted tribes requested a consultation

within the 90-day statutory consultation period and no further action is required under section 65352.3; and

WHEREAS, a Staff Report, dated October 25, 2022, and incorporated herein by reference, described and analyzed the Project, including the 2023 – 2031 Housing Element, corresponding amendments to the General Plan, Eastern Dublin Specific Plan, and Downtown Dublin Specific Plan, and Planned Development Zoning Amendments, for the City Council; and

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

NOW, THEREFORE, BE IT RESOLVED that the following recitals are true and correct and made part of this Resolution.

BE IT FURTHER RESOLVED that the Planning Commission does hereby recommend that the City Council:

- Adopt the Resolution, attached hereto as **Exhibit 1**, adopting an Initial Study/Negative Declaration; approving the 2023 – 2031 Housing Element, attached hereto as **Exhibit 2**, and authorizing Staff to submit it to the California Department of Housing and Community Development for certification; approving associated amendments to the General Plan, including the Land Use Element and Land Use Map, and Seismic Safety and Safety Element, attached hereto as **Exhibit 3**; and approving amendments to the Eastern Dublin Specific Plan;
- Adopt the Resolution, attached hereto as **Exhibit 4**, approving amendments to the Downtown Dublin Specific Plan;
- Adopt the Ordinance, attached hereto as **Exhibit 5**, approving amendments to Planned Development Ordinance No. 21-02 Stage 1 Development Plan and establishing a Stage 2 Development Plan for the Sites D-2 and E-2 of the Dublin Transit Center; and
- Adopt the Ordinance, attached hereto as **Exhibit 6**, approving amendments to the Planned Development Resolution No. 95-02 for the Hacienda Crossings shopping center.

PASSED, APPROVED, AND ADOPTED this 25th day of October, 2022 by the following vote:

AYES: Grier, Qaadri, Thalblum, Tyler, Wright

NOES:

ABSENT:

ABSTAIN:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

ATTEST:

DocuSigned by:
Kristie Wheeler
9EDB9DB87254493...

Assistant Community Development Director

August 12, 2022

Jose Ayala
Housing Policy Specialist
Housing and Community Development
2020 W. El Camino Avenue, Suite 500 | Sacramento, CA 95833
Jose.Ayala@hcd.ca.gov

Dear Mr. Ayala:

The Building Industry Association of the Bay Area (BIA) respectfully submits these comments on the City of Dublin's draft housing element (Draft). We believe the Draft does not meet the requirements for certification because the governmental constraints analysis is inadequate. In particular, the constraints analysis fails to address a very significant constraint within the City's land use approval and permit process: the City's PD Zoning Ordinance.

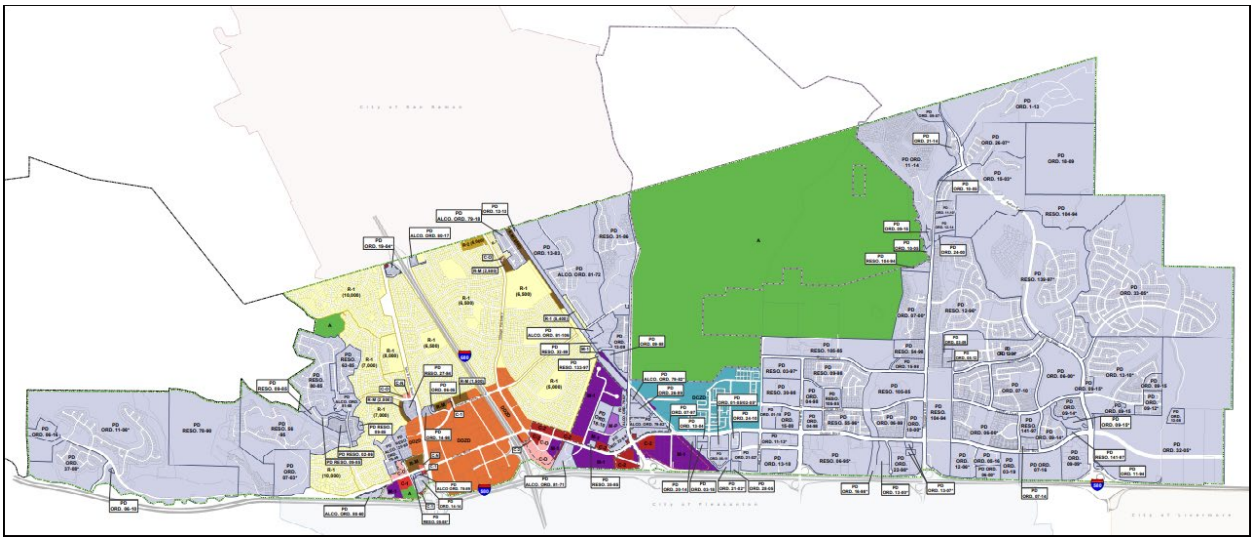
Dublin's PD Zoning Ordinance (Dublin Muni. Code § 8.32.030.B)) subjects housing projects to a "2-Stage" zoning approval process. The code requires housing projects proposed on sites that are already designated in the General Plan and have "Stage 1" zoning approval for residential development to obtain an additional project-specific "rezoning" (called a "Stage 2 Development Plan," to be approved by a "rezoning ordinance.").

Requiring housing projects to obtain project-specific rezonings where the site is already planned and zoned for residential use is a significant constraint on housing. First, by requiring project-specific rezonings, the PD Zoning Ordinance subjects each housing project to the need to obtain an additional ***legislative*** approval. Requiring a project-specific legislative approval exposes the project to the risk of having the second required zoning approval be overturned by local anti-housing interests in a referendum election, as recently happened with the 573-unit East Ranch project[1].

There is a well-organized and active anti-housing voting bloc in Dublin that has the resources to overturn housing approvals on sites that have been planned and zoned for housing for decades. Not only does Dublin's 2-stage zoning requirement present a significant constraint by placing projects with Stage 1 zoning at risk of referendum when the Stage 2 zoning is sought, but the zoning requirements also act as a significant constraint under housing element law by undermining other key state housing law protections. Under SB 330, projects that have secured necessary general plan and zoning can only be subject to 5 hearings; they also are protected by the vested rights provisions of Gov't Code Sec. 65589.5(o) and the time limits of the Permit Streamlining Act. The City's PD Zoning Ordinance, by maintaining that a site's zoning is not complete until a Stage 2 rezoning is approved, could make it difficult or infeasible for developers to invoke these key housing statutes. Alternatively or in addition, developers could be forced to threaten litigation under the Housing Accountability Act to avoid the need for a Stage 2 rezoning ordinance, which itself would constitute an additional constraint on processing a housing project.

[1] The East Ranch project secured "Stage 1" zoning in 2005. The City Council approved "Stage 2" zoning in December 2021, which the voters then referended, resulting in a repeal of the "Stage 2" zoning ordinance earlier this year.

The significance of these conflicts between key state housing reform statutes and the City's PD Zoning Ordinance is magnified by the fact that much of the City—and many of its housing sites—are subject to the PD Zoning Ordinance. The grey/lavender areas below are all zoned PD Zoning:



Notably, the areas covered by the PD Zoning Ordinance also include a significant number of units that the draft Housing Element considers approved "pipeline" units for purposes of satisfying the City's current RHND. However, sites that have yet to secure a Stage 2 rezoning ordinance cannot be considered zoned for housing for purposes of meeting the adequate sites requirement.

Based on all the foregoing, BIA Bay Area believes that certification of Dublin's Housing Element should be conditioned on adequately addressing this significant governmental constraint. We believe this should include:

1. Revising the PD Ordinance so that it no longer requires a 2-stage legislative process. All "legislative" zoning issues should be addressed in the initial zoning approval. All subsequent permits and approvals should be non-legislative in nature.

2. Committing to facilitate and approve all housing projects that currently have a Stage 1 zoning approval without requiring a Stage 2 legislative zoning approval.

It is imperative that these actions be expressed as formal conditions of Housing Element certification.

Thank you for the opportunity to comment. Please contact the undersigned with any questions.

Yours truly,



Paul Campos
Sr. V.P. & General Counsel

August 04, 2022

Dear Dublin City Council:

We are writing on behalf of **South Bay YIMBY** regarding Dublin's 6th Cycle Housing Element Update. As a regional pro-housing advocacy group, South Bay YIMBY works to ensure cities adopt housing elements that are fair, realistic, and lawful.

Per §8899.50(a)(1) of state code, Dublin's housing element must affirmatively further fair housing, which entails 'taking meaningful actions... that overcome patterns of segregation.'

The City of Dublin is uniquely positioned to affirmatively further fair housing, as Dublin is a wealthy, exclusionary city that researchers with the Othering and Belonging Institute at UC Berkeley identify as highly segregated from the rest of the Bay Area. This socioeconomic segregation is caused by the exclusionary cost of housing in your community, where an average home, as of April 30th, costs $1,492,000, which is only affordable to someone earning a salary of $261,000, meaning **only the richest 4% of households can afford to settle down in your community**. It is thus no coincidence that your city is 38% less black than the rest of the Bay Area. Sadly, your city's demographics have trended in an even less equitable direction, losing 2066 black residents and losing 487 brown residents since 2010.

In a 2021 report entitled 'Exclusionary Zoning: Its Effect on Racial Discrimination in the Housing Market,' economic advisors for the White House outline how exclusionary zoning, like yours, causes segregation. Your exclusionary zoning pushes low income children to live in less resourced areas, which begets worse life outcomes from health to income. The research is clear: exclusionary zoning violates your duty to further fair housing.

To take meaningful actions that overcome patterns of segregation, we recommend you:

1. **End apartment bans in high opportunity areas.** This will give middle and working class families the opportunity to share in the resources your rich neighborhoods enjoy. As of 2020, **your city banned apartments in over 66.9% of high opportunity residential areas**.

2. **Accommodate 7970 low income homes in your site inventory.** While substantially larger than the floor of 1710 low income homes required by RHNA, 7970 is the number of homes required to bring the proportion of low income families in your city in line with the rest of the Bay Area. While this number is large enough to be politically challenging, it will always be politically challenging to overcome segregation, as AFFH requires.

Thank you,
Salim Damerdji, South Bay YIMBY
Keith Diggs, YIMBY Law

Item 6.1

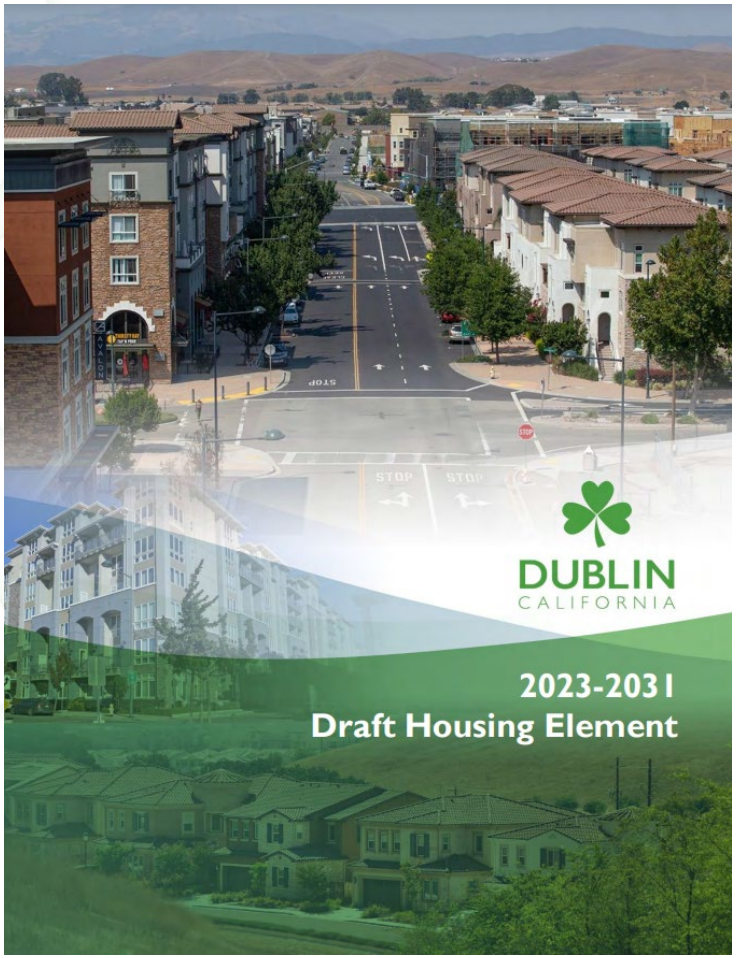
DUBLIN
CALIFORNIA

2023 – 2031 Housing Element

City Council
November 15, 2022

Overview

- Background
- Housing Element
- HCD Review
- General Plan Amendments
- Specific Plan Amendments
- Rezoning
- Environmental Determination



Background

- One of the seven mandated elements of the General Plan
- Addresses the housing needs of residents
- Identifies existing and projected housing needs by income category
- Establishes Citywide goals, policies, programs, and objectives to guide future housing
- Requires certification by the California Department of Housing and Community Development (HCD)



Final Allocation

- Approved by ABAG on December 16, 2021
- Assigns 3,719 units to Dublin

Income Category	Very Low	Low	Moderate	Above Moderate	Total
Units	1,085	625	560	1,449	3,719

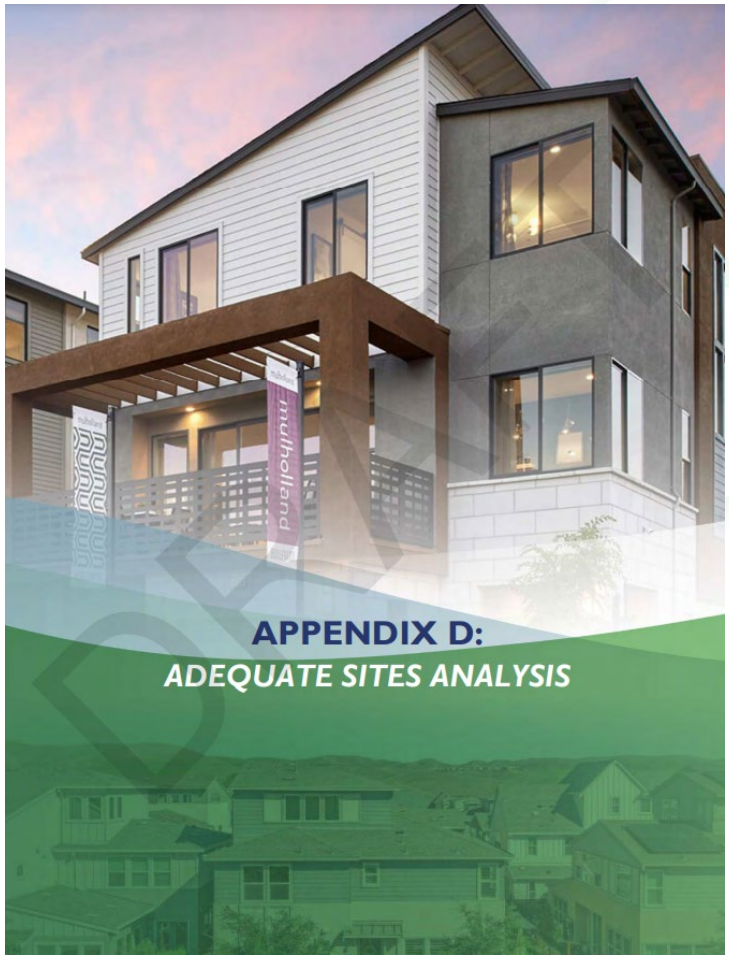
Housing Element Components

- **Chapter 1:** Introduction
- **Chapter 2:** Housing Plan
- **Appendix A:** Review of Past Performance
- **Appendix B:** Community Profile
- **Appendix C:** Housing Constraints, Resources, and Affirmatively Furthering Fair Housing

Housing Element Components

- **Appendix D:** Adequate Sites Analysis
- **Appendix E:** Housing Plan Programs Summary
- **Appendix F:** Community Engagement Summary
- **Appendix G:** Glossary of Terms

Adequate Sites Analysis



- Inventory of specific parcels suitable and available for residential development
- Identify sites by income category

Site Inventory

	Very Low- and Low-	Moderate-	Above Moderate-	Total
Allocation	1,710	560	1,449	3,719
Pipeline Projects	(535)	(210)	(2,104)	(2,849)
Accessory Dwelling Units	(96)	(48)	(16)	(160)
5th Cycle Sites	0	(252)	(0)	(252)
Public/Semi-Public Sites	(134)	0	0	(134)
Downtown Dublin	(190)	(50)	0	(240)
Remaining Need	755	0	0	

Distribution of Remaining Need

	Very-Low- and Low-	Moderate-	Above-Moderate-	Total
Transit Center Sites D-2 and E-2	358	0	357	715
Hacienda Crossings	297	0	297	594
SCS Property	100	0	0	100
Total	755	0	654	1,409

Draft Housing Element Review

- Public Review: April 15 – May 15, 2022
- Planning Commission: April 26, 2022
- City Council: May 17, 2022
- HCD: May 27 – August 29, 2022
- Housing Element Revised in Response to HCD's Comments

Land Use Element

Transit Center Sites D-2 and E-2

- Existing: Campus Office
- Proposed: Campus Office/High-Density Residential
- Update residential household size to 2.99 persons per unit based on 2020 Census



Proposed

Campus Office / High Density Residential

Seismic Safety and Safety Element

- Safety Elements address the protection of the community from any unreasonable risks
- Senate Bill 1035 requires amendments to Safety Elements to identify flood hazards and address fire hazard risks upon each revision to the Housing Element
- Assembly Bill 2140 allows cities to adopt Local Hazard Mitigation Plans into their Safety Element, making them eligible for California Disaster Assistance Act funding
- Proposed amendments address SB 1035 and AB 2140

Environmental Justice Policies

- SB 1000 requires local governments to identify disadvantaged communities and incorporate environmental justice into their general plans
- Dublin does not have any communities meeting the definition of "disadvantaged community"
- Inclusion of environmental justice policies in the General Plan is not required

Eastern Dublin Specific Plan Amendments

Transit Center Sites D-2 and E-2

- Existing: Campus Office
- Proposed: Campus Office/High-Density Residential
- Update residential household size to 2.99 persons per unit based on 2020 Census



Downtown Dublin Specific Plan Amendments

- Non-vacant sites identified in a prior Housing Element must be zoned at a minimum of 30 du/ac and allow residential use by right for projects with at least 20 percent of the units affordable to lower-income households
- Residential development within the Downtown Dublin Specific Plan is governed by a Development Pool
- To reserve residential units, a developer must enter into the Community Benefit Program Agreement

Downtown Dublin Specific Plan Amendments

- Three non-vacant sites identified in the 2014 – 2022 Housing Element are shown to be suitable for up to 416 units affordable to lower-income households
- Propose to exempt these units from the Development Pool and the Community Benefit Program Agreement requirement

Rezoning

- After pipeline projects, ADUs, and existing, residentially-zoned sites, the City has a remaining need of 755 lower-income units
- Propose to rezone:
  - Transit Center Sites D-2 (northern portion) and E-2
  - Hacienda Crossings shopping center

Transit Center Sites D-2 and E-2

- Ordinance No. 21-02 – Established PD Stage 1 Development Plan
- Proposed Amendments:
  - Land Use Designation: Campus Office/High Density Residential
  - Add 715 residential units
  - Approve a Stage 2 Development Plan
  - Specify development must comply with the Citywide Multi-Family Objective Design Standards

Hacienda Crossings

- Resolution No. 95-02 – Approving a PD Rezone
- Amendments include:
  - Add "Multi-Family Residential" as a permitted use
  - Establish development standards
  - Specify development must comply with the Citywide Multi-Family Objective Design Standards
  - Transition shopping center to more pedestrian-oriented mixed-use development

Environmental Determination

- Initial Study prepared for Housing Element and corresponding amendments and rezonings
- Determined no significant environmental effects
- Negative Declaration is the appropriate CEQA document
- Minor edits based on DSRSD and Zone 7 comments

Planning Commission Review

- Adopted Resolution No. 22-14 recommending that City Council:
  - Adopt the Initial Study / Negative Declaration
  - Approve the 2023-2031 Housing Element and authorize Staff to submit to HCD
  - Approve amendments to the General Plan, Eastern Dublin Specific Plan, Downtown Dublin Specific Plan
  - Approve amendments to PD Zoning for Transit Center Sites D-2 and E-2, and Hacienda Crossings shopping center

Recommendation

- Adopt **Resolution**:
  - Adopting the Initial Study / Negative Declaration
  - Approving the 2023-2031 Housing Element and authorize Staff to submit to HCD
  - Approving associated amendments to the General Plan and Eastern Dublin Specific Plan
- Adopt **Resolution** approving amendments to the Downtown Dublin Specific Plan
- Waive the reading and INTRODUCE the **Ordinances** approve amendments to PD Zoning for Transit Center Sites D-2 and E-2, and Hacienda Crossings shopping center

November 15, 2022

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council be available to the public.

The attached documents were received in the City Clerk's office after distribution of the November 15, 2022, Regular City Council meeting agenda packet.

Item 6.1

COMMUNITY DEVELOPMENT DEPARTMENT MEMORANDUM

DATE:	November 15, 2022
TO:	Honorable Mayor and City Councilmembers
FROM:	Linda Smith, City Manager
PREPARED BY:	Michael P. Cass, Principal Planner
SUBJECT:	Item 6.1: 2023-2031 Housing Element and Related Amendments to the General Plan, Eastern Dublin Specific Plan and Downtown Dublin Specific Plan, and Planned Development Zoning for Dublin Transit Center Sites D-2 and E-2 and Hacienda Crossings Shopping Center (PLPA-2022-00036)

Pursuant to the requirements of the California Environmental Quality Act (CEQA), the City prepared an Initial Study/Negative Declaration (IS/ND) for the proposed project. The IS/ND was available for public review between October 4, 2022, and November 2, 2022. During the public review period, the City received the attached minor comments from the Dublin San Ramon Services District (DSRSD) (Attachment 1) and Zone 7 (Attachment 2) in regards to the "Utilities and Service Systems" and "Hydrology and Water Quality" sections of the IS/ND. Staff worked with the consultant to make minor amendments to the IS/ND, which are included as Attachment 3.

Attachments

1. Dublin San Ramon Services District Comments
2. Zone 7 Public Comments
3. Revised Initial Study / Negative Declaration Excerpts

Dublin San Ramon Services District
Water, wastewater, recycled water

7051 Dublin Boulevard
Dublin, CA 94568-3018

main (925) 828-0515
fax (925) 829-1180
www.dsrsd.com

November 2, 2022

Via email to Michael.Cass@dublin.ca.gov

Michael P. Cass, Principal Planner
City of Dublin
Community Development Department
100 Civic Plaza
Dublin, CA 94568

Subject: Comments on Dublin 2023-2031 Housing Element Initial Study/Negative Declaration

Dear Michael:

Dublin San Ramon Services District (DSRSD) has reviewed the City of Dublin 2023-2031 Housing Element Initial Study/Negative Declaration document. DSRSD found inaccurate information in the document. Below are our corrections and comments for your consideration.

Utilities and Service Systems

(a, c) Wastewater treatment requirements and facilities (page 45)

The DSRSD Regional Wastewater Treatment Plant is permitted to operate up to 17 million gallons per day (mgd) on average dry weather flow. The Initial Study Document incorrectly stated that DSRSD RWTP has a total capacity of 75 mgd.

The Initial Study/Negative Declaration Document also stated that the DSRSD 2017 Wastewater Treatment and Biosolids Facilities Master Plan (WWTP Master Plan) anticipates adequate wastewater treatment capacity to meet projected future demand during the Housing Element planning period. This is an incorrect statement; the 2017 WWTP Master Plan did not include the additional housing units required by the 2023-2031 Housing Element. Before future project approval, confirmation of the wastewater treatment capacity from DSRSD is required.

The Initial Study document does not include a review of wastewater collection services and makes no mention of the most recent Wastewater Collection System Master Plan (2017). Depending on the location of additional housing units, capacity may not be available within the existing collection system infrastructure.

(b) Sufficient water supplies (pages 45 to 46)

The 2023-2031 Housing Element requirement was released after the adoption of DSRSD's 2020 Urban Water Management Plan (2020 UWMP). The 2020 UWMP included water supply to meet previously planned housing units under the "Projects in the Pipeline" and "Existing Zoning Areas" (Table 1, page 5). Additional units required for the 2023-2031 Housing Element that are not part of these categories are not included in DSRSD's 2020 UWMP. The UWMP is prepared

every five years; therefore, the additional 2023-2031 Housing Element requirement would be included in the next UWMP.

We appreciate the opportunity to comment on the Dublin 2023-2031 Housing Element Initial Study/Negative Declaration Document. If you have any questions about this letter, please feel free to contact Irene Suroso at (925) 875-2253 or suroso@dsrsd.com.

Sincerely,



Steven Delight
Engineering Services Director

IS/SVD

cc: Dan McIntyre, General Manager
Jan Lee, Assistant General Manager
Irene Suroso, Senior Engineer, Planning and Asset Management

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

November 2, 2022

Michael P. Cass
Principal Planner
City of Dublin Community Development Department
100 Civic Plaza Dublin, CA 94568
Phone: 925/833-6610

Sent be email: michael.cass@dublin.ca.gov

Re: Dublin 2023-2031 Housing Element IS/ND

Michael,

Zone 7 Water Agency (Zone 7, or Zone 7 of the Alameda County Flood Control and Water Conservation District) has reviewed the referenced document in the context of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services" within the Livermore-Amador Valley. Below are our comments for your consideration.

Hydrology and Water Quality Section

1. Consider the following updates to text on Page 32 item B:

   Zone 7 of the Alameda County Flood Control and Water Conservation District, known as Zone 7, extracts groundwater from the Livermore Valley Main Groundwater Basin (Main Basin), which contains high-yielding aquifers and good quality groundwater. The Main Basin has an estimated storage capacity of approximately 254,000 acre feet (af). The California Department of Water Resources (DWR) has not identified the Main Basin as a basin in overdraft or a basin expected to be in overdraft. The Main Basin is considered a storage facility by Zone 7 and not a long-term source of water supply because Zone 7 only pumps groundwater it has artificially recharged using its surface water supplies. In any given year, Zone 7 serves a combination of surface water and groundwater. DSRSD, which serves the City of Dublin, does have access to the natural yield of the groundwater basin ('groundwater pumping quota [GPQ]') in the amount of 645 af; this amount is pumped by Zone 7 on behalf of DSRSD.

Zone 7, as the Groundwater Sustainability Agency, manages the Main Basin in accordance with its Alternative Groundwater Sustainability Plan (Alt GSP). Groundwater extraction activities will be managed by Zone 7 to meet current and future water supply demands from DSRSD while meeting groundwater sustainability goals. The water supply demand for the project has not been evaluated in DSRSD's 2020 Urban Water Management Plan (UWMP) and Zone 7's 2020 UWMP.

~~As such, future water sources would rely on surface water supplies from the Dublin San Ramon Services District (DSRSD) and not local groundwater supplies. The project is required to support Zone 7's groundwater recharge program to only pump groundwater it artificially recharges using its imported surface water or locally-stored runoff from Arroyo del Valley. Compliance with this requirement would maintain groundwater at a no net loss for the Livermore Valley Groundwater Basin.~~

~~Therefore, the project would not directly result in a net increase in groundwater extraction from Livermore Valley Groundwater Basin, and there would be no impact~~ *(statement needs further evaluation).*

2. Consider the following updates to text on Page 33 item D:

   DSRSD, the City of Pleasanton, the City of Livermore, and the California Water Service Company have agreements with Zone 7 to limit ~~limiting~~ their combined allocated extraction to limit at the long-term sustainable naturally recharged yield of the Main Basin. This agreement, along with Zone 7's other groundwater management activities, keeps the groundwater budget in balance under average hydraulic conditions. Each of these entities, known as retailers, has a groundwater pumping quota (GPQ) and are responsible for a replenishment fee if they pump in excess of their GPQ.

   As long as groundwater extraction is operated under ~~Given~~ these agreements, future development projects would not result in groundwater overdraft, substantial local groundwater level drawdown, or substantially redirect stormwater such that natural basin recharge would be precluded.

3. On Page 46 item B, the following statements are made:

   a. "DSRSD has master planned their water supply capacity, water distribution system, reservoirs and pumping in the project area in accordance with the General Plan demand levels and buildout projections as documented in the current Urban Water Management Plan (UWMP, 2020)."

b. "The UWMP anticipates adequate water supply for meeting projected future demand during the Housing Element planning period. Therefore, the project would not result in a significant impact to water supply, and there would be no impact."

Note that the 2023-2031 Housing Element was released after DSRSD's 2020 UWMP was published. Therefore, DSRSD's 2020 UWMP does not evaluate the water supply impacts of the additional housing units required by the 2023-2031 Housing Element (nor does Zone 7's UWMP).

4. It should be noted that the project is located within the Livermore Valley Groundwater Basin subject to sustainable groundwater management as per the Alternative Groundwater Sustainability Plan (https://www.zone7water.com/sites/main/files/file-attachments/alt_gw_sustainability_plan-4.pdf?1656015908) and all relevant sustainable groundwater management actions and policies.

5. The hydrology section of the IS/ND should reflect information available in our 2021 Alternative Groundwater Sustainability Plan (https://www.zone7water.com/alternative-groundwater-sustainability-plan-and-updates) or with information from staff.

6. On page 31, Arroyo Del Valley should be spelled as Arroyo del Valle.

Utilities and Service Systems Section

7. General Plan Guiding Policy 12.3.1.A.1 requires the City to work with Zone 7 and DSRSD to secure an adequate water supply for, and provide water delivery to, existing and future customers in Dublin. Please confirm water supply impacts with DSRSD. As noted in item 3, the 2023-2031 Housing Element was released after DSRSD's 2020 UWMP was published. Therefore, DSRSD's 2020 UWMP does not evaluate the additional housing units required by the 2023-2031 Housing Element (nor does Zone 7's 2020 UWMP).

8. In January California adopted an emergency regulation that prohibits certain wasteful water use practices statewide and encourages Californians to monitor their water use more closely while building habits to use water wisely. A second emergency regulation came into effect regarding watering non-functional lawns in commercial, industrial, and institutional areas, including common areas of homeowners' associations (HOAs).

   Like much of the state, the Tri-Valley continues to battle unprecedented drought conditions. Zone 7 Water Agency declared a Drought Emergency and Stage 2 Water Shortage Emergency, which included mandatory 15% water conservation from all Tri-Valley water

service providers. We support a range of water conservation requirements, and we ask that everyone take steps to comply.

Flood Protection

9. Developments creating new impervious areas within the Livermore-Amador Valley are subject to the assessment of the Development Impact Fee for Flood Protection and Storm Water Drainage. These fees are collected for Zone 7 by the local governing agency: 1) upon approval of final map for public improvements creating new impervious areas; and/or 2) upon issuance of a building or use permit required for site improvements creating new impervious areas. Fees are dependent on whether post-project impervious area conditions are greater than pre-project conditions.

We appreciate the opportunity to comment on this project. If you have any questions on this letter, please feel free to contact me at (925) 454-5005 or via email at erank@zone7water.com.

Sincerely,

Elke Rank

Elke Rank
cc: Carol Mahoney, Amparo Flores, Ken Minn, file

DUBLIN
CALIFORNIA

Dublin 2023-2031 Housing Element

Initial Study / Negative Declaration

~~October 3~~November 15, 2022
Planning Application Number: PLPA-2022-00036



Kimley»Horn

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
control plan or sustainable groundwater management plan?				

Project Impacts and Mitigation Measures

(a) Violate water quality or waste discharge requirements

The Housing Element is a policy-level document that encourages the provision of a range of housing types and affordability levels but does not include specific development proposals. Any future development project, including development on the Remaining Needs Sites, would be required to be designed to treat all of its stormwater runoff for water quality and hydromodification management to meet current Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Provision C.3 requirements as prescribed in the Municipal Regional NPDES Permit issued by the San Francisco Bay Regional Water Quality Control Board.

Therefore, the project would not directly violate water quality or waste discharge requirements, and there would be no impact.

(b) Substantially deplete or interfere with groundwater supplies

The project is within the Livermore Valley Groundwater Basin, which extends about 14 miles from the Pleasanton Ridge east to the Altamont Hills and about three miles from the Livermore Upland north to the Orinda Upland. The Alameda County Flood Control and Water Conservation District, known as Zone 7, extracts groundwater from the Livermore Valley Main Groundwater Basin (Main Basin), which contains high-yielding aquifers and good quality groundwater. The Main Basin has an estimated storage capacity of approximately 254,000 acre feet (af). The California Department of Water Resources (DWR) has not identified the Main Basin as a basin in overdraft or a basin expected to be in overdraft. The Main Basin is considered a storage facility by Zone 7 and not a long-term source of water supply because Zone 7 only pumps groundwater it has artificially recharged using its surface water supplies. In any given year, Zone 7 serves a combination of surface water and groundwater. DSRSD, which serves the City of Dublin, does have access to the natural yield of the groundwater basin ('groundwater pumping quota [GPQ]') in the amount of 645 af; this amount is pumped by Zone 7 on behalf of DSRSD.

Zone 7, as the Groundwater Sustainability Agency, manages the Main Basin in accordance with its Alternative Groundwater Sustainability Plan (Alt GSP). Groundwater extraction activities will be managed by Zone 7 to meet current and future water supply demands from DSRSD while meeting groundwater sustainability goals. The water supply demand for the project has not been evaluated in DSRSD's 2020 Urban Water Management Plan (UWMP) and Zone 7's 2020 UWMP; but will be included in the next UWMP update, which occurs every five years.

~~As such~~However, future water sources would rely on surface water supplies from the Dublin San Ramon Services District (DSRSD) and not local groundwater supplies. The project is required to support Zone 7's groundwater recharge program to only pump groundwater it artificially recharges using its imported surface water or locally-stored runoff from Arroyo del Valle~~y~~. Compliance with this requirement would maintain groundwater at a no net loss for the Livermore Valley Groundwater Basin.

Furthermore, all future development projects are required to comply with the sustainable groundwater management actions and policies as per Zone 7's Alternative Groundwater Sustainability Plan (2021).

Therefore, the project would not directly result in a net increase in groundwater extraction from Livermore Valley Groundwater Basin, and there would be no impact.

(c) Substantially alter existing drainage patterns

Future development would not significantly change existing drainage patterns and proposed storm drain facilities would be required to be adequately sized for project runoff. All future development projects would be required to comply with the City's drainage system planned improvements and Watercourse Ordinance with appropriate sizing and construction of downstream facilities. Additionally, General Plan Implementing Policy 7.3.1.B.2 requires the City to review development proposals to ensure site design that minimizes soil erosion and volume and velocity of surface runoff. In addition, General Plan Guiding Polices 12.3.5.A.1 through 12.3.5.A.3 include provisions to protect the quality and quantity of surface water, and minimize stormwater runoff, and provide adequate stormwater facilities.

Furthermore, future developments creating new impervious areas within the Livermore-Amador Valley are subject to the assessment of the Development Impact Fee for Flood Protection and Storm Water Drainage. These fees are collected for Zone 7 by the local governing agency: 1) upon approval of final map for public improvements creating new impervious areas; and/or 2) upon issuance of a building or use permit required for site improvements creating new impervious areas. Fees are dependent on whether post-project impervious area conditions are greater than pre-project conditions.

Therefore, the project would not directly substantially alter existing drainage patterns, and there would be no impact.

(g) Inundation by seiche, tsunami, or mudflow

The City is not located near a major body of water that could result in a seiche. The risk of potential mudflow is considered low since no historic landslides or mudflows have been identified in the City.

Therefore, the project would not directly result in inundation by seiche, tsunami, or mudflow, and there would be no impact.

(h) Conflict with water quality control or groundwater management plans

Future development would be required to incorporate and comply with the drainage system master planned improvements as designed and approved by state and local agencies. Applicable regulations include but are not limited to the Municipal Regional Stormwater NPDES Permit Provision C.3 Requirements (MRP), and the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit). All future development projects would also be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit. General Plan Implementing Policy 7.3.1.B.1 requires the City to enforce these and other applicable water quality control regulations for all new development projects.

DSRSD, the City of Pleasanton, the City of Livermore, and the California Water Service Company have agreements with Zone 7 ~~limiting~~ to limit their combined allocated extraction ~~of~~ to limit the long-term sustainable naturally recharged yield of the Main Basin. This agreement, along with Zone 7's other groundwater management activities, keeps the groundwater budget in balance under average hydraulic conditions. Each of these entities, known as retailers, has a groundwater pumping quota (GPQ) and are responsible for a replenishment fee if they pump in excess of their GPQ.

~~Given~~ As long as groundwater extraction is operated under these agreements, future development projects would not result in groundwater overdraft, substantial local groundwater level drawdown, or substantially redirect stormwater such that natural basin recharge would be precluded.

Therefore, the project would not directly conflict with water quality control or groundwater management plans, and there would be no impact.

Land Use and Planning

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the				X

ENVIRONMENTAL IMPACTS Issues	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporated	Less than Significant Impact	No Impact
otherwise impair the attainment of solid waste reduction goals?				
e) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Project Impacts and Mitigation Measures

(a, c) Wastewater treatment requirements and facilities

The Housing Element is a policy document and would not result in the approval of any physical improvements.

Wastewater associated with future development would be accommodated within the DSRSD Wastewater Treatment Plant. Per the DSRSD 2017 Wastewater Treatment and Biosolids Facilities Master Plan, DSRSD's Wastewater Treatment Plant ~~has a total capacity of 75~~is permitted to operation up to 17 million gallons per day (mgd) on average dry weather flow.

Future development associated with land use changes represent a delta from their existing commercial, or mixed-use land use designation and this incremental change is not considered significant in context to the City's General Plan buildout assumptions. Furthermore, as discussed in the Population and Housing Section, the additional population associated with the project would be consistent with the General Plan buildout projections. ~~The~~ As such, the DSRSD Master Plan anticipate~~d~~s adequate wastewater treatment capacity to meet~~ing~~ projected future demand during the Housing Element planning period. Furthermore, before approval of any future development project, confirmation of the wastewater treatment capacity from DSRSD would be required.

General Plan Guiding Policy 12.3.1.A.1 requires the City to work with Zone 7 and DSRSD to secure an adequate water supply for, and provide water delivery to, existing and future customers in Dublin.

General Plan Implementing Policy 4.5.1.B.1 requires that prior to project approval, developers demonstrate that adequate capacity exists in sewage treatment and disposal facilities for their projects prior to the issuance of building permits.

Eastern Dublin Specific Plan Program 9Q: Connection to Public Sewers requires all developments within the Specific Plan area to be connected to public sewers. Exceptions to this requirement, in particular septic tank systems, are allowed upon receipt of written approval from Alameda County Environmental Health Department and DSRSD.

Therefore, the project would not result in a significant impact to wastewater treatment requirements and facilities, and there would be no impact.

(b) Sufficient water supplies

The Housing Element is a policy document and would not result in the approval of any physical improvements.

DSRSD has master planned their water supply capacity, water distribution system, reservoirs and pumping in the project area in accordance with the General Plan demand levels and buildout projections as documented in the current Urban Water Management Plan (UWMP, 2020). Connection fees are based on these master plans.

General Plan Guiding Policy 12.3.1.A.1 requires the City to work with Zone 7 and DSRSD to secure an adequate water supply for, and provide water delivery to, existing and future customers in Dublin.

Per SB 610, a residential project with 500 or more units is required to prepare a Water Supply Assessment to determine water supply sufficiency for a 20-year projection in addition to the demand of existing and other planned future uses. Per SB 221, future development projects would be required to obtain written verification from DSRSD that sufficient water supply is available. This may include the use of recycled water as a way of water conservation.

Future development associated with land use changes represent a delta from their existing commercial, or mixed-use land use designation and this incremental change is not considered significant in context to the City's General Plan buildout assumptions. Furthermore, as discussed in the Population and Housing Section, the additional population associated with the project remains consistent with the General Plan buildout projections. ~~The~~ Therefore, the 2020 UWMP anticipate~~d~~s adequate water supply for meeting projected future General Plan buildout demand during the Housing Element planning period. The additional 2023-2031 Housing Element housing allocation would be included in the next UWMP update, which is prepared every five years.

Therefore, the project would not result in a significant impact to water supply, and there would be no impact.

(d, e) Solid waste disposal and regulatory compliance

Approval of future development projects would incrementally increase the generation of solid waste. Over the long term, the annual rate of solid waste reaching the landfill would decrease as a result of statewide regulations mandating increased recycling and organics diversion.

General Plan Implementing Policy 4.4.1.B.3 requires that prior to project approval, the applicant must demonstrate that capacity exists in solid waste disposal facilities for their project. In addition, future development projects would be required to comply with the Dublin Municipal Code regarding solid waste, which includes DMC Chapter 5.32 - Solid Waste

Agenda Item 6.2

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: SCS Dublin (PLPA-2022-00005)
Prepared by: Amy Million, Principal Planner

EXECUTIVE SUMMARY:

The City Council will consider the SCS Dublin project which includes development of up to 650 residential units and up to 265,000 square feet of retail commercial development on a 76.9-acre parcel. The SCS Dublin project is the first step in implementing the Preferred Vision for the SCS Property approved by the City Council on February 15, 2022. Requested approvals include General Plan and Eastern Dublin Specific Plan Amendments, a Planned Development Rezone with Stage 1 and Stage 2 Development Plans, and a Development Agreement. The City Council will also consider certification of a Final Environmental Impact Report.

STAFF RECOMMENDATION:

Conduct a public hearing, deliberate, and take the following actions: 1) adopt the **Resolution** Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project; 2) adopt the **Resolution** Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project; 3) waive the reading and INTRODUCE the Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project; and 4) waive the reading and INTRODUCE the Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project.

FINANCIAL IMPACT:

The project is estimated to generate approximately $3.6 million in annual tax revenues to the City's General Fund and over $41 million in one-time construction-related revenues, which includes $39.4 million in restricted development impact fees and $1.7 million in sales and transfer taxes to the General Fund. All costs associated with the processing of the application are paid by

the applicant.

DESCRIPTION:

Background

The subject 76.2-acre property, known as the SCS Property, is located north of I-580 between Tassajara Road and Brannigan Street and extends to the north of Gleason Drive (refer to Figure 1).

Figure 1. Location Map



On February 15, 2022, the City Council approved the Preferred Plan for the SCS Property, which stemmed from an extensive City-led community outreach process to engage the community in appropriate land uses for the property. The outreach process included a 14-member Community Advisory Committee that held three meetings plus a series of additional meetings with individual committee members, three community meetings with a total of 75 attendees, and three community surveys with a total of 476 responses. In addition, the Planning Commission and City Council held a combined total of seven public meetings during the outreach process in which a total of 18 oral and written comments from the community were received.

The Preferred Plan, as shown in Figure 2, focuses on the following concepts:

- *Integrate Paseo and Town Square Concepts*
  A town square concept, to anchor the shops and restaurants on Finnian Way, is located on the grand paseo opening views to Mt. Diablo. To accommodate a variety of activities (e.g., recreation, public gardening, and native plant/pollinator meadows) and compliment adjacent land uses, the width of the grand paseo varies from 25 feet to 110 feet.
- *Improve Visibility and Access to the Paseo*
  A new north/south street located between Brannigan Street and Tassajara Road is provided along the east side of the grand paseo creating greater access and activity to the public open space. The paseo widens towards Tassajara Road inviting pedestrians and bikes off the major arterial onto the paseo. Generous bike and pedestrian paths connect Gleason Drive to Dublin Boulevard.
- *Diversify Housing Types*
  Housing throughout the site is varied with entry-level housing, affordable housing, and family housing, all of which may accommodate senior residents. Types range from traditional single-family homes, courtyard homes, and townhomes, to affordable apartments. The Preferred Plan envisions a range of 500 to 550 market rate units and a 2.5-acre site for affordable housing (70 to 150 units) for a total of 570 to 650 units.
- *Dedicated Affordable Housing Site*
  A parcel to be dedicated for construction of affordable housing is included. The site location, at the prominent corner of Tassajara Road and Dublin Boulevard, will serve as a gateway to the larger neighborhood. The site is large enough to permit a variety of affordable housing solutions, allowing the design and amount of affordable housing to be tailored to the community's needs. The number of units could vary substantially to respond to those needs and available funding sources. For example, units in a senior affordable housing project are typically smaller than units in a family affordable housing project and, thus, a senior project may have greater density than a family project.
- *Pedestrian-Focused Entertainment District*
  The entertainment district south of Dublin Boulevard is set around a large pedestrian plaza (roughly 120 feet by 300 feet,) creating a regional dining and family entertainment destination.

Figure 2. SCS Preferred Plan



City Council Resolution No. 16-22 approving the Preferred Plan included the following criteria:

1. Market rate residential housing not to exceed 550 units.
2. Finnian Way and Aviano Way extended through the project site from Brannigan Street to Tassajara Road.
3. Finnian Way frontage limited to commercial uses on the ground floor, which may be provided through a "Shop House" concept with substantive commercial space (not less than 400 square feet).
4. Housing types throughout the site that vary with entry level housing, affordable housing, and family housing. Types range from traditional single-family homes, courtyard homes, town homes, and affordable apartments.
5. A combination of inclusionary for-sale units and a Public/Semi-Public parcel dedicated for affordable housing. *Note: The addition of inclusionary for-sale units requires consideration of the economic impacts. The combination of a dedicated site and inclusionary units could require alternative funding sources to make the Preferred Plan an economically viable plan. This funding could come from a variety of sources and would be negotiated as part of the future development application.*
6. A town square concept to anchor the shops and restaurants on Finnian Way. The town square is located on the grand paseo opening views to Mt. Diablo. The paseo connects the square to the residential areas south and north of Finnian Way.
7. The entertainment district south of Dublin Boulevard is set around a large pedestrian plaza (roughly 120 feet by 300 feet) creating a regional dining and family entertainment destination.

<u>Proposed Project</u>
The proposed project takes the first step in implementing the Preferred Plan for the property. SCS Development Co. (the Applicant) is seeking the following entitlements:

- General Plan and Eastern Dublin Specific Plan (EDSP) Amendments
- Planned Development Rezone with Stage 1 and Stage 2 Development Plans
- Development Agreement

The project includes a combination of commercial/retail and residential uses, including two types of retail experiences. The first is a neighborhood, main-street experience. This area can accommodate up to 40,000 square feet of small retail shops along an extended Finnian Way, which would then connect to the Shops at Waterford. The second is envisioned to be a more regional, retail experience focused on entertainment uses, south of Dublin Boulevard. This area is proposed for up to 225,000 square feet of uses. In total, the proposed project includes development of up to 265,000 square feet of commercial/retail uses.

A variety of housing types are proposed by the Applicant, including affordable housing, single-family units, and housing for entry-level buyers, with up to 550 market rate units and up to 100 affordable units.

Additional discretionary approvals are required to implement the project; however, they are not requested at this time. Those include approval of: 1) Vesting Tentative Maps by the Planning

Commission to create the individual development parcels and identify those areas that would be reserved as open and/or common space, easements to provide access through the project site, preliminary grading, drainage, stormwater management and utilities, and adjacent right-of-way improvements; 2) Site Development Review Permits by the Planning Commission for the architectural and site plan details; and 3) a Master Sign Program/Site Development Review Permit by the Community Development Director for the commercial signage.

Analysis

General Plan/Eastern Dublin Specific Plan Amendments

The project site has several existing General Plan and Eastern Dublin Specific Plan (EDSP) land use designations as shown in Figure 3 and Table 1 below. Most of the site is currently designated General Commercial with varying densities of residential along Brannigan Street and Gleason Drive. The General Plan and EDSP allow a density range 565,627-1,672,704 square feet of commercial development and 151-464 residential units on the subject property, not including the Public/Semi-Public parcel. As summarized in Table 1 below, the EDSP assumed mid-density for residential development of 261 units and 902,563 square feet of commercial uses.

Figure 3. Existing Land Use Designations

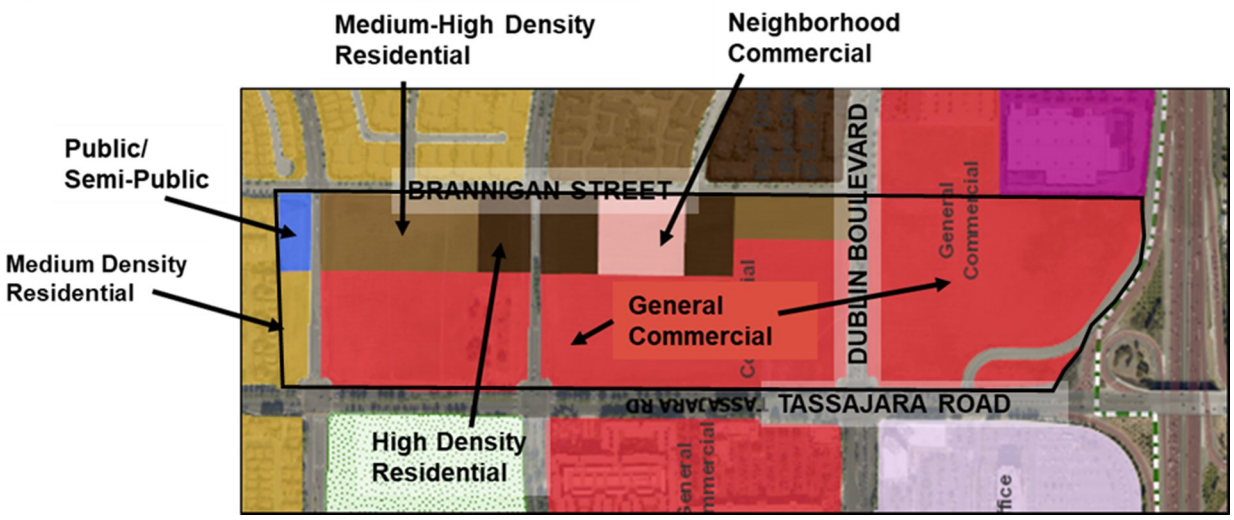


Table 1. Eastern Dublin Specific Plan Anticipated Development

Land Use Designations	Acres	Res. Units	Commercial sq. ft.
General Commercial	60.3	--	846,153
Neighborhood Commercial	3.7	--	56,410
Medium Density Residential	4.3	43	--
Medium High Density Residential	5.3	106	--
High-Density Residential	3.2	112	--
Public/Semi-Public	3.3	--	--
Total	**80.1**[1]	**261**	**902,563**

[1] *The actual project acreage is 76.2 acres.*

To accommodate the proposed project and implement the Preferred Plan, the Applicant proposes to modify the existing land use designations. The proposed new General Plan and EDSP land use designations include the following: General Commercial, Medium Density Residential, Medium-High Density Residential, Parks/Public Recreation and Public/Semi-Public. The location and densities of the proposed land uses are shown in Figure 4 and Table 2 below.

Figure 4. SCS Dublin Proposed Land Uses

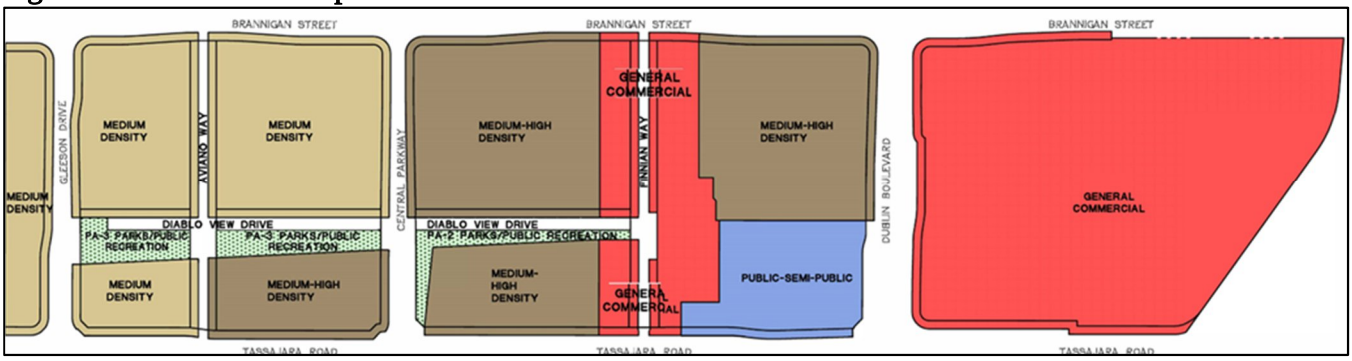


Table 2. SCS Dublin Proposed Land Uses

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	29.4	40	--	0.19 - 0.38	265,000
Medium Density Residential	17	150	8.8		--
Medium High Density Residential	21.1	360	17.1		--
Parks/Public Recreation	2.5	--	--		--
Public/Semi-Public	3.8	100	26.3		--
Total	**73.8[1]**	**650**			**265,000**

[1] The actual project acreage is 76.2 acres which includes the proposed public streets (Finnian Way, Aviano Way and Diablo View Drive).

In addition to the changes to the land use designations, other minor amendments to the General Plan and EDSP are necessary for consistency. The amendments include modifications to the public rights-of-way, such as the vacation of Northside Drive, extension of Brannigan Street south of Dublin Boulevard, extensions to Finnian Way and Aviano Way through the project site, and the addition of a new public street along the Park/Public Recreation land use (e.g., the grand paseo). The resolution approving these amendments is included as Attachment 8.

Planned Development Rezone with Stage 1 and Stage 2 Development Plans

The property is currently zoned Planned Development (PD) (Resolution No. 104-94) adopted with the EDSP. The PD established allowable land uses and densities for each land use designation. Development of the property is limited to the Interim Agricultural Designation until a Planned Development Rezone with a Stage 1 and Stage 2 Development Plan is adopted. The Applicant has proposed PD Rezone with Stage 1 and 2 Development Plans for the entire project site.

Dublin Municipal Code (DMC) Chapter 8.32 establishes the intent, purpose, and requirements of Planned Development Zoning Districts. The proposed PD Zoning contains requirements that ensure the project components will be developed as a cohesive and complementary project. The Development Plan establishes the following regulations for use of the subject property in accordance with the requirements of the DMC: permitted and conditionally permitted uses; development regulations, including setbacks, densities, height limits, and parking requirements; standards and design guidelines; site plan; and other requirements which regulate the improvement and maintenance of the property. An overview of the Planned Development Zoning District for the subject property is provided below. The draft Ordinance providing the details of the proposed zoning is included as Attachment 10.

Figure 5 below shows a conceptual site plan, which organizes the property into four primary Planning Areas (PAs). The conceptual site plan serves as the Planned Development Stage 1 and 2 Site Plan. As previously noted, Vesting Tentative Tract Maps and Site Development Review Permits will be required prior to development of each residential neighborhood and commercial area and are subject to Planning Commission review and approval. Detailed design and elevation drawings will be provided at that time.

Figure 5. Conceptual Site Plan and Planning Areas



The maximum amount of development allowed by the proposed Planned Development Zoning District is 265,000 square feet of commercial uses and 650 residential units. The 265,000 square feet includes the following:

- 40,000 square feet of retail uses along Finnian Way
- 225,000 square feet of commercial uses south of Dublin Boulevard
  - 30,000 square feet of family/entertainment uses
  - 40,000 square feet of retail shops/restaurants
  - 75,000-square-foot hotel(s) with 140 rooms
  - 80,000 square feet of recreational facility

The residential units are separated into 100 affordable units and a maximum of 550 market rate units.

Site Plan and Development Standards

Planning Area 1: The Development Plan envisions PA-1 as an entertainment district with a combination of regional- and community-serving retail, service, and office uses, restaurants, family entertainment uses, and outdoor plazas for a total of 225,000 square feet of commercial uses. Of this, an approximately 80,000-square-foot entertainment driving range is envisioned (based on the Applicant's preliminary discussions with Topgolf, a private sports entertainment company). PA-1 may also include a 140-room hotel.

Access to PA-1 would be provided directly from Tassajara Road and Brannigan Street. Brannigan Street, which is currently a private road south of Dublin Boulevard that serves the Grafton Station shopping center, may become a public street to accommodate this access as part of the project. Northside Drive, which currently extends east from Tassajara Road to the stormwater detention basin on the south side of Grafton Plaza is proposed to be vacated; however, access to the project site where Northside Drive intersects with Tassajara Road would be maintained as a project entrance.

Buildings along Dublin Boulevard would be built around an outdoor plaza to promote outdoor dining and community gathering. A large entertainment use (potentially Topgolf) is envisioned to occupy the southern half of PA-1. The maximum height for the buildings in PA-1 would be 74 feet, which is intended to accommodate the potential hotel. The typical commercial tenant surrounding the outdoor plaza would likely be under 40 feet in height. The poles and netting associated with the Topgolf facility would be up to 190 feet in height.

The parking requirement for the mix of uses would default to the requirements for each land use as stated in the Zoning Ordinance. The parking in PA-1 is intended to be shared by all commercial users.

Planning Area 2: The commercial area of PA-2 focuses on the neighborhood main street experience anchored by a town square. This area would accommodate up to 40,000 square feet of small retail shops, small office spaces, and specialty restaurants along the extension of Finnian Way, which would then connect to the Shops at Waterford. Up to 40 residential units would be located above or behind the retail shops along Finnian Way.

The town square is located at the end of the grand paseo which runs through PA-2 and PA-3 to the north. The grand paseo is envisioned to accommodate a variety of activities and complement adjacent land uses. A midblock pedestrian crossing on Central Parkway is proposed to provide direct pedestrian access linking the grand paseo in PA-2 and PA-3.

Vehicular access to PA-2 would be from Tassajara Road, Central Parkway, Branigan Street, and Finnian Way. No vehicular access from Dublin Boulevard is proposed.

The residential area of PA-2 consists of 290 attached townhomes, 40 shophouse units along Finnian Way and 100 multi-family affordable housing units. A shophouse is a building type serving both as a residence and ground floor commercial business and the proposed shophouse units have been incorporated to support activation of the commercial area along Finnian Way. As outlined by

City Council Resolution No. 16-22 in their approval of the Preferred Plan, the minimum size of the commercial spaces associated with the shophouses was to be 400 square feet. The Planned Development proposes to reduce this requirement to 350 square feet.

Planning Area 3 and 4: PA-3 and PA-4 are designed to support residential and the northern portion of the grand paseo. Collectively they consist of up to 150 single family residences and 70 townhomes. Access to PA-3 would be provided off Brannigan Street, Central Parkway and Tassajara Road. Aviano Way would extend through PA-3 from Brannigan Street to Tassajara Road and intersect with the new north/south street along the grand paseo. Access to PA-4 would be from a single driveway on Gleason Drive.

Permitted, Conditional, and Temporary Land Uses
The permitted and conditionally permitted uses would vary between the different Planning Areas. An overview of the types of uses for each Planning Area is provided in Table 3 below.

Table 3. Overview of Allowed Uses

Planning Area (PA)	Permitted Uses	Conditional Uses	Temporary Uses
PA-1	Offices Restaurants Personal Services Indoor/Outdoor Recreation Plant Nursery Laboratory Health Services/Clinic Comedy Club Hotel/Motel Service Station Theater General Retail	Animal Hospital Car Wash/Detail Repair Shop	Arts and Craft Fair Christmas Tree Lot Farmer's Market Festival/Street Fair Outdoor Skating Rink Pumpkin Sales Lot
PA-2	Single Family Residential Multi-Family Residential Accessory Dwelling Units Restaurants Personal Services General Retail Office Indoor Recreation Outdoor Recreation Plant Nursery Laboratory	Animal Day Care Comedy Club	Arts and Craft Fair Christmas Tree Lot Farmer's Market Festival/Street Fair Outdoor Skating Rink Pumpkin Sales Lot
PA-3 and PA-4	Single Family Residential Multi-Family Residential Accessory Dwelling Units Home Occupations Community Facility	Bed and Breakfast	Model Home Complex

In response to a concern raised at the Planning Commission meeting on October 25, 2022, regarding allowing night clubs as a conditionally permitted use in PA-2c, this use has been removed from the list of conditional uses.

Architectural Standards
The proposed architectural standards provide the framework for future Site Development Review Permits. The architecture for the project is characterized by clean, simple lines using natural materials and neutral color palette. The architectural criteria highlight the nuances of each Planning Area, but also require that the development, as a whole, reflects the following standards:

- Employ high quality materials to provide visual interest in the project and to complement its surroundings.
- Use diversity of textures in the building finishes providing a varied and interesting base form for the buildings.
- Incorporate features such as different wall planes, heights, wall textures, roof elements, roof forms, light fixtures, and landscaping to contribute layers of detail at the pedestrian level.
- Employ architectural details that extend around all sides of buildings, including rear elevations when visible to perimeter public streets.

Conceptual architecture for the residential and commercial areas is included in the PD and is provided in Figures 6 and 7 below.

Figure 6. Residential Conceptual Architecture



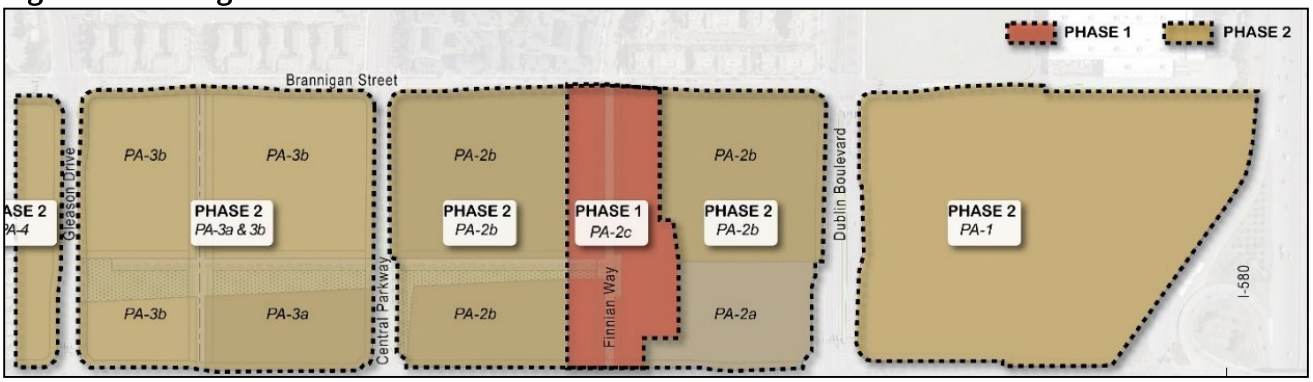
Figure 7. Commercial Conceptual Architecture



Project Phasing

The project is proposed to be constructed in two primary phases as shown in Figure 8 below.

Figure 8. Phasing Plan



The first phase would include the commercial area of PA-2, followed by development of the residential portion of PA-2, PA-3 and PA-4 and the commercial area of PA-1. The proposed phasing plan addresses the development needs of the Applicant and the interests of the City. To ensure that the residential portions of the project do not wholly develop in advance of the retail/commercial corridor along Finnian Way, a restriction has been imposed in the Planned Development Zoning and Development Agreement that no building permits shall be issued for a for-sale, market rate residential unit on any portion of the site until a building permit has been issued for the construction of a non-residential building within the Finnian Way commercial area in PA-2c.

Depending on market conditions, the development of each area within Phase 2 may not happen simultaneously.

Inclusionary Zoning Regulations

Pursuant to the City's Inclusionary Zoning Regulations (Chapter 8.68 of the Dublin Municipal Code), developments of more than 20 residential units are required to set aside 12.5% of the units in the project as affordable units. The Inclusionary Zoning Regulations allow the payment of fees in-lieu of constructing 40% of the inclusionary units and provides additional alternative methods of compliance with these requirements. As previously stated, the City Council's approval of the Preferred Plan included criteria to include a combination of inclusionary for-sale units and a Public/Semi-Public parcel dedicated for affordable housing.

The proposed project includes up to 550 market rate units, which generates an inclusionary requirement of 69 affordable units. The proposed Development Agreement establishes the Applicant's proposed method of satisfying the City's Inclusionary Zoning Regulations. The proposed "alternative method of compliance" for the 69 affordable units includes: 1) the option of constructing five moderate income, for-sale, townhome units on-site or through the payment to a first-time homebuyer program specifically used for this project; 2) production of and deed restriction of approximately 100 (and not less than 85) detached accessory dwelling units with half in the moderate-income category and half in the low-income category; and 3) the option of either the completion of an affordable housing project on the Public/Semi-Public site or the dedication of the Public/Semi-Public site to the City or the City's designee. Prior to dedication, the developer would be required to complete the rough grading of the site and associated improvements including street frontage improvements such as curb, gutter, sidewalk, landscape,

irrigation, and access roadways.

The draft Ordinance approving a Planned Development Zoning District with a Stage 1 and Stage 2 Development Plan for the SCS Dublin Project is included as Attachment 9.

Development Agreement

The Applicant has requested approval of a Development Agreement for the project. The Development Agreement would provide security to the Applicant that the City will not change its zoning and other laws applicable to the project for a stated period of time. Additionally, it is a mechanism for the City to obtain commitments from the Applicant that the City might not otherwise be able to obtain. The details of the Development Agreement can be found in Attachment 11. The main points are highlighted below.

Affordable Housing

The Development Agreement establishes the project's proposed "alternative method of compliance" for the 69 affordable units as outlined in the Inclusionary Zoning Regulations section above.

Community Benefit Payment

The Development Agreement includes a community benefit payment with an initial installment of $1,500,000. The amount of subsequent community benefit payments is based on whether a Community Facilities District (CFD) is created. A CFD is a special tax district which would allow the property owner to impose a tax to fund services, public improvements, or infrastructure. If a CFD is created, the amount of the subsequent installments would be 10% of the aggregate face value of any bonds issued.

Community Center

The Development Agreement establishes a requirement for the project to provide a community center, which would include dedication of a fully improved retail space on Finnian Way to be used by the City as event space and for City programming. This space will contribute to the City's effort to develop community event space and indoor recreational space as identified in the City's Public Facility Fee Program and Parks and Recreation Master Plan. The event space is required to be approximately 1,800 square feet.

Vacation of Northside Drive

As part of the Development Agreement, the City would agree to vacate Northside Drive for the acquisition of the land by the Applicant at fair market value.

Extension of Brannigan Street

The Development Agreement would require the Applicant to construct the extension of Brannigan Street south of Dublin Boulevard, which includes acquiring the necessary rights from the property owner.

Project Phasing

The Development Agreement reinforces the construction phasing requirements for the project as

outlined in the Project Phasing section above.

The draft Ordinance approving the Development Agreement is included as Attachment 10 with the Development Agreement itself as Attachment 11.

Fiscal Analysis

The General Plan requires that the "fiscal impact of new residential development in the Eastern Extended Planning Area supports itself and does not draw upon and dilute the fiscal base of the remainder of the city."

The Eastern Dublin Specific Plan expands upon this policy through the following Financing Goal: *"New development in the Specific Plan area should pay the full cost of infrastructure needed to serve the area and should fund the costs of mitigating adverse impacts on the City's existing infrastructure and services."* To thoroughly evaluate the fiscal impact of the proposed SCS Dublin project, the City engaged the services of Keyser Marston Associates (KMA) to prepare a Fiscal Analysis of the project. The Fiscal Analysis (Attachment 12) confirmed that the project would be fiscally neutral or better.

Project Consistency with the General Plan and Zoning Ordinance

The proposed project is consistent with the General Plan and ESDP as amended. The General Plan allows for a variety of residential and commercial uses in this area of Dublin which the proposed project will achieve. The General Plan encourages projects to relate well to surrounding development, and the proposed project is compatible with the surrounding neighborhood that includes residential, public park, commercial retail, and office uses.

The proposed project is consistent with the EDSP which states that regionally oriented commercial uses should be located south of Dublin Boulevard and near freeway interchanges where convenient vehicular access will limit traffic impacts to the rest of Dublin. The EDSP provides for a variety of commercial uses as outlined in the Town Center – Commercial subarea and a mix of housing types, which is strongly encouraged in the Town Center – Residential subarea.

Airport Influence Area (AIA)/Overlay Zoning District

The majority of the site, excluding the most northerly portion, is located within the Airport Influence Area (AIA)/Overlay Zoning District. This area is designated as an area in which current or future airport-related noise, overflight, safety, and/or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses. The AIA is a designation by the Alameda County Airport Land Use Commission (ALUC).

All permitted and conditionally permitted uses set forth in a Planned Development Zoning District that was adopted and in effect prior to August 2012 are considered to be "Existing Land Uses" pursuant to the Livermore Municipal Airport Land Use Compatibility Plan (ALUCP). This would include all uses allowed by the existing Planned Development Zoning Resolution No. 104-94. The Alameda County ALUC has no authority over Existing Land Uses unless changes to an Existing Land Use results in an increase of nonconformity with ALUCP policies. The proposed Planned Development Zoning District does not include any new land uses beyond what was allowed in the

existing Planned Development Zoning District. More specifically, the existing and proposed Planned Development Zoning District allows a variety of residential and commercial uses, including assembly land uses such as a hotel, recreational facilities, and other similar uses.

Eastern Dublin Scenic Corridor Standards and Policies – EDSP
The Eastern Dublin Scenic Corridor Policies and Standards document was adopted by the City Council in 1996 as a means of implementing the requirements of the Eastern Dublin Specific Plan. The Scenic Corridor policies establish standards for projects within the scenic corridor viewshed. Along the I-580 corridor, the document identified three critical viewpoints of Dublin's "Visually Sensitive Ridgelands," of which Viewpoint 2 looking northeast to the ridgelands from the Tassajara Road/I-580 overpass applies to the project.

Viewpoint 2 requires that developments maintain generally uninterrupted views and have structures that do not extend above the horizon of the Visually Sensitive Ridgelands and block the view of more than 25% of the total horizon line. The Environmental Impact Report (EIR) prepared for the project provides a detailed analysis of the project's impacts to the viewpoint and finds that the proposed development (including the potential Topgolf facility and tallest building at 74 feet, the hotel) does not obscure the view of the horizon of the Visually Sensitive Ridgelands. As shown in updated *Figure 5-1: Rendering of Topgolf Building Massing for Viewpoint 2*, contained in the EIR, the Topgolf poles and netting are semi-transparent and extend above the Visually Sensitive Ridgeland providing a direct view to the Visually Sensitive Ridgelands for more than 25% of the total horizon line.

Semi-Public Facilities Policy - EDSP
In 2004, the City Council adopted a Semi-Public Facilities Policy that requires the consideration of opportunities for cultural, education and other community services when reviewing amendments to the land use map of the General Plan and EDSP. The purpose of the Semi-Public Facilities Policy, among others, was to create a greater sense of community, enrich community identify, increase public access to community services and anticipate the needs of Dublin's diverse community.

The policy applies to all General Plan and EDSP Amendments which involve 150 or more single-family housing units and/or 250 or more medium density or greater units. The policy establishes various standards which encourage, but do not require, the inclusion of a Semi-Public Facilities at a rate of one acre per 1,000 residences. The proposed project is estimated to generate a population of 1,755 persons (1.75 acres). To meet the intent of the City's policy, the proposed project proposes approximately 3.8 gross acres in PA-2 north of Dublin Boulevard on the Tassajara Road frontage for Public/Semi-Public uses. Public/Semi-Public allows for a combination of public facility and semi-public facility land uses including the development of housing when it is developed by a non-profit entity and serves to meet affordable housing needs of an underserved economic segment of the community. Affordable housing within the Public/Semi-Public designation would consist of up to 100 residential units.

Town Center Priority Development Area
The proposed project is located within the Dublin Town Center Priority Development Area (PDA). This PDA is comprised of a mix of housing types, including single-family detached, town homes, and apartments and surrounds the commercial core for eastern Dublin. The proposed project

supports the goals of the PDA through the development of residential and commercial uses.

Transportation Impact Analysis Guidelines
The City of Dublin Transportation Impact Analysis (TIA) Guidelines require a local transportation analysis (LTA) for all General Plan Amendments to evaluate potential impacts on the circulation network focusing primarily on local access and circulation in proximity to a project site. Per the TIA Guidelines, this analysis is required for conditions of approval and is outside the CEQA review process. Although the currently requested entitlements do not allow for the inclusion of conditions of approval, an LTA was completed to evaluate the proposed land use changes. The recommended improvements include adjusting signal timing and cycle lengths at four intersections as outlined in the LTA and will be considered with the review of future Site Development Review Permit(s) and Tentative Tract Map(s) and made conditions of approval at that time. The LTA is included as Attachment 13 with the Appendices available for review on the City's Development Activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com/.

ENVIRONMENTAL DETERMINATION:

On April 2, 2022, the City issued a Notice of Preparation for an Environmental Impact Report (EIR) and held a public scoping meeting on April 13, 2022. The City received nine letters regarding the scope of the EIR. Subsequently, a Draft EIR (Attachment 2) was prepared for the proposed project and circulated for a 45-day public review period. The comment period was open from July 22, 2022, to September 6, 2022. The City received eight comment letters during the public review period. Reponses have been prepared for each of the comments received by the City. The Draft EIR, comments and associated responses, and changes and clarifications to the Draft EIR constitute the Final EIR (Attachment 3).

The Draft EIR examined potential environmental impacts resulting from the project in the following topic areas:

- Aesthetics *
- Biological Resources *
- Cultural and Tribal Resources *
- Geology and Soils *
- Noise & Vibration *
- Hazards and Hazardous Materials *
- Energy
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use & Planning
- Population and Housing
- Public Services and Utilities
- *Air Quality*
- *Transportation*

The Draft EIR classifies the environmental impacts as follows:

- Class I are significant and unavoidable
- Class II can be reduced to less than significant with mitigation
- Class III are less than significant and do not require mitigation

The Draft EIR excluded the two topics, Agricultural and Forestry Resources and Mineral Resources, from detailed analysis as the project site does not support agricultural and forestry resources or mineral resources. In summary, the Draft EIR concludes that the project will have potentially significant impact in six of the 16 topic areas (noted above with an asterisk) and mitigation measures have been prepared to reduce the impacts in these areas to a level that is less than significant (Class II).

There were no potentially significant impacts identified for the six topics areas (underlined above) and, therefore, no mitigation is required (Class III).

Similar to other infill projects of this size, impacts were identified where, even with the implementation of mitigation measures, the effects to the environment would still be expected to be significant (Class I). The identified impacts, noted in italics above, include air quality and transportation. Although mitigation measures were prepared to reduce the level of the impact, the impacts could not be fully reduced to less than significant in all instances.

An overview of all the topic areas is provided below.

Aesthetics
To address potential aesthetic impacts that might result from the project, a photo simulation from the I-580 overcrossing looking northeast to the ridgelands was prepared and compared to existing conditions. The Draft EIR concluded that the project would not adversely impact views from a scenic vista or substantially alter the existing visual character because the building heights, massing and materials are generally consistent with the surrounding land uses. In addition, the EIR concluded that the project would not result in impacts to Visually Sensitive Ridgelands identified in the Eastern Dublin Scenic Corridor Policies and Standards. Potential impacts associated with light and glare were identified. The Draft EIR identifies mitigation measure to reduce the impact to a level of less than significant.

Air Quality
The Draft EIR identifies potentially significant impacts to air quality and includes mitigation measures. Although mitigation measures were prepared to reduce the impact to a less-than-significant level, the impacts could not be fully mitigated in all instances. The project's construction air quality emissions would exceed air quality thresholds established by the Bay Area Air Quality Management District for nitrogen oxides (NOx) emissions. The predominant source of NOx emissions would be construction activities (i.e., emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on-site as the equipment is used, and emissions from trucks transporting materials and workers to and from the site) and mobile sources (i.e., project generated vehicle trips). The project also results in operational air

quality emissions exceeding air quality thresholds established by the Bay Area Air Quality Management District for nitrogen oxides (NOx) and reactive organic gases (ROG) emissions. To reduce the emissions associated with mobile sources, a Transportation Demand Management (TDM) plan is required for all uses.

Biological Resources
The project site contains approximately 77 acres of non-sensitive ruderal habitat comprised primarily of disced and mowed areas of disturbed vegetation. These biological communities are not considered sensitive natural communities or riparian habitat. The Draft EIR identifies other biological resources such as wetlands and special status species (e.g., Congdon tarplant, saline clover, burrowing owl, white-tailed kite, etc.) that would be impacted by the project and, therefore, identifies mitigation measures to reduce the project's impact on these biological resources to a level of less than significant.

Cultural and Tribal Resources
The project site is not listed as a historic site or a tribal resource. Nonetheless, there is always the possibility that previously unknown historic resources exist below the ground surface within the project site. As such, development of the project site was determined to have a potentially significant impact. The Draft EIR identifies mitigation measures to reduce the impact to a level of less than significant.

Energy
There were no potentially significant impacts identified for energy and, therefore, no mitigation is required.

Geology and Soils
Geologic-related impacts from development are site-specific and, if properly designed, would not result in worsening of the environment or public health and safety impacts. As part of the building permit application, the Applicant is required to submit a design-level geotechnical report. This report would provide recommendations on the appropriate level of soil engineering and building design necessary to minimize ground-shaking hazards. The Draft EIR builds off these existing requirements and requires the Applicant to submit a design-level geotechnical report to the City of Dublin for review and approval and implement recommendations under the approved report. The implementation of this mitigation measure would ensure that the project impacts would be less than significant.

Greenhouse Gas Emissions
There were no potentially significant impacts identified for greenhouse gas emissions and, therefore, no mitigation is required.

Hazards and Hazardous Materials
As previously noted, the project site is vacant except for seasonal uses. The Draft EIR identified a limited amount of hazardous materials on the project site, including two five-gallon buckets of petroleum hydrocarbon, stained soils, and solid waste debris. As such the Draft EIR identified a mitigation measure to reduce this impact to less than significant.

Hydrology
There were no potentially significant impacts identified for hydrology and, therefore, no mitigation is required. Projects, such as the proposed project, involving construction on sites that are one acre or more are required by regulation to prepare and implement a Stormwater Pollution Prevention Plan that specifies how the discharger will protect water quality during construction activities

Land Use
There were no potentially significant impacts identified for land use and, therefore, no mitigation is required.

Noise
The Draft EIR identified potentially significant noise impacts related to project construction in the short term as well as longer-term noise exposure of future residents to traffic noise from the adjacent City streets. Accordingly, the Draft EIR identifies mitigation measures, including the regulation of construction equipment and the requirement for an acoustical study demonstrating all residential units would meet the City's noise standards. These mitigation measures would reduce the project noise impacts to a level of less than significant.

Population and Housing
There were no potentially significant impacts identified for population and housing and, therefore, no mitigation is required.

Public Services and Utilities
There were no potentially significant impacts identified for public services and utilities and, therefore, no mitigation is required.

Transportation
Starting on July 1, 2020, agencies analyzing transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of level of service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto roads, the project may cause a significant transportation impact.

The project includes a mix of residential, local-serving retail and regional retail/recreation. The market-rate residential component of the project is anticipated to be below the established VMT threshold and, therefore, considered to result in a less than significant impact. In addition, per City of Dublin TIA Guidelines Section 4.2.2, if a project contains less than 100% affordable housing, the portion that is affordable housing should be screened out of needing a detailed VMT analysis. Therefore, the impact on VMT from the affordable housing component of the project is less than significant. Local-serving retail primarily serves preexisting needs (i.e., it does not generate new trips because it meets existing demand). Essentially, the assumption is that someone would travel to a newly constructed local-serving store because of its proximity and, therefore, this trip on the roadway network becomes shorter. As a result, local serving retail would most likely provide shorter trip options to pre-existing and on-site project induced needs for these goods and services.

The Topgolf component of the project is categorized as regional retail/recreation and would result in an increase in VMT to the planning area resulting in a significant impact. To address the impact, a Transportation Demand Management (TDM) plan is required for the Topgolf facility. Although mitigation measures were prepared to reduce the impact, it could not be fully reduced to less than significant in all instances.

The City Council resolution certifying the Final Environmental Impact Report is included as Attachment 1. To approve the project, the City Council must make findings regarding significant impacts and mitigation measures (Attachment 4), findings concerning infeasibility of alternatives and potential additional mitigation measures (Attachment 5) and will need to adopt a Statement of Overriding Considerations (SOC) (Attachment 6) that identifies all environmental impacts that cannot be mitigated and explains why the benefits of the project outweigh its unavoidable environmental impacts. The Mitigation Monitoring and Reporting Program is included as Attachment 7. The SOC is required in order to approve the project, if desired by a majority of the City Council.

PLANNING COMMISSION REVIEW:

The Planning Commission held a study session on September 27, 2022 and received presentations by Staff and the Applicant on the proposed project. The Planning Commission then held a public hearing and considered the project at their regular meeting on October 25, 2022. The Commission asked questions regarding the affordable housing proposal, mitigation measures for impacts to biological resources, fiscal analysis, and water supply. The Planning Commission adopted Resolution No. 22-13 (Attachment 14) unanimously recommending the City Council certify the Final EIR and approve the proposed amendments to the General Plan and Eastern Dublin Specific Plan, a Planned Development Rezone with Stage 1 and 2 Development Plans and a Development Agreement related to the SCS Dublin Project.

STRATEGIC PLAN INITIATIVE:

None.

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

Two City-led Community Meetings were held on September 14 and 15, 2022 to provide Dublin residents with information about the proposed SCS Dublin project. In addition to Staff and the Applicant, 24 residents attended the meeting on September 14. Six residents attended the meeting on September 9. Staff provided a presentation that included an overview of the City's development review process and the proposed project. Questions were asked about the number of students the project would generate and general impacts on the schools, parking, potential for increasing the commercial area, and potential impacts to access of Grafton Station, Lowe's, and the water quality basin at the terminus of Northside Drive.

In accordance with State law, a public notice was mailed to all property owners and occupants within 300 feet of the proposed project to advertise the project and upcoming public hearing. A public notice was also published in the *East Bay Times* and posted at several locations throughout

the City. A Planning Application sign was posted on the project site and the project was also included on the City's Development Projects webpage. A copy of this Staff Report has been provided to the Applicant and the City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project
2) Exhibit A to the Resolution – Draft Environmental Impact Report
3) Exhibit B to the Resolution - Final Environmental Impact Report
4) Exhibit C to the Resolution – Findings Concerning Significant Impacts and Mitigation Measures
5) Exhibit D to the Resolution – Findings Concerning Infeasibility of Alternatives and Potential Additional Mitigation Measures
6) Exhibit E to the Resolution - Statement of Overriding Considerations
7) Exhibit F to the Resolution – Mitigation Monitoring and Reporting Program
8) Resolution Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project
9) Ordinance Amending the Zoning Map and Approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans For the SCS Dublin Project
10) Ordinance Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project
11) Exhibit A to the Ordinance - Development Agreement
12) Fiscal Analysis
13) Local Transportation Analysis
14) Planning Commission Resolution No. 22-13

RESOLUTION NO. XX – 22

AN RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

CERTIFYING AN ENVIRONMENTAL IMPACT REPORT AND ADOPTING ENVIRONMENTAL IMPACT FINDINGS, FINDINGS REGARDING ALTERNATIVES, A STATEMENT OF OVERRIDING CONSIDERATIONS AND A MITIGATION MONITORING AND REPORTING PROGRAM FOR THE SCS DUBLIN PROJECT
PLPA 2022-00005
(APNS 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, AND 985-0052-025)

WHEREAS, the Property Owner, SCS Development Company, is requesting approval of the SCS Dublin Project including up to 550 market rate residential units and up to 100 affordable units, up to 265,000 square feet of retail commercial development, and related infrastructure and landscape improvements. Requested land use approvals include a General Plan Amendment and Eastern Dublin Specific Plan Amendment, a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, and a Development Agreement, among other related actions. These planning and implementing actions are collectively known as the "SCS Dublin Project" or the "Project;" and

WHEREAS, the Project site is 76.2 acres generally bound by Tassajara Road, Gleason Drive, Brannigan Street and I-580 (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025); and

WHEREAS, on February 15, 2022, City Council approved the Preferred Plan for the SCS Property, which stemmed from an extensive City-led Community Outreach process to engage the community on appropriate land uses for the property; and

WHEREAS, the proposed Project takes the first step in implementing the Preferred Plan for the SCS Property; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the State guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared. It was determined that an Environmental Impact Report (EIR) be prepared to analyze the Project; and

WHEREAS, the City circulated a Notice of Preparation, dated March 30, 2022, to public agencies and interested parties for consultation on the scope of the EIR. The City also conducted a public scoping meeting on April 13, 2022; and

WHEREAS, the City prepared a Draft EIR, dated July 2022, for the proposed Project that reflected the City's independent judgment and analysis of the potential environmental impacts of the Project (SCH No. 2022040022). The Draft EIR is attached as **Exhibit A** and is incorporated herein by reference; and

WHEREAS, the Draft EIR was circulated for a 45-day public review period from July 22, 2022 through September 6, 2022; and

WHEREAS, the City received seven comment letters from State, regional, and local agencies as well as interested individuals and organizations during the public review period and one additional letter from the Alameda County Transportation Commission after the close of the comment period. In accordance with the requirements of CEQA, the City prepared written responses to all the comments received during the public comment period and also included the letter from the Alameda County Transportation Commission; and

WHEREAS, the City prepared a Final EIR, dated October 2022, for the proposed Project, which includes an annotated copy of each comment letter identifying specific comments, responses to each specific comment, and clarifications and minor corrections to information presented in the Draft EIR. The Final EIR is attached as **Exhibit B** to this Resolution and is incorporated herein by reference. The complete SCS Dublin Project EIR incorporates the Draft EIR and the Final EIR together. The responses to comments provide the City's good faith, reasoned analysis of the environmental issues raised by the comments; and

WHEREAS, the Draft EIR identified potentially significant environmental effects anticipated as a result of the Project such as, aesthetics, air quality, biological resources, cultural and tribal cultural resources, geology and soils, greenhouse gas emissions, hazards/hazardous materials, hydrology and water quality, land use, noise, population and housing, public services and utilities, energy and transportation, most of which can be substantially reduced through mitigation measures; therefore, approval of the Project must include impact and mitigation findings as set forth in attached **Exhibit C**; and

WHEREAS, some of the impacts cannot be lessened to a level of less than significant; therefore, approval of the Project must include findings regarding alternatives as set forth in attached **Exhibit D**, and must include a Statement of Overriding Considerations as set forth in attached **Exhibit E**; and

WHEREAS, the Planning Commission held a public hearing on the project on October 25, 2022, at which time they reviewed and considered the Draft and Final EIRs, and all reports, recommendations and testimony before them. Following the public hearing, the Planning Commission adopted Resolution No. 22-13 recommending the City Council approve the project and certify the Final EIR; and

WHEREAS, the City Council considered the Planning Commission minutes and recommendation, a staff report, the Draft and Final EIRs, and all written and oral testimony at a duly noticed public hearing on November 15, 2022; and

WHEREAS, a Staff Report dated November 15, 2022, and incorporated herein by reference, described and analyzed the Project and Draft and Final EIR for the City Council; and

WHEREAS, the Draft and Final EIRs reflect the City's independent judgment and analysis on the potential for environmental impacts and constitute the Environmental Impact Report for the SCS Project; and

WHEREAS, the Draft and Final EIRs are separately bound documents, incorporated herein by reference, and are available for review in the City of Dublin Community Development Department, file PLPA-2022-00005. The custodian of the documents and other materials which constitute the record of proceedings for the SCS Dublin Project is the City of Dublin Community Development Department, 100 Civic Plaza, Dublin CA 94568; and

WHEREAS, a Mitigation and Monitoring Program, as required by CEQA, is contained in attached **Exhibit F**.

NOW, THEREFORE, BE IT RESOLVED THAT the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the Dublin City Council certifies the following.

A. The EIR for the SCS Dublin project has been completed in compliance with CEQA, the CEQA Guidelines and the City of Dublin CEQA Guidelines and Procedures.

B. The EIR for the SCS Dublin project was presented to and reviewed by the City Council prior to taking action on the SCS Dublin project.

C. The EIR reflects the City's independent judgment and analysis as to the potential environmental effects of the SCS Dublin project. The EIR provides information to the decision-makers and the public on the environmental consequences of the Project.

D. The EIR adequately describes the Project, its significant environmental impacts, mitigation measures and a reasonable range of alternatives to the Project.

BE IT FURTHER RESOLVED that the Dublin City Council certifies the EIR consisting of the Draft EIR as set forth in **Exhibit A** and the Final EIR as set forth in **Exhibit B**, adopts the impact and mitigation findings set forth in **Exhibit C**, the findings regarding alternatives set forth in **Exhibit D**, the Statement of Overriding Considerations set forth in **Exhibit E**, and the Mitigation Monitoring and Reporting Program set forth in **Exhibit F**, which exhibits A, B, C, D, E and F are incorporated herein by reference

PASSED, APPROVED AND ADOPTED BY the City Council of the City of Dublin, on this 15th day of November 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk



SCS Dublin

Draft EIR | July 2022



DUBLIN
CALIFORNIA

SCS Dublin

Draft EIR |July 2022

State Clearinghouse No. 2022040022

Kimley»Horn
Expect More. Experience Better.

Table of Contents

1 Executive Summary 1
2 Introduction 2-1
3 Project Description 3-1
4 Introduction to Environmental Analysis 4-1
5 Aesthetics 5-1
6 Air Quality 6-1
7 Biological Resources 7-1
8 Cultural & Tribal Cultural Resources 8-1
9 Geology & Soils 9-1
10 Greenhouse Gas Emissions 10-1
11 Hazards & Hazardous Materials 11-1
12 Hydrology & Water Quality 12-1
13 Land Use & Planning 13-1
14 Noise & Vibration 14-1
15 Population & Housing 15-1
16 Public Services, Utilities & Service Systems 16-1
17 Transportation 17-1
18 Energy Conservation 18-1
19 Alternatives 19-1
20 Other CEQA Considerations 20-1
21 EIR Preparers 21-1

Appendices

A	Notice of Preparation and Comment Letters
B	Air Quality and Greenhouse Gas Emissions Analysis (supporting technical data)
C	Biological Resources Assessment and Supporting Surveys
D	Preliminary Geotechnical Exploration
E	Phase 1 Environmental Site Assessment
F	Noise Analysis (supporting technical data)
G	Water Supply Assessment
H	Energy Conservation Technical Data

Appendices documents are available in electronic format and are posted on the City of Dublin website at https://dublin-development.icitywork.com/

List of Figures

Figure 3-1: Project Location
Figure 3-2: Surrounding Land Uses
Figure 3-3: Existing General Plan Land Use Designations
Figure 3-4: Existing Zoning
Figure 3-5: Proposed General Plan Land Use Designations
Figure 3-6: Illustrative Site Plan
Figures 3-7 (a-b): Project Renderings
Figure 3-8: Project Phasing Plan
Figure 5-1: Rendering of Topgolf Building Massing From Viewpoint 2
Figure 7-1: Biological Communities on the Project Site
Figure 7-2: Special-Status Plant Species with Five Miles of the Project Site
Figure 7-3: Special-Status Plant Species on the Project Site
Figure 7-4: Special-Status Wildlife Species within Five Miles of the Project Site
Figure 9-1: Soils on the Project Site
Figure 9-2: Regional Fault Zones
Figure 11-1: Livermore Municipal Airport Safety Compatibility Zones
Figure 12-1: Flood Hazard Areas
Figure 14-1: Noise Measurement Locations
Figure 17-1: Study Intersections
Figure 17-2: Existing Bicycle Facilities
Figure 17-3: Existing Transit Facilities
Figure 17-4: Proximity of Project Hotel to Existing Hotels

Note: All figures are presented at the end of their respective chapter.

List of Tables

Table 1-1: SCS Dublin Land Use Summary 2
Table 1-2: Summary of Significant Impacts of the Proposed Project 8
Table 2-1: NOP Comment Letters 2-3
Table 2-2: At Dublin Land Use Summary 2-7
Table 3-1: Eastern Dublin Specific Plan Anticipated Project Site Development 3-3
Table 3-2: SCS Dublin Land Use Summary 3-4
Table 3-3: Grading Requirements (by Planning Area) 3-10
Table 5-1: Summary of Impacts and Mitigation Measures – Aesthetics 5-17
Table 6-1: Air Contaminants and Associated Public Health Concerns 6-3
Table 6-2: Current National and State Ambient Air Quality Standards 6-5
Table 6-3: Attainment Status of the San Francisco Bay Area Air Basin 6-7
Table 6-4: Ambient Air Quality Data 6-8
Table 6-5: BAAQMD Significance Thresholds for Construction Emissions 6-18
Table 6-6: BAAQMD Significance Thresholds for Operational Emissions 6-19
Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures 6-21
Table 6-8: Construction Air Emissions 6-26
Table 6-9: Project Buildout Operational Emissions – Unmitigated 6-29
Table 6-10: Project Buildout Operational Emissions – Mitigated 6-32
Table 6-11: Cumulative Health Risk 6-43
Table 6-12: Summary of Impacts and Mitigation Measures – Air Quality 6-47
Table 7-1: Summary of Impacts and Mitigation Measures – Biological Resources 7-23
Table 8-1: Summary of Impacts and Mitigation Measures – Cultural Resources 8-14
Table 9-1: Regional Faults and Seismicity 9-3
Table 9-2: Summary of Impacts and Mitigation Measures – Geology & Soils 9-15
Table 10-1: Description of Greenhouse Gases 10-3
Table 10-2: Dublin Community-wide 2015 GHG Emissions and Adjusted Forecast by Sector ($MTCO_2e$) 10-5
Table 10-3: Project Construction-Related Greenhouse Gas Emissions 10-20
Table 10-4: Project Operation-Related Greenhouse Gas Emissions 10-21

Table 10-5: Project Consistency with Applicable City of Dublin Climate Action Plan 2030 and Beyond Control Measures 10-24
Table 10-5: Project Consistency with Applicable CARB Scoping Plan Measures 10-28
Table 10-6: Summary of Impacts and Mitigation Measures – Greenhouse Gas Emissions 10-33
Table 11-1: Summary of Impacts and Mitigation Measures – Hazards & Hazardous Materials 11-15
Table 12-1: Summary of Impacts and Mitigation Measures – Hydrology & Water Quality 12-15
Table 13-1: Summary of Impacts and Mitigation Measures – Land Use & Planning 13-9
Table 14-1: Typical A-Weighted Noise Levels 14-2
Table 14-2: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations 14-4
Table 14-3: Existing Noise Measurements 14-6
Table 14-4: Existing Traffic Noise Levels 14-7
Table 14-5: Land Use/Noise Compatibility Matrix 14-10
Table 14-6: Typical Construction Equipment Noise Levels 14-15
Table 14-7: Project Construction Noise Levels 14-16
Table 14-8: Near Term and Near Term Plus Project Traffic Noise Levels 14-19
Table 14-9: Typical Construction Equipment Vibration Levels 14-26
Table 14-10: Cumulative Plus Project Conditions Predicted Traffic Noise Levels 14-30
Table 14-11: Summary of Impacts and Mitigation Measures – Noise 14-34
Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population 15-2
Table 15-2: Housing Units for City of Dublin and Alameda County 15-2
Table 15-3: City of Dublin Regional Housing Needs Allocation 15-3
Table 15-4: Additional Population Generated by Project 15-6
Table 15-5: Buildout Potential of the Eastern Dublin Specific Plan 15-7
Table 15-6: Summary of Impacts and Mitigation Measures – Population & Housing 15-7
Table 16-1: Alameda County Fire Department Stations in the City of Dublin 16-3
Table 16-2: Dublin School District Existing Student Capacity 16-4
Table 16-3: Dublin Parks and Sport Facilities Existing Service Levels and Standards 16-5
Table 16-4: City of Dublin Community Facilities 16-6
Table 16-5: DSRSD Current and Projected Water Supply and Demand 16-8
Table 16-6: Dublin Unified School District Student Generation Rates by Housing Type 16-28
Table 16-7: Estimated Project Student Generation vs. DUSD Projections 16-28

Table 16-8: Community and Neighborhood Park Requirements 16-31
Table 16-9: Project Potable Water Demand 16-32
Table 16-10: Proposed Project Estimated Daily Solid Waste Generation 16-35
Table 16-11: Summary of Impacts and Mitigation Measures – Public Services, Utilities & Service Systems 16-37
Table 17-1: VMT Analysis Results by Project Land Use 17-19
Table 17-2: Dublin Travel Demand Model Residential VMT Threshold 17-19
Table 17-3: Dublin Travel Demand Model Residential Project VMT 17-20
Table 17-4: Average Topgolf Destination Trip Length 17-23
Table 17-5: Regional Recreation Trip Length Comparison 17-24
Table 17-6: VMT Range for Topgolf 17-24
Table 17-7: Summary of Impacts and Mitigation Measures – Transportation 17-29
Table 18-1: Electricity Consumption in Alameda County 2010-2020 18-4
Table 18-2: Natural Gas Consumption in Alameda County 2010-2020 18-4
Table 18-3: Automotive Fuel Consumption in Alameda County 2010-2020 18-5
Table 18-4: Project Energy Consumption During Construction 18-14
Table 18-5: Project Annual Energy Consumption During Operations 18-17
Table 18-6: Summary of Impacts and Mitigation Measures – Energy Conservation 18-21
Table 19-1: Alternative 2 Land Use Summary & Comparison 19-4
Table 19-2: Alternative 2 Trip Generation Comparison 19-5
Table 19-3: Alternative 3 Land Use Summary & Comparison 19-7
Table 19-4: Alternative 3 Trip Generation Comparison 19-8
Table 19-5: Comparison of Alternatives 19-8

1 Executive Summary

1.1 Purpose

This Draft Environmental Impact Report (EIR) has been prepared by the City of Dublin for the SCS Dublin development project (the "project" or "proposed project"). The City of Dublin is the "public agency which has the principal responsibility for carrying out or approving the project," and as such is the "Lead Agency" under the California Environmental Quality Act (CEQA), as defined in CEQA Guidelines Section 15367. CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action. This EIR is intended to serve as an informational document to be considered by the City and other permitting agencies during deliberations on the project.

This Executive Summary summarizes the requirements of the CEQA Statute and Guidelines, provides an overview of the project and alternatives, outlines the potential impacts of the project and the recommended mitigation measures, and discloses areas of controversy and issues to be resolved.

1.2 Project Description

The 76.2-acre project site is generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive. The project site is located in the Eastern Dublin Specific Plan (EDSP) area and has Planned Development Zoning (Resolution No. 104-94) adopted with the EDSP. The project site is surrounded by commercial uses to the west, southwest and southeast, a public park to the northwest, and residential uses to the north, northwest and east.

The proposed project is based on the Preferred Plan approved by City Council on February 15, 2022. The project proposes to develop 76.2 acres with a combination of commercial/retail and residential uses, including two types of retail experiences. The first is a more neighborhood main street experience. This area can accommodate up to 40,000 square feet of small retail shops along an extended Finnan Way, which would then connect to the Shops at Waterford. The second is envisioned to be a more regional retail experience, focused on entertainment uses, south of Dublin Boulevard. This area is proposed for up to 225,000 square feet of uses. In total, the proposed project includes development of up to 265,000 square feet of commercial/retail uses.

A variety of housing types are proposed by the applicant, including affordable housing, and housing for entry level buyers, with up to 550 market rate units plus up to 100 affordable units.

To accommodate the project, the applicant proposes to amend the City of Dublin General Plan (General Plan) and Eastern Dublin Specific Plan (EDSP) land use designations, organized into four primary Planning Areas (PAs). The proposed land use designations (described in Chapter 3 Project Description) are consistent with the land use patterns of the surrounding properties. As shown in Table 1-1: SCS Dublin Land Use Summary, the proposed new General Plan and EDSP

land use designations are: General Commercial, Medium Density Residential, Medium-High Density Residential, Parks/Public Recreation and Public/Semi-Public.

Table 1-1: SCS Dublin Land Use Summary

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	29.4	40	--	.19-.38	265,000
Medium-Density Residential	17	150	8.8	--	--
Medium-High Density Residential	21.1	360	17.1	--	--
Public/Semi-Public	3.8	100	26.3	--	--
Parks/Public Recreation	2.5	--	--	--	--
Total	**73.8**	**650**	**--**	**--**	**265,000**

Source: City of Dublin, 2022.

1.3 Project Objectives

The following project objectives are identified:

Mix of Uses / Quality of Product

1. Provide a balanced mix of residential and commercial uses in the Eastern Extended Planning Area that integrate into the existing urban systems and provide a safe and attractive environment for living and working as encouraged by General Plan Policy 2.6.4.A.1.
2. Provide uses that meet the Eastern Dublin Specific Plan's objective to have higher-density housing, adjacent to commercial and employment opportunities.
3. Provide land uses and high-quality architecture that complement existing, adjacent land uses and development.

Economic Growth

4. Have a positive contribution to the local economy through new capital investment, the creation of new jobs, and the expansion of the tax base.
5. Add commercial, entertainment, and hotel uses that will have a synergy with existing retail in the City.
6. Provide a mix of residential and commercial uses that achieves a financially feasible project.
7. Provide a project that balances housing with job-creating uses.
8. Develop a project that supports the success of the commercial uses through careful site planning and infrastructure design.

Housing

9. Add to the City's housing diversity in compliance with Housing Element Program 10 and General Plan Policy 2.6.1.A.1 through a variety of housing including entry-level housing, affordable housing, and family housing, all of which may accommodate senior residents. Housing products range from traditional single-family homes, courtyard homes, townhomes, and affordable apartments.
10. Expand and improve the City's housing supply by developing high-quality housing in a portion of a City-designated Priority Development Area, which is a location planned for growth under the Sustainable Communities Strategy for the Bay Area.
11. Increase housing on the project site beyond what was initially studied under the Eastern Dublin General Plan Amendment and Specific Plan EIR, which will help in state-wide efforts to alleviate California's housing crisis.
12. Dedicate a parcel at the prominent corner of Tassajara Road and Dublin Boulevard, large enough to permit a variety of affordable housing solutions, allowing the design and amount of affordable housing to be tailored to the community's needs.

Responsible Growth

13. Develop vacant and underutilized land in an urban area.
14. Locate commercial and residential uses where such uses can take advantage of existing infrastructure and utilities.
15. Provide attractive, well-landscaped commercial uses close to Interstate 580 as a buffer between the highway and residential uses and to further General Plan Policy 10.5.3.E.
16. Enhance the intersection of Tassajara Road and Dublin Boulevard consistent with General Plan Goal 10.6.2.

Connectivity

17. Complete existing infrastructure to support General Plan buildout conditions consistent with the Eastern Dublin Specific Plan.
18. Implement the City's Bicycle and Pedestrian Master Plan and enhance bicycle and pedestrian safety by providing on-site and off-site pedestrian and bicycle facilities that link with existing facilities along Tassajara Road, Gleason Drive, Central Parkway and Dublin Boulevard.
19. Reconfigure block size and provide publicly accessible parkways, park corridors and paths to improve pedestrian connectivity between residential and commercial uses including the extensions of Finnian Way and Aviano Way.
20. Provide and improve multimodal connections within the project and across adjacent arterial streets to facilitate pedestrian and bicycle activity between neighborhoods and within the development.

1.4 Significant Unavoidable Adverse Impacts

The project would result in the following significant unavoidable impacts:

- **Air Quality.** The project would cause construction impacts associated with the release of nitrogen oxides (NOx) that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment, construction-related NOx emissions would remain significant and unavoidable. The project would also cause operational impacts associated with the release of reactive organic gases (ROG) and NOx that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.4: Wood Burning Fireplaces, operational emissions from ROG and NOx would remain significant and unavoidable. These impacts would occur through cumulative conditions.
- **Transportation**. Using either VMT scenario as described in Section 17.5.3, regional Retail/Recreation, including the proposed Topgolf, would result in a net increase in VMT to the planning area. Per City significance criteria, any net increase in VMT to the planning area would constitute a significant impact. Despite implementation of MM AQ-2.5: Vehicle Trip Reduction which requires the development of a qualifying Commute Trip Reduction (CTR)/ Transportation Demand Management (TDM) plan to reduce mobile emissions, as well as VMT for all uses (including the Topgolf development), VMT impacts would remain significant and unavoidable.

1.5 Summary of Project Alternatives

The following alternatives to the project are discussed in detail in Chapter 19 Alternatives.

Alternative 1 – No Project

The No Project Alternative would result in the project site remaining undeveloped for the foreseeable future.

Alternative 2 – Existing General Plan and Eastern Dublin Specific Plan

The Existing General Plan and Eastern Dublin Specific Plan Alternative would allow development consistent with existing planned land use designations and development densities as described in the General Plan and Eastern Dublin Specific Plan. This includes designations of Neighborhood Commercial, General Commercial, Medium High Density Residential, High Density Residential, and Public/Semi-Public. Most the site is designated General Commercial. The Eastern Dublin Specific Plan assumed a mid-density development of 261 residential units and 902,563 square feet of commercial.

Alternative 3 – Commercial Development Task Force Land Plan

The Commercial Development Task Force Land Plan Alternative would take into consideration the recommendations from the Community Development Task Force Summary and Key

Recommendations Report dated July 2014. The General Commercial land south of Dublin Boulevard (23 acres) would be developed with Office uses at 0.3 FAR = 300,564 sf. The development proposed north of Dublin Boulevard would remain the same.

1.6 Areas of Controversy

Pursuant to CEQA Guidelines Section 15123(b), a summary section must address areas of controversy known to the Lead Agency, including issues raised by agencies and the public, and it must also address issues to be resolved.

A Notice of Preparation (NOP) for the proposed project was issued on April 1, 2022. This NOP describing the project and issues to be addressed in the EIR was distributed to the State Clearinghouse, responsible agencies, and other interested parties for a 30-day public review period extending from April 1, 2022, through May 2, 2022. The NOP identified the potential for significant and insignificant impacts on the environment related to the following topical areas:

Included for Detailed EIR Analysis (Potentially Significant)	Excluded from Detailed EIR Analysis (Insignificant)
Aesthetics	Agricultural and Forestry Resources
Air Quality	Mineral Resources
Biological Resources	
Cultural and Tribal Resources	
Energy Conservation	
Geology and Soils	
Greenhouse Gas Emissions and Energy Conservation	
Hazards and Hazardous Materials	
Hydrology and Water Quality	
Land Use and Planning	
Noise and Vibration	
Population and Housing	
Public Services, Utilities, and Service Systems	
Transportation	

Additionally, a public scoping meeting was held on April 13, 2022, via the Zoom Video Communications platform. A summary of comments made are described in Section 2.2.2 Scoping Meeting, below.

1.7 Issues to be Resolved

CEQA Guidelines Section 15123(b)(3) requires the summary section of an EIR to identify any "issues to be resolved including the choice among alternatives and how to mitigate significant effects."

The following major issues will be resolved by the City of Dublin in its decision process:

- Determine whether the EIR adequately describes the environmental impacts of the project;
- Choose among alternatives;
- Determine whether the recommended mitigation measures should be adopted or modified; and
- Determine whether additional mitigation measures need to be applied to the project.

1.8 Public Review of the Draft EIR

Upon completion of the Draft EIR, the City of Dublin filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161). Concurrent with the NOC, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review on the City's development activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com.

Agencies, organizations, and interested parties may comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Amy Million, Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568
Phone: (925) 833-6610
Fax: (925) 833-6628
Email: amy.million@dublin.ca.gov

Upon completion of the public review period, written responses to environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearings before the Dublin Planning Commission and Dublin City Council, at which certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the project.

1.9 Impacts of the Project

Table 1-2: Summary of Significant Impacts of the Proposed Project provides a summary of the significant impacts of the project. Impacts that were determined to be less than significant or beneficial (and thus not requiring mitigation) are not included in this table but are addressed in their respective resource chapter. The mitigation measures associated with each impact are to be implemented by the applicant to reduce the environmental impacts to a less than significant level, where possible. In accordance with CEQA, the impacts are classified as follows:

Class I – Significant and unavoidable impacts

Class II – Significant impacts that can be reduced to less than significant with mitigation

Table 1-2: Summary of Significant Impacts of the Proposed Project

Impact	Impact Significance	Mitigation
Aesthetics		
Impact AES-4: Introduce new light and glare to the project site and project area (Class II).	Less than Significant with Mitigation	MM AES-4.1: Exterior Lighting Control Plan
Impact AES-5: Contribute to cumulatively considerable aesthetic impacts (Class II).	Less than Significant with Mitigation	MM AES-4.1: Exterior Lighting Control Plan
Air Quality		
Impact AQ-1: Conflict with implementation of San Francisco Bay Area 2017 Clean Air Plan (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces
Impact AQ-2: Violates air quality standard or contributes substantially to an existing or projected air quality violation (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces MM AQ-2.5: Vehicle Trip Reduction
Impact AQ-5: Contribute to cumulatively considerable air quality impacts. (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces MM AQ-2.5: Vehicle Trip Reduction
Biological Resources		
Impact BIO-1: Have a substantial adverse effect on special-status plant and wildlife species (Class II).	Less than Significant with Mitigation	MM BIO-1.1: Special Status Plant Surveys MM BIO-1.2: Special-Status Plants Avoidance and Mitigation MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures MM BIO-1.4: Nesting Bird Avoidance Measures
Impact BIO-3: Have a substantial adverse effect on wetlands or jurisdictional features (Class II).	Less than Significant with Mitigation	MM BIO-3.1: Wetland Mitigation Plan

Impact	Impact Significance	Mitigation
Impact BIO-6: Contribute to cumulatively considerable impacts on biological resources (Class II).	Less than Significant with Mitigation	MM BIO-1.1: Special Status Plant Surveys MM BIO-1.2: Special-Status Plants Avoidance and Mitigation MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures MM BIO-1.4: Nesting Bird Avoidance Measures MM BIO-3.1: Wetland Mitigation Plan
Cultural & Tribal Cultural Resources		
Impact CR-1: Cause a substantial adverse change to a known archeological resource (Class II).	Less than significant with mitigation	MM CR-1.1: Historic or Archaeological Discovery During Construction
Impact CR-2: Directly impact a paleontological resource or unique geologic feature (Class II).	Less than significant with mitigation	MM CR-2.1: Paleontological Resource Monitoring
Impact CR-4: Contribute to cumulatively considerable effects on cultural resources (Class II).	Less than significant with mitigation	MM CR-1.1: Historic or Archaeological Discovery During Construction MM CR-2.1: Paleontological Resource Monitoring
Geology & Soils		
Impact GEO-1: Expose people or structures to potential risk of loss or injury associated with seismic hazards (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-2: Trigger or accelerate substantial soil erosion or loss of topsoil (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-3: Expose people or structures to substantial safety risks as a result of liquefaction (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-4: Contribute to cumulatively considerable effects on geology and soils (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Greenhouse Gas Emissions		
Impact GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Class III).	Less than Significant	

Impact	Impact Significance	Mitigation
Hazards & Hazardous Materials		
Impact HAZ-1: Exposure to known hazardous contaminants (Class II).	Less than Significant with Mitigation	MM HAZ- 1.1: Disposal of Deleterious Materials.
Impact HAZ-4: Contribute to cumulatively considerable impacts to hazards and hazardous materials (Class II).	Less than Significant with Mitigation	MM HAZ- 1.1: Disposal of Deleterious Materials.
Hydrology & Water Quality		
No significant impacts identified.		
Land Use & Planning		
No significant impacts identified.		
Noise & Vibration		
Impact N-1: Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Class II)	Less than Significant with Mitigation	MM N-1.1: Construction Noise Reduction MM N-1.2: Noise Attenuation
Impact N-4: Contribute to cumulatively considerable impacts on noise? (Class II)	Less than Significant with Mitigation	MM N-1.1: Construction Noise Reduction MM N-1.2: Noise Attenuation
Population & Housing		
No significant impacts identified.		
Public Services, Utilities & Service Systems		
No significant impacts identified.		
Transportation & Circulation		
TRANS-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) regarding Vehicle Miles Traveled (Class I).	Significant and Unavoidable with Mitigation	MM AQ-2.5: Vehicle Trip Reduction MM TRANS-2-1: Implement Bicycle and Pedestrian Improvements
TRANS 3:Increase hazards due to a geometric feature or incompatible uses (Class II).	Less than Significant with Mitigation	MM TRANS-3-1: Pedestrian & Bicycle Safety Plan

1.9.1 Cumulative Impacts

Under the CEQA Guidelines, "a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the environmental impact report ("EIR") together with other projects causing related impacts." (14 Cal Code Regs §15130(a)(1)). This EIR uses a "list of past, present, and probable future projects producing related or cumulative impacts." (14 Cal Code Regs §15130(b)(1)(A)). Reasonably foreseeable projects that could contribute to the cumulative effects scenario are described for each relevant resource as described in this EIR.

The cumulative analysis concludes that the impacts of the project, when combined with impacts from past, present, and reasonable future projects would create impacts that would be considered cumulatively significant.

1.9.2 Growth-Inducing Effects

CEQA Guidelines Section 15126.2(d) provides the following guidance regarding growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." As addressed in Chapter 20 Other CEQA Considerations, growth inducing components of the project would include increased housing and population, as well as labor requirements for construction. However, the project site is located within the City of Dublin and has been planned for development as anticipated in the City's General Plan.

1.9.3 Significant Irreversible Commitment of Resources

CEQA Guidelines Section 15126.2(c) defines an irreversible impact as an impact that uses nonrenewable resources during the initial and continued phases of the project. Irreversible impacts can also result from permanent loss of habitat, damage caused by environmental accidents associated with project construction, or operational resource use.

Construction of the project would necessitate some use and long-term conversion of undeveloped land and vegetation and habitat removal, and the development of the project would, therefore, be considered a significant irretrievable commitment of habitat for threatened and endangered species.

Buildout of the project would commit nonrenewable resources during project construction and ongoing utility services during project operations. During project operations, oil, gas, and other nonrenewable resources would be consumed. Therefore, an irreversible commitment of nonrenewable resources would occur as a result of both short-term and long-term project operations. Compliance with all applicable building codes, policies and goals, and the mitigation measures identified in this EIR would ensure that all-natural resources are conserved to the extent practical.

2 Introduction

This Environmental Impact Report (EIR) has been prepared to evaluate environmental impacts associated with the SCS Dublin project (the project) in the City of Dublin (State Clearinghouse No. 2022040022).

The City of Dublin is the public agency with the principal responsibility for approving the project, and as such is the Lead Agency for this project under the California Environmental Quality Act of 1970 (CEQA) as defined in CEQA Guidelines Section 15367. CEQA requires the Lead Agency to consider the information contained in the EIR prior to taking any discretionary action. This EIR is intended to serve as an informational document to be considered by the City of Dublin and other permitting agencies during their respective processing of permits for the project.

2.1 Purpose and Authority

This Draft EIR is being analyzed at a project level by the City of Dublin to assess the potential environmental impacts that may arise in connection with actions related to implementation of the project. Pursuant to CEQA Guidelines Section 15367, the City of Dublin is the Lead Agency for the project and has discretionary authority over the project and project approvals. The Draft EIR is intended to address all public infrastructure improvements and all future development that are within the parameters of the project.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this Draft EIR and include:

- Table of Contents
- Introduction
- Executive Summary
- Project Description
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures
- Cumulative Impacts
- Significant Unavoidable Adverse Impacts
- Alternatives to the Proposed Project
- Growth-Inducing Impacts
- Effects Found not to be Significant
- Areas of Known Controversy

2.1.1 Lead Agency Determination

The City of Dublin is designated as the Lead Agency for the project. CEQA Guidelines Section 15367 defines the lead agency as "…the public agency, which has the principal responsibility for carrying out or approving a project." Other public agencies may use this Draft EIR in the decision-making or permit process and consider the information in this Draft EIR along with other information that may be presented during the CEQA process.

This Draft EIR was prepared by Kimley-Horn & Associates, Inc., an environmental consulting firm. Prior to public review, it was extensively reviewed and evaluated by the City of Dublin. This Draft EIR reflects the independent judgment and analysis of the City of Dublin as required by CEQA. Lists of organizations and persons consulted and the report preparation personnel are provided in the references section at the end of each environmental resource analyzed.

2.1.2 Responsible and Trustee Agencies

Other agencies in addition to the City of Dublin will serve as Responsible and Trustee Agencies, pursuant to CEQA Guidelines Section 15381 and Section 15386, respectively. This Draft EIR will provide environmental information to these agencies and other public agencies, which may be required to grant approvals or coordinate with other agencies, as part of project implementation. These agencies may include but are not limited to the following:

- California Department of Transportation
- California Department of Fish and Wildlife
- California Regional Water Quality Control Board San Francisco Region
- Dublin Unified School District
- Dublin-San Ramon Services District
- Zone 7 Water Agency

Actions that are necessary to implement the project that must be taken by other agencies are:

- Issuance of Encroachment Permits (Caltrans)

2.2 Scope of the EIR

2.2.1 Notice of Preparation

This Draft EIR addresses the potential environmental effects of the project. The City of Dublin issued a Notice of Preparation (NOP) for the project on April 1, 2022, which circulated between April 1, 2022, and May 2, 2022, for the statutory 30-day public review period. The scope of this Draft EIR includes the potential environmental impacts identified in the NOP and issues raised by agencies and the public in response to the NOP.

Eight comment letters were received in response to the NOP. These letters are shown in Table 2-1: NOP Comment Letters and provided in Appendix A: Notice of Preparation and Comment Letters.

Table 2-1: NOP Comment Letters

Affiliation	Signatory	Date	Summary of Relevant Comments
State			
Native American Heritage Commission	Cody Campagne	4/14/2022	Comply with the tribal consultation requirements of CEQA per Assembly Bill (AB) 52 and Senate Bill (SB) 18.
California Department of Transportation	Mark Leong	4/29/2022	Comply with City Vehicle Miles Traveled (VMT) requirements for project analysis. Consider bike and pedestrian safety, stormwater runoff, potential floodplain impacts, potential right-of-way impacts, and construction noise. Comply with AB 52 requirements.
Department of Toxic Substances Control	Brian McAloon	5/2/2022	Consider the potential for hazards release, aerially deposited lead, sampling of backfill material, and pesticides in the analysis.
Local			
Dublin San Ramon Services District	Ryan Pendergraft	4/22/2022	Consider planned potable water supply, wastewater connection, and irrigation water supply in the analysis.
City of Pleasanton	Ellen Clark	4/22/22	Consider City of Pleasanton intersections and LOS policies, "Gateway" conditions, operations at ramps and bicycle and pedestrian improvements.
Dublin Unified School District	Chris Funk	4/29/2022	Consider potential effects on schools.
Alameda County Transportation Commission	Colin Dentel-Post	5/2/2022	Comply with Congestion Management Program (CMP) requirements. Consider impacts to the Metropolitan Transportation System and biking and walking. Utilize adequate mitigation measures when required.
Individuals			
City of Dublin citizen	Tom Evans	4/27/2022 and 4/28/2022	Consider potential effects on schools, hazards, hydrology and water quality, land use and planning, noise, population and housing, public

			services and utilities, transportation, and parking. Geology and soils analysis could be scoped out given compliance with the California Building Code (CBC).

2.2.2 Scoping Meeting

Pursuant to CEQA Guidelines Section 15082(c)(1), the City of Dublin held a public scoping meeting for the project on April 13, 2022. The meeting was held virtually via the Zoom Video Communications platform. Three members of the public attended the meeting. A summary of their comments are as follows:

- Ensure that it is clear to the public that this EIR is a new, separate document from the EIRs that were prepared for previous projects proposed for the project site.
- Consider the impact the project would have on schools.
- Consider the impact the project would have as a result of greenhouse gas (GHG) emissions, especially emissions from increased traffic.
- Analyze alternatives to the project that would reduce significant unavoidable impacts.
- Appropriately notify the public of the EIR process. Expand the radius for nearby property owners and occupants to be noticed beyond the standard 300 feet. Utilize additional digital platforms for noticing.

2.2.3 Environmental Issues Significant Determination

The NOP identified the potential for significant and insignificant impacts on the environment related to the following topical areas:

Included for Detailed EIR Analysis (Potentially Significant)	Excluded from Detailed EIR Analysis (Insignificant)
Aesthetics Air Quality Biological Resources Cultural and Tribal Resources Energy Geology and Soils Greenhouse Gas Emissions & Energy Conservation Hazards and Hazardous Materials Hydrology and Water Quality Land Use and Planning Noise and Vibration Population and Housing Public Services, Utilities, and Service Systems Transportation and Circulation	Agricultural and Forestry Resources Mineral Resources

2.3 Required Permits and Approvals

The proposed project contemplates the following permits and approvals from the City of Dublin:

- General Plan Amendment
- Specific Plan Amendment
- Planned Development Rezone (Stage 1 and Stage 2 Development Plan)
- Development Agreement

Future permits and approvals from the City of Dublin required for the proposed project include:

- Tentative Tract Map(s) / Parcel Map(s)
- Site Development Review Permit(s)
- Grading and Improvement Plans (Ministerial)
- Building Permits (Ministerial)

- Master Sign Program/Site Development Review Permit

2.4 Documents Incorporated by Reference

As permitted by CEQA Guidelines Section 15150, this Draft EIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the Draft EIR has also been described. The documents and other sources that have been used in the preparation of this Draft EIR include but are not limited to:

- City of Dublin, *General Plan* 1985, as amended, 2022
- City of Dublin, *Eastern Dublin Specific Plan* 1994, updated 2022
- City of Dublin, *Eastern Dublin Specific Plan and General Plan Amendment EIR,* 1993
- City of Dublin, *Dublin Municipal Code*
- City of Dublin, *Streetscape Master Plan,* 2005
- Dublin-San Ramon Services District, *2020 Urban Water Management Plan,* 2021
- City of Dublin, *Eastern Dublin Scenic Corridor Policies and Standards,* 1996

These documents are specifically identified in the respective references sections of this Draft EIR. In accordance with CEQA Guidelines Section 15150(b), the General Plan, Eastern Dublin Specific Plan, Municipal Code, and the referenced documents and other sources used in the preparation of the Draft EIR are available for review at the City of Dublin Community Development Department.

2.5 Prior Environmental Analysis – At Dublin Project

2.5.1 At Dublin Project Summary

An EIR for the previously proposed "At Dublin" development project was prepared in 2018 for the project site. The EIR analyzed a project that included a number of land uses and conceptual site plan features that are similar to the proposed project but some project features and uses were changed, all of which are described below.

The At Dublin project consisted of up to 680 residential units and up to 454,500 square feet of commercial uses. To accommodate the project, the applicant proposed to redistribute and simplify the six existing General Plan/Eastern Dublin Specific Plan land use designations to four land use designations, organized into four Planning Areas (PAs). The proposed land use densities are shown in Table 2-2: At Dublin Land Use Summary with the SCS Dublin Project totals added for comparison.

Table 2-2: At Dublin Land Use Summary

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	23.7	--	--	.4	370,000
Mixed-Use	16.2	300	--	.7	84,500
Medium-High Density Residential	14.0	200	14.3	--	
Medium-Density Residential	23.8	180	7.6	--	--
Total	**76.9**	**680**	**--**	**--**	**454,500**
SCS Dublin Project Total	**73.8**	**650**			**265,000**

Source: City of Dublin, 2018 and 2022.

Other differences between the two projects include changes to roadway and pedestrian circulation surrounding and through the project site, and different park and open space configurations.

2.5.2 Context for this EIR

While the At Dublin project was neither approved nor the EIR certified by the Dublin City Council, a number of technical studies and the environmental analysis prepared for the project remain relevant to the proposed project and have been utilized in the preparation of this EIR. In particular, the technical studies associated with the following environmental resource sections (as presented in the Appendices to this EIR) were used as part of the CEQA analysis:

- Geology and Soils
- Hazards and Hazardous Materials

The proposed project is seeking entitlement for a General Plan and Eastern Dublin Specific Plan Amendment, a Planned Development Rezone with a Stage 1 and Stage 2 Development Plan and a Development Agreement. Subsequent discretionary approvals will include a Site Development Review Permit(s) and Tentative Tract Map(s).

Because the previous At Dublin project and the proposed SCS Dublin project are conceptually similar in their designation of planning areas and land uses and the At Dublin project was analyzed relatively recently (in 2018), some of the technical assumptions associated with the civil engineering elements of the At Dublin project (which have not been defined as yet for the proposed project) were used as the basis of analysis in this EIR. These include grading (which would result in a net import but the actual cut and fill amounts between the two projects may vary) and geotechnical considerations.

Upon EIR certification and project approval by the Dublin City Council, the project applicant will be required to submit detailed civil engineering and architectural plans as part of the Site

Development Review Permit and Tentative Tract Map process, which will be required to comply with all applicable City, State, and federal regulations as described in this EIR.

2.6 Documents Prepared for the Project

The following technical studies and analyses were prepared for the proposed project and are included as part of each respective Appendix:

B	Air Quality and Greenhouse Gas Emissions Analysis (supporting technical data)
C	Biological Resources Assessment and Supporting Surveys
D	Preliminary Geotechnical Exploration
E	Phase 1 Environmental Site Assessment
F	Noise Analysis (supporting technical data)
G	Water Supply Assessment
H	Energy Conservation Technical Data

2.7 EIR Organization

Pursuant to CEQA Guidelines Section 15120(c), this EIR contains the information and analysis required by CEQA Guidelines Sections 15122 through 15131. Each of the required elements is covered in one of the EIR chapters and appendices, organized as follows.

Executive Summary. A summary description of the project, the alternatives, their respective environmental impacts and the Environmentally Superior Alternative.

Introduction. A discussion of the background, purpose and need for the project, briefly describing the project, and outlining the public agency use of the EIR.

Project Description. Detailed description of the project.

Environmental Analysis. A comprehensive analysis and assessment of impacts and mitigation measures for the project. This section is divided into separate chapters for each environmental resource and contains the environmental settings and impacts of the project. A description of the approach to cumulative impacts analysis is presented in Chapter 4: Introduction to Environmental Analysis, and cumulative impacts are at the end of each environmental resource.

Alternatives. This chapter includes a description of the alternatives evaluation process, as well as a description of alternatives considered but eliminated from further analysis and the rationale thereof. This section also includes an analysis and assessment of impacts for alternatives retained, including the No Project Alternative.

Other CEQA Considerations. A discussion of growth-inducing effects, long-term implications of the project, and significant environmental effects that cannot be avoided if the project is implemented.

EIR Preparers. Provides a list of City staff and consultants responsible for preparation of this EIR.

Appendices. Copies of project-related appendices are available on the City of Dublin's website at: https://dublin-development.icitywork.com/

2.8 Review of the Draft EIR

Upon completion of the Draft EIR, the City of Dublin filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the public review period (Public Resources Code, Section 21161). Concurrent with the NOC, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, is available for review on the City's development activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com/ and the City of Dublin website.

Agencies, organizations, and interested parties may comment on the Draft EIR during the 45-day public review period. Written comments on this Draft EIR should be addressed to:

Amy Million, Principal Planner
City of Dublin
Community Development Department
100 Civic Plaza
Dublin, CA 94568
Phone: (925) 833-6610
Email: amy.million@dublin.ca.gov

Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearings on the project, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the project.

3 Project Description

3.1 Project Location and Setting

3.1.1 Location

As shown in Figure 3-1: Project Location, the approximate 76.2-acre project site is in the City of Dublin, Alameda County, north of Interstate 580 and between Tassajara Road and Brannigan Street, extending just north of Gleason Drive. The project site is located on the Livermore, California, United States Geological Survey 7.5-minute topographic quadrangle map Township 2S, Range 1E, and Section 33 (northern portion) and Township 3S, Range 1E, and Section 4 (southern portion).

3.1.2 Existing Setting

The project site is vacant land and is generally flat with a slight slope from a higher elevation at the northerly boundary to a slightly lower elevation towards the southerly boundary. At one time the property was used for agricultural purposes and has remained vacant (except for temporary seasonal uses) with low lying native and non-native grasses turned periodically for the purposes of weed abatement. A small group of trees and shrubs is located near the corner of Tassajara Road and Central Parkway. No grading for development purposes has occurred to date. The project site is bisected by three City streets running generally east-west, Gleason Drive, Central Parkway, and Dublin Boulevard, that were developed to allow for development to the east.

3.1.3 Surrounding Land Uses

As shown in Figure 3-2: Surrounding Land Uses, the project site is surrounded by a broad mix of residential and commercial uses. Single-family residential uses are located to the north. Multi-family residential, general commercial, and a vacant parcel at the southeast corner of Dublin Boulevard and Brannigan Street are located to the east. Interstate 580 and the City of Pleasanton are located to the south. Multi-family residential, parks/public recreation, general commercial, and campus office uses are located to the west.

3.1.4 Existing Plans and Zoning

Dublin General Plan

As shown in Figure 3-3: Existing General Plan Land Use Designations, the existing General Plan land use designation in the southern and western portions of the project site is General Commercial. The northern and eastern portions of the project site are designated Medium Density Residential, Public/Semi-Public, Medium-High Density Residential, and Neighborhood Commercial. Most of the site, excluding the most northerly portion, is located within the Airport Influence Area (AIA)/Overlay Zoning District. This area is designated as an area in which current or future airport-related noise, overflight, safety and/or airspace protection factors may

affect land uses or necessitate restrictions on those uses. The AIA is a designation by the Alameda County Airport Land Use Commission.

The same portion of the project site within the AIA is also located within Land Use Compatibility Zone 7 of the Livermore Municipal Airport, as established in the Livermore Executive Airport Land Use Compatibility Plan.

The following General Plan land use designations surround the project site: Medium-Density Residential to the north; Medium-Density Residential, Medium/High-Density Residential, High-Density Residential, General Commercial, and General Commercial/Campus Office to the east; and Parks/Public Recreation, General Commercial and Campus Office to the west.

Eastern Dublin Specific Plan

On May 10, 1993, the Dublin City Council adopted Resolution No. 51-93 certifying an Environmental Impact Report for the Eastern Dublin General Plan Amendment and Specific Plan (EDSP EIR, SCH #91103064). The certified EDSP EIR consisted of a Draft EIR and Responses to Comments bound volumes, as well as an Addendum to the EDSP EIR dated May 4, 1993, assessing a reduced development project alternative. The City Council adopted Resolution No. 53-93 approving a General Plan Amendment and Specific Plan for the reduced area alternative on May 10, 1993. On August 22, 1994, the City Council adopted a second Addendum updating wastewater disposal plans for eastern Dublin. The EDSP EIR evaluated the potential environmental effects of urbanizing eastern Dublin over a 20 to 30-year period. Since certification of the EDSP EIR, many implementing projects have been proposed, relying to various degrees on the certified EDSP EIR.

As part of the certification of the EDSP EIR, the Dublin City Council adopted a Statement of Overriding Considerations for the following impacts: cumulative traffic, extension of certain community facilities (natural gas, electric and telephone service), regional air quality, noise and visual.

In 2005, the Eastern Dublin Specific Plan (EDSP) was amended to expand the boundaries eastward to encompass the Fallon Village development. Following the 2005 amendment, the buildout potential of the EDSP is 32,023 residents, 13,913 dwelling units, and 29,424 jobs.

As described in Table 3-1: Eastern Dublin Specific Plan Anticipated Project Site Development below, the EDSP anticipated within the mid-density range of development of 261 residential units and 902,563 square feet of commercial on the project site.

Table 3-1: Eastern Dublin Specific Plan Anticipated Project Site Development

Land Use Designation	Acres [1]	Residential Units	Commercial Square Footage
General Commercial	60.3	--	846,153
Neighborhood Commercial	3.7	--	56,410
Medium Density Residential	4.3	43	--
Medium-High Density Residential	5.3	106	--
High Density Residential	3.2	112	--
Public / Semi – Public	3.3	--	--
Total	**80.1**	**261**	**902,563**

Notes:
(1) Acreages shown are approximate and were based on information available at the time the Specific Plan was adopted
Source: Eastern Dublin Specific Plan, 1993, as amended.

Zoning

As shown in Figure 3-4: Existing Zoning, the project site is zoned Planned Development (PD) Resolution No. 104-94 adopted as part of the EDSP. This PD Pre-zoning allowed for the annexation of 1,538 acres. The purpose of the PD is to allow the flexibility needed to encourage innovative development while ensuring that the goals, policies and action programs of the General Plan and Eastern Dublin Specific Plan are met. More particularly, the PD is intended to ensure the following policies:

A. Allow and encourage mixed use residential and commercial development in order to meet specific housing and employment needs, reduce vehicular trips, and foster pedestrian access to shopping and employment areas.
B. Concentrate development on less environmentally and visually sensitive or constrained portions of the plan area and preserve significant open space areas and natural and topographic landscape features with minimum alteration of landforms.
C. Encourage innovative approaches to site planning, building design and construction to create housing products for all segments of the community, including commercial and office structures.
D. Encourage higher intensity development near transit corridors.
E. Create an attractive, efficient and safe environment.
F. Develop an environment that encourages social interaction and the use of common open areas for neighborhood or community activities and other amenities.
G. Create an environment that decreases dependence on the private automobile.

3.2 Project Development Components

The proposed project is based on the Preferred Plan approved by City Council on February 15, 2022. The project proposes to develop 76.2 acres with a combination of commercial/retail and residential uses, including two types of retail experiences. The first retail experience, on approximately 5.8 acres, is a more neighborhood main street experience. This area could accommodate up to 40,000 square feet of small retail shops along an extended Finnan Way, which would then connect to the Shops at Waterford, and up to 40 residential units located above or behind the retail shops.

The second retail experience, on approximately 23.2 acres, is envisioned to be a more regional retail experience, focused on entertainment uses, south of Dublin Boulevard. This area is proposed for up to 225,000 square feet of uses. In total, the proposed project includes development of up to 265,000 square feet of commercial/retail uses.

On the remaining approximately 44.8 acres, the applicant proposes a variety of housing types, including affordable housing and housing for entry level buyers, with up to 550 market rate units plus up to 100 affordable units, along with parks and open space. The project would require an amendment to the General Plan and Eastern Dublin Specific Plan to modify the existing land use designations.

To accommodate the project, the applicant proposes to amend the General Plan and EDSP land use designations, organized into four primary Planning Areas (PAs). As shown in Figure 3-5: Proposed General Plan Land Use Designations, the proposed land use designations are consistent with the land use patterns of the surrounding properties. As shown in Table 3-2: SCS Dublin Land Use Summary, the proposed General Plan and EDSP land use designations are: General Commercial, Medium-Density Residential, Medium/High-Density Residential, Parks/Public Recreation and Public/Semi-Public.

Table 3-2: SCS Dublin Land Use Summary

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	29.4	40	--	.19-.38	265,000
Medium-Density Residential	17	150	8.8	--	--
Medium-High Density Residential	21.1	360	17.1	--	--
Public/Semi-Public	3.8	100	26.3	--	--
Parks/Public Recreation	2.5	--	--	--	--
Total	**73.8**	**650**	**--**	**--**	**265,000**

Source: City of Dublin, 2022.

3.3 Project Objectives

CEQA Guidelines Section 15124 requires that a clearly written statement of the project's objectives be presented in an EIR to help lead agencies develop a reasonable range of

alternatives, and to aid the decision makers in preparing findings of significant effects or a statement of overriding considerations, as necessary.

The project's objectives are the following:

Mix of Uses/Quality of Product

1. Provide a balanced mix of residential and commercial uses in the Eastern Extended Planning Area that integrate into the existing urban systems and provide a safe and attractive environment for living and working as encouraged by General Plan Policy 2.6.4.A.1.
2. Provide uses that meet the Eastern Dublin Specific Plan's objective to have higher-density housing, adjacent to commercial and employment opportunities.
3. Provide land uses and high-quality architecture that complement existing, adjacent land uses and development.

Economic Growth

4. Have a positive contribution to the local economy through new capital investment, the creation of new jobs, and the expansion of the tax base.
5. Add commercial, entertainment, and hotel uses that will have a synergy with existing retail uses in the City.
6. Provide a mix of residential and commercial uses that achieves a financially feasible project.
7. Provide a project that balances housing with job-creating uses.
8. Develop a project that supports the success of the commercial uses through careful site planning and infrastructure design.

Housing

9. Add to the City's housing diversity in compliance with Housing Element Program 10 and General Plan Policy 2.6.1.A.1 through a variety of housing including entry-level housing, affordable housing, and family housing, all of which may accommodate senior residents. Housing products range from single-family homes, courtyard homes, townhomes, and affordable apartments.
10. Expand and improve the City's housing supply by developing high-quality housing in a portion of a City-designated Priority Development Area, which is a location planned for growth under the Sustainable Communities Strategy for the Bay Area.
11. Increase housing on the project site beyond what was initially studied under the Eastern Dublin General Plan Amendment and Specific Plan EIR, which will help in state-wide efforts to alleviate California's housing crisis.

12. Dedicate a parcel at the prominent corner of Tassajara Road and Dublin Boulevard, large enough to permit a variety of affordable housing solutions, allowing the design and amount of affordable housing to be tailored to the community's needs.

Responsible Growth

13. Develop vacant and underutilized land in an urban area.
14. Locate commercial and residential uses where such uses can take advantage of existing infrastructure and utilities.
15. Provide attractive, well-landscaped commercial uses close to Interstate 580 as a buffer between the highway and residential uses and to further General Plan Policy 10.5.3.E.
16. Enhance the intersection of Tassajara Road and Dublin Boulevard consistent with General Plan Goal 10.6.2.

Connectivity

17. Complete existing infrastructure to support General Plan buildout conditions consistent with the Eastern Dublin Specific Plan.
18. Implement the City's Bicycle and Pedestrian Master Plan and enhance bicycle and pedestrian safety by providing on-site and off-site pedestrian and bicycle facilities that link with existing facilities along Tassajara Road, Gleason Drive, Central Parkway and Dublin Boulevard.
19. Reconfigure block size and provide publicly accessible parkways, park corridors and paths to improve pedestrian connectivity between residential and commercial uses including the extensions of Finnian Way and Aviano Way.
20. Provide and improve multimodal connections within the project and across adjacent arterial streets to facilitate pedestrian and bicycle activity between neighborhoods and within the development.

3.4 Land Uses

A conceptual illustration of proposed land uses is shown in Figure 3-6: Illustrative Site Plan. Conceptual illustrations of the elevations of the various land uses are shown in Figures 3-7 (a-b): Project Renderings. These land uses are described below, according to the respective proposed land use designations.

3.4.1 General Commercial

General Commercial is proposed on approximately 29.4 gross acres on the property with up to 265,000 square feet of commercial uses. This includes approximately 23.2 acres within Planning Area 1 (PA-1), south of Dublin Boulevard and north of Interstate 580 and approximately 5.8 acres in PA-2, north of Dublin Boulevard, along the proposed Finnian Way extension. The permitted floor area ratio (FAR) for General Commercial is .20 to .60.

PA-1 is proposed as an entertainment district with a combination regional- and community-serving retail, service, and office uses, restaurants, family entertainment uses, and outdoor plazas for a total of 225,000 square feet of commercial uses. Of this, an approximately 80,000 square foot entertainment driving range is envisioned (based on preliminary applicant discussions with Topgolf, a private sports entertainment company). PA-1 may also include a 140-room hotel.

The General Commercial area of PA-2 focuses on the neighborhood main street experience anchored by a town square. This area would accommodate up to 40,000 square feet of small retail shops, small office spaces, and specialty restaurants along the extension of Finnan Way, which would then connect to the Shops at Waterford. Up to 40 residential units would be located above or behind the retail shops along Finnian Way.

3.4.2 Medium-Density Residential

Medium-Density Residential is proposed for approximately 17 acres on the northerly portion of the project site within PA-3 and PA-4. The permitted density is 6.1 to 14.0 units per gross acre. Housing within the Medium-Density Residential designation would consist of up to 150 residential units.

3.4.3 Medium/High-Density Residential

Medium/High-Density Residential is proposed for approximately 21.1 acres in PA-2 and PA-3. The permitted density is 14.1-25.0 units per gross acre. Housing within the Medium/High-Density Residential designation would consist of up to 360 residential units.

3.4.4 Public/Semi-Public

Approximately 3.8 gross acres in PA-2 north of Dublin Boulevard on the Tassajara Road frontage is proposed for Public/Semi-Public uses. Public/Semi-Public allows for a combination of public facility and semi-public facility land uses including the development of housing when it is developed by a non-profit entity and serves to meet affordable housing needs of an underserved economic segment of the community. Affordable housing within the Public/Semi-Public designation would consist of up to 100 residential units.

3.4.5 Parks/Public Recreation

As shown in Figure 3-6: Illustrative Site Plan, project development would include plazas, a town square, and a grand paseo.

The Parks/Public Recreation designation is proposed for approximately 2.5 gross acres and includes publicly owned parks and recreation facilities to accommodate the proposed grand paseo. In order to accommodate a variety of activities (e.g., recreation, public gardening, and native plan/pollinator meadows) and complement adjacent land uses, the width of the grand paseo varies from 25 feet to 110 feet.

3.5 Site Access and Circulation

3.5.1 Vehicular Circulation

As shown in Figure 3-6: Illustrative Site Plan, the project would contain several ingress/egress points from public roadways. New public streets, including Diablo View Road and extensions to Finnian Way and Aviano Way, as well as private streets would be incorporated into the project to allow for access to the interior residential, commercial and mixed-use developments. Due to the lower traffic volumes and limited vehicular access, private streets may be designed with a narrower profile. Where the blocks are short and would have low traffic volumes, private streets may not include features typically associated with public streets including sidewalks and on-street parking. All internal streets and roadways would be privately owned and maintained by the respective owner association.

A new north/south street located between Brannigan Street and Tassajara Road is proposed along the east side of the grand paseo creating greater access to and activity in the public open space. Generous bike and pedestrian paths along the grand paseo would connect Gleason Drive to Dublin Boulevard. The project would also extend Aviano Way and Finnan Way to Tassajara Road. Therefore, creating additional vehicle and pedestrian access points.

3.5.2 Off-Site Roadway Improvements

The project site is surrounded by public roadways, which would be improved as follows:

- **Tassajara Road** – Improve the right-of-way along the east edge of the project site, completing the outside travel lane(s), Class II bike lane, and parkway inclusive of a sidewalk. The off-site improvements along the project frontage would vary between intersections to accommodate turn lane requirements. The project would add a fourth leg (east leg) and subsequent lanes and movements into and out of this leg to the existing intersection of Tassajara Road and The Shops. The project also proposes to add right-in/right-out driveways along the east side of Tassajara Road between Dublin Boulevard and the Shops, the Shops and Central Parkway, and two between Central Parkway and Gleason Drive.
- **Dublin Boulevard** – Improve the right-of-way along the north and south edge of the project site by completing the outside travel lane(s), Class II bike lane, and parkways inclusive of sidewalks on both sides of the roadway. The improvements would vary between intersections to accommodate turn lane requirements. The project also proposes to add a right-in/right-out driveway on the south side of Dublin Boulevard.
- **Central Parkway** – Improve the right-of-way to accommodate the completion of the outside travel lane in each direction, Class II bike lane, on-street parking, and parkways inclusive of a sidewalk on the south side and a multi-use trail on the north side. The project also includes a proposed mid-block pedestrian crossing on Central Parkway. The project also proposes right-in/right-out driveways on the north and south side of Central Parkway.

- **Gleason Drive** – Improve the right-of-way, which would include an added travel lane in each direction, Class II bike lane, and parkways inclusive of sidewalk on both sides. The project also proposes a right-in/right-out driveway on the north side of Gleason Drive.
- **Brannigan Street** – Improve the west side of the street to accommodate on-street parking and a parkway inclusive of a sidewalk. The project proposes to add a fourth leg (west leg) at the intersection of Brannigan Street and Aviano Way. The eastbound approach at this intersection would be stop-controlled with a shared left-right turn lane. In addition, the project proposes to add a fourth leg (west leg) at the intersection of Brannigan Street and Finnian Way. The eastbound approach at this intersection would be stop-controlled with a shared left-right turn lane. The project proposes to add an additional driveway at the existing bend along Brannigan Street.
- **Finnian Way (proposed public street) –** Extend Finnian Way from Brannigan Street to Tassajara Road. The proposed street section would have two travel lanes, parking, bike lanes and wider than standard sidewalks (approximately 15 feet).
- **Aviano Way (proposed public street) -** Extend Aviano Way from Brannigan Street to Tassajara Road. The proposed street section would have two travel lanes, parking, and sidewalks.
- **Diablo View Road (proposed public street) –** A new public street fronting along the east side of the grand paseo. The proposed street would have two travel lanes, parking and sidewalks.

Off-site improvements would complete these segments to their designed build-out condition, tying into the existing adjacent improved roadways and parkways.

3.5.3 Bicycles, and Pedestrians

The public roadways surrounding the project site would be completed in accordance with the City's Bicycle and Pedestrian Master Plan, including the incorporation of Class II bike lanes along Dublin Boulevard, westbound on Central Parkway and through Finnian Way.

The pedestrian and bicycle-oriented paseo would serve the new development as well as the larger neighborhood. The paseo varies from 25 to 110 feet wide and widens towards Tassajara Road inviting pedestrians and bikes off the major arterial onto the paseo. Bike and pedestrian paths would connect Gleason Drive to Dublin Boulevard.

Walkways would extend along the perimeter of the project, providing connections to the existing pedestrian network.

3.5.4 Public Transit

Bus stops suitable for use by Livermore Amador Valley Transit Authority (LAVTA) would be constructed on the project frontage streets of Tassajara Road, Gleason Drive, Central Parkway and Dublin Boulevard.

3.6 Site Preparation and Infrastructure Improvements

3.6.1 Grading

As detailed in Section 2.5.2, Context for this EIR, the grading quantities for the previously proposed At Dublin project are used as anticipated grading quantities for the proposed project as a result of the similarity between the two projects. As shown in Table 3-3: Grading Requirements (by Planning Area), proposed project construction is estimated to require 449,600 cubic yards of cut and 560,800 cubic yards of fill for an estimated net import of 111,200 cubic yards of soil. Excess fill would be utilized on-site to minimize the import of soils. PA-1 would require the majority of the imported soils, PA-2 would balance, and PA-3 and PA-4 would balance between the two areas. The imported soils would originate from available borrow sites, preferably within the Tri-Valley area.

Table 3-3: Grading Requirements (by Planning Area)

Planning Area	Cut (CY)	Fill (CY)
PA-1	124,300	235,600
PA-2	171,000	169,500
PA-3	129,500	140,400
PA-4	24,800	15,300
Total	**449,600**	**560,800**
Net Import	**--**	**111,200**

CY – Cubic Yards
Source: RJA, 2017.

3.6.2 Water

The project site is located within the boundaries of the Dublin-San Ramon Services District (DSRSD), which serves the City of Dublin with potable water and non-potable recycled water. DSRSD currently has a moratorium on any new recycled water connections and therefore the project would connect to existing underground potable DSRSD water lines located within the right-of-way of the adjacent roadways. Multiple connections would be provided for the purpose of achieving a "looped system." As such, potable water would be used for domestic use and landscape irrigation.

3.6.3 Wastewater

The project site is located within the boundaries of DSRSD, which provides the City of Dublin with sanitary sewer services. The project would connect to existing underground DSRSD sewer lines located within the right-of-way of the adjacent roadways. Multiple laterals would connect the project to the sewer line.

3.6.4 Stormwater Management

An on-site storm drainage system would be installed that would collect and convey runoff and ultimately discharge it to the City of Dublin's municipal storm drainage system which drains into a Regional Water Quality Pond. Drainage for the project site would be designed to maintain the existing watershed drainage pattern to the extent feasible and avoid any impact to downstream watersheds by reducing the post development runoff for the site to the predevelopment condition.

3.6.5 Dry Utilities

Electricity in City of Dublin is provided by East Bay Community Energy (EBCE) and is conveyed to customers through Pacific Gas and Electric's (PG&E) existing infrastructure. PG&E would serve the project with electricity and natural gas, as allowed. An all-electric new construction will be included with the 2022 California Building Code update. Additionally, portions of the project would include the use of solar power/photovoltaics. The project would also incorporate electric vehicle (EV) charging stations for the commercial areas and multi-family buildings, as applicable.

3.7 Project Construction and Phasing

Project construction activities would include site preparation, grading, paving, building construction, and architectural coating. As shown in Figure 3-8: Project Phasing Plan, the project would be completed in two phases over an estimated construction period of approximately four years. The first phase would include the commercial area of PA-2, followed by development of the residential portion of PA-2, PA-1, PA-3 and PA-4.

The project would utilize an average of 125 workers a year and would generate approximately 458 daily trips, based on 3.05 daily trips per worker, with a 20 percent increase to account for material deliveries, and other trips not directly related to site workers.

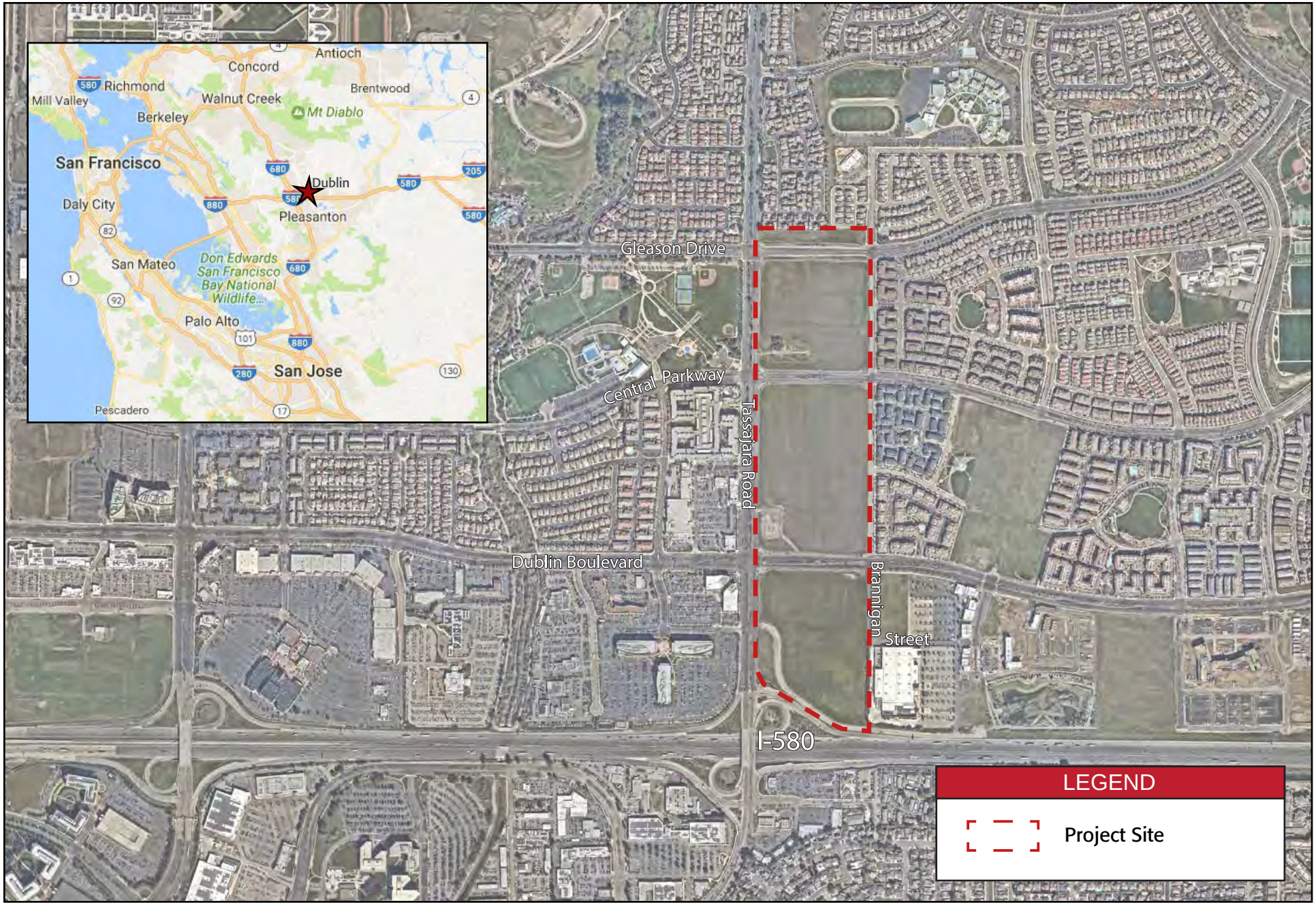
3.8 References

City of Dublin. *Bicycle and Pedestrian Master Plan*, adopted October 7, 2014.

City of Dublin. *City of Dublin General Plan*, 1985, as amended 2022.

City of Dublin. *City of Dublin Municipal Code*.

City of Dublin. *Eastern Dublin Specific Plan*, 1994, updated 2022.



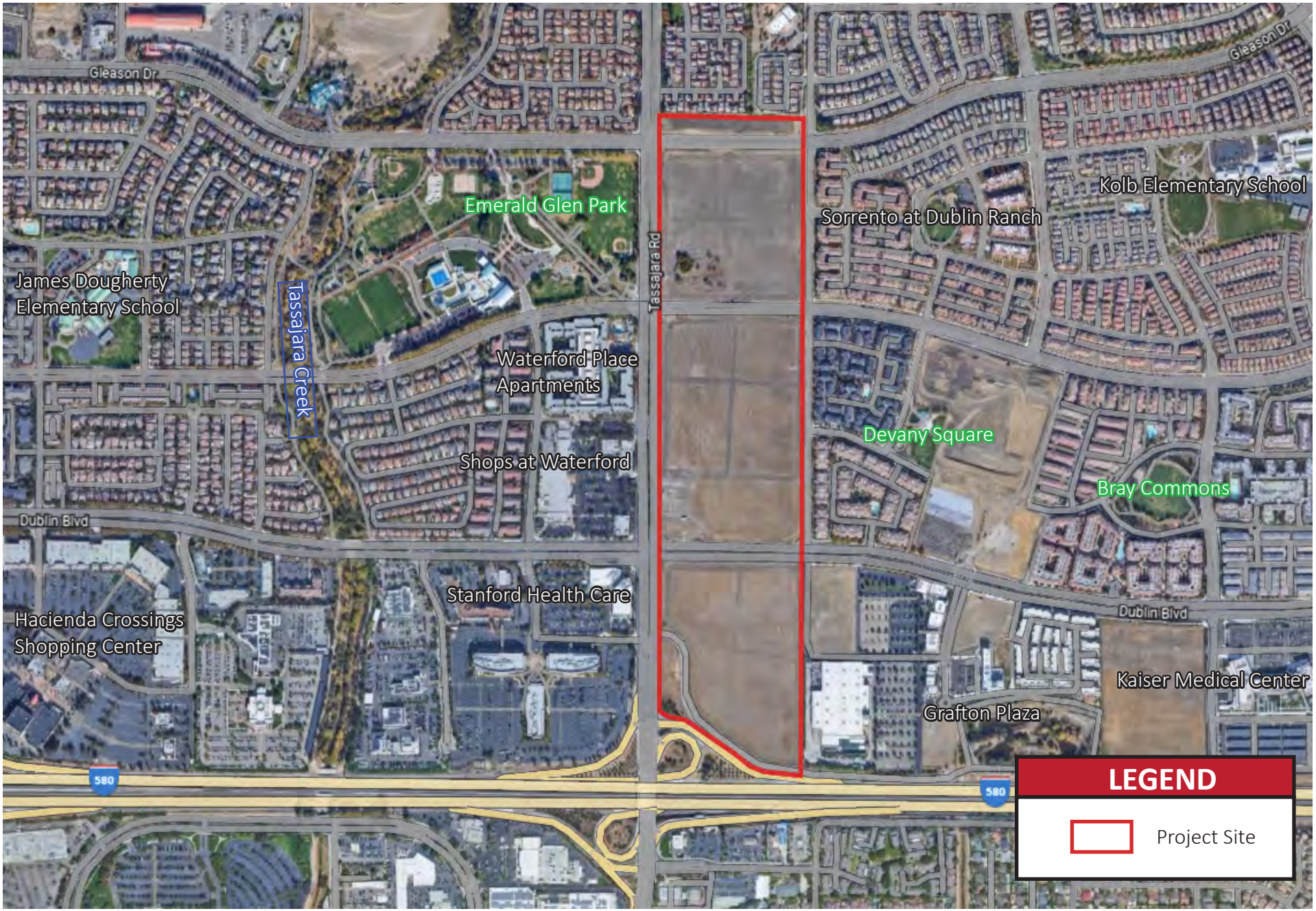
Source: Kimley-Horn, 2022

Figure 3-1: Project Location

SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience Bette



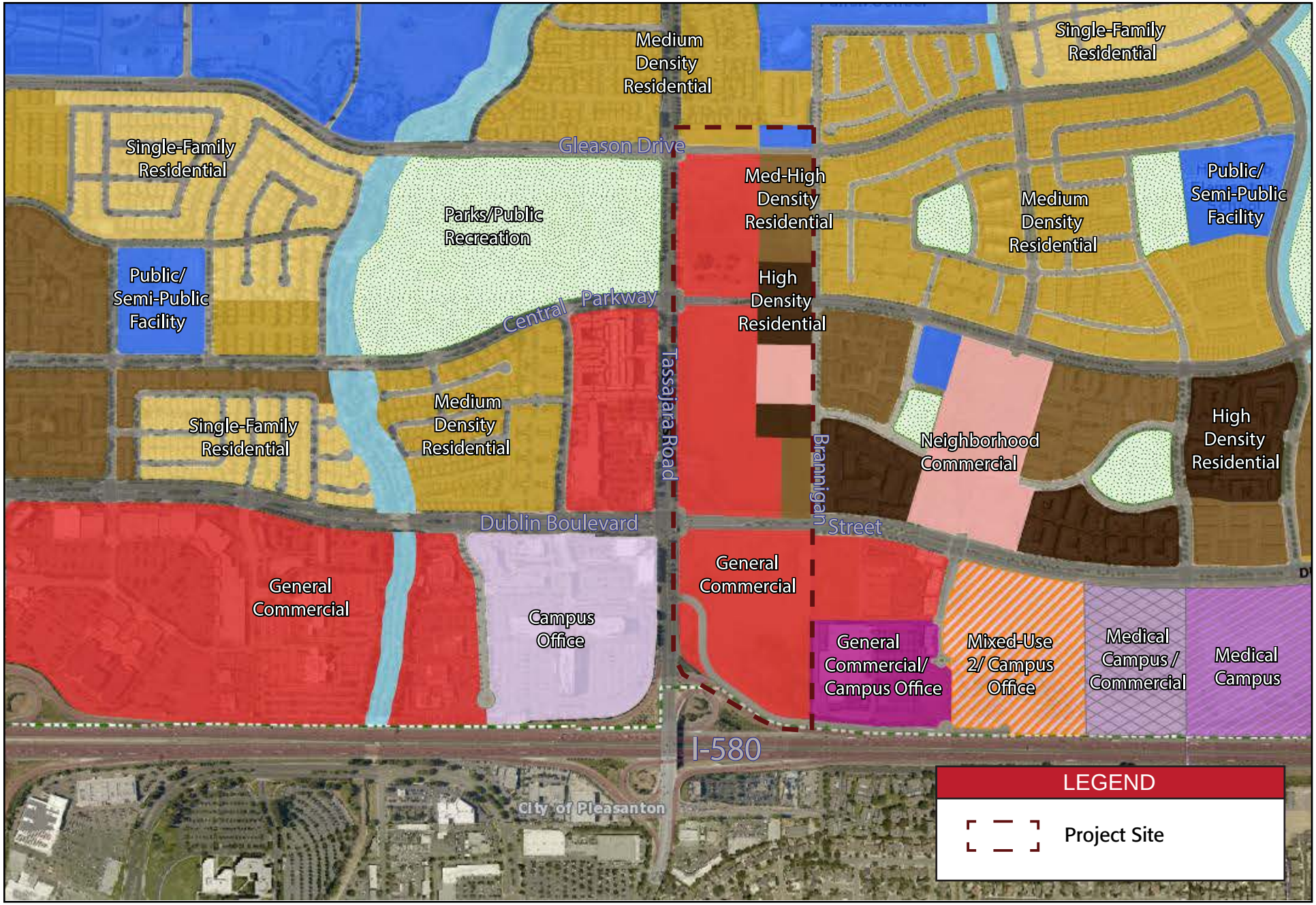
Source: Kimley-Horn, 2022

Figure 3-2: Surrounding Land Uses

SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience Bette



Source: Kimley-Horn, 2022

Figure 3-3: Existing General Plan Land Use Designations

SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience Bette

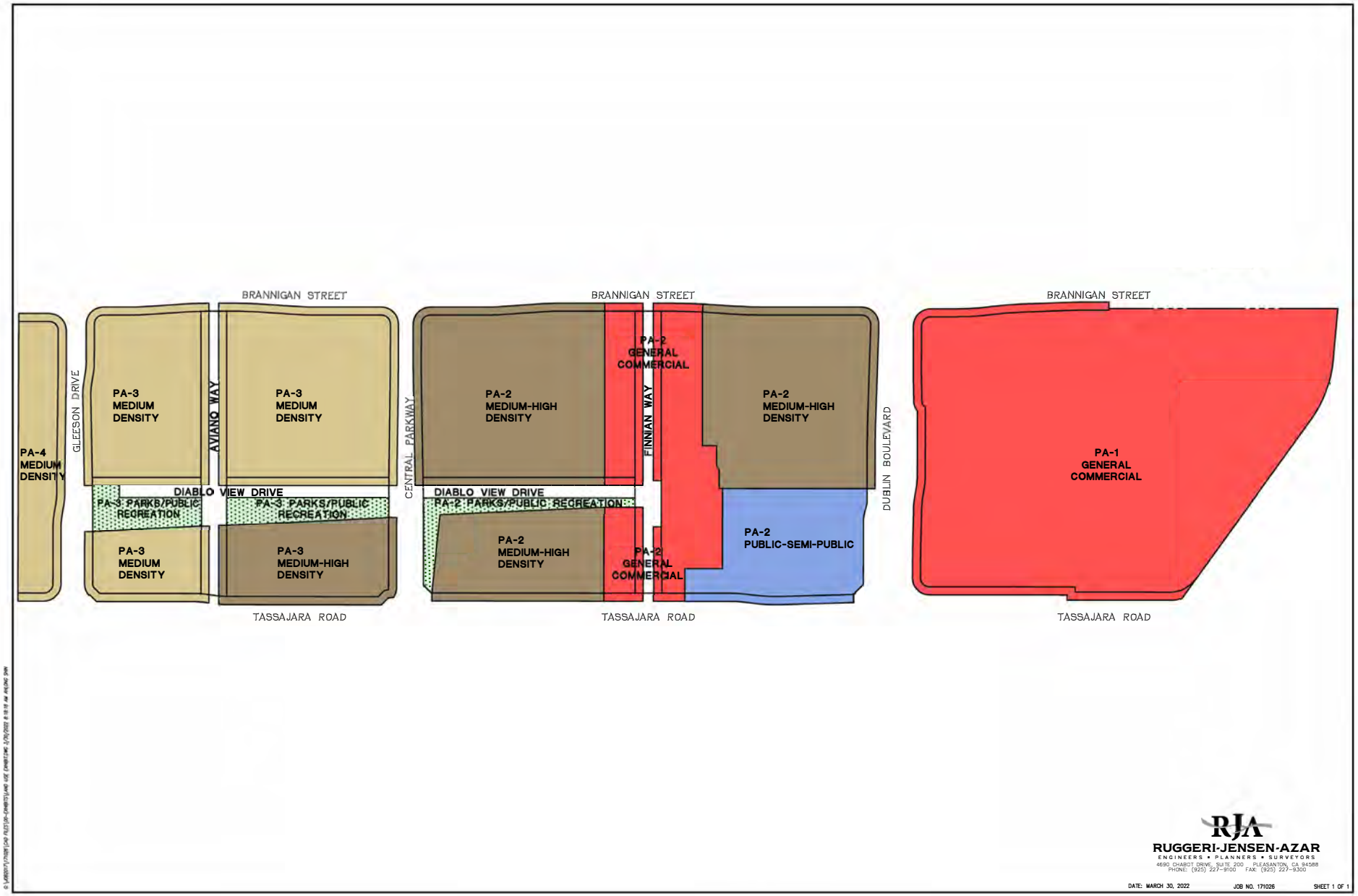


Source: Kimley-Horn, 2022

Figure 3-4: Existing Zoning

SCS Dublin Project
Environmental Impact Report

Not to scale



Source: RJA, 2022

Figure 3-5: Proposed General Plan Land Use Designations

SCS Dublin Project
Environmental Impact Report

Not to scale



Source: Project Application, 2022

Figure 3-6: Illustrative Site Plan

SCS Dublin Project
Environmental Impact Report

Not to scale



Source: Project Application, 2022

Figure 3-7a: Project Renderings

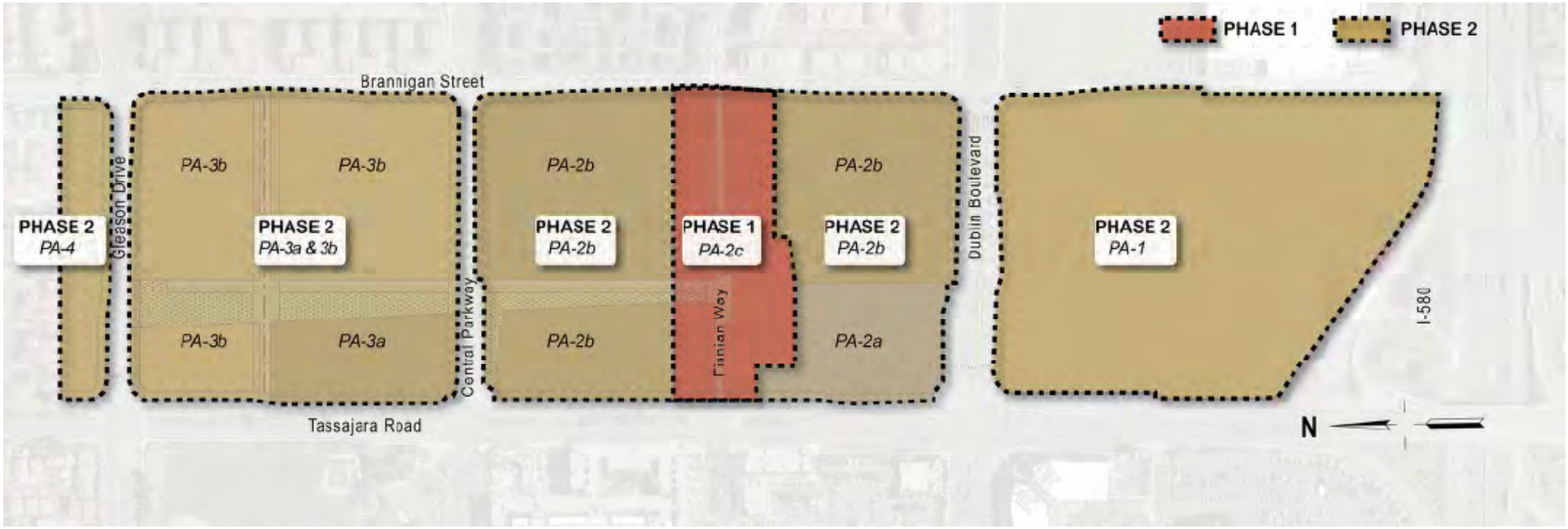
SCS Dublin Project
Environmental Impact Report



Source: Project Application, 2022

Figure 3-7b: Project Renderings

SCS Dublin Project
Environmental Impact Report



Source: Project Application, 2022

Figure 3-8: Project Phasing Plan

SCS Dublin Project
Environmental Impact Report

Not to scale

4 Introduction to Environmental Analysis

4.1 Environmental Assessment Methodology

The environmental resource analysis below (by chapter) describes the potential environmental impacts associated with the construction and operation of the project. This analysis considers the comments submitted during the scoping process (see Appendix A: Notice of Preparation and Comment Letters). References to data and/or technical studies are listed at the end of each chapter.

4.1.1 Methodology

The methodology used to determine impacts consists of three key components, summarized below.

Environmental Setting. The environmental setting describes existing conditions in the project site that may change as a result of the construction and operation of the project. Pursuant to CEQA Guidelines (Section 15125(a)), the environmental setting used for the impact analysis reflects the conditions at the time of the issuance of the Notice of Preparation.

Applicable Regulations, Plans, and Standards. Each issue area includes a description of current public policies, regulations, programs, and standards that apply to the project.

Environmental Impacts and Mitigation. This section evaluates the environmental impacts (including cumulative impacts) of the project based on predetermined, specific significance criteria. In determining the significance of impacts, the assessment considers the ability of existing regulations and other public agency requirements to reduce impacts. If an adverse impact is potentially significant despite existing regulations and requirements, mitigation measures are proposed to reduce or avoid the impact, where feasible. Mitigation measures are required only for significant adverse impacts. Once impacts and mitigation measures, as applicable, are presented, the "level of significance after mitigation" is determined.

4.1.2 Impact Significance

While the criteria for determining whether an impact is significant are unique to each issue area, a uniform classification of impacts is used in this EIR. Each impact is categorized based on the following definitions:

Class I: Significant impact; cannot be mitigated to a level that is less than significant

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures

Class III: Adverse impact; but less than significant, so mitigation is not normally recommended

Class IV: Beneficial impact; mitigation is not required

No impact.

4.1.3 Mitigation Measures

Where potentially significant impacts are identified, mitigation measures are identified. Each mitigation measure defines the specific requirements to reduce impacts and defines the timeframe, responsible party, and the mitigation monitoring requirement, if applicable.

Note that due to the location of the proposed uses on the project site, some mitigation measures apply only to one portion (commercial development, mixed use or residential development) of the project. Each mitigation measure indicates whether it applies to specific planning areas, the commercial development, mixed use, residential development or all components of the project.

4.1.4 Mitigation Monitoring

Public Resources Code Section 21081.6 establishes two distinct requirements for agencies involved in the CEQA process. Subdivisions (a) and (b) of the section relate to mitigation monitoring and reporting, and the obligation to mitigate significant effects where possible. Pursuant to subdivision (a), whenever a public agency completes an EIR and makes a finding pursuant to Section 21081(a) of the Public Resources Code taking responsibility for mitigation identified in the EIR, the agency must adopt a program of monitoring or reporting which will ensure that mitigation measures are complied with during implementation of the project.

4.2 Effects Not Found to Be Significant

Pursuant to the CEQA Guidelines Section 15128, "An EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were, therefore, not discussed in detail in the EIR." This chapter of the Draft EIR describes the resource areas that were found not to pose any potentially significant effects.

Based on the scope of the project, comment letters in response to the NOP, site visits, review of project applicant materials and technical reports, and additional background research on the construction and operational features of the project, the following resource topics were found to not have impacts that would be considered potentially significant. These topics, therefore, are not subject to further detailed analysis in the EIR.

4.2.1 Agricultural Resources

The project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the State Farmland Mapping and Monitoring Program (FMMP). It is designated as Grazing Land, land which the existing vegetation is suited to livestock grazing. No Williamson Act contract applies to the project site. The project site does not currently comprise agricultural or forestry uses, and it is designated for a mix of residential and commercial uses

pursuant to the General Plan and EDSP. There would be no impact to agricultural and forestry resources.

4.2.2 Mineral Resources

The project site lies within Mineral Resource Zone 1 (MRZ-1), as mapped by the California Department of Mines and Geology (DMG). MRZ-1 zones are "areas where adequate information indicates that no significant mineral despots are present, or where it is judged that little likelihood exits for their presence." The project site is not a mineral resource recovery site and, therefore, there would be no impact to mineral resources.

4.2.3 Wildfire

The project site is located in an urban setting and is not susceptible to wildfire risk. The site is not located in a State Responsibility Area or located on lands classified as a very high fire hazard severity zone. For these reasons, there would be no impact with respect to wildfire risk.

4.3 Cumulative Impacts

4.3.1 CEQA Requirements

Under the CEQA Guidelines, "a cumulative impact consists of an impact which is created as a result of the combination of the project evaluated in the environmental impact report ("EIR") together with other projects causing related impacts" (14 CCR §15130(a)(1)). CEQA PRC §21000 et seq., an EIR must discuss cumulative impacts if the incremental effect of a project, combined with the effects of other projects is "cumulatively considerable" (14 CCR §15130(a)). Such incremental effects are to be "viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects" (14 CCR §15164(b)(1)). Together, these projects compose the cumulative scenario which forms the basis of the cumulative impact analysis.

Cumulative Impact Analysis Methodology

The area within which a cumulative effect can occur varies by resource. For example, air quality impacts generally affect a large area (such as the regional Air Basin), while traffic impacts are typically more localized. For this reason, the geographic scope for the analysis of cumulative impacts is identified for each resource area in the following chapters.

The analysis of cumulative effects considers a number of variables, including geographic (spatial) limits, time (temporal) limits, and the characteristics of the resource being evaluated. The geographic scope of each analysis is based on the topography surrounding the project site and the natural boundaries of the resource affected, rather than jurisdictional boundaries. The geographic scope of cumulative effects will often extend beyond the scope of the direct effects, but not beyond the scope of the direct and indirect effects of the project.

In addition, future projects that comprise the cumulative condition each have their own implementation schedule, which may or may not coincide or overlap with the project's

schedule. This is a consideration for short-term impacts from the project. However, to be conservative, the cumulative analysis assumes that all projects in the cumulative scenario are built and operating during the operating lifetime of the project.

4.4 References

CA Department of Conservation. 2018. Farmland Mapping and Monitoring Program. Available at http://www.conservation.ca.gov/dlrp/fmmp. Accessed April 13, 2022.

CALFIRE (California Department of Forestry & Fire Protection). 2007. Fire Hazard Severity Zones on SRA. Available at https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/. Accessed April 14,2022.

CALFIRE (California Department of Forestry & Fire Protection). 2008. Very High Fire Hazard Severity Zones in LRA. Available at https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/. Accessed April 14,2022.

CA Department of Mines and Geology. 2018. California Geological Survey. Available at http://www.conservation.ca.gov/cgs. Accessed April 13, 2022.

5 Aesthetics

5.1 Introduction

This chapter describes effects on aesthetics that would be caused by implementation of the project. Information used to prepare this chapter came from the following resources:

- City of Dublin, *General Plan*, 1985 as amended 2022
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- City of Dublin, *Eastern Dublin Scenic Corridor Standards and Guidelines*, 1996
- Project application and related materials
- Site Photos

The study area, also known as the viewshed, is defined as the area from which the project would be seen both on and immediately surrounding the project site. The current condition and quality of aesthetic resources within the study area were used as the baseline against which to compare potential aesthetic impacts of the project.

The approach used to evaluate the existing aesthetics conditions consisted of the identification of applicable key viewpoints (KPVs), reviewing the project application including site plans and elevations, development standards, etc.

5.2 Scoping Issues Addressed

During the public comment scoping period for the project, no comments regarding aesthetics were raised.

5.3 Environmental Setting

This section presents information on aesthetic conditions in the study area. The current condition and quality of aesthetic resources was used as the baseline against which to compare potential impacts of the project.

5.3.1 Regional Landscape

The City of Dublin is located on 14.59 square miles in Eastern Alameda County within the Tri-Valley Region. The City is approximately 35 miles east of San Francisco and is generally bound by the City of San Ramon to the north, the City of Livermore to the east, Interstate 580 and the City of Pleasanton to the south, and the City of Castro Valley and the East Bay Hills to the west.

5.3.2 Project Site

The project site is located approximately four miles east of downtown Dublin, within the southeastern portion of the City. The property is bordered by single-family residences to the

north, multi-family residential and commercial uses to the east, Interstate 580 to the south, and Emerald Glen Park along with commercial, residential and campus office uses to the west along Tassajara Road.

The site is vacant, with the exception of occasional seasonal uses, and was historically utilized for agricultural purposes. The terrain is generally flat with a slight slope from the north to the south. The majority of vegetation found on-site is low lying native and nonnative grasses that are turned periodically for the purposes of weed abatement. A small group of trees and shrubs is located near the corner of Tassajara Road and Central Parkway. No grading for development purposes has occurred to date.

5.3.3 Scenic Routes

Interstate 580 was designated as a Scenic Route by the County of Alameda in 1966 (the City of Dublin was incorporated in 1982 and recognized this scenic route designation). Tassajara Road is designated as a scenic corridor within Alameda County.

The EDSP maintains that "it is critical that views of major ridgelands be maintained from the scenic corridors." The City of Dublin General Plan Circulation and Scenic Highways Element states that scenic routes "are the places from which people traveling through Dublin gain their impression of the City; therefore, it is important that the quality of views be protected."

5.3.4 Light and Glare

There are no existing sources of light and glare on the project site. Adjacent sources of light and glare include streetlights on the adjacent roadways and nearby commercial and residential land uses.

5.4 Applicable Regulations, Plans, and Standards

5.4.1 Federal

None applicable.

5.5 State

CA Scenic Highway Program

In 1963, the California Legislature established the State's Scenic Highway Program, which is intended to preserve and protect scenic highway corridors from changes that would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highways Code, Section 260 et seq.

The State Scenic Highways program, established by the Streets and Highways Code, is administered by the California Department of Transportation (Caltrans). The State Scenic Highway System includes highways that are either eligible for designation as scenic highways or have been designated as such.

A scenic corridor is the land generally adjacent to and visible from the scenic highway and is identified using a motorist's line of vision. The corridor protection program seeks to encourage quality development that does not degrade the scenic value of the corridor. Minimum requirements for scenic corridor protection include:

- Regulation of land use and density of development
- Detailed land and site planning
- Control of outdoor advertising (including a ban on billboards)
- Careful attention to and control of earthmoving and landscaping
- Careful attention to design and appearance of structures and equipment

5.5.1 Local

City of Dublin General Plan

The City of Dublin's General Plan contains the following goals, policies and implementation measures associated with aesthetic resources that are relevant to the project:

Goal 10.5.2: Promote a positive regional identity of the City.

Policy 10.5.3.A: Incorporate distinctive design features along regional corridors that reinforce a positive image of Dublin. Both within the right-of-way and on adjacent private development, utilize features such as gateway elements, street trees, median planting, special lighting, separated and ample sidewalks, crosswalks, seating, special signs, street names, landscape, decorative paving patterns, and public art. Consider undergrounding utilities along these roadways.

Policy 10.5.3.B: Maintain views through development to distant vistas (i.e. foothills) and view corridors along regional corridors, wherever feasible.

Policy 10.5.3.C: Incorporate visual screening techniques such as berms, dense and/or fast-growing landscaping, and appropriately designed fencing where feasible, to ensure that visually challenging features, such as parking lots, loading docks, storage areas, etc. are visually attractive as seen from regional corridors.

Policy 10.5.3.D: Provide landscaping and articulated design to soften the visual appearance of existing and new walls and fences that are adjacent to regional corridors, wherever feasible.

Policy 10.5.3.E: Encourage attractive and high-quality landscaping along the edge of the freeways and development surrounding on- and off-ramps to provide softer and more attractive views both to and from the freeways. Landscaping on private property should complement the buildings and overall site design.

Goal 10.6.2: Create a Sense of Arrival at gateways to the City.

Policy 10.6.3.A: Mark gateways with City identification (i.e. signage) and include enhanced landscaping and street improvements to highlight Dublin's identity, consistent with the City's Streetscape Master Plan, where feasible (reference: Streetscape Master Plan).

Policy 10.6.3.B: Incorporate dramatic and imaginative landscaping, public art, water features, or other design features when reconstructing streets and/or sidewalks at key gateways into the City, where feasible (reference: Public Art Master Plan).

Policy 10.6.3.C: Encourage signature building architecture at gateways that are oriented toward the gateway to create a sense of place.

Implementation Measure 10.6.4.A: Implement the Streetscape Master Plan.

Implementation Measure 10.6.4.B: Review development adjacent to gateways through the Planned Development Regulations and the Site Development Review Permit process.

Goal 10.7.2: Ensure quality and compatible design of the built form.

Policy 10.7.3.1.A: Encourage diverse, high quality, attractive, and architecturally appealing buildings that create distinctive visual reference points, enrich the appearance of functional gathering spaces, and convey an excellence in architecture, workmanship, quality, and durability in building materials.

Policy 10.7.3.1.B: Encourage buildings with varied massing, heights, articulation techniques, and architectural and signage treatments to create visual interest and ensure compatibility with adjacent uses, in commercial, office, industrial, and mixed-use areas.

Policy 10.7.3.1.C: Ensure that building height, scale and design are compatible with the character of the surrounding natural and built environment, and are varied in their massing, scale and articulation.

Policy 10.7.3.1.D: Encourage a variety of site and building designs that are compatible and consistent with surrounding development, especially where larger scale development is adjacent to smaller scale and/or more sensitive land uses (i.e. residential, schools, and churches) to the greatest extent feasible.

Policy 10.7.3.1.E: Avoid the use of long, continuous, straight (building) walls along roadways by designing appropriate articulation, massing, and architectural features.

Policy 10.7.3.1.F: Create distinctive neighborhoods that exemplify high-quality and varied design while reinforcing Dublin as one integrated community, in residential areas.

Policy 10.7.3.1.G: Encourage the diversity of garage orientation and setbacks, architectural styles, building materials, color and rooflines, and other design features, on all sides of all buildings, in residential areas.

Policy 10.7.3.1.H: Orient buildings toward major thoroughfares, sidewalks, pedestrian pathways, and gathering spaces, and incorporate clear and identifiable entries where feasible, in campus office areas.

Policy 10.7.3.1.I: Cluster and connect buildings through a series of pedestrian pathways designed to work with each other to form a unified design character and create larger functional spaces, in campus office and commercial areas.

Policy 10.7.3.1.K: Minimize the visual impacts of service/loading areas, storage areas, trash enclosures, and ground mounted mechanical equipment. When feasible, these elements should be located behind or to the sides of buildings and screened from views through a combination of walls/fencing, and/or landscaping.

Policy 10.7.3.1.L: Minimize the visual impacts of roof mounted mechanical equipment. When feasible, such elements should be consolidated and housed in architecturally articulated enclosures.

Policy 10.7.3.2.A: Utilize more formal landscaping treatments in more densely developed (urban) areas and utilize more natural landscaping treatments in less dense (suburban) areas, as appropriate.

Policy 10.7.3.2.B: Achieve neighborhood identities by applying streetscape and landscape design, entry treatments, signage, and architectural detailing standards, in residential areas (reference: Streetscape Master Plan).

Policy 10.7.3.2.C: Incorporate setbacks and landscaped buffers for development along collector and arterial roadways to minimize the impacts from roadway noise, where appropriate.

Policy 10.7.3.2.D: Ensure that landscaping along and adjacent to the public realm is well maintained and retains a natural appearance.

Policy 10.7.3.2.E: Encourage distinctive landscaping and signage that is aesthetically appealing from the public realm (reference: Streetscape Master Plan).

Policy 10.7.3.2.F: Encourage the use of landscaping on walls to soften and screen their visual appearance (reference: Streetscape Master Plan).

Policy 10.7.3.2.G: Increase the width of existing narrow parkway strips when the opportunity arises and encourage all new development and redevelopment projects to provide appropriately sized landscaped parkway strips (reference: Streetscape Master Plan).

Policy 10.7.3.2.H: Preserve mature trees and vegetation, with special consideration given to the protection of groups of trees and associated undergrowth and specimen trees (reference: Heritage Tree Ordinance).

Policy 10.7.3.2.I: Preserve views of creeks, hillsides, skylines, or other natural or man-made landmarks during site planning of new developments, whenever feasible.

Policy 10.7.3.3.A: Encourage gathering spaces and amenities such as mini plazas, courtyards, benches, seating, shade, trash receptacles, and water fountains, in commercial and office areas.

Policy 10.7.3.3.B: Design attractive gathering spaces with pedestrian amenities such as landscaping, benches, shade structures, fountains, public art, and attractive lighting.

Policy 10.7.3.3.C: Encourage design treatments that enhance the attractiveness of the streetscape, public spaces, landscaped areas, and open space.

Policy 10.7.3.4.A: Ensure that perimeter areas incorporate appropriate planting, lighting, and signage.

Policy 10.7.3.4.B: Ensure that signs are constructed of high quality materials, are compatible with their surroundings, and make a positive visual contribution to the character of the community.

Policy 10.7.3.4.D: Incorporate public art where feasible (reference: Public Art Master Plan).

Policy 10.7.3.4.E: Design and locate outdoor lighting around buildings, in parking lots, and along streets that minimize the effects of glare on adjacent properties, particularly in residential areas.

Policy 10.7.3.5.A: Provide convenient but not visually dominating parking that incorporates extensive landscaping to provide shade, promote wayfinding, visually soften views from the street and surrounding properties, and reduce the heat island effect (generally characterized with large expanses of paved and under-landscaped surfaces).

Policy 10.7.3.5.B: Buffer and screen large expanses of parking areas from the street, where practical.

Policy 10.7.3.5.C: Encourage the use of integrated circulation and parking facilities that are shared among surrounding properties.

Policy 10.8.3.A: Provide safe, visually pleasing, and comfortable pedestrian and bicycle connections between destinations within a project area by providing wide multi-use paths, generous sidewalks, and dedicated bicycle lanes on Class I and II Collector and Arterial streets.

Policy 10.8.3.B: Provide clear, identifiable, and ample pedestrian and bicycle pathways that connect sidewalks, parking areas, building entrances, trails and other site features by using

wayfinding techniques such as signage, landscaping, hardscape, and prominent building entrances, where feasible (reference: Dublin Bicycle and Pedestrian Master Plan).

Policy 10.8.3.C: Provide a continuous and ample network of pedestrian and bicycle routes within a project area and logical connections to the exterior of the project area and thereby create safe routes of travel to transit facilities, public gathering spaces, trails, parks, community centers, schools, City villages, gateways and entries (reference: Dublin Bicycle and Pedestrian Master Plan).

Eastern Dublin Specific Plan

The project site is located within the following Planning Subareas of the EDSP:

1) **Town Center – Commercial**, along Tassajara Road south of Gleason Drive and north of Dublin Boulevard. This subarea was envisioned the commercial core for eastern Dublin and is intended to be a high density, pedestrian-oriented commercial, civic, and entertainment center for Dublin and the surrounding communities.

2) **Town Center – Residential**, along Brannigan Street south of Gleason Drive and north of Dublin Boulevard. This subarea was envisioned for a large community park and open space area on the eastern portion and residential on the western side.

3) **Tassajara Gateway**, area south of Dublin Boulevard. This area was envisioned for high-quality commercial uses that establishes a positive impression on the thousands of travelers travelling along Dublin Boulevard and Tassajara Road.

4) **Foothill Residential** for the small area of the project on the north side of Gleason Drive. This area was envisioned for predominantly single-family residential in the lower density range.

The EDSP contains the following goal, policies and program associated with aesthetic resources as it relates to the project:

Visual Resources - General

Goal: To establish a visually distinctive community which preserves the character of the natural landscape by protecting key visual elements and maintaining views from major travel corridors and public spaces.

Policy 6-28: Preserve the natural open beauty of the hills and other important visual resources, such as creeks and major stands of vegetation.

Policy 6-30: Structures built near designated scenic corridors shall be located so that views of the back- drop ridge (identified in Figure 6.3 as “Visually Sensitive Ridgelands - no development”) are generally maintained when viewed from the scenic corridors.

Policy 6-31: High quality design and visual character will be required for all development visible from designated scenic corridors.

Tassajara Road Scenic Corridor

Policy 6-29: Development is not permitted on the main ridgeline that borders the planning area to the north and east, but may be permitted on the foreground hills and ridgelands. Minor interruptions of views of the main ridgeline by individual building masses may be permissible in limited circumstances where all other remedies have been exhausted.

Policy 6-30: Structures built near designated scenic corridors shall be located so that views of the back- drop ridge (identified in Figure 6.3 as "visually sensitive ridgelands - no development") are generally maintained when viewed from the scenic corridors.

Policy 6-31: High quality design and visual character will be required for all development visible from designated scenic corridors.

Program 6R: The City should require projects with potential impacts on scenic corridors to submit detailed visual analysis with development project applications. Applicants will be required to submit graphic simulations and/or sections drawn from affected travel corridors through the parcel in question, representing, typical views of the parcel from these scenic routes. The graphic depiction of the location and massing of the structure and associated landscaping can then be used to adjust the project design to minimize the visual impact.

Eastern Dublin Scenic Corridor Policies and Standards

The Eastern Dublin Scenic Corridor Policies and Standards document was adopted by the City Council in 1996 as a means of implementing the requirements of the Eastern Dublin Specific Plan. The Scenic Corridor policies establish standards for projects within the scenic corridor viewshed. Along the Interstate 580 corridor, the document identified three critical viewpoints of Dublin's "Visually Sensitive Ridgelands," including: Viewpoint 1 from Interstate 580 looking north up Tassajara Creek, Viewpoint 2 looking northeast to the ridgelands from the Tassajara Road Interstate 580 overpass, and Viewpoint 3 looking north and northeast from the Fallon Road overpass.

Standard 1.1 states that from these three designated viewpoints, development shall maintain generally uninterrupted views to significant natural features. The viewpoint that is material to this analysis is Viewpoint 2, where the standard is to have structures that do not extend above the horizon of the Visually Sensitive Ridgelands for more than 25 percent of the total horizon line. The total horizon line is further defined as the limits of the Visually Sensitive Ridgelands as seen from Viewpoint 2 (as shown in Figure 7 of the Scenic Corridor Policies and Standards document).

Standard 1.2 states that structures adjacent to a scenic corridor, generally within 700 feet of the scenic corridor, should be allowed to obstruct views of the Visually Sensitive Ridgelands from Interstate 580 for not more than 50 percent of the developed frontages. Views may be maintained by balancing building heights and setbacks so as to allow views over the buildings, by clustering buildings to allow views through, or by siting parking to preserve views to the hills.

5.6 Environmental Impacts and Mitigation Measures

5.6.1 Significance Criteria

The following significance criteria for aesthetics were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Cause a substantial adverse effect on a scenic vista.
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.
- Substantially degrade the existing visual character or quality of the site and its surroundings.
- Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

Also, given consideration are any General Plan goals, policies, or designations that are designed to reduce aesthetic impacts. Conflicts with such laws, ordinances, regulations, and standards can constitute evidence of a significant aesthetic impact. Lastly, a significant aesthetic impact could occur if the project's incremental aesthetic impact would be cumulatively considerable.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

Impact Assessment Methodology

To determine potential impacts, the impact significance criteria identified above were applied to construction and operation of the project. Impacts are identified as being either short-term or long-term in nature. They are numbered under each impact significance criterion, as are applicable mitigation measures.

An adverse aesthetic (visual) impact occurs within public view when: (1) an action significantly changes existing features of the physical environment so that they no longer appear to be characteristic of the subject locality or region; (2) an action introduces new features to the physical environment that are significantly uncharacteristic of the region and/or locale; or (3) aesthetic features of the landscape become significantly less visible (i.e., partially or totally blocked from view) or are removed. Changes that seem uncharacteristic are those that appear out of place, discordant, or distracting. The degree of the aesthetic impact depends upon how noticeable the adverse change may be. The noticeability of an adverse aesthetic impact is a function of project features, context, and viewing conditions (e.g., angle of view, distance, primary viewing directions, and duration of view).

The specific factors considered in determining impacts on aesthetics included the following factors:

1. An understanding of the overall visual sensitivity of the project site;
2. The resulting contrast of the proposed facilities or activities with existing landscape characteristics;
3. The degree to which project components would dominate the view of the observer;
4. The extent to which project features or activities would block views of higher value landscape features; and
5. An understanding of the overall visual change that would occur in the landscape as a result of the project.

The components contributing to the assessment of overall visual change are described below.

Visual Contrast

Visual contrast concerns the degree to which a project's visual characteristics or elements (e.g., form, line, color, and texture) differ from the same visual elements in the existing landscape. The degree of contrast can range from low to high. A landscape with forms, lines, colors, and textures similar to those of the project is more visually absorbent; that is, it is more capable of accepting those project characteristics than a landscape in which those elements are absent. Generally, visual absorption is inversely proportional to visual contrast. Visual contrast ranges from low to high. Contrast can also be exacerbated by visible glare from project components.

Dominance

Dominance is a measure of the proportion of the total field of view occupied by the feature, a feature's apparent size relative to other visible landscape features, and the conspicuousness of the feature due to its location in the view.

A feature's level of dominance tends to be lower in a panoramic setting compared to a setting with confined sightlines with a focus on the feature itself. A feature's level of dominance is higher if it is near the center of the view, elevated relative to the viewer, or has the sky as a

backdrop. As the distance between a viewer and a feature increases, its apparent size decreases, and consequently its dominance decreases. The level of dominance ranges from subordinate to dominant.

View Blockage

The extent to which any previously visible landscape features are blocked from view constitutes view blockage or impairment. The view is also impaired when the continuity of the view is interrupted. When considering a project's features, higher quality landscape features can be blocked by lower quality project features, thus, resulting in adverse aesthetic impacts. The degree of view blockage can range from none to high. Public views, not private, are considered under CEQA.

Visual Change

Visual change is derived from the three components described above—contrast, dominance, and view blockage—and is a concluding assessment as to the degree of change that would be caused by a project. The degree of visual change can range from low to high.

5.6.2 Summary of No and/or Beneficial Impacts

There are no "no" impacts nor "beneficial" impacts.

5.6.3 Impacts of the Proposed Project

Impact AES-1: Adversely effect a scenic vista (Class III).

The General Plan describes a design vision which is the basis for the City's goals and policies related to community design. The design vision identifies the need to utilize regional corridors to promote the positive regional identity of the City through attractive development, unique landscaping, and preservation of views to rolling hillsides and other prominent natural features. The General Plan identifies Tassajara Road as a regional corridor and, therefore, per Policy 10.5.3.B, developments must maintain views through the development to distant vistas wherever feasible.

The General Plan recognizes Tassajara Road as an Alameda County designated scenic route. The EDSP also recognizes Tassajara Road as a scenic corridor and asserts that views of major ridgelands be maintained from scenic corridors. The EDSP goals and policies, discussed above, encourage development that maintains views from scenic corridors to Visually Sensitive Ridgelands, as shown in EDSP Figure 6.3: Environmental Constraints.

Furthermore, the Eastern Dublin Scenic Corridor Policies and Standards identifies the view looking northeast to the ridgelands from the Tassajara Road overpass as a designated viewpoint within the project area. Per the Eastern Dublin Scenic Corridor Policies and Standards, implementation of developments shall maintain generally uninterrupted views and have structures that do not extend above the horizon of the Visually Sensitive Ridgelands for more

than 25 percent of the total horizon line (the limits of the Visually Sensitive Ridgelands as seen from Viewpoint 2).

The Visually Sensitive Ridgelands identified in EDSP Figure 6.3 are located approximately 2.5 miles northeast of the project site. Figure 7 of the Eastern Dublin Scenic Corridor Policies and Standards provides a view cone that gives the estimated maximum heights for developments at set distances from Viewpoint 2 that would avoid obstructing views of the Visually Sensitive Ridgelines. This view cone encompasses a significant portion of the project site south of Dublin Boulevard.

The tallest feature proposed for this portion of the project site is an indoor/outdoor recreation facility that is anticipated to function as a Topgolf entertainment driving range. Topgolf facilities typically consist of parking, a three-level building enclosed on three sides with the fourth side open to serve as hitting bays, and an outdoor driving range outfield extending from the open side.

As shown in Figure 5-1: Rendering of Topgolf Building Massing From Viewpoint 2, the building is long and relatively narrow, with a maximum height of 55 feet. It is oriented nearly perpendicular to the distant ridgeline, thereby reducing its visual prominence when seen from Viewpoint 2 as identified in Figure 7 of the Eastern Dublin Scenic Corridor Policies and Standards. The majority of the building would be located within the 60-foot height zone as identified in Figure 7. The building's height and orientation would be consistent with the Eastern Dublin Scenic Corridor Policies and Standards avoid through avoidance of obstructing views of the Visually Sensitive Ridgelines. The outdoor driving range would be enclosed by netting that is 93 percent transparent and supported by poles up to 190 feet tall [OBJ].The proposed nets and support poles would be substantially taller than any surrounding structures and extend above the maximum height limit. However, they would not obstruct the view as defined in Figure 7 given their semi-transparent appearance, and the fact that the poles and nets would not extend above the horizon of the Visually Sensitive Ridgelands for more than 25 percent of the total horizon line.

The area south of Dublin Boulevard also includes the potential to develop up to two hotels with a total of 140 rooms. The hotel building(s) would be limited to a maximum height of 74-feet and would be located at the corner of Dublin Boulevard and Brannigan Street, outside of the 60-foot maximum height limit.

Furthermore, the project applicant will be required to comply with the requirements of Program 6R of the EDSP by submitting a detailed visual analysis of the Tassajara Road Scenic Corridor for the project as part of the Site Development Review Permit process. Review of this visual analysis will also ensure compliance with EDSP Policies 6-30 and 6-31 and Eastern Dublin Scenic Corridor Policies and Standards 1.1 and 1.2 which would prevent impacts to Visually Sensitive Ridgelines.

Based on the above analysis, and the requirement for compliance with City standards and policies, the project would result in a less-than-significant impact to views of a scenic vista. Impacts would be Class III, less than significant with no mitigation required.

Impact AES-2: Substantially damage scenic resources within a State scenic highway (Class III).

The southern boundary of the project site is immediately adjacent to and within view of I-580 which is an Eligible State Scenic Highway. Viewpoint 2 on the Tassajara Road overpass over I-580 overlooks the southern portion of the project site from I-580.

As described in Impact AES-1 above, views of the Visually Sensitive Ridgelands from Viewpoint 2 and I-580 identified in the Eastern Dublin Scenic Corridor would not be significantly impacted by the proposed project, including the proposed Topgolf sports recreation facility. Furthermore, as described in Impact AES-1 above, the project will be required to comply with the requirements of the EDSP and the Eastern Dublin Scenic Corridor Policies and Standards by submitting a visual analysis as part of the Site Development Review Permit process.

Therefore, the project would result in a less-than-significant impact to scenic resources within a State scenic highway. Impacts would be Class III, less than significant with no mitigation required.

Impact AES-3: Substantially alter the visual character of the project site and surrounding area (Class III).

The project consists of both commercial and residential development that would be constructed in two phases (see Figure 3-8: Project Phasing Plan). The first phase would include development of the commercial area of PA-2, followed by development of residential area of PA-2, 1, PA-3 and PA-4 in the second phase. Project development would include plazas, linear parks, paseos, and gardens located throughout each of the planning areas along with gathering places for community events.

The project would complete pedestrian walkways and plantings along existing City streets and develop multi-use paths, paseos and pedestrian walkways to provide connections between the residential, commercial and open spaces throughout the site. Varied but complementary plantings and hardscape features would project a modern agrarian aesthetic. The project would utilize setbacks and landscaped buffers for screening throughout the site. Walls would be interior to the project with the exception of the continuation of an existing wall located within PA-4. The continuation of the existing wall in this specific portion of the project would allow for continuity with the existing setbacks, landscaping, and residential lot configuration adjacent to PA-4 along Gleason Avenue.

The City's General Plan identifies several key entrances to the City, including the intersection of Dublin Boulevard and Tassajara Road, as gateways. General Plan Policies 10.6.3.A, 10.6.3.B and 10.6.3.C describe the use of landscaping, architectural features, signage, and consistency with

the City's Streetscape Master Plan as measures that would support General Plan Goal 10.6.2 and assist in creating a sense of arrival to the City.

The project would require a General Plan and Specific Plan Amendment to modify the land use designations to accommodate the proposed development. The subject site is currently designated with a combination of General Commercial, Neighborhood Commercial, Medium, Medium/High, and High-Density Residential land uses. In addition, a small portion of the site north of Gleason Drive is designated for Public/Semi-Public uses. The project implements the City's new vision for the SCS Property based on the Preferred Plan approved by City Council in February 2022, which includes similar uses as the current land use designations, albeit at different intensities and areas. Accordingly, the project is located in an area with compatible surrounding uses, including commercial, residential, campus office, and parks/public recreation uses.

Per Chapter 8.84 of the Dublin Municipal Code, the project would be required to have a Master Sign Program. Adherence to the Master Sign Program would ensure that project signage would be compatible with the style and character of project and surrounding development and are well related to each other.

Upon EIR certification and project approval by the Dublin City Council for the proposed project, the project applicant will be required to submit detailed civil engineering and architectural plans as part of the Site Development Review Permit process. These plans would be required to conform with all applicable City, State, and federal regulations, including those related to design.

The project would not substantially alter the visual character of the surrounding area; however, the project would alter the visual character of the project site by replacing the undeveloped land with a mix of residential and commercial development. The building heights, massing and materials, setbacks and architectural and landscape criteria are generally consistent with the surrounding land uses and the project site includes landscaping, sidewalks, and signage that creates a consistent streetscape; see Figure 3-7 (a-b): Project Renderings. In addition, the proposed project would be required to undergo site-specific design review to ensure the project is consistent with the City of Dublin design standards and performance standard related to aesthetics and to less the severity of the visual change resulting from the proposed project. Therefore, the project would result in a less-than-significant impact to the visual character of the project site and surrounding area. Impacts would be Class III, less than significant, and no mitigation measures are required.

Impact AES-4: Introduce new light and glare to the project site and project area (Class II).

The project site is vacant land with no existing sources of light or glare, with the exception of minimal temporary lighting associated with seasonal uses. Nearby sources of light and glare include street lighting and vehicle traffic along Tassajara Road, Brannigan Street, Dublin Boulevard, Central Parkway, Gleason Drive as well as freeway lighting and vehicle traffic along I

- 580. Other sources of existing lighting and glare in the surrounding area include surface parking lighting of the commercial uses to the west and southeast, residential uses to the north and east and the public park to the west.

Implementation of the project would include additional sources of residential and commercial indoor lighting, outdoor/security lighting, parking area lighting, and illuminated signage. Development pursuant to the project would result in a greater intensity of uses as compared to existing conditions due to an increased number of structures (residential units and commercial facilities), additional streets, and other land uses that is typical of an urban density development.

Exterior project lighting would consist of wall- and pole-mounted fixtures around the perimeters of buildings, landscaped areas, pedestrian pathways, streets, and in parking areas on the project site. The open side and driving range outfield of the Topgolf facility would also be illuminated. Typical illumination for a Topgolf includes building mounted sports lighting standards directed downward at the driving range outfield and illuminated round, ground targets in the driving range outfield. Though lighting would be designed to minimize spill, light from these fixtures could spill beyond the project site and result in significant light and glare impacts.

Implementation of Mitigation Measure AES-4.1: Exterior Lighting Control Plan, would reduce the impact to a less-than-significant level (Class II).

Mitigation for Impact AES-4

MM AES-4.1 Exterior Lighting Control Plan

To minimize the adverse impact associated with light and glare, the applicant shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction for building lighting or approval of the final landscape plan for all other site lighting.

The exterior lighting control plan shall address the design and installation of all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances.

The exterior lighting control plan shall include the following:

- A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary;
- Identification of the location and direction of light fixtures that take the lighting control requirements into account;

- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements;
- Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated;
- Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security;
- Lighting fixtures that have a minimum necessary brightness, consistent with operational safety and security; and
- Where lights in high illumination areas are not occupied on a continuous basis, utilize timer switches or motion detectors so that the lights operate only when the area is occupied.

5.6.4 Cumulative Impact Analysis

The geographic context for the analysis of cumulative aesthetic impacts includes the project site viewshed and the visual character of its surroundings in the City of Dublin. Cumulative projects considered are those that could be seen in proximity to the project site and taken together would result in a substantial change to the project site viewshed.

Impact AES-5: Contribute to cumulatively considerable aesthetic impacts (Class II).

The geographic scope of the cumulative aesthetics, light, and glare analysis is the area surrounding the project site. This is the area within view of the project and, therefore, the area most likely to experience changes in visual character or experience light and glare impacts.

The area surrounding the project site is entirely developed with the exception of a vacant parcel just north of Lowe's which was part of the larger Grafton Station Planned Development.

The project vicinity is characterized by urban development and multi-family residential uses. Much of the surrounding project area has been developed relatively recently in compliance with the General Plan, the EDSP, and the City's municipal code requirements related to design and visual character. Compliance with these standards as well as the City's review and approval role in the planning process will help to create a visually compatible and cohesive development pattern in the surrounding area. Therefore, there is currently no existing cumulatively significant visual aesthetic impact within the project area.

The project would be developed in several phases over a period of approximately four years. The project would feature buildings as high as three stories and nets and support poles up to 190 feet. However, compliance with the EDSP and the Eastern Dublin Scenic Corridor Policies and Standards and the use of site planning techniques such as setbacks, structure placement,

and landscaping, the visual appearance of the project would be softened such that it would be compatible with its surroundings.

Therefore, with implementation of MM AES-4.1: Exterior Lighting Control Plan, the project in conjunction with other planned and approved projects, would not have a cumulatively significant impact relating to aesthetics, light, and glare.

5.6.5 Level of Significant After Mitigation

Table 5-1: Summary of Impacts and Mitigation Measures – Aesthetics summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to aesthetics.

Table 5-1: Summary of Impacts and Mitigation Measures – Aesthetics

Impact	Impact Significance	Mitigation
Impact AES-1: Adversely effect a scenic vista (Class III).	Less than Significant	None required.
Impact AES-2: Substantially damage scenic resources within a state scenic highway (Class III).	Less than Significant	None required.
Impact AES-3: Substantially alter the visual character of the project site and project area, or substantially change a scenic vista (Class III).	Less than Significant	None required.
Impact AES-4: Introduce new light and glare to the project site and project area (Class II).	Less than Significant with Mitigation	MM AES-4.1: Exterior Lighting Control Plan
Impact AES-5: Contribute to cumulatively considerable aesthetic impacts (Class II).	Less than Significant with Mitigation	MM AES-4.1: Exterior Lighting Control Plan

5.7 References

City of Burlingame. Initial Study/Mitigated Negative Declaration Topgolf Burlingame. 2020. Available at https://ceqanet.opr.ca.gov/2020029042/2. Accessed April 13, 2022.

City of San José. Initial Study Topgolf @ Terra Project. 2016. Available at https://www.sanjoseca.gov/your-government/departments/planning-building-code-enforcement/planning-division/environmental-planning/environmental-review/negative-declaration-initial-studies/topgolf-terra-project. Accessed April 13, 2022.

California Department of Transportation (Caltrans). 2019. State Scenic Highway Program. Available at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed March 31, 2022.

California Department of Finance. 2021. Demographic Research Unit. E-1 Population Estimates for Cities, Counties, and the State January 1, 2020 and 2021. Available at: https://dof.ca.gov/forecasting/demographics/estimates/. Accessed March 31, 2022.

State of California. California Building Code 2019 Vol 1&2. 2019. Available at https://www.dgs.ca.gov/BSC/Codes. Accessed April 13, 2022.

Topgolf. SCS – Dublin Topgolf Overview. April 4, 2022.



Source: Project Application, 2022

Figure 5-1: Rendering of Topgolf Building Massing from Viewpoint 2

6 Air Quality

6.1 Introduction

This chapter describes the existing setting of the project site as it relates to air quality; identifies associated regulatory conditions and requirements; presents the criteria used to evaluate potential impacts on air quality; and identifies mitigation measures to reduce or avoid each significant impact. The significance of each impact after the incorporation of identified mitigation measures is included at the end of this chapter.

Information used to prepare this chapter came from the following sources:

- Project application and related materials
- Air quality data provided by the California Air Resources Board (CARB)
- California Environmental Quality Act (CEQA) Air Quality Guidelines
- Bay Area Air Quality Management District (BAAQMD), *Clean Air Plan* 2017
- City of Dublin, *General Plan* 1985 as amended 2022

6.2 Scoping Issues Addressed

During the public comment scoping period for the project, no comments regarding air quality were raised.

6.3 Environmental Setting

This section presents information on air quality conditions in the project area. The Regional Setting provides information on the baseline conditions in the region. The Project Setting defines the project area and describes baseline conditions for air quality within it.

6.3.1 Climate and Topography

The project site is located within the San Francisco Bay Area Air Basin (Air Basin), which includes Alameda County, Contra Costa County, Marin County, Napa County, San Francisco County, San Mateo County, and Santa Clara County. The Air Basin composes of an area of approximately 5,340 square miles in the San Francisco Bay Area. Bay Area Air Quality Management District (BAAQMD) is responsible for local control and monitoring of criteria air pollutants throughout the Air Basin.

The climate of the Air Basin is determined largely by a high-pressure system that is almost always present over the eastern Pacific Ocean off the West Coast of North America in the summer. During winter, the Pacific high-pressure system shifts southward, allowing storms to pass through the region. During the summer, the large-scale meteorological condition that

dominates the West Coast is a semi-permanent high-pressure cell centered over the northeastern portion of the Pacific Ocean.

Climatological conditions, an area's topography, and the quantity and type of pollutants released commonly determine ambient air quality. The project site is located in central Alameda County in the San Francisco Bay Area, in the City of Dublin.

Climate, or the average weather condition, affects air quality in several ways. Wind patterns can remove or add air pollutants emitted by stationary or mobile sources. Inversion, a condition where warm air traps cooler air underneath it, can hold pollutants near the ground by limiting upward mixing (dilution). Topography also affects the local climate, as valleys often trap emissions by limiting lateral dispersal.

6.3.2 Air Pollutants of Primary Concern

The air pollutants emitted into the ambient air by stationary and mobile sources are regulated by federal and state laws. These regulated air pollutants are known as "criteria air pollutants" and are categorized into primary and secondary pollutants. Primary air pollutants are those that are emitted directly from sources. Carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxide (NO_X), sulfur dioxide (SO_2), coarse particulate matter (PM_{10}), fine particulate matter ($PM_{2.5}$), and lead are primary air pollutants. Of these, CO, NO_X, SO_2, PM_{10}, and $PM_{2.5}$ are criteria pollutants. ROG and NO_X are criteria pollutant precursors and go on to form secondary criteria pollutants through chemical and photochemical reactions in the atmosphere. For example, the criteria pollutant ozone (O_3) is formed by a chemical reaction between ROG and NO_X in the presence of sunlight. O3 and nitrogen dioxide (NO_2) are the principal secondary pollutants. Sources and health effects commonly associated with criteria pollutants are summarized in Table 6-1: Air Contaminants and Associated Public Health Concerns.

Ozone, or smog, is not emitted directly into the environment, but is formed in the atmosphere by complex chemical reactions between ROG and NO_X in the presence of sunlight. Ozone formation is greatest on warm, windless, sunny days. The main sources of NO_X and ROG, often referred to as ozone precursors, are combustion processes (including motor vehicle engines) the evaporation of solvents, paints, and fuels, and biogenic sources. Automobiles are the single largest source of ozone precursors in the Basin. Tailpipe emissions of ROG are highest during cold starts, hard acceleration, stop-and-go conditions, and slow speeds. They decline as speeds increase up to about 50 miles per hour (mph), then increase again at high speeds and high engine loads. ROG emissions associated with evaporation of unburned fuel depend on vehicle and ambient temperature cycles. Nitrogen oxide emissions exhibit a different curve; emissions decrease as the vehicle approaches 30 mph and then begin to increase with increasing speeds.

Ozone levels usually build up during the day and peak in the afternoon hours. Short-term exposure can irritate the eyes and cause constriction of the airways. Besides causing shortness of breath, it can aggravate existing respiratory diseases such as asthma, bronchitis and emphysema. Chronic exposure to high ozone levels can permanently damage lung tissue. Ozone can also damage plants and trees, and materials such as rubber and fabrics.

Table 6-1: Air Contaminants and Associated Public Health Concerns

Pollutant	Major Man-Made Sources	Human Health Effects
Particulate Matter (PM_{10} and $PM_{2.5}$)	Power plants, steel mills, chemical plants, unpaved roads and parking lots, wood-burning stoves and fireplaces, automobiles and others.	Increased respiratory symptoms, such as irritation of the airways, coughing, or difficulty breathing; asthma; chronic bronchitis; irregular heartbeat; nonfatal heart attacks; and premature death in people with heart or lung disease. Impairs visibility.
Ozone (O_3)	Formed by a chemical reaction between reactive organic gases/volatile organic compounds (ROG or VOC)[1] and nitrogen oxides (NO_X) in the presence of sunlight. Motor vehicle exhaust industrial emissions, gasoline storage and transport, solvents, paints and landfills.	Irritates and causes inflammation of the mucous membranes and lung airways; causes wheezing, coughing, and pain when inhaling deeply; decreases lung capacity; aggravates lung and heart problems. Damages plants; reduces crop yield.
Sulfur Dioxide (SO_2)	A colorless gas formed when fuel containing sulfur is burned and when gasoline is extracted from oil. Examples are petroleum refineries, cement manufacturing, metal processing facilities, locomotives, and ships.	Respiratory irritant. Aggravates lung and heart problems. In the presence of moisture and oxygen, sulfur dioxide converts to sulfuric acid which can damage marble, iron and steel. Damages crops and natural vegetation. Impairs visibility. Precursor to acid rain.
Carbon Monoxide (CO)	An odorless, colorless gas formed when carbon in fuel is not burned completely; a component of motor vehicle exhaust.	Reduces the ability of blood to deliver oxygen to vital tissues, affecting the cardiovascular and nervous system. Impairs vision, causes dizziness, and can lead to unconsciousness or death.
Nitrogen Dioxide (NO_2)	A reddish-brown gas formed during fuel combustion for motor vehicles and industrial sources. Sources include motor vehicles, electric utilities, and other sources that burn fuel.	Respiratory irritant; aggravates lung and heart problems. Precursor to ozone. Contributes to global warming and nutrient overloading which deteriorates water quality. Causes brown discoloration of the atmosphere.
Lead (Pb)	Lead is a metal found naturally in the environment as well as in manufactured products. The major sources of lead emissions have historically been motor vehicles (such as cars and trucks) and industrial sources. Due to the phase out of leaded gasoline, metals processing is the major source of lead emissions to the air today. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers.	Exposure to lead occurs mainly through inhalation of air and ingestion of lead in food, water, soil, or dust. It accumulates in the blood, bones, and soft tissues and can adversely affect the kidneys, liver, nervous system, and other organs. Excessive exposure to lead may cause neurological impairments such as seizures, mental retardation, and behavioral disorders. Even at low doses, lead exposure is associated with damage to the nervous systems of fetuses and young children, resulting in learning deficits and lowered IQ.

[1] Volatile Organic Compounds (VOCs or Reactive Organic Gases [ROG]) are hydrocarbons/organic gases that are formed solely of hydrogen and carbon. There are several subsets of organic gases including ROGs and VOCs. Both ROGs and VOCs are emitted from the incomplete combustion of hydrocarbons or other carbon-based fuels. The major sources of hydrocarbons are combustion engine exhaust, oil refineries, and oil-fueled power plants; other common sources are petroleum fuels, solvents, dry cleaning solutions, and paint (via evaporation).

Source: California Air Pollution Control Officers Association (CAPCOA), *Health Effects*, capcoa.org/health-effects/, accessed February 1, 2022.

Toxic Air Contaminants

Toxic air contaminants (TACs) are airborne substances that can cause short-term (acute) or long-term (chronic or carcinogenic, i.e., cancer causing) adverse human health effects (i.e., injury or illness). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. The current California list of TACs includes more than 200 compounds, including particulate emissions from diesel-fueled engines.

CARB identified diesel particulate matter (DPM) as a toxic air contaminant. DPM differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances. Diesel exhaust is a complex mixture of particles and gases produced when an engine burns diesel fuel. DPM is a concern because it causes lung cancer; many compounds found in diesel exhaust are carcinogenic. DPM includes the particle-phase constituents in diesel exhaust. The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine.

Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs. Almost all diesel exhaust particle mass is 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung.

6.3.3 Ambient Air Quality

Local air districts and CARB monitor ambient air quality to ensure that air quality standards are met, and if they are not met, to also develop strategies to meet the standards. Table 6-2: Current National and State Ambient Air Quality Standards shows the federal and State standards for a number of pollutants.

Table 6-2: Current National and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards		California Standard	
		Concentration	Attainment Status	Concentration	Attainment Status
Ozone	1-Hour	---	N/A[5]	0.09 ppm	N
	8-Hour	0.070 ppm	N[4]	0.070 ppm	N[9]
Carbon Monoxide	8-Hour	9.0 ppm	A[6]	9.0 ppm	A
	1-Hour	35.0 ppm	A	20.0 ppm	A
Nitrogen Dioxide	Annual	0.053 ppm	A	0.030 ppm	---
	1-Hour	0.10 ppm[11]	U	0.18 ppm	A
Sulfur Dioxide	Annual	0.03 ppm	A	NA	---
	24-Hour	0.14 ppm	A	0.04 ppm	A
	1-Hour	0.075 ppm	A	0.25 ppm	A
PM_{10}	Annual	NA	---	20 µg/m^3	N[7]
	24-Hour	150 µg/m^3	U	50 µg/m^3	N
$PM_{2.5}$	Annual	12 µg/m^3	N	12 µg/m^3	N[7]
	24-Hour	35 µg/m^3	U/A	NA	---
Sulfates	24- Hour	25 µg/m^3	A	NA	---
Lead	30-Day Average	NA	A	1.5 µg/m^3	---
	Calendar Quarter	1.5 µg/m^3	A	NA	---
	Rolling 3-Month Average	0.15 µg/m^3	---	NA	---
Hydrogen Sulfide	1 Hour	NA	---	0.03 ppm (0.15 µg/m^3)	U
Vinyl Chloride	24 Hour	NA	---	0.01 ppm (26 µg/m^3)	---
Visibility Reducing Particles[8]	8 Hour (10:00 to 18:00 PST)	---	---	---	U

A = attainment; N = nonattainment; U = unclassified; N/A = not applicable or no applicable standard; ppm = parts per million; µg/m^3 = micrograms per cubic meter; mg/m^3 = milligrams per cubic meter; – = not indicated or no information available.

1. California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. In particular, measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe CO standard is 6.0 ppm, a level one-half the national standard and two-thirds the state standard.
2. National standards shown are the "primary standards" designed to protect public health. National standards other than for ozone, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour ozone standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm (70 ppb) or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m^3. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m^3. Except for the national particulate standards, annual standards are

Pollutant	Averaging Time	Federal Primary Standards		California Standard	
		Concentration	Attainment Status	Concentration	Attainment Status

met if the annual average falls below the standard at every site. The national annual particulate standard for PM10 is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard.

3. National air quality standards are set by the EPA at levels determined to be protective of public health with an adequate margin of safety.
4. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.
5. The national 1-hour ozone standard was revoked by U.S. EPA on June 15, 2005.
6. In April 1998, the Bay Area was redesignated to attainment for the national 8-hour carbon monoxide standard.
7. In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.
8. Statewide VRP Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.
9. The 8-hour CA ozone standard was approved by the Air Resources Board on April 28, 2005 and became effective on May 17, 2006.
10. On January 9, 2013, EPA issued a final rule to determine that the Bay Area attains the 24-hour $PM_{2.5}$ national standard. This EPA rule suspends key SIP requirements as long as monitoring data continues to show that the Bay Area attains the standard. Despite this EPA action, the Bay Area will continue to be designated as "nonattainment" for the national 24-hour $PM_{2.5}$ standard until such time as the Air District submits a "redesignation request" and a "maintenance plan" to EPA, and EPA approves the proposed redesignation.
11. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100ppm (effective January 22, 2010). The US Environmental Protection Agency (EPA) expects to make a designation for the Bay Area by the end of 2017.
12. On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO_2 NAAQS.
13. CARB has identified lead and vinyl chloride as 'toxic air contaminants' with no threshold level of exposure below which there are no adverse health effects determined.
14. National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.
15. In December 2012, EPA strengthened the annual $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS) from 15.0 to 12.0 micrograms per cubic meter ($\mu g/m^3$). In December 2014, EPA issued final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS. Areas designated "unclassifiable/attainment" must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

CARB monitors ambient air quality at approximately 250 air monitoring stations across the state. Air quality monitoring stations usually measure pollutant concentrations ten feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Depending on whether the standards are met or exceeded, the local air basin is classified as in "attainment" or "non-attainment." Some areas are unclassified, which means no monitoring data is available. Unclassified areas are considered to be in attainment. Table 6-3: Attainment Status of the San Francisco Bay Area Air Basin summarizes the State and federal attainment status for criteria pollutants in the Air Basin.

Table 6-3: Attainment Status of the San Francisco Bay Area Air Basin

Pollutant	State Standard	Federal Standard
Ozone (O_3)	**Non-attainment** [1]	**Non-attainment**[2]
Inhalable Particulates (PM_{10})	**Non-attainment**[3]	Unclassified
Fine Particulates ($PM_{2.5}$)	**Non-attainment**[3]	Unclassified
Carbon Monoxide (CO)	Attainment	Attainment[4]
Nitrogen Dioxide (NO_X)	Attainment	---[5]
Sulfur Dioxide (SO_X)	Attainment	---[6]
Lead (Pb)	---	Attainment[7]

Notes:

1. The CARB approved the 8-hour CA ozone standard on April 28, 2005 and became effective May 17, 2006.
2. On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. EPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.
3. In June 2002, the CARB established new annual standards for $PM_{2.5}$ and PM_{10}
4. In April 1998, the Bay Area was re-designated to attainment for the national 8-hour carbon monoxide standard.
5. To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100ppm (effective January 22, 2010). The US Environmental Protection Agency (EPA) expects to make a designation for the Bay Area by the end of 2017.
6. On June 2, 2010, the U.S. EPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS however must continue to be used until one year following U.S. EPA initial designations of the new 1-hour SO_2 NAAQS. EPA expects to make designation for the Bay Area by the end of 2017.
7. The final rule for rolling 3-month average was signed October 15, 2008. Final designations effective December 31, 2011.

Non-attainment pollutants are highlighted in **Bold**.
Source: BAAQMD, 2017b. Air Quality Standards and Attainment Status.

As shown in Table 6-3: Attainment Status of the San Francisco Bay Area Air Basin, although the BAAQMD is in attainment or unclassifiable as to all NAAQS, it is designated as non-attainment with respect to the more stringent State PM_{10} standard and the State's 8-hour ozone standard.

BAAQMD operates 40 air monitoring stations within the nine Bay Area counties. There are seven active monitoring stations within Alameda County: Berkeley Aquatic Park, Hayward, three within Oakland, and two in Livermore. The nearest monitoring station to the project site is the Livermore monitoring station (approximately 4.8 miles east of the project site). However, the Livermore monitoring station does not measure PM_{10} and therefore the Concord monitoring station summary averages were used. Table 6-4: Ambient Air Quality Data lists the monitored maximum concentrations and number of exceedances of federal or state air quality standards for each year.

Table 6-4: Ambient Air Quality Data

Pollutant	2018	2019	2020
Ozone (O_3) [1]			
1-hour Maximum Concentration (ppm)	0.099	0.105	0.095
8-hour Maximum Concentration (ppm)	0.078	0.078	0.077
Number of Days Standard Exceeded			
CAAQS 1-hour (>0.09 ppm)	2	4	1
NAAQS 8-hour (>0.070 ppm)	3	7	2
Nitrogen Dioxide (NO_2) [2]			
1-hour Maximum Concentration (ppb)	64.0	63.7	62.6
Number of Days Standard Exceeded			
NAAQS 1-hour (>100 ppb)	0	0	0
CAAQS 1-hour (>18 ppb)	0	0	0
Particulate Matter Less Than 2.5 Microns ($PM_{2.5}$) [2]			
National 24-hour Maximum Concentration	164.7	29.1	123.8
State 24-hour Maximum Concentration	164.7	29.1	123.8
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m^3)	13	0	17
CAAQS 24-hour (>50 µg/m^3)	NM	NM	NM
Particulate Matter Less Than 10 Microns (PM_{10}) [1]			
National 24-hour Maximum Concentration	172.6	28.8	122.0
State 24-hour Maximum Concentration	172.6	28.8	122.0
Number of Days Standard Exceeded			
NAAQS 24-hour (>150 µg/m^3)	14	0	17
CAAQS 24-hour (>50 µg/m^3)	NM	NM	NM
NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards; ppb = parts per billion; µg/m^3 = micrograms per cubic meter; NM = not measured [1] Measurements taken at the Livermore-793 Rincon Avenue Monitoring Station (CARB #60344). [2] Measurements taken at the Pleasanton-Owens Court Monitoring Station (CARB #60353).			
Source: All pollutant measurements are from the CARB Aerometric Data Analysis and Management system database (arb.ca.gov/adam).			

Given that the BAAQMD is designated as non-attainment for State standards for ozone and PM_{10}, these are the primary pollutants of concern for the BAAQMD. As indicated in Table 6-4: Ambient Air Quality Data, there were several federal ozone exceedances at the nearest BAAQMD monitoring station in 2019 and 2020. The State 1-hour average exceed two days in 2018, four days in 2019, and one day in 2020. The federal standards for PM_{10} were exceeded

14 days in 2018, zero days in 2019, and 17 days in 2020. The federal standards for $PM_{2.5}$ were exceeded for 13 days in 2018, zero days in 2019 and 17 days in 2020.

6.3.4 Sensitive Receptors

Sensitive populations are more susceptible to the effects of air pollution than the general population. Sensitive receptors in proximity to localized sources of toxics are of particular concern. Land uses considered sensitive receptors include residences, schools, playgrounds, childcare centers, long-term health care facilities, rehabilitation centers, convalescent centers, and retirement homes.

The project site is located in an urban area in City of Dublin. The surrounding land uses are residential to the north, east and west, with commercial uses to the east and west.

The closest sensitive receptors to the project site include residential uses located adjacent to the north, east, and west.

6.4 Applicable Regulations, Plans, and Standards

This analysis has been prepared pursuant to California Environmental Quality Act of 1970 and associated Guidelines (Public Resources Code 21000 *et seq*. and California Code of Regulations, Title 14, Chapter 3 sections 15000 – 15387) and in accordance with local, State and federal laws, including those administered by BAAWMD, CARB, and the EPA. The principal air quality regulatory mechanisms include the following:

- Federal Clean Air Act (FCAA), in particular, the 1990 amendments;
- California Clean Air Act (CCAA);
- California Health and Safety Code (H&SC), in particular, Chapter 3.5 (Toxic Air Contaminants) (H&SC Section 39650 et. seq.) and Part 6 (Air Toxics "Hot Spots" Information and Assessment) (H&SC Section 44300 et. seq.).
- BAAQMD's Rules and Regulations and air quality planning documents

6.4.1 Federal and State

As discussed below, the federal and State governments have been empowered by FCAA and CCAA, respectively, to regulate the emission of airborne pollutants and have established ambient air quality standards for the protection of public health. U.S. EPA is the federal agency designated to administer air quality regulation, while CARB is the State equivalent in California. Local control in air quality management is provided by CARB through county-level or regional (multi-county) air pollution control districts (APCDs). CARB establishes air quality standards and is responsible for control of mobile emission sources, while the local APCDs are responsible for enforcing standards and regulating stationary sources. CARB has established 14 air basins statewide.

Federal Clean Air Act

U.S. EPA is charged with implementing national air quality programs. U.S. EPA's air quality mandates are drawn primarily from the FCAA. The FCAA was passed in 1963 by the U.S. Congress and has been amended several times. The 1970 FCAA amendments strengthened previous legislation and laid the foundation for the regulatory scheme of the 1970s and 1980s. In 1977, Congress again added several provisions, including non-attainment requirements for areas not meeting NAAQS and the Prevention of Significant Deterioration program. The 1990 FCAA amendments represent the latest in a series of federal efforts to regulate the protection of air quality in the U.S. The FCAA allows states to adopt more stringent standards or to include other pollution species.

National Ambient Air Quality Standards

The FCAA requires U.S. EPA to establish primary and secondary NAAQS for a number of criteria air pollutants. The air pollutants for which standards have been established are considered the most prevalent air pollutants that are known to be hazardous to human health. NAAQS have been established for the following pollutants: O_3, CO, SO_2, PM_{10}, $PM_{2.5}$, and Pb.

Title III of the Federal Clean Air Act

As discussed above, HAPs are the air contaminants identified by the U.S. EPA as known or suspected to cause cancer, other serious illnesses, birth defects, or death. The FCAA requires the U.S. EPA to set standards for these pollutants and reduce emissions of controlled chemicals. Specifically, Title III of the FCAA requires the U.S. EPA to promulgate National Emissions Standards for Hazardous Air Pollutants (NESHAP) for certain categories of sources that emit one or more pollutants that are identified as HAPs. The FCAA also requires the U.S. EPA to set standards to control emissions of HAPs through mobile source control programs. These include programs that reformulated gasoline, national low emissions vehicle standards, Tier 2 motor vehicle emission standards, gasoline sulfur control requirements, and heavy-duty engine standards.

HAPs tend to be localized and are found in relatively low concentrations in ambient air. However, they can result in adverse chronic health effects if exposure to low concentrations occurs for long periods. Many HAPs originate from human activities, such as fuel combustion and solvent use. Emission standards may differ between "major sources" and "area sources" of the HAPs/TACs. Under the FCAA, major sources are defined as stationary sources with the potential to emit more than 10 tons per year (tpy) of any one HAP or more than 25 tpy of any combination of HAPs; all other sources are considered area sources.

Mobile source air toxics (MSATs) are a subset of the 188 HAPs. Of the 21 HAPs identified by the U.S. EPA as MSATs, a priority list of six HAPs were identified that include: diesel exhaust, benzene, formaldehyde, acetaldehyde, acrolein, and 1, 3-butadiene. While vehicle miles traveled in the United States are expected to increase by 45 percent over the period 2010 to

2050, a combined reduction of 91 percent in the total annual emissions for the priority MSAT is projected for the same time period.[1]

California Clean Air Act

The CCAA, signed into law in 1988, requires all areas of the State to achieve and maintain the CAAQS by the earliest practical date. CARB is the State air pollution control agency and is a part of the California Environmental Protection Agency (Cal EPA). CARB is the agency responsible for coordination and oversight of State and local air pollution control programs in California, and for implementing the requirements of the CCAA. CARB overseas local district compliance with California and federal laws, approves local air quality plans, submits the State Implementation Plans (SIPs) to U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

California Ambient Air Quality Standards

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, Pb, vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS. The CCAA requires that all local air districts in the State endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources.

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

TACs[2] in California primarily are regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588) (Hot Spots Act). As discussed above, HAPs/TACs are a broad class of compounds known to cause morbidity or mortality (cancer risk). HAPs/TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g. dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State and federal level.

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are necessary before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the U.S. EPA's list of HAPs as TACs. In 1998, DPM was added to CARB's list of TACs. Once a TAC is identified, CARB adopts an Airborne Toxic Control Measure for sources that emit that particular

[1] *Federal Highway Administration, 2016. Updated. Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents.*
[2] *TACs are referred to as HAPs under the FCAA.*

TAC. If a safe threshold exists at which no toxic effect occurs from a substance, the control measure must reduce exposure below that threshold. If no safe threshold exists, the measure must incorporate Best Available Control Technology (BACT) to minimize emissions.

The Hot Spots Act requires for existing facilities that emit toxic substances above a specified level to prepare a toxic emissions inventory and a risk assessment if the emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

Diesel Exhaust and Diesel Particulate Matter

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). According to CARB, diesel exhaust is a complex mixture of gases, vapors, and fine particles. This mixture makes the evaluation of health effects of diesel exhaust a complex scientific issue. Some chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by CARB, and are listed as carcinogens either under State Proposition 65 or under the Federal Hazardous Air Pollutants programs.

CARB reports that recent air pollution studies have shown an association between diesel exhaust and other cancer-causing toxic air contaminants emitted from vehicles and much of the overall cancer risk from TACs in California. DPM was found to compose much of that risk. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of DPM. Several of these regulatory programs affect medium- and heavy-duty diesel trucks that generate the bulk of DPM emissions from California highways. These include the solid waste collection vehicle (SWCV) rule, in-use public and utility fleet regulations, and the heavy-duty diesel truck and bus regulations.

The regulation requires affected vehicles to meet specific performance requirements between 2011 and 2023, with all affected diesel vehicles required to have 2010 model-year engines or the equivalent by 2023. These requirements are phased in over the compliance period and depend on the model year of the vehicle. With implementation of CARB's Risk Reduction Plan, DPM concentrations are expected to be reduced by 85 percent in 2020 from the estimated year-2000 level.[3] As emissions are reduced, risks associated with exposure to emissions also are expected to be reduced.

CARB Air Quality and Land Use Handbook

In April 2005, CARB released the final version of its *Air Quality and Land Use Handbook: A Community Health Perspective*. This guidance document is intended to encourage local land use agencies to consider the risks from air pollution before they approve the siting of sensitive

[3] CARB. 2000. Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. https://www.arb.ca.gov/diesel/documents/rrpFinal.pdf

land uses (e.g. residences) near sources of air pollution, particularly TACs (e.g. freeway and high traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations and industrial facilities). These advisory recommendations include general setbacks or buffers from air pollution sources. However, unlike industrial or stationary sources of air pollution, the siting of new sensitive land use does not require air quality permits or approval by air districts, and as noted above, the CARB handbook provides guidance only rather than binding regulations.

CARB 2017 Technical Advisory (Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways)

CARB published a Technical Advisory in 2017 to provide planners and other stakeholders involved in land use planning and decision-making with information on scientifically based strategies to reduce exposure to traffic emissions near high-volume roadways. Near-roadway development is a result of a variety of factors, including economic growth, demand for built environment uses, and the scarcity of developable land in some areas.

The Technical Advisory notes that research has demonstrated the public health, climate, financial, and other benefits of compact, infill development along transportation corridors, and demonstrates that planners, developers, and local governments can pursue infill development while simultaneously reducing exposure to traffic-related pollution. On-site strategies to remove air pollution identified in the Technical Advisory include the use of particle filtration systems (i.e., high efficiency filtration in mechanical ventilation systems), solid barriers, and vegetation.

California Energy Commission - Title 24 Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in California Code of Regulations (CCR) Title 24 Part 6, were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The 2019 Energy Standards include requirements for mandatory mechanical ventilation intended to improve indoor air quality in homes, and requirements for Minimum Efficiency Reporting Value (MERV) 13 air filtration on space conditioning systems, and ventilation systems that provide outside air to a dwelling's occupiable space.

The Residential Compliance Manual for the 2019 Building Energy Efficiency Standards notes that air filter efficiencies of at least MERV 13 protect occupants from exposure to the smaller airborne particles (i.e., $PM_{2.5}$) that are known to adversely affect respiratory health. CCR Title 24 Part 6 requires a particle size efficiency rating equal to or greater than 85 percent in the 1.0 to 0.3 µg range.

6.4.2 Regional

The BAAQMD regulates air quality in the SFBAAB and is responsible for attainment planning related to criteria air pollutants and for district rule development and enforcement. The district

inspects stationary sources and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by law. It also reviews air quality analyses prepared for CEQA assessments and has published the *CEQA Air Quality Guidelines* documents for use in evaluation of air quality impacts.

Air Quality Management Plan

The BAAQMD is responsible for developing a Clean Air Plan, which guides the region's air quality planning efforts to attain the CAAQS. The BAAQMD adopted the 2017 Clean Air Plan on April 19, 2017. The 2017 Clean Air Plan contains district-wide control measures to reduce ozone precursor emissions (i.e., ROG and NOx), particulate matter, TACs, and greenhouse gas emissions. The Bay Area 2017 Clean Air Plan updates the Bay Area 2010 Clean Air Plan in accordance with the requirements of the California Clean Air Act to implement "all feasible measures" to reduce ozone; provides a control strategy to reduce ozone, PM, TACs, and greenhouse gases in a single, integrated plan; reviews progress in improving air quality in recent years; and establishes emission control measures to be adopted or implemented in both the short term and through 2050.

The following BAAQMD rules would limit emissions of air pollutants from construction and operation of the project:

- *Regulation 6, Rule 3. Wood-Burning Devices*. The purpose of this rule is to limit emissions of particulate matter and visible emissions from wood-burning devices used for primary heat, supplemental heat or ambiance.
- *Regulation 8, Rule 3. Architectural Coatings*. This rule governs the manufacture, distribution, and sale of architectural coatings and limits the reactive organic gases content in paints and paint solvents. Although this rule does not directly apply to the project, it does dictate the ROG content of paint available for use during the construction.
- *Regulation 8, Rule 15. Emulsified and Liquid Asphalts*. This rule dictates the reactive organic gases content of asphalt available for use during construction through regulating the sale and use of asphalt and limits the ROG content in asphalt. Although this rule does not directly apply to the project, it does dictate the ROG content of asphalt for use during the construction.
- *Regulation 9, Rule 8. Organic Compounds*. This rule limits the emissions of nitrogen oxides and carbon monoxide from stationary internal combustion engines with an output rated by the manufacturer at more than 50 brake horsepower.

BAAQMD prepared an Ozone Attainment Demonstration Plan to satisfy the federal 1-hour ozone planning requirement because of the Air Basin's nonattainment for federal and State ozone standards. The U.S. EPA revoked the 1-hour ozone standard and adopted an 8-hour

ozone standard. The BAAQMD will address the new federal 8-hour ozone planning requirements once they are established.

CARE Program

Initiated in 2004, the Community Air Risk Evaluation (CARE) program evaluates and reduces health risks associated with exposures to outdoor TACs in the Bay Area. The program examines TAC emissions from point sources, area sources, and on-road and off-road mobile sources with an emphasis on diesel exhaust. The CARE program is ongoing and encourages community involvement and input. The technical analysis portion of the CARE program is being implemented in three phases that include an assessment of the sources of TAC emissions, modeling, and measurement programs to estimate concentrations of TACs, and an assessment of exposures and health risks. Throughout the program, information derived from the technical analyses will be used to focus emission reduction measures in areas with high TAC exposures and a high density of sensitive populations. Risk reduction activities associated with the CARE program are focused on the most at-risk communities in the Bay Area. BAAQMD has identified six affected communities, including Dublin, as in need of immediate action.

For commercial and industrial sources, the BAAQMD regulates TACs using a risk-based approach. This approach uses a health risk assessment to determine what sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances, to provide a quantitative estimate of health risks. As part of ongoing efforts to identify and assess potential health risks to the public, the BAAQMD has collected and compiled air toxics emissions data from industrial and commercial sources of air pollution throughout the Bay Area.

BAAQMD CEQA Air Quality Guidelines

The BAAQMD *CEQA Air Quality Guidelines* were prepared to assist in the evaluation of air quality impacts of projects and plans proposed within the Bay Area. The guidelines provide recommended procedures for evaluating potential air impacts during the environmental review process, consistent with CEQA requirements, and include recommended thresholds of significance, mitigation measures, and background air quality information. They also include recommended assessment methodologies for air toxics, odors, and greenhouse gas emissions. In June 2010, the BAAQMD's Board of Directors adopted CEQA thresholds of significance and an update of the *CEQA Guidelines*. In May 2011, the updated BAAQMD *CEQA Air Quality Guidelines* were amended to include a risk and hazards threshold for new receptors and modified procedures for assessing impacts related to risk and hazard impacts.

In May 2017, the BAAQMD published updated Guidelines responding to the 2015 California Supreme Court Decision in *California Building Industry Association v. Bay Area Air Quality Management District* (S213478) that CEQA does not generally require an agency to consider the effects of existing environmental conditions on a project's future users or residents, such as the effects of toxic air contaminants and fine particulate matter from existing sources on future residents or users of a project. Nevertheless, the Supreme Court stated that lead agencies still

must evaluate existing environmental conditions to assess whether a project could exacerbate hazards that are already present. The Supreme Court did not apply a holding to reach a conclusion on the validity of BAAQMD's receptor thresholds. Instead, the Supreme Court remanded the case to the Court of Appeal to decide the question in light of the Court's opinion. As of the date of this document, BAAQMD has not formally re-instated the thresholds.[4]

CALGreen

CALGreen is a set of mandatory green building standards for new construction that went into effect throughout California on January 1, 2011 and was most recently updated in 2022 with provisions effective in 2023. These building standards apply to all new public and privately-constructed commercial and residential buildings. CALGreen is referred to officially as the California Green Building Standards Code and includes a matrix of mandatory requirements tailored to residential and non-residential building classifications, as well as two sets of voluntary measures (CALGreen Tier 1 and Tier 2) that provide a host of more stringent sustainable building practices and features.

6.4.3 Local

City of Dublin General Plan

The City of Dublin's General Plan contains the following policies associated with air quality that are relevant to the project:

Implementing Policy 7.5.1.A.1: Request that the Bay Area Air Quality Management District establish an air quality monitoring station in Dublin.

Implementing Policy 7.5.1.A.2: Require an air quality analysis for new development projects that could generate significant air emissions on a project and cumulative level. Air quality analyses shall include specific feasible measures to reduce anticipated air quality emissions to a less than significant California Environmental Quality Act (CEQA) level.

Guiding Policy 13.3.2.A

1. Encourage the installation of alternative energy technology in new residential and commercial development.
2. Encourage designing for solar access.
3. Encourage energy efficient improvements be made on residential and commercial properties.

[4] The Carl Moyer Memorial Air Quality Standards Attainment Program (Carl Moyer Program) provides grant funding for cleaner-than-required engines and equipment. Local air districts administer these grants and select which projects to fund.

Implementing Policies 13.3.2.B

3. In new commercial and residential parking lots, require the installation of conduit to serve electric vehicle parking spaces to enable the easier installation of future charging stations.
4. Encourage the installation of charging stations for commercial projects over a certain size and any new residential project that has open parking (i.e. not individual, enclosed garages).

6.5 Environmental Impacts and Mitigation Measures

6.5.1 Significance Criteria

The following significance criteria for air quality were derived from the Environmental Checklist in the State CEQA Guidelines Appendix G. Exceedance of a CAAQS or NAAQS for any criteria pollutant (as determined by modeling).

- Conflicts with or obstruct implementation of the applicable air quality plan (i.e. Clean Bay Area 2017).
- Results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.
- Exposes sensitive receptors to substantial pollutant concentrations.
- Result on other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Air Quality Thresholds

Under CEQA, the BAAQMD is an expert commenting agency on air quality within its jurisdiction or impacting its jurisdiction. Under the FCAA, the BAAQMD has adopted Federal attainment plans for ozone (O_3) and particulate matter 2.5 microns in diameter or less ($PM_{2.5}$). The BAAQMD reviews projects to ensure that they would not: (1) cause or contribute to any new violation of any air quality standard; (2) increase the frequency or severity of any existing violation of any air quality standard; or (3) delay timely attainment of any air quality standard or any required interim emission reductions or other milestones of any Federal attainment plan.

The BAAQMD *CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans Justification Report* (April 2022) establishes thresholds based on substantial evidence, and the thresholds are consistent with the thresholds outlined within the 2017 BAAQMD *CEQA Air Quality Guidelines*. The thresholds have been developed by the BAAQMD to attain State and Federal ambient air quality standards.

Construction Emissions

The regional construction emissions associated with the project were calculated using the most recent version of CalEEMod with default inputs for the type and size of proposed land uses, including the types and number of pieces of equipment that would be used on-site during each construction phase and off-site vehicle trips that would result from construction activities on the project site.

CalEEMod is a computer model developed by the South Coast Air Quality Management District to estimate air pollutant and greenhouse gas (GHG) emissions from land use development projects and is based on parameters that include the duration of construction activity, area of disturbance, and anticipated equipment used during construction.

The following significance criteria for air quality were derived from BAAQMD's *2017 CEQA Air Quality Guidelines* and are summarized in Table 6-5: BAAQMD Significance Thresholds for Construction and Operational Emissions.

Table 6-5: BAAQMD Significance Thresholds for Construction Emissions

Pollutant of Concern	Daily Threshold During Construction
ROG	54 lbs./ day
NO_x	54 lbs./ day
PM_{10}	82 lbs./day (exhaust only)
$PM_{2.5}$	54 (exhaust only)
PM_{10} / $PM_{2.5}$ (fugitive dust)	Best Management Practices

Note:
Project-Level emissions
Source: BAAQMD, 2017b. Air Quality Standards and Attainment Status

Short-term construction emission thresholds involve identifying the level of construction activity that could result in significant temporary impacts if not mitigated. Construction activities (e.g., excavation, grading, on-site vehicle movements) that directly exceed BAAQMD criterion for PM_{10} $PM_{2.5}$ would have a significant impact on local air quality when they are located nearby and upwind of sensitive receptors (BAAQMD, 2017c). Regarding ozone, construction projects using typical equipment that temporarily emits ozone precursors (i.e., ROG and NO_X) are accommodated in the emission inventories of State and federally required air quality management plans and would not have a significant impact on ozone concentrations (BAAQMD, 2017b).

If construction-related activities exceed the BAAQMD thresholds, the project would be characterized as contributing substantially to existing or new violations of the CAAQS.

The construction activities associated with the project would generate diesel emissions and dust. Construction equipment that would generate criteria air pollutants includes excavators,

graders, dump trucks, and loaders. It is assumed that this type of equipment would be used during both grading/demolition and construction. It is also assumed that all of the construction equipment used would be diesel-powered.

Complete results from CalEEMod and assumptions can be viewed in Appendix B.

Operational Emissions

As shown in Table 6-6: BAAQMD Significance Thresholds for Operational Emissions, operational emissions associated with on-site development were estimated using CalEEMod. Operational emissions would comprise mobile source emissions, emissions associated with energy consumption, and area source emissions. Mobile source emissions are generated by the increase in motor vehicle trips to and from the project site associated with operation of a project. Emissions attributed to energy use include electricity and natural gas consumption for space and water heating and cooling. Area source emissions are generated by, for example, landscape maintenance equipment, consumer products, and architectural coatings.

Table 6-6: BAAQMD Significance Thresholds for Operational Emissions

Pollutant of Concern	Daily Threshold During Operation	Maximum Annual Emissions During Operations (tpy)
ROG	54 lbs./ day	10
NO_x	54 lbs./ day	10
PM_{10}	82 lbs./day	15
$PM_{2.5}$	54 lbs./day	10
Local CO	9.0 ppm (8- hour average), 20.0 ppm (1-hour average)	

Note:
Project-Level emissions
Source: BAAQMD, 2017b. Air Quality Standards and Attainment Status

The criteria for assessing cumulative impacts on localized air quality (i.e. the cumulative impacts of CO and PM_{10}) are identical to those for individual project operation. The criteria for determination of a project's cumulative impact on regional ozone levels depends on consistency with the applicable AQMP. Consistency with the AQMP does not mean that a project will not have a significant project-specific adverse air quality impact. However, inconsistency with the AQMP is considered a significant cumulative adverse air quality impact. The Association of Bay Area Governments also provides consistency determinations for population-related projects. A quantitative CO impact analysis is not required, if the following criteria are met:

- Project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, regional transportation plan, and local congestion management agency plans.

- The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below-grade roadway).

BAAQMD guidelines state that odor impacts would be significant if there have been five complaints per year averaged over three years within certain screening thresholds. If construction or operation of the project would emit pollutants associated with odors in substantial amounts, the analysis should assess the impact on existing or reasonably foreseeable sensitive receptors.

The BAAQMD's *2017 Clean Air Plan* was prepared to accommodate growth, meet State and Federal air quality standards, and minimize the fiscal impact that pollution control measures have on the local economy. According to the BAAQMD *CEQA Air Quality Guidelines*, project-related emissions that fall below the established construction and operational thresholds should be considered less than significant unless there is pertinent information to the contrary. If a project exceeds these emission thresholds, the BAAQMD *CEQA Air Quality Guidelines* states that the significance of a project's contribution to cumulative impacts should be determined based on whether the rate of growth in average daily trips exceeds the rate of growth in population.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

Impact Assessment Methodology

The analysis of air quality impacts conforms to the methodologies recommended in the BAAQMD's *CEQA Air Quality Guidelines*. The handbook includes thresholds for emissions associated with both construction and operation of projects.

6.5.2 Summary of No and/or Beneficial Impacts

There are no "no" impacts nor "beneficial" impacts.

6.5.3 Impacts of the Proposed Project

Impact AQ-1: Conflicts with or obstructs implementation of the San Francisco Bay Area 2017 Clean Air Plan. (Class I)

The project site is in the City of Dublin, which is located within the San Francisco Bay Area Air Basin (SFBAAB). The BAAQMD is responsible for assuring that the National and California Ambient Air Quality Standards (NAAQS and CAAQS) are attained and maintained in the SFBAAB. The SFBAAB exceeds the state air quality standards for ozone (O_3) and particulate matter (PM_{10} and $PM_{2.5}$). The area is designated nonattainment for federal standards of 8-hour ozone, 24-hour $PM_{2.5}$, and State standards for 24-hour and annual PM_{10}, and annual $PM_{2.5}$.

The project is consistent with the BAAQMD *2017 Clean Air Plan* policies that are applicable to the project. As discussed in Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures, the project would comply with city, state, and regional requirements. However, as discussed below in Impacts AQ-2 and AQ-5, the project would exceed air quality thresholds with MM AQ-2.1 through AQ-2.5.

Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures

Control Measure	Project Consistency
Stationary Source Control Measures	
SS21: New Source Review of Toxic Air Contaminants	Consistent. This EIR has included preparation of a construction health risk analysis (see Impact discussion AQ-3), which found the project's toxic air contaminant emissions would result in less than significant cancer and non- cancer (acute and chronic) impacts to the nearby sensitive receptors with MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment.
SS25: Coatings, Solvents, Lubricants, Sealants and Adhesives	Consistent. The project would comply with Regulation 8, Rule 3: Architectural Coatings, which would dictate the ROG content of paint available for use during construction. The project would also implement MM AQ-2.3: Architectural Coating per BAAQMD Regulation 8, Rule 3. MM AQ-2.3 also further restricts the ROG content of paint to ensure that BAAQMD thresholds are not exceeded.
SS26: Surface Prep and Cleaning Solvent	
SS29: Asphaltic Concrete	Consistent. Paving activities associated with the project would be required to utilize asphalt that does not exceed BAAQMD emission standards in Regulation 8, Rule 15.
SS30: Residential Fan Type Furnaces	Consistent. BAAQMD is the responsible party for implementation of this regulation and the project would use the latest central furnaces that comply with the applicable regulations. The project would not conflict with BAAQMD's implementation of that measure.

Control Measure	Project Consistency
SS31: General Particulate Matter Emissions Limitation	Consistent. Restaurants developed as part of the project would be required to utilize particulate emissions reduction equipment associated with their commercial cooking equipment.
SS32: Emergency Back-up Generators	Consistent. Use of back-up generators by the project is currently unknown. However, if emergency generators were to be installed, they would be required to meet the BAAQMD's emissions standards for back-up generators.
SS33: Commercial Cooking Equipment	Consistent. If any of the restaurants developed as part of the project install a charbroiler, a catalytic oxidizer system must also be installed pursuant to BAAQMD Rule 6-2.
SS34: Wood Smoke	Consistent. As per MM AQ-2.4: Wood Burning Fireplaces, wood burning fireplaces would be prohibited at the project.
SS36: Particulate Matter from Trackout	Consistent. Mud and dirt that may be tracked out onto the nearby public roads during construction activities shall be removed promptly by the contractor based on BAAQMD's requirements.
SS37: Particulate Matter from Asphalt Operations	Consistent. Paving and roofing activities associated with the project would be required to utilize best management practices to minimize the particulate matter created from the transport and application of road and roofing asphalt.
SS38: Fugitive Dust	Consistent. Material stockpiling and track out during grading activities as well as smoke and fumes from paving and roofing asphalt operations shall utilize best management practices to minimize the creation of fugitive dust.
SS40: Odors	Consistent. The project would comply with Regulation 7 to strengthen odor standards and enhance enforceability.
Transportation Control Measures	
TR2: Trip Reduction Programs	Consistent. The project would comply through various design features including using "smart growth" principles as an urban in-fill development with a mix of retail, entertainment, and residential uses adjacent to transit/multi-modal corridors and within two miles of a BART station. The project facilitates the use of existing bus routes with stops adjacent to the project site. The Livermore Amador Valley Transit Authority (LAVTA) runs bus service from the project site (Dublin Boulevard and Tassajara Road) to the BART station with 15-minute headways during peak commute hours. Additionally, the project would improve and complete pedestrian and bicycle connections around its perimeter and through the project site. Bicycle storage would be provided in the residential buildings as required and bicycle racks would be provided near the commercial uses. The project would also improve and complete bicycle lanes and facilities along the perimeter and through the project site that connect with existing bicycle routes. The project includes landscaped paseos and pedestrian pathways that would directly connect residents and retail patrons with adjacent open space, surrounding neighborhoods and nearby Emerald Glen Park.
TR8: Ridesharing and Last-Mile Connections	

Control Measure	Project Consistency
	Sidewalks on the streets surrounding the project site would be improved and a public multi-use trail would be constructed on the north side of Central Parkway and an on-street bicycle lane along Dublin Boulevard, Tassajara Road, Central Parkway, and Gleason Drive.
TR9: Bicycle and Pedestrian Access Facilities	Consistent. The project has existing class II bike lanes along Tassajara and Dublin Boulevard. Gleason Drive and Central Parkway, east and west of the project site have class II bicycle lanes. Additionally, the site has pedestrian connections and crosswalks to adjacent retail and commercial uses (e.g. Shops at Waterford, Grafton Plaza, Emerald Glen Park).
TR10: Land Use Strategies	Consistent. The project site is located within 1.5 miles of an existing BART rail station, adjacent to park and ride lot, and proposed infill and mixed-use.
TR13: Parking Policies	Consistent. The project is proposing the required amount of parking as per the City of Dublin Municipal Code.
TR19: Medium and Heavy Duty Trucks	Not Applicable. Although the project does not involve warehousing or industrial uses that would generate substantial truck trips, the project would not conflict with the implementation of this measure.
TR22: Construction, Freight and Farming Equipment	Consistent. The project would comply through implementation of MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment, which requires all construction equipment greater than 50 horsepower to meet the Tier 4 Final emissions standards.
Energy and Climate Control Measures	
EN1: Decarbonize Electricity Generation	Consistent. The project would be constructed in accordance with the latest building code and green building regulations/ CalGreen. The City of Dublin has a CalGreen Residential Building Checklist that the project would comply with.
EN2: Decrease Electricity Demand	
Building Control Measures	
BL1: Green Buildings	Consistent. The project would be constructed in accordance with the latest building code and green building regulations/ CalGreen. The project would comply with the City of Dublin's CalGreen Residential Building Checklist.
L2: Decarbonize Buildings	
BL4: Urban Heat Island Mitigation	Consistent. The project would reduce urban heat island effects by providing green common spaces. The project would construct a parking structure shared between uses that would provide shade and reduce surface parking/asphalt and therefore minimize the urban heat island effect.
Natural and Working Lands Control Measures	
NW2: Urban Tree Planting	Consistent. The project would implement a landscape plan that is required to meet the City's tree requirements in parking lots in order to reduce the urban heat island phenomenon that occurs in surface parking lots.

Control Measure	Project Consistency
Waste Management Control Measures	
WA1: Landfills	Consistent. The waste service provider for the project will be required to meet AB 341 and SB 939, 1374, and 1383 requirements that require waste service providers to divert waste.
WA3: Green Waste Diversion	Consistent. The waste service provider for the project will be required to meet AB 341 and SB 939, 1374, and 1383 requirements that require waste service providers to divert green waste.
WA4: Recycling and Waste Reduction	Consistent. The waste service provider for the project will be required to meet AB 341 and SB 939, 1374, and 1383 requirements that require waste to be recycled.
Water Control Measures	
WR2: Support Water Conservation	Consistent: The project would implement water conservation measures and low flow fixtures as per the requirements of Title 24 and CalGreen. The City of Dublin Municipal Code Chapter 8.88 has Water-Efficient Landscaping Regulations which includes various specifications for plant types, water features, and irrigation design etc.

Source: BAAQMD, 2017. Clean Air Plan and Kimley-Horn & Associates, 2022.

The 2017 Clean Air Plan assumptions for projected air emissions and pollutants in the city are based on the land use and development projection assumptions in the General Plan. The project site currently has a primary land use designation of General Commercial with a small area of Public/Semi-public and Neighborhood Commercial as well as varying densities of residential along Brannigan Street. The project requires a General Plan Amendment and Eastern Dublin Specific Plan Amendment to accommodate the proposed land use changes.

As described below in Impact AQ-2, construction and operational air quality emissions generated by the project would exceed the BAAQMD's emissions thresholds despite the implementation of mitigation measures. These thresholds are established to identify projects that have the potential to generate a substantial amount of criteria air pollutants.

Because the project would exceed these thresholds, the project would be considered by the BAAQMD to be a substantial emitter of criteria air pollutants and has the potential to result in an increase in the frequency or severity of existing air quality violations or delay timely attainment of air quality standards and contribute to non-attainment areas in the SFBAAB. Therefore, the project would potentially conflict with the 2017 Clean Air Plan and impacts would be significant and unavoidable (Class I).

Mitigation Measures

Refer to MM AQ-2.1 through AQ-2.5, below.

Impact AQ-2: Violates any air quality standard or contributes substantially to an existing or projected air quality violation (Class I).

Construction Impacts

Construction emissions would include the generation of fugitive dust, on-site generation of construction equipment exhaust emissions, and the off-site generation of mobile source emissions related to construction traffic. Short-term air quality impacts are predicted to occur during grading, and construction operations associated with implementation of the project. Emissions produced during grading and construction activities would cease following completion of the development.

Construction activities would include grading, off-site and on-site infrastructure, paving, building construction, and architectural coating. The resulting total cut and fill of soils for the project site is estimated to be approximately 96,300 cubic yards. Construction equipment includes excavators, rubber-tired dozers, graders, scrapers, trenchers, tractors, and pavers. Exhaust emission factors for typical diesel-powered heavy equipment are based on the California Emissions Estimator Model (CalEEMod) program defaults. Variables factored into estimating the total construction emissions include the level of activity, length of weather conditions, number of construction personnel, and the amount of materials to be transported on- or off-site.

Maximum daily emissions for each year of construction has been quantified based upon the phase durations and equipment types. The analysis of daily construction emissions has been prepared utilizing the California Emissions Estimator Model (CalEEMod). Refer to Appendix B, Air Quality and Greenhouse Gas Emissions Analysis Technical Data, for the CalEEMod outputs and results. Table 6-8: Construction Air Emissions presents the anticipated daily construction emissions which would remain below their respective thresholds except for ROG and NO_X due to the overlap of several construction phases.

Table 6-8: Construction Air Emissions

Emissions Source	Pollutant (pounds per day)			
	ROG	NO_x	PM_{10} (exhaust)	$PM_{2.5}$ (exhaust)
Year 1				
Unmitigated	23.47	253.77	10.25	9.48
Mitigated[1]	9.66	76.53	2.81	2.63
Year 2				
Unmitigated	97.65	385.91	15.66	14.54
Mitigated[1]	42.39	148.83	4.33	4.08
Year 3				
Unmitigated	89.39	285.89	10.82	10.07
Mitigated[1]	40.02	132.73	3.73	3.51
Year 4				
Unmitigated	105.73	196.71	7.35	6.88
Mitigated[1]	40.66	87.26	2.06	1.97
Year 5				
Unmitigated	49.82	78.32	2.43	2.30
Mitigated[1]	21.14	46.71	0.98	0.93
Year 6				
Unmitigated	44.62	40.27	1.30	1.20
Mitigated[1]	17.24	23.45	0.50	0.47
Maximum Unmitigated	**105.73**	**385.91**	**15.66**	**14.54**
Maximum Mitigated[1]	**42.39**	**148.84**	**4.33**	**4.08**
BAAQMD Significance Thresholds	**54**	**54**	**82**	**54**
Threshold Exceeded?	**No**	**Yes**	**No**	**No**

Notes:
1. The reduction/credits for construction emission mitigations are based on mitigation included in CalEEMod and as typically required by the BAAQMD (Basic Control Measures and Regulation 6: Particulate Matter and Visible Emissions). The mitigation includes the following: replace ground cover on disturbed areas quickly, water exposed surfaces twice daily, and proper loading/unloading of mobile and other construction equipment. Additional mitigation involves compliance with an additional control measure requiring the use of CARB Certified low-NO_x emissions equipment and the use of low volatile organic compound (VOC) coatings (compliance with BAAQMD Regulation 8, Rule 3; Architectural Coatings). Additionally, the mitigated scenario would implement MM AQ-2.2, which would require all off-road diesel-powered construction equipment meet CARB Tier 4 Final emissions standards.
Source: Kimley-Horn & Associates, 2022.

Fugitive Dust. The project would include grading of the entire project during the initial phase. Fugitive dust emissions are associated with land clearing, ground excavation, cut-and-fill operations, and truck travel on unpaved roadways. Dust emissions also vary substantially from day to day, depending on the level of activity, the specific operations, and weather conditions. Fugitive dust emissions that may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby. The BAAQMD recommends the implementation of all Basic Construction Mitigation Measures, whether or not construction-related emissions exceed applicable significance thresholds; refer to MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures.

Construction Equipment and Worker Vehicle Exhaust. Exhaust emission factors for typical diesel-powered heavy equipment are based on the CalEEMod program defaults. Variables factored into estimating the total construction emissions include: level of activity, length of construction period, number of pieces/types of equipment in use, site characteristics, weather conditions, number of construction personnel, and the amount of materials to be transported onsite or offsite.

Exhaust emissions from construction activities include emissions associated with the transport of machinery and supplies to and from the project site, emissions produced on site as the equipment is used, and emissions from trucks transporting materials and workers to and from the site. Emitted pollutants would include ROG, NO_X, PM_{10}, and $PM_{2.5}$. Despite the implementation of Basic Construction Mitigation Measures, NO_X thresholds would be exceeded during construction. Therefore, MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment would be required to reduce NO_X emissions. Despite implementation of MM AQ-2.2, NO_X emissions would remain above the BAAQMD's thresholds.

ROG Emissions. In addition to gaseous and particulate emissions, the application of asphalt and surface coatings creates ROG emissions, which are O_3 precursors. In accordance with the methodology prescribed by the BAAQMD, the ROG emissions associated with paving have been quantified with CalEEMod. In addition, based upon the size of the buildings, architectural coatings were also quantified in CalEEMod.

The highest concentration of ROG emissions would be generated during the application of architectural coatings beginning in 2024. As required by law, all architectural coatings for the project structures would comply with BAAQMD Regulation 8, Rule 3: Architectural Coating. Regulation 8, Rule 3 provides specifications on painting practices and regulates the ROG content of paint. As indicated in Table 6-8: Construction Air Emissions, project construction would result in an exceedance of ROG thresholds despite the implementation of Basic Construction Measures in MM AQ-2.1. Therefore, compliance with MM AQ-2.3: Architectural Coating is also included to require the use of low VOC interior architectural coating (paint and primer) products. MM AQ-2.3 requires interior architectural coatings to have a VOC content of 20 grams per liter or less while exterior architectural coating must be less than 100 grams per

liter. With implementation of MM AQ-2.3, construction ROG emissions would not exceed BAAQMD thresholds.

Total Daily Construction Emissions. As shown in Table 6-8: Construction Air Emissions, implementation of MM AQ-2.1 through MM AQ-2.3 would reduce construction emissions. However, NO_X emissions would remain significant and unavoidable (Class I).

Operation Impacts

The project would result in long-term operational stationary and vehicular emissions.

Operational emissions generated by both stationary and mobile sources would result from normal daily activities on the project site after occupation. Stationary area source emissions would be generated by the consumption of natural gas for space and water heating devices, the operation of landscape maintenance equipment, generators, and the use of consumer products. Mobile emissions would be generated by the motor vehicles traveling to and from the project site. Operational emissions attributable to the project are shown in Table 6-9: Project Buildout Operational Emissions – Unmitigated and are discussed below.

Table 6-9: Project Buildout Operational Emissions – Unmitigated

Emission Source	ROG	NO_x	PM_{10} (exhaust)	$PM_{2.5}$ (exhaust)
Annual Emissions (tons per year)				
Area	7.55	0.10	0.44	0.44
Energy	0.13	1.18	0.09	0.09
Mobile	4.11	5.39	0.07	0.07
Total Emissions	11.80	6.67	0.60	0.60
BAAQMD Threshold	10	10	15	10
Are Thresholds Exceeded?	**Yes**	**No**	**No**	**No**
Winter Emissions (pounds per day)				
Area	392.13	8.16	67.30	67.30
Energy	0.73	6.48	0.50	0.50
Mobile	22.52	31.16	0.36	0.34
Total Emissions	415.38	45.80	68.16	68.14
BAAQMD Threshold	*54*	*54*	*82*	*54*
Are Thresholds Exceeded?	**Yes**	**No**	**No**	**Yes**
Summer Emissions (pounds per day)				
Area	392.13	8.16	67.30	67.30
Energy	0.73	6.48	0.50	0.50
Mobile	25.17	27.41	0.36	0.34
Total Emissions	418.03	42.05	68.16	68.14
BAAQMD Threshold	*54*	*54*	*82*	*54*
Are Thresholds Exceeded?	**Yes**	**No**	**No**	**Yes**

Notes:
Area source emissions include natural gas fuel combustion, landscape fuel combustion, consumer products, architectural coatings, and hearth fuel combustion (i.e., wood stoves, wood fireplaces, natural gas fireplace/stoves).
(1) Applies to Area Source (Direct) emissions of Carbon Monoxide only.

Source: CalEEMod v. 2020.4.0 and Kimley-Horn & Associates, 2022.

Stationary Source Emissions

Stationary source emissions would be generated due to an increased demand for electrical energy for the project's land use. Energy is generated from power plants utilizing fossil fuels. Electric power generating plants are distributed throughout the Air Basin and beyond, and their emissions contribute to the total pollutant burden across air basins. The primary use of natural

gas within the project would be for combustion to produce space heating, water heating and other miscellaneous heating or air conditioning.

Area Source Emissions

Area source emissions are generally a function of land use (e.g. number of single-family residential units), activity (e.g. fuel use per residential unit), and emission factor (e.g. mass of pollutant emitted per fuel usage). These include the following:

- Natural gas fuel combustion. This source includes natural gas combustion for water and space heating, in residential and non-residential buildings. The project would not include natural gas (see Chapter 10: Greenhouse Gas Emissions for more discussion).
- Hearth fuel combustion. This source includes wood stoves, wood fireplaces, and natural gas-fired stoves. The project would not include these amenities per MM AQ-2.4: Wood Burning Fireplaces.
- Landscape fuel combustion. This source includes exhaust and evaporative emissions from landscaping equipment, including lawnmowers, rototillers, shredders/grinders, trimmers, chain saws, and hedge trimmers, used in residential and commercial applications.
- Consumer products. This source category comprises a wide range of products, including air fresheners, automotive products, household cleaners, and personal care products.
- Architectural coatings. This source includes ROG (similar to VOCs) emissions resulting from the evaporation of solvents contained in paints, varnishes, primers, and other surface coatings, from residential and nonresidential structures.

Energy Source Emissions

Energy source emissions would be generated as a result of electricity usage associated with the project. The primary use of electricity by the project would be for space heating and cooling, water heating, ventilation, lighting, appliances, and electronics. As discussed in Chapter 10: Greenhouse Gas Emissions below, the project does not include natural gas per consistency with the City of Dublin's Climate Action Plan (CAP).

Mobile Source Emissions

Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_X, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern (NO_X and ROG react with sunlight to form O_3 [photochemical smog], and wind currents readily transport PM_{10} and $PM_{2.5}$). However, CO tends to be a localized pollutant, dispersing rapidly at the source.

The amount of mobile source emissions that would be associated with the project is based on land use designations (e.g. number of single-family residential units; square footage of various

recreation, retail, and commercial uses), trip rates (i.e. the number of vehicle trips per day per land use unit), assumptions regarding the vehicle fleet (e.g. analysis year, vehicle type and technology class), trip lengths (i.e. miles traveled per trip), and pollutant emission factors (i.e. mass of pollutant emitted per mile traveled). Project-generated vehicle emissions have been estimated using CalEEMod. Trip generation rates associated with the project were based on the project transportation analysis. Based on this analysis, the project would result in an average of approximately 19,911 new daily weekday vehicle trips.

The project would result in long-term operational emissions of criteria air pollutants and O_3 precursors (i.e., ROG and NO_X). Project-generated increases in emissions would be predominantly associated with motor vehicle use. As shown in Table 6-9: Project Buildout Operational Emissions – Unmitigated, daily ROG threshold would be exceeded. The predominant source of ROG emissions is fireplaces. Therefore, MM AQ-2.4 is required to prohibit the use of wood burning devices (e.g., fireplaces, wood stoves) and ensure compliance with BAAQMD Regulation 6, Rule 3.

Table 6-9: Project Buildout Operational Emissions – Mitigated shows the project's operational emissions with the implementation of these mitigation measures. As indicated in Table 6-10: Project Buildout Operational Emissions – Mitigated, despite the implementation of MM AQ-2.1 through MM AQ-2.4, operational emissions would remain significant and unavoidable (Class I).

Table 6-10: Project Buildout Operational Emissions – Mitigated

Emission Source	ROG	NOx	PM_{10} (exhaust)	$PM_{2.5}$ (exhaust)
Annual Emissions (tons per year)				
Area	5.52	0.06	0.03	0.03
Energy	0.00	0.00	0.00	0.00
Mobile	4.11	5.39	0.07	0.06
Total Emissions	**9.63**	**5.45**	**0.09**	**0.08**
BAAQMD Threshold	10	10	15	10
Are Thresholds Exceeded?	**No**	**No**	**No**	**No**
Winter Emissions (pounds per day)				
Area	31.05	0.62	0.30	0.30
Energy	0.00	0.00	0.00	0.00
Mobile	22.52	31.16	0.36	0.34
Total Emissions	**53.57**	**31.78**	**0.66**	**0.64**
BAAQMD Threshold	54	54	82	54
Are Thresholds Exceeded?	**Yes**	**No**	**No**	**Yes**
Summer Emissions (pounds per day)				
Area	31.05	0.62	0.30	0.30
Energy	0.00	0.00	0.00	0.00
Mobile	25.17	27.41	0.36	0.34
Total Emissions	**56.22**	**28.03**	**0.66**	**0.64**
BAAQMD Threshold	54	54	82	54
Are Thresholds Exceeded?	**Yes**	**No**	**No**	**No**

Notes:
The mitigated scenario would implement MM AQ-2.4 which would prohibit the use of wood burning devices (e.g., fireplaces, wood stoves) and ensure compliance with BAAQMD Regulation 6, Rule 3.

Source: CalEEMod v. 2020.4.0 and Kimley-Horn & Associates, 2022.

Criteria Pollutant Health Effects

On December 24, 2018, the California Supreme Court issued an opinion identifying the need to provide sufficient information connecting a project's air emissions to health impacts or explain why such information could not be ascertained (*Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502). The Friant Ranch project was a 942-acre Specific Plan that involved a commercial master planned community of approximately 2,500 dwelling units and extensive commercial

supporting development. The anticipated air quality impacts resulting from this development included significant and unavoidable emissions of multiple criteria pollutants (including significant emissions of one of the primary O_3 precursors [ROG]) at levels that exceeded the daily thresholds of significance. As noted above, the project's operational emissions would exceed the BAAQMD's ROG significance threshold despite the implementation of mitigation measures, resulting in a significant and unavoidable impact. However, mitigation measures MM AQ-2.1 through MM AQ-2.4 are included to reduce the impact to the greatest extent possible.

The BAAQMD has set its CEQA significance thresholds based on trigger levels for the federal New Source Review (NSR) Program and BAAQMD's Regulation 2, Rule 2 for new or modified sources. The NSR Program was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based NAAQS. The NAAQS establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects that do not exceed the BAAQMD's mass emissions thresholds would not violate any air quality standards or contribute substantially to an existing or projected air quality violation and no criteria pollutant health impacts.

NO_X and ROG are precursor emissions that form O_3 in the atmosphere in the presence of sunlight where the pollutants undergo complex chemical reactions. It takes time and the influence of meteorological conditions for these reactions to occur, so O_3 may be formed at a distance downwind from the sources. Breathing ground-level O_3 can result health effects that include reduced lung function, inflammation of airways, throat irritation, pain, burning, or discomfort in the chest when taking a deep breath, chest tightness, wheezing, or shortness of breath. In addition to these effects, evidence from observational studies strongly indicates that higher daily O_3 concentrations are associated with increased asthma attacks, increased hospital admissions, increased daily mortality, and other markers of morbidity. The consistency and coherence of the evidence for effects upon asthmatics suggests that O_3 can make asthma symptoms worse and can increase sensitivity to asthma triggers.

Table 6-10: Project Buildout Operational Emissions – Mitigated shows that a large proportion of the project's ROG emissions are from mobile sources and area sources (specifically from consumer products). Under California law, the local and regional districts are primarily responsible for controlling air pollution from all sources except motor vehicles. Additionally, CARB (a branch of the California EPA) is primarily responsible for controlling pollution from motor vehicles and area sources/consumer products. The air districts must adopt rules to achieve and maintain the State and Federal AAQS within their jurisdictions.

According the BAAQMD's 2017 Clean Air Plan, the major air quality improvements achieved over the past several decades have greatly benefited public health in the Bay Area, even as the region's population, the amount of motor vehicle travel, and economic output have all grown substantially. Population exposure to unhealthy ozone levels declined dramatically. In 1986–1988, the average Bay Area resident was exposed to unhealthy ozone concentrations 213 hours

per year. Exposure to unhealthy ozone levels (ozone exceeding the state one-hour standard of 95 parts per billion) has been reduced to less than one hour per year during the 2012–2014 period, an overall reduction of 99.8 percent.[5] Ozone levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_X emissions (an ozone precursor) from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. The 2017 Clean Air Plan control strategy includes 85 control measures, reduce multiple pollutants and serve both to protect public health and to protect the climate. With continued implementation of the control measures, the 2017 Clean Air Plan projects continued reductions in emissions and ambient concentrations of ozone and PM and decreases in population exposure to the most harmful air pollutants, such as fine PM and TACs, in impacted communities.

Part of the control process of the BAAQMD's duty to greatly improve the air quality in the SFBAAB is the uniform CEQA review procedures required by BAAQMD's CEQA Air Quality Guidelines. The single threshold of significance used to assess direct project and cumulative impacts has improved air quality as evidenced by the track record of the air quality in the SFBAAB dramatically improving over the course of the past decades. As stated by the BAAQMD, the thresholds of significance are based on factual and scientific data and are therefore appropriate thresholds of significance to use for the project.

As noted in the Brief of Amicus Curiae by the South Coast Air Quality Management District (SCAQMD) in the Friant Ranch case (April 6, 2015) (Brief), the SCAQMD has among the most sophisticated air quality modeling and health impact evaluation capability of any of the air districts in the State, and thus it is uniquely situated to express an opinion on how lead agencies should correlate air quality impacts with specific health outcomes. The SCAQMD discusses that it may be infeasible to quantify health risks caused by individual projects, due to various factors. It is necessary to have data regarding the sources and types of air toxic contaminants, location of emission points, velocity of emissions, the meteorology and topography of the area, and the location of receptors (worker and residence). Even where a health risk assessment can be prepared, however, the resulting maximum health risk value is only a calculation of risk and it does not necessarily mean anyone will contract cancer as a result of the project.

The Brief also cites the author of the CARB methodology, which reported that a $PM_{2.5}$ methodology is not suited for small projects and may yield unreliable results. Similarly, SCAQMD staff does not currently know of a way to accurately quantify O_3-related health impacts caused by NO_X or ROG (VOC) emissions from relatively small projects, due to photochemistry and regional model limitations.

5 Bay Area Air Quality Management District, *Clean Air Plan 2017*, page 2/24, 2017.

The Brief concludes, with respect to the Friant Ranch EIR, that although it may have been technically possible to plug the data into a methodology, the results would not have been reliable or meaningful.

The Brief makes it clear that SCAQMD does not believe that there must be a quantification of a project's health risks in all CEQA documents prepared for individual projects. Any attempt to quantify the proposed Project's health risks would be considered unreliable and misleading. Also, the project does not generate anywhere near 6,620 pounds per day of NO_X or 89,190 pounds per day of ROG (VOC) emissions, which SCAQMD stated was a large enough emission to quantify O_3-related health impacts. Therefore, the project's emissions are not sufficiently high enough to use regional modeling program to correlate health effects on a basin-wide level. Notwithstanding, as previously noted, a site-specific localized impact analysis that does correlate potential project health impacts on a local level to immediately adjacent land uses is included above.

Although it may be misleading and unreliable to attempt to specifically and numerically quantify the project's health risks, this analysis provides extensive information concerning the project's potential health risks. While the project is expected to exceed the BAAQMD's numeric regional mass daily thresholds for ROG, this does not in itself constitute a significant health impact to the population adjacent to the project and within the SFBAAB.

The Project's exceedance of the BAAQMD's ROG mass emissions thresholds could contribute to the formation of ozone in the atmosphere that could potentially contribute to the SFBAAB's current ozone air quality violation, thus contributing to potential associated health effects in the region. However, ozone is not formed at the location of emission and the quantity of precursor emissions is not proportional to local ozone concentrations. The emission of ROG do not directly cause health effects; it is the resulting concentration of criteria pollutants, which is influenced by sunlight, chemical reactions, and transport (i.e., regional impacts), that are not feasible to model at the project level.[6]

In addition, current BAAQMD and CARB regulations will reduce the emissions below what is shown in Table 6-10: Project Buildout Operational Emissions – Mitigated. Additionally, the project would implement MM AQ-2.5, which would include a Transportation Demand Management (TDM) plan to reduce mobile emissions for all uses. However, due to the uncertainty in the relationship between project-level mass emissions and regional ozone formation as well as limitations with currently available technical tools, the resulting health

[6] As noted in the San Joaquin Valley Air Pollution Control District (SJVAPCD) Amicus Curiae Brief for *Sierra Club v. County of Fresno,* the computer models used to simulate and predict and attainment date for ozone or particulate matter NAAQS are based on regional inputs, such as regional inventories of precursor pollutants (NO_X, SO_X, and VOCs) and atmospheric chemistry and meteorology. The models simulate future ozone or PM levels based on predicted changes in precursor emissions region wide. The goal of these modeling exercises is not to determine whether the emissions generated by a particular factory or development project will affect the NAAQS attainment date. Rather, the air district modeling and planning strategy is regional in nature and based on the extent to which all of emission-generating sources (current and future) must be controlled in order to reach attainment.

effects associated with the project cannot be identified. Given this is speculative, it is not considered a significant environmental impact.

As discussed above, neither the BAAQMD nor any other air district currently have methodologies that would provide Lead Agencies and CEQA practitioners with a consistent, reliable, and meaningful analysis to correlate specific health impacts that may result from a proposed project's mass emissions. Information on health impacts related to exposure to ozone and particulate matter emissions published by the U.S. EPA and CARB have been summarized above and discussed in the Regulatory Framework section. Health studies are used by these agencies to set the Federal and State AAQS. None of the health-related information can be directly correlated to the pounds/day or tons/year of emissions estimated from a single, proposed project. Therefore, without thresholds and standards there is no way to ascertain if there is a significant environmental impact. However, mitigation measures MM AQ-2.1 through MM AQ-2.5 are included to reduce the impact related to air quality to the greatest extent possible.

Mitigation Measures

MM AQ-2.1 BAAQMD Basic Construction Mitigation Measures

During construction, the following BAAQMD Basic Construction Mitigation Measures air pollution control measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

MM AQ-2.2 Off-Road Diesel-Powered Construction Equipment

Prior to issuance of any grading permits, and/or building permits (whichever occurs earliest), the project applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the City of Dublin. The plan shall be accompanied by a letter signed by an air quality specialist, verifying that the equipment included in the plan meets the standards set forth below.

- For all construction equipment larger than 25 horsepower operating on the site for more than two days continuously or 20 total hours, shall, at a minimum meet U.S. EPA Tier 4 Final emission standards.

The project applicant shall submit a construction operations plan prepared by the construction contractor that outlines how the contractor will achieve the measures outlined in this mitigation measure. The plan shall be submitted to the City of Dublin for review and approval prior to the issuance of any grading and/or building permits (whichever occurs earliest). The plan shall include, but not be limited to the following:

- List of activities and estimated timing.
- Equipment that would be used for each activity.
- Manufacturer's specifications for each equipment that provides the emissions level; or the manufacturer's specifications for devices that would be added to each piece of equipment to ensure the emissions level meet the thresholds in the mitigation measure.
- How the construction contractor will ensure that the measures listed are monitored.
- How the construction contractor will remedy any exceedance of the thresholds.
- How often and the method the construction contractor will use to report compliance with this mitigation measure.

MM AQ-2.3 Architectural Coating

The applicant shall require by contract specifications that the interior architectural coating (paint and primer) products used would have a volatile organic compound rating of 20 grams per liter or less while exterior architectural coating must be less than 100 grams per liter. Contract specifications shall be included in the construction documents for the project, which shall be reviewed and approved by the City of Dublin.

MM AQ-2.4 Prohibition of Wood-Burning Fireplaces

The installation of wood-burning devices shall be prohibited within the development per Bay Area Air Quality Management District Regulation 6, Rule 3. The purpose of this rule is to limit emissions of particulate matter and visible emissions from wood-burning devices used for primary heat, supplemental heat or ambiance. This prohibition shall be noted on the deed for future property owners to obey. Natural gas fireplaces are acceptable.

MM AQ-2.5 Vehicle Trip Reduction

Develop a qualifying Commute Trip Reduction (CTR)/ Transportation Demand Management (TDM) plan to reduce mobile GHG emissions for all uses. The TDM plan shall be approved by the City of Dublin prior to the issuance of building permits and incorporated into the project's Codes Covenants and Restrictions (CC&Rs). The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. The TDM Plan shall include and implement TDM Best Management Practices (BMPs) for non-residential uses. The TDM obligations shall apply for the lifetime of the project.

TDM Requirements for Non-Residential Uses:

- The Project Applicant shall consult with the local transit service provider on the need to provide infrastructure to connect the project with transit services. Evidence of compliance with this requirement may include correspondence from the local transit provider(s) regarding the potential need for installing bus turnouts, shelters, or bus stops at the site.
- BMPs that target retail employees and customers shall be described in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, tenants and employers). The following BMPs shall be considered for inclusion in the TDM Plan for some or all portions of the retail development, to the extent feasible and appropriate:
    - Bicycles: Infrastructure improvements; rider encouragement program; parking, repair facilities, showers and lockers; riders guide. Short-term and long-term bicycle parking spaces shall be provided in prominent and convenient locations in all buildings.
    - Vehicles: Preferential carpool parking; flexible work schedules for carpools; transportation coordinator(s); designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; pre-tax commuter incentives; rideshare matching services.
    - Transit: On-site shuttle services, shuttle bus stops with shelters, pedestrians path linking buildings and transit stops.
    - A website and marketing program to disseminate information on commute options; access to TMA management services.

- Pedestrian-oriented site design.

TDM Requirements for Residential Units:

- **Owner-Occupied Units**. Upon a residential dwelling being sold or offered for sale, the applicant shall notify and offer to the buyer or prospective buyer, as soon as it may be done, materials describing public transit, ridesharing, and nonmotorized commuting opportunities available in the vicinity of the project. Such information shall be transmitted no later than the close of escrow. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy. The project's CC&Rs shall require this information to be disclosed no later than the close of escrow for initial and subsequent purchases.

  Rental Units. Upon a residential dwelling being rented or offered for rent, the applicant shall notify and offer to the tenant or prospective tenant, materials describing public transit, ridesharing, and nonmotorized commuting opportunities in the vicinity of the development. The materials shall be approved by the City of Dublin. The materials shall be provided no later than the time the rental agreement is executed. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy.

Impact AQ-3: Exposes sensitive receptors to substantial pollutant concentrations (Class III).

A sensitive receptor is defined by the BAAQMD as the following: Facilities or land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples include schools, hospitals and residential areas. Sensitive receptors closest to the residential project site include residences east and north of the project site.

Localized Carbon Monoxide Hotspots

The primary mobile-source criteria pollutant of local concern is carbon monoxide. Concentrations of CO are a direct function of the number of vehicles, length of delay, and traffic flow conditions. Transport of this criteria pollutant is extremely limited; CO disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested intersections that experience high levels of traffic and elevated background concentrations may reach unhealthy levels, affecting nearby sensitive receptors. Areas of high CO concentrations, or "hot spots," are typically associated with intersections that are projected to operate at unacceptable levels of service during the peak commute hours. CO concentration modeling is therefore typically conducted for intersections that are projected to operate at unacceptable levels of service during peak commute hours.

The SFBAAB is designated as attainment for carbon monoxide (CO). Emissions and ambient concentrations of CO have decreased dramatically in the SFBAAB with the introduction of the

catalytic converter in 1975. No exceedances of the CAAQS or NAAQS for CO have been recorded at nearby monitoring stations since 1991.

As a result, the BAAQMD screening criteria notes that CO impacts may be determined to be less than significant if a project is consistent with the applicable congestion management plan (CMP) and would not increase traffic volumes at local intersections to more than 44,000 vehicles per hour, or 24,000 vehicles per hour for locations in heavily urban areas, where "urban canyons" formed by buildings tend to reduce air circulation.

According to the transportation analysis, the project would generate 10,983 net new trips. The project's effects to existing vehicle distribution and travel speeds would be nominal. Therefore, the project would not involve intersections with more than 24,000 or 44,000 vehicles per hour. As a result, the project would not have the potential to create a CO hotspot and impacts would be less than significant.

Construction Fugitive Dust

Fugitive dust (PM_{10}) would be generated during construction (grading). As detailed in Impact AQ-2, the project would result in a less than significant dust impact after incorporation of BAAQMD Basic Construction Mitigation Measures required in MM AQ-2.1. Therefore, the project would not expose adjacent receptors to significant amounts of construction dust after incorporation of mitigation.

Toxic Air Contaminants

Construction equipment and associated heavy-duty truck traffic generate diesel exhaust, which is a known toxic air contaminants (TAC). Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors. The closest sensitive receptor to the project site are the residences to the east and north of the project site. BAAQMD provides guidance for evaluating impacts from TACs in its *CEQA Air Quality Guidelines* document. As noted therein, an incremental cancer risk of greater than 10 cases per million at the Maximally Exposed Individual (MEI) will result in a significant impact. The BAAQMD considers exposure to annual $PM_{2.5}$ concentrations that exceed 0.3 $\mu g/m^3$ from a single source to be significant. The BAAQMD significance threshold for non-cancer hazards is 1.0.

Construction TAC and $PM_{2.5}$ Health Risks

Construction-related activities would result in project-generated emissions of diesel PM from the exhaust of off-road, heavy-duty diesel equipment for site preparation (e.g., clearing, grading); paving; application of architectural coatings; on-road truck travel; and other miscellaneous activities. For construction activity, diesel PM is the primary toxic air contaminant of concern. On-road diesel-powered haul trucks traveling to and from the construction area to deliver materials and equipment are less of a concern because they would not stay on the site for long durations. Diesel exhaust from construction equipment operating at the site poses a health risk to nearby sensitive receptors. The closest sensitive receptor to the project site are the residences to the north, east and south.

CARB identified particulate exhaust emissions from diesel-fueled engines (i.e., diesel PM) as a TAC in 1998. The potential cancer risk from the inhalation of diesel PM, as discussed below, outweighs the potential for all other health impacts (i.e., non-cancer chronic risk, short-term acute risk) and health impacts from other TACs (CARB 2003), so diesel PM is the focus of this discussion.

Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer. The use of diesel-powered construction equipment would be episodic and would occur over several locations isolated from one another. Additionally, construction activities would be subject to and would comply with California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable diesel PM emissions. Furthermore, even during the most intense year of construction, emissions of diesel PM would be generated from different locations on the project site rather than in a single location because different types of construction activities (e.g., site preparation and building construction) would not occur at the same place at the same time.

The air dispersion modeling for the mobile source risk assessment was performed using the U.S. EPA AERMOD dispersion model. AERMOD is a steady-state, multiple-source, Gaussian dispersion model designed for use with emission sources situated in terrain where ground elevations can exceed the stack heights of the emission sources (not a factor in this case). AERMOD requires hourly meteorological data consisting of wind vector, wind speed, temperature, stability class, and mixing height. Surface and upper air meteorological data was obtained from CARB.

Surface and upper air meteorological data from the Livermore Municipal Airport was selected as being the most representative for meteorology based on proximity to the project site. The emission sources in the model are line volume sources (comprised of smaller adjacent volume sources) for the loading dock idling areas, on-site truck circulation, and off-site routes. Heavy duty vehicle emissions were assigned a release height of 12 feet (3.66 meters), a plume height of 20.4 feet (6.22 meters). A release height of 12 feet is the average stack height for trucks and the plume height is based on U.S. EPA guidance for vehicle volume sources.

AERMOD was run to obtain the peak 1-hour and period (annual average) concentration in micrograms per cubic meter ($\mu g/m^3$) at the nearby sensitive receptors. The period concentrations were used to calculate the Maximum Individual Cancer Risk (MICR), the maximum chronic HI, and the hourly concentrations were used to calculate the health impact from substances with acute non-cancer health effects. A receptor grid was placed over the project site to cover the zone of impact. Due to the size of the project site, nearby sensitive receptors were modeled with a 50-meter (164-foot) grid spacing; refer to Appendix B for modeling outputs. Risk levels were calculated using the CARB Hotspot Analysis and Reporting Program (HARP) Risk Assessment Standalone Tool (RAST). The calculations are based on the California Office of Environmental Health Hazard Assessment (OEHHA) guidance document, *Air Toxics Hot Spots Program Risk Assessment Guidelines* (February 2015).

Results of this assessment indicate that the maximum concentration of $PM_{2.5}$ during construction would be 0.01 µg/m^3 which is below the BAAQMD 0.3 µg/m^3 significance threshold. The highest calculated carcinogenic risk from project construction is 44 per million, which is above the BAAQMD threshold of 10 in one million. Therefore, Tier 4 Final construction equipment is required to reduce cancer risk. With MM AQ-2.2 cancer risk would be 4.5 in one million. Non-cancer hazards for DPM would be 0.02 chronic hazard index and an acute hazard index of 1.96 without mitigation. Chronic hazards would be below the BAAQMD significance threshold of 1.0, however acute hazard would be above. However, with MM AQ-2.2, chronic hazard would be 0.002 and acute would be 0.21. Therefore, with mitigation construction risk levels would be less than significant.

Another potential source of TACs associated with construction-related activities is the airborne entrainment of asbestos due to the disturbance of naturally-occurring asbestos-containing soils. The project is not located in an area designated by the State of California as likely to contain naturally-occurring asbestos (DOC 2000). As a result, construction-related activities would not be anticipated to result in increased exposure of sensitive land uses to asbestos.

Mobile Sources

Pursuant to *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal.4th 369, Case No. S213478, agencies are not required to analyze the CEQA impact of existing environmental conditions on a project's future users or residents, unless the proposed project risks exacerbate those environmental hazards or conditions that already exist. Nevertheless, the following mobile source health risk analysis has been prepared as an information item for land use decision making but is not a CEQA required analysis condition.

The BAAQMD *CEQA Air Quality Guidelines* recommend that projects be evaluated for community risk when they locate sensitive receptors within 1,000 feet of freeways, high traffic volume roadways (10,000 average annual daily trips or more), and/or stationary permitted sources of TACs. The project would not place sensitive receptors within 1,000-feet of the I-580 freeway (a mobile TAC source).

However, the project would locate sensitive receptors (residential dwelling units) along Tassajara Road and Dublin Boulevard, both of which have traffic in excess of 10,000 average daily trips (ADT). Tassajara Road has an estimated 26,633 ADT and Dublin Boulevard has an estimated 57,315 ADT during the future Cumulative Plus Project Scenario. The other roadways surrounding the project site are Gleason Drive with an estimated 14,480 ADT and Central Parkway with an estimated 16,230 ADT in the future Cumulative Plus Project Scenario. These roadways are all considered high volume roadways under BAAQMD standards.

These roadways were analyzed using BAAQMD's GIS mapping tool. As shown in Table 6-11: Cumulative Health Risk below, the primary contributor to the cumulative $PM_{2.5}$ concentrations are the existing highway sources near the project area ($PM_{2.5}$ of 0.31 µg/m^3). The railway sources represent approximately 91 percent of the total concentrations and are completely unrelated to the project. Additionally, the primary contributor to the cumulative cancer risk

concentrations are the existing highway sources near the project area (cancer risk of 18.53 per million and hazard risk of 1.24). The highway sources represent approximately 99 percent of the total concentrations for cancer risk and are completely unrelated to the project.

Table 6-11: Cumulative Health Risk

Emissions Sources	$PM_{2.5}$ (µg/m^3)	Cancer Risk (per million)	Hazard
Major Street Sources[1]	0.02	1.44	0.08
Highway Sources[1]	0.31	18.53	1.24
Railway Sources[1]	0.00	0.71	0.00
Stationary Sources			
Name of Facility			
Target Corporation Store #T2771	0.01	0.00	0.00
Safeway Inc #1932	0.00	0.01	0.00
Lowe's of Dublin, CA#2273	0.00	4.60	0.00
Aloft Hotel	0.00	0.40	0.00
Pleasanton Car Wash	0.00	0.03	0.00
Cumulative Health Risk Values	**0.34**	**25.72**	**1.32**
BAAQMD Cumulative Threshold	*0.8*	*100*	*10*
Threshold Exceeded?	**No**	**No**	**No**

1. BAAQMD GIS data.
Source: BAAQMD's Stationary Source Data and GIS Mapping Tools, 2022.

Notes:
1. MEI = Maximally Exposed Individual
Source: Kimley-Horn & Associates, 2022.

Furthermore, in May 2016 the BAAQMD released the *Planning Healthy Places* guidebook that provides air quality and public health information for locations throughout the Bay Area. The BAAQMD also provides web-based interactive maps that show the location of communities and places throughout the region that are estimated to have elevated levels of fine particulates and/or TACs. The maps identify where best practices and further study should be applied. Based on the mapping, the project site is not located in a best practices or further study area.

As indicated above, the project includes the future development of residences that are located outside of the BAAQMD's recommended 1,000-foot buffer from freeways. However, residences would be located within 1,000-foot buffer of high-volume roadways. The highest cancer risk for future residences according to the BAAQMD's GIS mapping tool would be 1.91 per one million and highest $PM_{2.5}$ would be 0.03 µg/m^3. As the project design maximizes the buffer between potential TAC sources and residential units impacts associated with TACs related to the project's on-site receptors would be less-than-significant.

Off-Site Impacts

The project would not be considered a source of toxic air contaminants (TACs) that would pose a possible risk to off-site uses. The project involves the future development of a mixed-use project that would include commercial and residential uses. The project would not include stationary sources that emit TACs and would not generate a significant amount of heavy-duty truck trips (a source of diesel particulate matter [DPM]). Therefore, no impacts to surrounding receptors associated with TACs would occur.

Cumulative Health Risk Analysis

Cumulative impacts are defined as two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Worst-case $PM_{2.5}$ concentrations and chronic hazard levels for the project operations would be well below the BAAQMD's thresholds. CEQA Guidelines 15065(a)(3) states "… 'Cumulatively considerable' means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The project is residential and commercial and would not generate any TAC sources. Offsite mobile sources and stationary sources within a 1,000-foot radius of the project site were reviewed using BAAQMD's Stationary Source Screening Analysis Tools. There are five existing permitted stationary sources located within a 1,000-foot radius of the project site. As shown in Table 6-11: Cumulative Health Risk, cumulative impacts related to cancer risk and hazard would be less than cumulatively considerable and within acceptable limits. Additionally, the project would not be considered a source of toxic air contaminants (TACs) that would pose a possible risk to off-site uses. Therefore, the project would not be cumulatively considerable and cumulative impacts would be less than significant.

The incremental effect of the individual project is less than significant.[7] Therefore, the project's cumulative impacts would be less than significant.

Impact AQ-4: Creates objectionable odors affecting a substantial number of people (Class III).

According to the BAAQMD, land uses associated with odor complaints typically include wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants. The project does not include any uses identified by the BAAQMD as being associated with odors.

7 CEQA case law has held that any additional emissions in an impacted area does not necessarily create a significant cumulative impact, finding that "the 'one [additional] molecule rule' is not the law" (Communities for a Better Environment v. California Resources Agency (2002) 103 Cal. App. 4th 98, 120).

The occurrence and severity of odor impacts depends on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. While offensive odors rarely cause physical harm, they can still be unpleasant, leading to considerable distress among the public and often generating citizen complaints to local governments and regulatory agencies. Projects with the potential to frequently expose members of the public to objectionable odors would be deemed to violate the BAAQMD standards.

BAAQMD enforces permit and nuisance rules to control odorous emissions from stationary sources. For instance, BAAQMD Regulation 7 (Odorous Substances) places general limitations on odorous substances and specific emission limitations on certain odorous compounds. Regulation 7 disallows discharge of any odorous substance which causes the ambient air at or beyond the property line to be odorous and to remain odorous after dilution with four parts of odor-free air. Given these regulations, and the fact that there are no odorous emissions existing or proposed on or near the project site, there would be no impact.

6.5.4 Cumulative Impact Analysis

The geographical area for cumulative air emission impacts is the San Francisco Bay Area Air Basin, which includes Alameda County.

Impact AQ-5: Contribute to cumulatively considerable air quality impacts (Class I).

Cumulative Construction Emission Impacts

The SFBAAB is designated nonattainment for O_3, PM_{10}, and $PM_{2.5}$ for State standards and nonattainment for O_3 and $PM_{2.5}$ for federal standards. As discussed above, even with mitigation identified for the project, MM AQ-2.1 through AQ-2.4, the project's construction-related emissions would exceed the BAAQMD significance thresholds for NO_x but not the other three criteria pollutants, refer to Table 6-8: Construction Air Emissions.

Since these thresholds indicate whether an individual project's emissions have the potential to affect cumulative regional air quality, it can be expected that the project-related construction emissions would have cumulatively considerable impacts for NO_x. The BAAQMD recommends Basic Construction Mitigation Measures for all projects whether or not construction-related emissions exceed the thresholds of significance. Compliance with BAAQMD construction-related mitigation requirements are considered to reduce cumulative impacts at a Basin-wide level. As a result, construction emissions associated with the project would result in a cumulatively considerable contribution to significant cumulative air quality impacts.

Cumulative Operational Emission Impacts

The BAAQMD has not established separate significance thresholds for cumulative operational emissions. The nature of air emissions is largely a cumulative impact. As a result, no single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse

air quality impacts. The BAAQMD developed the operational thresholds of significance based on the level above which a project's individual emissions would result in a cumulatively considerable contribution to the Basin's existing air quality conditions. Therefore, a project that exceeds the BAAQMD operational thresholds would also be a cumulatively considerable contribution to a significant cumulative impact.

As shown in Table 6-10: Project Buildout Operational Emissions – Mitigated, the project would result in long-term operational stationary and vehicular emissions. The operational emissions for ROG would exceed BAAQMD thresholds. As a result, operational emissions associated with the project would result in a cumulatively considerable contribution to significant cumulative air quality impacts.

With mitigation identified for the project, MM AQ-2.1 through AQ-2.4, and compliance with BAAQMD rules and requirements, the cumulative impacts of the project would be reduced; however, the project's cumulative contribution to NO_X and ROG emissions would remain significant and unavoidable (Class I).

6.5.5 Level of Significance after Mitigation

Table 6-12: Summary of Impacts and Mitigation Measures – Air Quality summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to air quality.

Table 6-12: Summary of Impacts and Mitigation Measures – Air Quality

Impact	Impact Significance	Mitigation
Impact AQ-1: Conflict with implementation of San Francisco Bay Area 2017 Clean Air Plan (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces
Impact AQ-2: Violates air quality standard or contributes substantially to an existing or projected air quality violation (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces MM AQ-2.5: Vehicle Trip Reduction
Impact AQ-3: Expose sensitive receptors to substantial pollutant concentrations (Class III).	Less than Significant	None required
Impact AQ-4: Create objectionable odors (Class III).	Less than Significant	None required
Impact AQ-5: Contribute to cumulatively considerable air quality impacts. (Class I).	Significant and Unavoidable	MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment MM AQ-2.3: Architectural Coating MM AQ-2.4: Wood Burning Fireplaces MM AQ-2.5: Vehicle Trip Reduction

6.6 References

Bay Area Air Quality Management District, *Planning Healthy Places*, 2016.

Bay Area Air Quality Management District, *CEQA Air Quality Guidelines,* 2017.

Bay Area Air Quality Management District, *Clean Air Plan*, 2017.

Bay Area Air Quality Management District, *Air Quality Standards and Attainment Status,* 2017.

Bay Area Air Quality Management District, *Current Rules*, 2017.

Bay Area Air Quality Management District, *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans,* 2022.

California Air Pollution Control Officers Association (CAPCOA), *Health Effects*, 2018.

California Air Pollution Control Officers Association (CAPCOA), *Health Risk Assessments for Proposed Land Use Projects*, 2009.

California Air Resources Board, *Aerometric Data Analysis and Measurement System (ADAM) Top Four Summaries from 2015 to 2017*, 2018.

California Air Resources Board, *Air Quality and Land Use Handbook: A Community Health Perspective*, 2005.

California Air Resources Board, *Current Air Quality Standards*, 2016.

California Air Resources Board, *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles*, 2000.

City of Dublin. *Climate Action Plan 2030 and Beyond*, 2020.

Federal Highway Administration*, Interim Guidance on Mobile Source Air Toxic Analysis in NEPA Documents,* 2016.

Office of Environmental Health Hazard Assessment, *Air Toxics Hot Spots Program Risk Assessment Guidelines*, 2015.

United States Environmental Protection Agency, *National Ambient Air Quality Standards Table*, 2016.

United States Environmental Protection Agency, *Nonattainment Areas for Criteria Pollutants*, 2018.

United States Environmental Protection Agency, *Policy Assessment for the Review of the Lead National Ambient Air Quality Standards*, 2013.

7 Biological Resources

7.1 Introduction

This chapter describes the effects on biological resources that would be caused by implementation of the project. It addresses existing environmental conditions in the affected area, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project construction and operation. In addition, existing laws and regulations relevant to biological resources are described. In some cases, compliance with these existing laws and regulations would serve to reduce or avoid certain impacts that might otherwise occur with implementation of the project.

This chapter references the following technical reports that were prepared for the project, which can be found in Appendix C:

- WRA, *Biological Resources Assessment*, 2022
- WRA, *At Dublin Development Project Rare Plant Survey Report*, 2018
- WRA, *At Dublin Development Project Wetland Delineation Report*, 2018

7.2 Scoping Issues Addressed

During the public comment scoping period for the project, specifically during the public scoping meeting, comments requesting review of impacts to burrowing owl and other special status species were raised.

7.3 Environmental Setting

This section presents information on existing biological resources conditions in the project area. The current condition and quality of biological resources was used as the baseline against which to compare potential impacts of the project.

7.3.1 Project Setting

The project site is vacant land and is generally flat with a slight slope from a higher elevation at the northerly boundary to a slightly lower elevation towards the southerly boundary. Historically, the property was used for agricultural purposes but is currently vacant (except for seasonal temporary uses). The project site is characterized by low lying native and non-native grasses that is turned (disced) periodically for the purposes of weed abatement. A small group of trees and shrubs is located near the corner of Tassajara Road and Central Parkway. No grading for development purposes has occurred to date.

7.3.2 Methodology

Literature Search and Review of Existing Data

The assessment of biological resources for the project began with a review of all available documents and species and habitat data provided by the project applicant, U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Wildlife (CDFW), and other agencies. Biological resource data sources included, but were not limited to, the following:

- CDFW California Natural Diversity Database (CNDDB) to determine special-status plants, wildlife, and vegetation communities that have been documented within the vicinity of the project site.
- Aerial photographs, Geographic Information Systems (GIS) data, United States Geological Survey (USGS) topographic maps.
- Previously prepared reports and regional planning documents (general plan policies, Habitat Conservation Plans [HCPs], Environmental Impact Reports [EIRs], and published scientific literature).

In addition to the literature search and review of existing data, descriptions and analysis in this section are based on the Biological Resources Assessment (BRA) prepared by WRA, provided in Appendix C. The methodology of the BRA is described below.

Biological Resources Assessment

On December 7, 2017, February 22 and March 19, 2018, and April 12, 2022, the project site was traversed on foot to determine: (1) plant communities present within the project site, (2) if existing conditions provided suitable habitat for any special-status plant or wildlife species, and (3) if sensitive habitats are present. All plant and wildlife species encountered were recorded and are summarized in the BRA. Appendix C provides a list of species-status species that have been documented in the vicinity and summarizes the potential for occurrence for each of these species based on observed habitat suitability, proximity of known occurrences, or the direct observation of a species.

Prior to the site visit, online soil survey data for the project area, the USGS 7.5-minute quadrangle map for Livermore, USFWS NWI data, rainfall data and WETS precipitation data, and available aerial photographs of the site were reviewed to identify potential sensitive habitats and areas for further investigation during the site visit. Following the site visit, biological communities present in the project area were classified based on existing plant community descriptions described in A Manual of California Vegetation, Online Edition (CNPS 2022; CDFW 2022). However, in some cases, it was necessary to identify variants of community types or to describe non-vegetated areas that are not described in the literature. Biological communities were classified as sensitive or non-sensitive as defined by CEQA and other applicable laws and regulations.

7.3.3 Biological Communities

As shown in Figure 7-1: Biological Communities on the Project Site there are 76.24 acres of non-sensitive ruderal habitat and 0.66 acres of sensitive seasonal wetlands.

Non-sensitive Biological Communities

Ruderal

The project site contains ruderal habitat, comprised primarily of disced and mowed areas of disturbed vegetation. Ruderal areas are primarily composed of ruderal herbaceous vegetation dominated by non-native annual species, such as slim oat (*Avena barbata*), ripgut brome (*Bromus diandrus*), soft chess (*B. hordeaceus*), and black mustard (*Brassica nigra*). Native species, such as common fiddleneck (*Amsinckia intermedia*) and tarweed fiddleneck (*A. lycopsoides*), are also present. The project site has been disced for weed abatement, with small margins of intact ruderal vegetation along the margins and southwest of Northside Drive.

Sensitive Biological Communities

Seasonal Wetland

The 0.66 acres of seasonal wetlands occur as five separate topographic depressions and one flat-to-sloping area where seasonal inundation and/or saturation occurs during the rainy season. Four wetlands had varying levels of apparent regular disturbance, including discing and use as a parking area for vehicles.

Vegetation within these seasonal wetlands is sparse and is dominated by a mixture of non-native grasses and forbs, all of which are adapted to high levels of disturbance. Commonly observed species include Italian ryegrass (*Festuca perennis*), hyssop loosestrife (*Lythrum hyssopifolia*), and curly dock (*Rumex crispus*).

Given the highly altered and regularly disturbed nature of the project site, as well as the lack of a dominance by or characteristic presence of species associated with vernal pools, the wetlands are classified as seasonal wetlands rather than vernal pools.

City of Dublin Protected Trees

There are no trees defined as “heritage trees” under the City of Dublin Heritage Tree Ordinance present on site. There are several remnant trees located on the abandoned homestead area in the northern portion of the project site. These trees exceed 24 inches in diameter at four (4) feet six (6) inches above natural grade; however, are not species included under the definition of heritage trees.

Additionally, two coast live oak (*Quercus agrifolia*) saplings less than 24 inches in diameter are located north of Gleason Drive. At 24 inches these are too small to be included under the definition of heritage trees.

7.3.4 Special-Status Species

Special Status Plant Species

Based on a review of the resources and databases described above, 59 Statewide special-status plant species were documented in the project area. Species documented in the CNDDB as occurring within a five-mile buffer of the project area are shown in Figure 7-2: Special-Status Plant Species Documented within Five Miles of the Project Site.

Within the project site, three special-status plant species were identified or have the potential to occur, namely:

- State and Local special-status plant, **Congdon's tarplant** (*Centromadia parryi ssp. congdonii*); CNPS Rank 1B.1; Present
- State special-status plant, **San Joaquin spearscale** (*Extriplex joaquinana*); CNPS Rank 1B.2; Present
- State special-status plant, **Saline clover** (*Trifolium hydrophilum*); CNPS Rank 1B.2; Moderate Potential

Local rare plant species, smooth boisduvalia (*Epilobium campestre*) and woolly marbles (*Psilocarphus oregonus*) were also identified within the project site; see Figure 7-3: Special-Status Plant Species on the Project Site. A small number of smooth boisduvalia individuals were observed in a flat, mesic, grassy area located northwest of the intersection of Dublin Boulevard and Brannigan Street. A small number of woolly marbles individuals were observed in the same flat, mesic, grassy area northwest of the intersection of Dublin Boulevard and Brannigan Street.

Congdon's tarplant (*Centromadia parryi ssp. congdonii*)

Congdon's tarplant is an annual herb in the composite family (Asteraceae) that typically blooms from May to October. It often grows in alkaline soils, sometimes described as heavy white clay, in valley and foothill grassland habitats ranging from 0 to 755 feet (0 to 230 meters) in elevation.

As shown in Figure 7-3: Special-Status Plant Species on the Project Site, 371 individuals of Congdon's tarplant were observed in the seasonal wetland in the southeastern corner, as well as in scattered locations along the eastern boundary of the project site.

San Joaquin spearscale (*Extriplex joaquinana*)

San Joaquin spearscale is an annual herb in the goosefoot family (Chenopodiaceae) that typically blooms from April to October. It often grows in seasonal alkali sink scrub and wetlands in chenopod scrub, alkali meadow, and valley and foothill grassland habitat at elevations ranging from 0 to 2,740 feet. San Joaquin spearscale is known to occur throughout northern California.

As shown in Figure 7-3: Special-Status Plant Species on the Project Site, approximately 345 individuals of San Joaquin spearscale were observed in and near the small seasonal wetland in the southeastern portion of the project area, just southwest of the intersection of Dublin Boulevard and Brannigan Street.

Saline clover (*Trifolium hydrophilum*)

Saline clover is an annual herb in the pea family (*Fabaceae*) that typically blooms from April to June. It generally grows in mesic, alkali sites in marsh, swamp, valley and foothill grassland, and vernal pool habitat at elevations ranging from 0 to 980 feet. Saline clover is also known to occur throughout northern California.

No occurrence of saline clover was observed during the site visit, however there were two CNDDB records found in the project area, and five CCH records in Alameda County. The nearest known occurrence is from May 2002, approximately 0.5 mile east of the project site, which may now be absent. The most recent documented occurrence is from April 2006, in the Springtown area, seven miles east of the project site.

Saline clover has a moderate potential to occur in the project site due to the presence of seasonally inundated depressions and alkaline substrate and the fact that this species has been documented near the project site in disced conditions.

Special Status Wildlife Species

Based on a review of the resources and databases described above, 38 special-status wildlife species were documented in the project area. Of these, 14 species were documented in the CNDDB (CDFW, 2022) as occurring within a five-mile buffer of the project site as shown in Figure 7-4: Special-Status Wildlife Species within Five Miles of the Project Site. Three special-status wildlife species were observed or were considered to have moderate or high potential to occur in the project site and are discussed below.

Within the project site, three special-status wildlife species were identified as having the potential to occur, namely:

- **Western burrowing owl** (*Athene cunicularia*); CDFW Species of Special Concern; USFWS Bird of Conservation Concern; High Potential
- **Loggerhead shrike** (*Lanius ludovicianus*); CDFW Species of Special Concern; USFWS Bird of Conservation Concern; Moderate Potential
- **White-tailed kite** (*Elanus leucurus*); CDFW Fully Protected Species; High Potential

Western burrowing owl (*Athene cunicularia*)

Burrowing owls typically favor flat, open grassland or gentle slopes and sparse shrubland ecosystems. These owls prefer annual or perennial grasslands, typically with sparse or nonexistent tree or shrub canopies. This species is dependent on burrowing mammals to

provide the burrows that are characteristically used for shelter and nesting, and in northern California is typically found in close association with California ground squirrels (*Spermophilus beecheyi*). Manmade substrates, such as pipes or debris piles, may also be occupied in place of burrows. Burrowing owls exhibit high site fidelity.

Burrowing owls were documented within the project area (CNDDB occurrence numbers 671 and 2066) in 2004, 2006, 2009, and 2020. During site visits, ground squirrels and ground squirrel burrow complexes were observed throughout the project area. In addition, multiple debris piles were present within the project area, which may provide additional nesting habitat for the species. Vegetation height within the project area is variable and in some areas may be suitable for the species throughout the year, including during nesting season (February 1 – August 31). Although no burrowing owls were observed on the project site during site visits, due to the presence of suitable nesting and foraging habitat, as well as previous occurrences of burrowing owl within the project area, the species has high potential to occur.

Loggerhead shrike (*Lanius ludovicianus*)

Loggerhead shrike is a year-round resident or winter visitor in lowlands and foothills throughout California. This species is associated with open country with short vegetation and scattered trees, shrubs, fences, utility lines, and/or other perches. Although they are songbirds, shrikes are predatory and forage on a variety of invertebrates and small vertebrates. Captured prey items are often impaled for storage purposes on suitable substrates, including thorns or spikes on vegetation and barbed wire fences.

The loggerhead shrike nests in trees and large shrubs; nests are usually placed 3 to 10 feet off the ground. The trees located in the northwestern portion of the site provide suitable habitat to support nesting by this species. Grasslands within the project area may also provide sufficient area to support foraging by the species. While the project area is surrounded by development, due to the presence of potentially suitable nesting and foraging habitat, this species has moderate potential to occur.

White-tailed kite (*Elanus leucurus*)

White-tailed kite is a resident in open to semi-open habitats throughout the lower elevations of California, including grasslands, savannahs, woodlands, agricultural areas and wetlands. Vegetative structure and prey availability seem to be more important habitat elements than associations with specific plants or vegetative communities. Nests are constructed mostly of twigs and are placed in trees, often at habitat edges. Nest trees are highly variable in size, structure, and immediate surroundings, ranging from shrubs to trees greater than 150 feet tall. This species preys upon a variety of small mammals, as well as other vertebrates and invertebrates.

The Project Area contains open habitat for foraging by this species, as well as shrubs and trees suitable for nesting. A white-tailed kite was observed foraging during the December 7, 2017, site visit. White-tailed kite has a high potential to occur.

Special-Status Wildlife Species Unlikely to Occur within the Project Site

As described in the BRA, six federally-listed wildlife species have been documented in the vicinity, but are unlikely to inhabit the project site. These are California Red-Legged Frog (*Rana draytonii*), California Tiger Salamander (*Ambystoma californiense*), San Joaquin kit fox (*Vulpes macrotis*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), longhorn fairy shrimp (*Branchinecta longiantenna*), and Callippe silverspot butterfly (*Speyeria callippe callippe*).

7.3.5 Critical Habitat

The project site is not located within any units designated as critical habitat according to the Federal Endangered Species Act (described below).

7.3.6 Wildlife Movement Corridor

The project site does not fall within any identified wildlife corridors or natural habitat blocks. The project site is surrounded by roadways, two of which are multi-lane roadways. However, there is greater than one mile of residential and commercial development separating the project site from the vacant lots, preventing dispersal into the project site.

7.4 Applicable Regulations, Plans, and Standards

7.4.1 Federal

Federal Endangered Species Act

The Federal Endangered Species Act (ESA) provisions protect federally listed threatened and endangered species and their habitats from unlawful take and ensure that federal actions do not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. Under the ESA, "take" is defined as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any of the specifically enumerated conduct." USFWS regulations define harm to mean "an act which actually kills or injures wildlife." Such an act "may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering" (50 CFR § 17.3).

Critical habitat is defined in Section 3(5)(A) of the ESA as "(i) the specific areas within the geographical area occupied by the species on which are found those physical or biological features (I) essential to the conservation of the species, and (II) which may require special management considerations or protection; and (ii) specific areas outside the geographical area occupied by the species upon a determination by the Secretary of Commerce or the Secretary of the Interior (Secretary) that such areas are essential for the conservation of the species." The effects analyses for designated critical habitat must consider the role of the critical habitat in both the continued survival and the eventual recovery (i.e., the conservation) of the species in question, consistent with the recent Ninth Circuit judicial opinion, Gifford Pinchot Task Force v. United States Fish and Wildlife Service. Activities that may result in "take" of individuals are regulated by the USFWS. The USFWS produced an updated list of candidate species December

2, 2016 (72 FR 69034). Candidate species are not afforded any legal protection under ESA; however, candidate species typically receive special attention from federal and State agencies during the environmental review process.

Waters of the United States

Areas meeting the regulatory definition of "Waters of the U.S." (Jurisdictional Waters) are subject to the jurisdiction of the U.S. Army Corps of Engineers (USACE) under provisions of Section 404 of the Clean Water Act (1972) and Section 10 of the Rivers and Harbors Act (1899). These waters may include all waters used, or potentially used, for interstate commerce, including all waters subject to the ebb and flow of the tide, all interstate waters, all other waters (intrastate lakes, rivers, streams, mudflats, sandflats, playa lakes, natural ponds, etc.), all impoundments of waters otherwise defined as "Waters of the U.S.," tributaries of waters otherwise defined as "Waters of the U.S.," the territorial seas, and wetlands (termed Special Aquatic Sites) adjacent to "Waters of the U.S." (33 CFR, Part 328, Section 328.3).

Construction activities within jurisdictional waters are regulated by USACE. The placement of fill into such waters must comply with permit requirements of USACE. No USACE permit would be effective in the absence of State water quality certification pursuant to Section 401 of the Clean Water Act. As a part of the permit process USACE works directly with USFWS to assess project impacts on biological resources.

Migratory Bird Treaty Act

Raptors (e.g. eagles, hawks, and owls) and their nests are protected under both Federal and State regulations. The federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the Secretary. This act encompasses whole birds, parts of birds, and bird nests and eggs.

7.4.2 State

California Endangered Species Act

Provisions of California Endangered Species Act (CESA) protect State-listed Threatened and Endangered species. CDFW regulates activities that may result in "take" of individuals ("take" means "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill"). Habitat degradation or modification is not expressly included in the definition of "take" under the California Department of Fish & Wildlife (CDFW) Code. Additionally, the CDFW Code contains lists of vertebrate species designated as "fully protected" (§§ 3511 [birds], 4700 [mammals], 5050 [reptiles and amphibians], 5515 [fish]). Such species may not be taken or possessed.

In addition to federal and State-listed species, CDFW also has produced a list of Species of Special Concern to serve as a "watch list." Species on this list are of limited distribution or the extent of their habitats has been reduced substantially, such that the threat to their populations may be imminent. Species of Special Concern may receive special attention during environmental review, but they do not have statutory protection.

Birds of prey are protected under the CDFG Code. Section 3503.5 states it is "unlawful to take, possess, or destroy any birds of prey (in the order Falconiformes or Strigiformes) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this Code or any regulation adopted pursuant thereto." Construction-related disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFW. Under Sections 3503 and 3503.5 of the State Fish and Wildlife Code, activities that would result in the taking, possessing, or destroying of any birds-of-prey, taking or possessing of any migratory nongame bird as designated in the MBTA, or the taking, possessing, or needlessly destroying of the nest or eggs of any raptors or non-game birds protected by the MBTA, or the taking of any non-game bird pursuant to CDFG Code Section 3800 are prohibited.

Waters of the State

The State Water Resources Control Board (SWRCB) is the State agency (together with the Regional Water Quality Control Boards [RWQCB]) charged with implementing water quality certification in California. The project falls under the jurisdiction of the San Francisco Bay RWQCB.

The term "Waters of the State" is defined by the Porter-Cologne Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The SWRCB and nine RWQCB protect waters within this broad regulatory scope through many different regulatory programs. Waters of the State in the context of a CEQA Biological Resources evaluation include wetlands and other surface waters protected by the *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*.

The SWRCB and RWQCB issue permits for the discharge of fill material into surface waters through the State Water Quality Certification Program, which fulfills requirements of Section 401 of the CWA and the Porter-Cologne Water Quality Control Act. Projects that require a Clean Water Act permit are also required to obtain a Water Quality Certification. If a project does not require a federal permit but does involve discharge of dredge or fill material into surface waters of the State, the SWRCB and RWQCB may issue a permit in the form of Waste Discharge Requirements.

Fish and Game Code (Sections 2050 through 2098)

Sections 2050 through 2098 of the California Fish and Game Code (CFGC) outline the protection provided to California's rare, endangered, and threatened species. Section 2080 of the CFGC prohibits the taking of plants and animals listed under the CESA. Section 2081 established an incidental take permit program for state-listed species. Also, the Native Plant Protection Act of 1977 (FGC Section 1900, et seq.) gives the CDFW authority to designate state endangered, threatened, and rare plants and provides specific protection measures for designated populations.

The CDFW has also identified many "Species of Special Concern". Species with this status have habitats that have been reduced substantially, such that their populations may be threatened. These populations are monitored and may receive special attention during environmental review. While they do not have statutory protection, they may be considered rare under CEQA and thereby warrant specific protection measures.

Sensitive species, which would qualify for listing, but are not currently listed, are also given protection under CEQA. The CEQA Guidelines Section 15065 ("Mandatory Findings of Significance") identifies a substantial reduction in numbers of a rare or endangered species as a significant effect. CEQA Guidelines Section 15380 ("Rare or Endangered Species") provides for assessment of unlisted species as rare or endangered under CEQA if the species can be shown to meet the criteria for listing. Unlisted plant species on the California Rare Plant Ranking (CRPR) system lists 1A, 1B, and 2 would typically be considered under CEQA.

7.4.3 Local

City of Dublin General Plan

The City of Dublin's General Plan contains the following policies associated with biological resources that are relevant to the project:

Guiding Policy 7.2.1.A.1: Protect riparian vegetation as a protective buffer for stream quality and for its value as a habitat and aesthetic resource.

Guiding Policy 7.2.1.A.2: Promote access to stream corridors for passive recreational use and to allow stream maintenance and improvements as necessary, while respecting the privacy of owners of property abutting stream corridors.

Guiding Policy 7.3.1.A.1: Maintain natural hydrologic systems.

Guiding Policy 7.4.1.A.1: Protect oak woodlands.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan contains the following policies and programs associated with biological resources that are relevant to the project:

Policy 6-15: Avoid development and potentially destructive activities in areas with high-value habitat including:

- northern riparian forest
- arroyo willow riparian woodland
- freshwater marsh

Exceptions may only be granted where an owner's reasonable beneficial use of the land cannot be otherwise provided.

Policy 6-16: To ensure long-term protection, high- value habitat areas either should be dedicated as public open space or restricted from potentially harmful development and activities with deed restrictions and design standards.

Policy 6-17: Impacts to sensitive wildlife species that occur in the planning area will be avoided wherever possible. Mitigation programs will be required as necessary to reduce or eliminate impacts on special status species.

Policy 6-21: Direct disturbance or removal of trees or native vegetation cover should be minimized and should be restricted to those areas actually designated for the construction of improvements.

Policy 6-22: All areas of disturbance should be revegetated as quickly as possible to prevent erosion. Native trees (preferably those species already on site), shrubs, herbs, and grasses should be used for revegetation of areas to remain as natural open space. The introduction of non-native plant species should be avoided.

Program 6K: The City of Dublin shall establish and maintain a liaison with resource management agencies (i.e., California Department of Fish and Game, U.S. Fish and Wildlife Service, U.S. Army Corps of Engineers) for the purpose of monitoring compliance with specific plan policies. These agencies should be consulted and involved throughout the planning and development process of individual properties in order to avoid violations of state and federal regulations and ensure that specific issues and concerns are recognized and addressed.

Program 6L: The City shall require development applicants to conduct a pre-construction survey within 60 days prior to habitat modification (clearing construction and road site, etc.) to verify the presence or absence of sensitive species, especially the San Joaquin kit fox, nesting raptors, the red-legged frog, western pond turtles, the California tiger salamander, and other species of special concern.

Program 6N: The use of rodenticides and herbicides within the project area should be restricted to avoid impacts on wildlife. The City shall require any poisoning programs to be done in cooperation with and under supervision of the Alameda County Department of Agriculture. Herbicides should be used only selectively within the project area, should be carefully applied in accordance with the manufacturer's instructions, and used only for control of non-native pest plant species.

City of Dublin Heritage Tree Ordinance

The City of Dublin Municipal Code Chapter 5.60 regulates the preservation of heritage trees through its development review and permit approval process. Sections 5.60.080 to 5.60.100 includes tree protection regulations. Heritage trees are defined as:

Any oak, bay, cypress, maple, redwood, buckeye and sycamore tree having a trunk or main stem of twenty-four (24) inches or more in diameter at four (4) feet six (6) inches above natural grade; a tree required to be preserved as part of an approved development plan, zoning permit,

use permit, site development review of subdivision map; or a tree required to be planted as a replacement for an unlawfully removed tree.

A tree permit is required for the removal of any heritage tree as defined above on public or private property. Furthermore, the City may require additional conditions barring the issuance of a tree removal permit including that one (1) or more replacement trees be planted of a designated species, size, and location.

East Alameda County Conservation Strategy

The project site is in Conservation Zone 3 (CZ-3) of the East Alameda County Conservation Strategy (EACCS). The EACCS is intended to provide effective framework to protect, enhance, and restore natural resources. Conservation priorities are described as guidelines to protect the resources known to occur in the conservation zones. Relevant policies for CZ-3 are:

- Protection of known occurrences of San Joaquin spearscale (*Extriplex joaquinana*) and surveys of other potential habitat
- Protection of known occurrences of Congdon's tarplant (*Centromadia parryi ssp. congdonii*) and surveys of other potential habitat
- Protection of known California tiger salamander (CTS; *Ambystoma californiense*) and California red-legged frog (CRLF; *Rana draytonii*) breeding habitat, sufficient upland habitat surrounding those sites, and connections between breeding and upland habitat
- Protection of CTS and CRLF critical habitat

7.4.4 Other Applicable Regulations, Plans, and Standards

California Native Plant Society

The mission of the California Native Plant Society (CNPS) Rare Plant Program is to develop current, accurate information on the distribution, ecology, and conservation status of California's rare and endangered plants, and to use this information to promote science-based plant conservation in California. Once a species has been identified as being of potential conservation concern, it is put through an extensive review process. Once a species has gone through the review process, information on all aspects of the species (listing status, habitat, distribution, threats, etc.) are recorded on the online CNPS Inventory. The program currently recognizes more than 2,300 plant taxa (species, subspecies and varieties) as rare or endangered in California (CNPS, 2022).

Vascular plants listed as rare or endangered by the CNPS, but which might not have designated status under State endangered species legislation, are defined as follows:

List 1A – Plants considered by the CNPS to be extinct in California

List 1B – Plants rare, threatened, or endangered in California and elsewhere

List 2 – Plants rare, threatened, or endangered in California, but more numerous elsewhere

List 3 – Plants about which we need more information – a review list

List 4 – Plants of limited distribution – a watch list

In addition to the list designations above, the CNPS adds a Threat Rank as an extension added onto the CNPS List and designates the level of endangerment by a 1 to 3 ranking, with 1 being the most endangered and 3 being the least endangered and are described as follows:

0.1 – Seriously threatened in California (high degree/immediacy of threat)

0.2 – Fairly threatened in California (moderate degree/immediacy of threat)

0.3 – Not very threatened in California (low degree/immediacy of threats or no current threats known

The combined definition and Threat Rank (such as 1B.1) provides an overall classification of the species.

7.5 Environmental Impacts and Mitigation Measures

7.5.1 Significance Criteria

The following significance criteria for aesthetics were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Have a substantial adverse effect, either directly or through habitat modifications on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS.
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by CDFW or USFWS.
- Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to marshes, vernal pools, etc.) through direct removal, filling, hydrological interruption, or other means.
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances.
- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Communities Conservation Plan (NCCP), or other approved local, regional, or state HCP.

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

7.5.2 Summary of No and/or Beneficial Impacts

Habitat Conservation Plan, Natural Communities Conservation Plan, or Other Approved Local, Regional, or State Plan

There are no adopted Habitat Conservation or Natural Community Conservation Plans applicable to the project site and therefore there would be no impacts.

Tree Preservation Policy

No protected trees are present on the project site, therefore, there would be no impacts.

7.5.3 Impacts of the Proposed Project

Impact BIO-1: Have a substantial adverse effect on special-status plant and wildlife species (Class II).

Three special-status plant species and three special-status wildlife species have a moderate or high potential to occur within the project site.

Special-Status Plant Species

Of the 59 statewide special-status plant species known to occur in the project area, Congdon's tarplant, San Joaquin spearscale, and the locally rare species needle microseris, smooth boisduvalia, and wooly marbles were observed within the project area. In addition saline clover has moderate potential to occur in the project area, but site visits completed to date were not timed to coincide with the blooming period for this species. Most of the species found in the review of background literature occur in high-quality vernal pool habitat, in different plant communities than those present in the project area, often at higher elevations, or in high-quality grassland habitat. Because of the history of disturbance and change in hydrologic

regime, the grassland and potential seasonal wetlands in the project site are likely too low in quality to support other special-status plant species.

The proposed project would have a significant impact on Congdon's tarplant, San Joaquin spearscale, and needle microseris. Impacts could occur through direct removal of populations through grading and fill placement, changed land management practices in occupied areas following construction, changes in hydrology, and reduction of populations below viable sizes to sustain on-site occurrences. These are potentially significant impacts. Smooth boisduvalia and wooly marbles were observed as isolated individuals (two and one individual observed, respectively) within the project area. Given the small number of individuals observed, these occurrences do not represent viable long-term populations, and impacts resulting from the project are less than significant.

Special-status plant surveys will be required prior to the start of construction to confirm the presence or absence of any special plant species (MM BIO-1.1: Special-Status Plant Surveys). For special status plant species occurring within the project area, MM BIO-1.2: Special-Status Plants Avoidance and Minimization would avoid or minimize impacts to these special status plant species to a less-than-significant level (Class II)

Special-Status Wildlife Species

Of the 38 special-status wildlife species known to occur in the project area, three were determined to have a high to moderate potential to occur on the project site, namely western burrowing owl, loggerhead shrike, and white-tailed kite. Loggerhead shrike and white-tailed kite are also described below as nesting birds.

Habitat suitability for other grassland-associated species in the project site has been reduced by repeated discing, surrounding development, and major roads acting as dispersal barriers. These factors have also dramatically reduced or eliminated the potential for riparian and aquatic species to occur on the project site. Similarly, all seasonal wetland habitat suitable for vernal pool crustaceans have been eliminated through repeated discing. Bats are also unlikely to roost within the project site, due to the lack of suitable thermal conditions and roost structures.

Potential impacts to the three special-status wildlife species with a high to moderate potential to occur on the project site are discussed below.

Western Burrowing Owl

Burrowing owl has been documented within the project site and there is a high potential for this species to inhabit ground squirrel burrows present on-site. As determined during the site survey, the project site is not currently inhabited by this species, however, there still is the continued potential to support this species.

Project activities, including vegetation removal and ground disturbance, may affect this species by causing auditory, vibratory, and/or visual disturbance of a sufficient level to cause

abandonment of the site or active nests, or by removing foraging habitat or access to burrows, which are required to support nesting. This would result in a potentially significant impact under CEQA. Implementation of MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures would reduce this potential impact to a less-than-significant level (Class II).

Nesting Birds

The project has the potential to impact special-status and non-special-status native nesting birds (i.e., loggerhead shrike and white-tailed kites) protected by the Migratory Bird Treaty Act (MBTA) and/or California Fish and Game Code (CFGC). Baseline protections for most native birds under federal law and state codes include active nests (those with eggs or young).

Recently, the U.S. Department of the Interior issued guidance clarifying that the MBTA only applies to intentional/deliberate killing, harm, or collection of covered species (including active nests). According to the guidance, unintentional impacts to birds/nests that occur within the context of otherwise lawful activities are not violations of the MBTA. However, ambiguity remains regarding application of the CFGC, as well as the extent to which minimization and avoidance measures are still required under the MBTA. Therefore, avoidance of nesting birds is considered a "best practice" in the San Francisco Bay region and avoids potential enforcement action by the CDFW. Nesting bird pre-construction survey obligations are a common component of various permits and authorizations, including CEQA documents and even local grading permits, and as such may be deemed applicable to project activities within the project area.

Project activities, such as vegetation removal and ground disturbance associated with development, would have the potential to affect these species by causing direct mortality of eggs or young, or by causing auditory, vibratory, and/ or visual disturbance of a sufficient level to cause abandonment of an active nest. If project activities occur during the nesting season, which extends from February 1 through August 31, nests of both special-status and non-special-status native birds could be impacted by construction and other ground disturbing activities. Implementation of MM BIO-1.4: Nesting Bird Avoidance Measures would reduce this potential impact to a less-than-significant level (Class II).

Mitigation for Impact BIO-1

MM BIO-1.1: Special Status Plant Surveys

Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of any special-status plant species with potential to occur within the project area. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. These guidelines require special-status plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no

special-status plant species are found, then the project will not have any impacts to the species and no additional mitigation measures are necessary. If any of the species are found on-site and cannot be avoided, implementation of MM BIO-1.2: Special-Status Plants Avoidance and Mitigation shall be required.

MM BIO-1.2: Special-Status Plants Avoidance and Mitigation

Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

1. If the survey determines that Congdon's tarplant, San Joaquin spearscale, or other special-status species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction-related disturbances would occur within 250 feet of the areas supporting rare plan species populations.

2. If exclusion zones and avoidance of impacts on Congdon's tarplant or other special-status species within the project area are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Before the implementation of compensation measures, the project's applicant shall provide detailed information to the CDFW and Lead Agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates that the compensation. population will be property preserved and managed. A mitigation plan identifying appropriate mitigation ratios at a minimum ratio of 1:1 [one preserved acre for each impacted acre] to ensure no net loss of acreage shall be developed in consultation with CDFW and approved by the City prior to the commencement of any activities that would impact Congdon's tarplant or other species with potential to occur within the project area. A mitigation plan may include but is not limited to the following: the acquisition of off-site mitigation areas presently supporting the Congdon's tarplant or other special-status species, purchase of credits in a mitigation bank that is approved to sell credits for special-status plants, or payment of in-lieu fees to a public agency or conservation organization (e.g., a local land trust) for the preservation and management of existing populations of special-status plants.

MM BIO-1.3: Burrowing Owl Avoidance, Exclusion and Required Measures

Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

Mitigate for Loss of Burrowing Owl Habitat

The majority of project site, with the exception of delineated wetlands, developed areas, and areas with tree cover, has been determined to potentially provide habitat or foraging areas for burrowing owl. Therefore, the project applicant shall implement compensatory mitigation for loss of owl habitat in accordance with the standards set forth in the Required Mitigation Plan section below.

Additional measures below will avoid direct impacts to individuals that may occupy the site during construction and implementation of the project.

Conduct a Burrowing Owl Survey

Prior to the first ground-disturbing activities, the project applicant shall retain a qualified biologist to conduct two pre-construction surveys for the Western burrowing owl on the project site.

The first survey shall be conducted no more than 14 days prior to ground-disturbing activities and the second survey within 48 hours of initial ground disturbance. The surveys shall be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation. If the surveys determine owls are present, then the measures set forth below shall be followed.

Implement Avoidance Measures

If direct impacts to owls can be avoided, prior to the first ground-disturbing activities, the project applicant shall implement the following avoidance measures during all phases of construction to reduce or eliminate potential impacts to California burrowing owls.

- A pre-construction survey shall be performed prior to start of ground disturbance activities. This survey will occur regardless of the time of year, as burrowing owls may use the project site during the non-nesting season. The survey shall be performed according to the standards set forth by the Staff Report for Burrowing Owl Mitigation.
- The project site should be managed to prevent burrowing owl from occupying the site prior to any project activities
- All suitable burrows should be closed by hand once it has been determined that the burrow is unoccupied.
- Maintenance of the property to ensure burrows are not rebuilt will be necessary throughout the year to preclude the presence of burrowing owl and suitable burrowing owl habitat. Maintenance should occur approximately every 8 weeks, and burrows

should be inspected prior to closure to ensure no burrowing owl are present. The frequency of burrow closure may be adjusted based upon ground squirrel and burrow reestablishment progress.

- The debris within the project site should be removed.
- If discing is chosen as a preferred method for burrow maintenance, it is recommended that any sensitive biological resources (populations of rare plants, wetland boundaries and any active bird nests, etc.) be flagged by a qualified biologist and avoided.

Conduct Burrow Exclusion

If avoidance of burrowing owl or their burrows is not possible, prior to the first ground-disturbing activities, the project applicant, in consultation with the CDFW, shall prepare a Burrowing Owl Relocation Plan as indicated and following the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Monitoring of the excluded owls shall be carried out as per the California Department of Fish and Wildlife 2012 Staff Report.

Required Mitigation Plan

The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW and in compliance with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Mitigation shall at minimum preserve similar quality habitat at a 1:1 ratio [one preserved acre for each impacted acre] within the boundaries of the East Alameda County Conservation Strategy. Mitigation areas shall be permanently preserved by a conservation easement held by a third party organization dedicated to ecological stewardship. The plan shall be reviewed and approved by CDFW and the City, and the conservation easement executed prior to the first ground-disturbing activities.

The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW to ensure no net loss of species. The mitigation plan shall comply with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation and the plan shall be reviewed and approved by CDFW and the City prior to the first ground-disturbing activities.

MM BIO-1.4: Nesting Bird Avoidance Measures

Prior to grading or development activities from February 1 to August 31, the applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

Pre-construction Breeding Bird Surveys

No more than 14 days prior to initial ground disturbance and vegetation removal during the nesting season (February 1 to August 31), the project applicant shall retain a qualified biologist

to perform pre-construction breeding bird surveys. If any nests are found, they shall be flagged and protected with a suitable buffer, depending on the species. Buffer distance may vary based on species and conditions, but is typically at least 50 feet, and up to 250 feet for raptors. No construction shall occur within this buffer until the qualified biologist has confirmed that the young have fledged the nest.

As used in this measure, "suitable" means the distance a qualified biologist determines in necessary to ensure no disturbance to nesting. The buffer distance is measured as the straight-line distance between an active nest and the activity, taking both horizontal and vertical distance into account. This mitigation measure does not apply to ground disturbance and vegetation removal activities that occur outside of the nesting season (September 1 to January 31).

Impact BIO-2: Have a substantial adverse effect on sensitive natural communities or riparian habitat (Class III).

As shown in Table 7-1: Summary of Biological Communities in Project Area, the project site contains 76.24 acres of non-sensitive ruderal habitat comprised primarily of disced and mowed areas of disturbed vegetation. These biological communities are not considered sensitive natural communities or riparian habitat, and therefore impacts would be less than significant (Class III).

Impact BIO-3: Have a substantial adverse effect on wetlands or jurisdictional features (Class II).

Development of the project site as proposed would result in direct and permanent impacts to 0.66 acre of seasonal wetlands. The direct loss of these wetland features is considered a potentially significant impact under CEQA. These wetlands are likely within the jurisdiction of the Corps under Section 404 of the CWA and the RWQCB under Section 401 of the CWA and the Porter-Cologne Act. Implementation of MM BIO-3.1: Wetland Mitigation Plan would reduce this potentially significant impact to wetlands to a less-than-significant level (Class II).

Mitigation for Impact BIO-3

MM BIO-3.1 Wetland Mitigation Plan

Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

The project applicant shall acquire the appropriate applicable permit(s) (e.g. Section 404, Section 401, Porter-Cologne) from the respective regulating agency(s) (i.e. USACE and/or RWQCB). A wetland mitigation plan shall be prepared that will establish suitable compensatory mitigation based on the concept of no net loss of wetland habitat values or acreages, to the satisfaction of the regulatory agencies.

The wetland mitigation plan shall include measures for avoidance, minimization and compensation for wetland impacts. Avoidance and minimization measures may include the designation of buffers around wetland features to be avoided or project design measures. Compensation measures shall include the preservation and/or creation of wetlands or other waters. The final mitigation ratio (the amount of wetlands and other water created or preserved compared to the amount impacted) shall be determined by the applicable resource agency(s) and result in no net loss of wetland habitat value or acreages. The wetland mitigation plan shall include the following:

1. Description of wetland types and their expected functions and values;
2. Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of time to be determined by the resource agencies;
3. Engineering plans showing the location, size and configuration of wetlands to be created or preserved;
4. An implementation schedule showing the construction or preservation of mitigation areas shall commence prior to or concurrently with the initiation of construction; and
5. A description of legal protection of the preserved wetlands (such as dedication of fee title, conservation easement and/or an endowment held by an approved conservation organization, government agency or mitigation bank).

Impact BIO-4: Have a substantial adverse effect on wildlife movement. (Class III).

The project site is surrounded on four sides by roadways which create an anthropogenic barrier to dispersal around the project site and precludes the primary function of a habitat corridor, to link two separated but occupied habitats. Therefore, given that the project site is bounded by urban development, the project site does not function as a wildlife corridor connecting two or more areas of occupied habitat, and impacts would be less than significant.

Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances (Class III).

Heritage Tree Ordinance

The project site does not contain any oak, bay, cypress, maple, redwood, buckeye or sycamore trees that are 24 inches in diameter as measured 4.5 feet above natural grade. Therefore, the project would not be subject to the City's Heritage Tree Ordinance and no significant impacts would occur.

East Alameda County Conservation Strategy

The project site is in Conservation Zone 3 (CZ-3) of the EACCS. The EACCS is a guidance

document that is used by the City for public projects, but compliance is not mandated for private development as it is not an adopted or approved plan that requires a consistency determination under CEQA. Therefore, no conflicts would occur and impacts would be less than significant.

7.5.4 Cumulative Impact Analysis

The geographic extent for the analysis of cumulative impacts related to biological resources includes the City of Dublin, which contains suitable and occupied habitat of Congdon's tarplant, San Joaquin spearscale, Saline clover, locally rare plant species, Western Burrowing Owl, Loggerhead shrike, and White-tailed kite. However, based on professional judgement and field surveys, the project site does not support core, critical, or unique populations essential to recovery and long-term survival of these species.

Impact BIO-6: Contribute to cumulatively considerable impacts on biological resources (Class II).

As stated above, the project would not result in a net loss of riparian habitat and would not result in a loss of any heritage trees.

The project would affect 0.66 acres of seasonal wetlands, which would considerably contribute to the significant cumulative biological impacts associated with past, present, and reasonably future projects. Implementation of MM BIO-3.1 would reduce the project's contribution to less-than-cumulatively considerable.

The proposed project would have potentially significant impacts related the loss of potential habitat for special-status species, including Congdon's tarplant, San Joaquin spearscale, Saline clover, locally rare plant species, Western Burrowing Owl, Loggerhead shrike, and White-tailed kite. Implementation of MM BIO-1.1, MM BIO-1.2, and MM BIO-1.3 would reduce these impacts to less-than-significant levels.

Project-related biological impacts are considered and mitigated consistent with local, state and federal regulations, which includes compliance with mitigation for loss of burrowing owl habitat and wetlands. Although past, present, and reasonably foreseeable future projects may result in impacts to special-status plants and special-status wildlife, such impacts would be site-specific and could be mitigated through adherence to similar standard mitigation. The required mitigation would reduce the project's contribution to any significant cumulative impact on wetlands these species and western burrowing owl habitat to less than cumulatively considerable. As such, cumulative impacts to special-species plants and wildlife species would be less than significant.

7.5.5 Level of Significance after Mitigation

Table 7-1: Summary of Impacts and Mitigation Measures – Biological Resources summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to biological resources.

Table 7-1: Summary of Impacts and Mitigation Measures – Biological Resources

Impact	Impact Significance	Mitigation
Impact BIO-1: Have a substantial adverse effect on special-status plant and wildlife species (Class II).	Less than Significant with Mitigation	MM BIO-1.1: Special Status Plant Surveys MM BIO-1.2: Special-Status Plants Avoidance and Mitigation MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures MM BIO-1.4: Nesting Bird Avoidance Measures
Impact BIO-2: Have a substantial adverse effect on sensitive natural communities or riparian habitat (Class III).	Less than Significant	None required
Impact BIO-3: Have a substantial adverse effect on wetlands or jurisdictional features (Class II).	Less than Significant with Mitigation	MM BIO-3.1: Wetland Mitigation Plan
Impact BIO-4: Have a substantial adverse effect on wildlife movement. (Class III).	Less than Significant	None required
Impact BIO-5: Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinances (Class III).	Less than Significant	None required
Impact BIO-6: Contribute to cumulatively considerable impacts on biological resources (Class II).	Less than Significant with Mitigation	MM BIO-1.1: Special Status Plant Surveys MM BIO-1.2: Special-Status Plants Avoidance and Mitigation MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures MM BIO-1.4: Nesting Bird Avoidance Measures MM BIO-3.1: Wetland Mitigation Plan

7.6 References

USFWS (United States Fish and Wildlife Service). 2022. Candidate Conservation | Candidate Notice of Review. Available at https://ecos.fws.gov/ecp/report/table/candidate-species.html. Accessed March 31, 2022.

CNPS (California Native Plant Society). 2022. A Manual of California Vegetation, Online Edition. California Native Plant Society, Sacramento, CA. Available at: http://vegetation.cnps.org. Accessed March 31, 2022.

CNPS (California Native Plant Society). 2022. Rare Plant Inventory. Available at https://rareplants.cnps.org/. Accessed on March 31, 2022.

CDFW (California Department of Fish and Wildlife). 2022. California Natural Diversity Database. Biogeographic Data Branch, Vegetation Classification and Mapping Program, Sacramento, California. Available at https://www.wildlife.ca.gov/Data/CNDDB/Maps-and-Data. Accessed on March 31, 2022.

WRA, Inc. Biological Resources Assessment for the SCS Dublin Project, 2022.

WRA, Inc. Wetland Delineation Report for At Dublin Development Project, 2018.

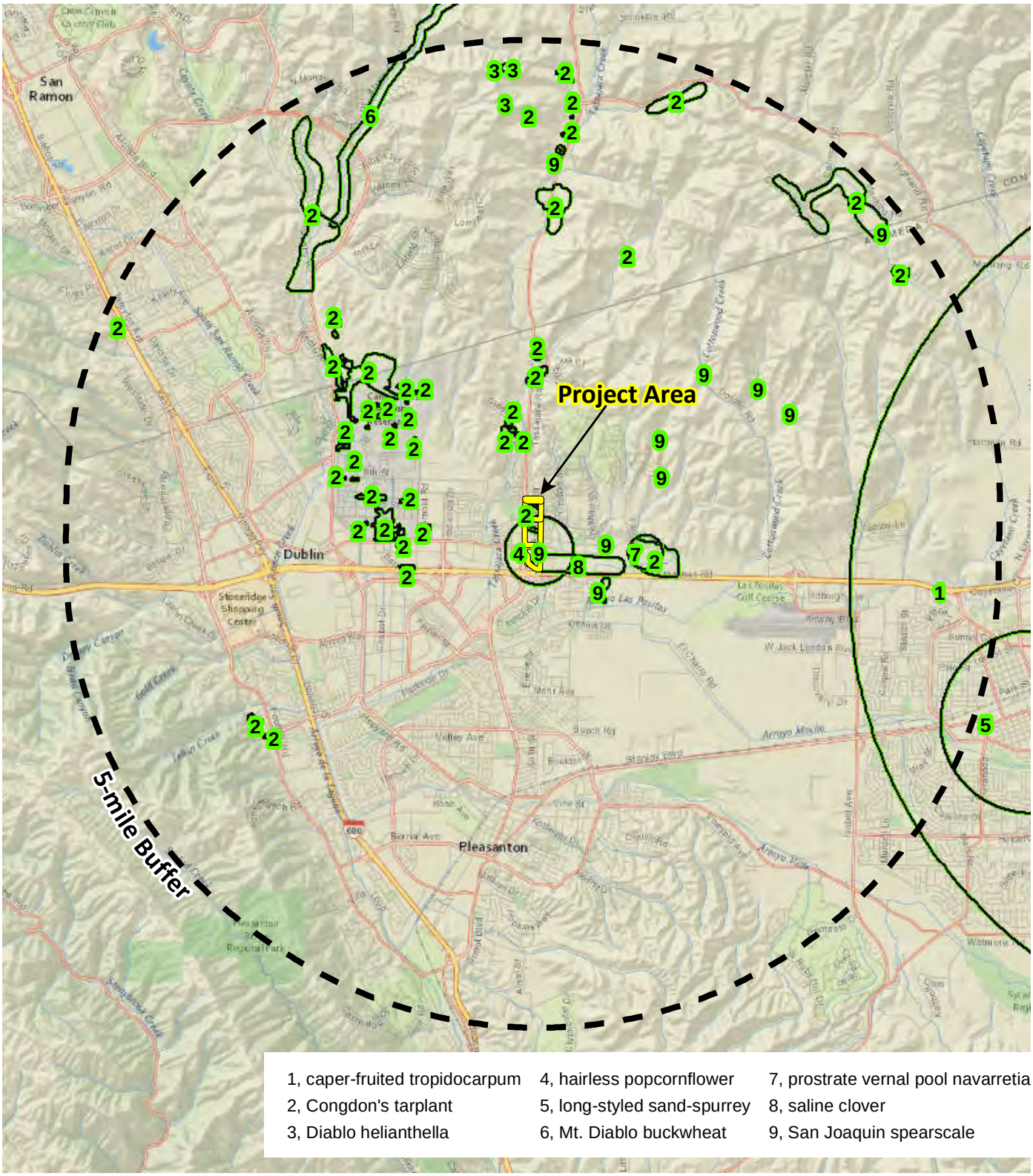
WRA, Inc. Rare Plant Survey Report for At Dublin Development Project, 2018.



Source: WRA, 2022

Figure 7-1: Biological Communities on the Project Site
SCS Dublin Project
Environmental Impact Report

Not to scale



Source: WRA, 2022

Figure 7-2: Special-Status Plant Species with Five Miles of the Project Site
SCS Dublin Project
Environmental Impact Report

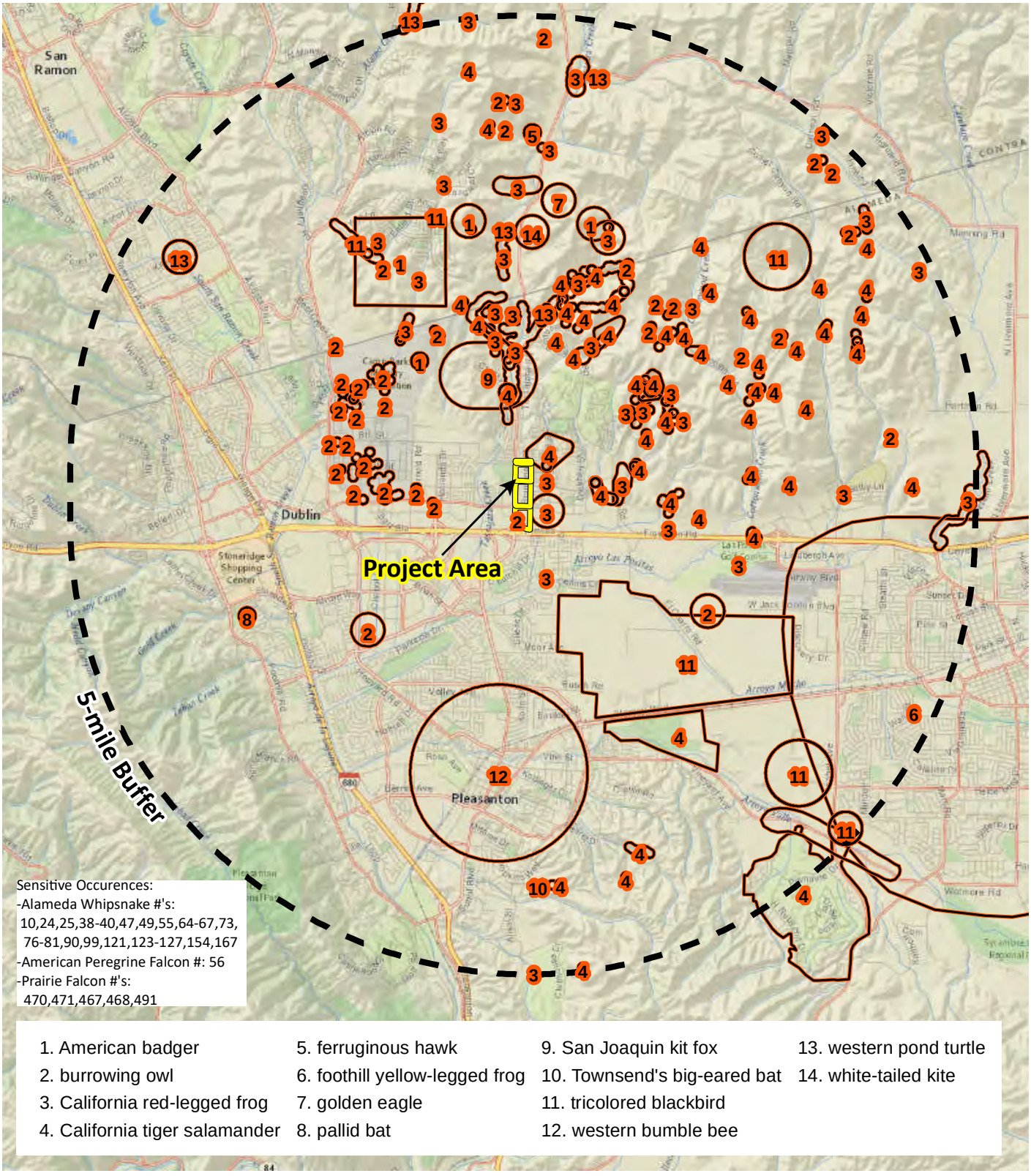
Not to scale



Source: WRA, 2022

Figure 7-3: Special Status Plant Species on the Project Site
SCS Dublin Project
Environmental Impact Report

Not to scale



Source: WRA, 2022

Figure 7-4: Special-Status Wildlife Species within Five Miles of the Project Site

SCS Dublin Project

Environmental Impact Report

Not to scale

8 Cultural & Tribal Cultural Resources

8.1 Introduction

This chapter describes effects on cultural and tribal cultural resources that could be caused by implementation of the project. The following discussion addresses existing environmental conditions in the affected area, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project construction and operation. In addition, existing laws and regulations relevant to cultural and paleontological resources are described. In some cases, compliance with these existing laws and regulations would serve to reduce or avoid certain impacts that might otherwise occur with implementation of the project.

The term "cultural resources" encompasses historic, archaeological, and paleontological resources, and burial sites. It includes:

Historic Resources: Historic resources are associated with the recent past. In California, historic resources are typically associated with the Spanish, Mexican, and American periods in the State's history.

Archaeological Resources: Archaeology is the study of prehistoric human activities and cultures. Archaeological resources are generally associated with indigenous cultures.

Paleontological Resources: Paleontology is the study of plant and animal fossils.

Burial Sites: Burial sites are formal or informal locations where human remains, usually associated with indigenous cultures, are interred.

The term "tribal cultural resources" are either of the following:

1. Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:
   (A) Included or determined to be eligible for inclusion in the California Register of Historical Resources.
   (B) Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1 of the Public Resources Code.
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1.

Information used to prepare this chapter came from the following resources:

- City of Dublin, *General Plan 1985*, as amended 2022
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022

- California Historic Resources Information System (CHRIS)

8.2 Scoping Issues Addressed

During the public comment scoping period for the project, the National American Heritage Commission provided general guidance on consultation with California Native American tribes and CEQA requirements.

8.3 Environmental Setting

This section presents information on cultural resources conditions in the greater project area, which includes the greater Tri-Valley area. The current condition and quality of cultural resources was used as the baseline against which to compare potential impacts of the project.

8.3.1 Prehistory

The Tri-Valley sub-region compromises of the cities of Dublin, San Ramon, Pleasanton, and Livermore, and portions of both Alameda County and Contra Costa County. Existing archaeological records are derived from excavations related to construction in areas south of I-580. These archaeological surveys make up the primary source of information on prehistoric life in the greater Livermore-Amador Valley area.

The first discoveries of buried archaeological sites were found in the Arroyo Mocho area south of I-580 on the banks of streams. Analysis of materials taken from these sites indicate that trading occurred with Native American peoples throughout central and northern California.

These prehistoric sites appear to have been abandoned during certain periods mainly due to regular flooding. To date, several village sites on the northern and southern borders of the arroyo's seasonal marsh, known in historic times as Willow Marsh, were found buried under varying amounts of silt material. The precise retreat of these inhabitants is unclear since similar sites on dry ground are rare for the Livermore and Amador valleys and have not been located in nearby foothills, nor on the project site.

As one possible explanation, there is evidence that the entire Livermore-Amador Valley area was abandoned for several hundred years and the inhabitants migrated south through Sunol and west to the San Francisco Bay. This group of people, presently named the "Meganos" people, have been traced from an early origin in the Sacramento Valley through the Concord drainage and to the San Francisco Bay margin.

By 500 or 600 A.D., the valley and the hills in the EDSP area were repopulated by the ancestors of the modern day Ohlones. Archaeological sites have been found in areas of higher ground near watercourses in Pleasanton and Livermore along the San Ramon drainage. However, none of these sites were located in the EDSP area.

Prehistoric Use of the Project Area

For the indigenous population, the EDSP area was likely used for seed gathering from grasses and acorn harvesting, as well as vegetation along the watercourses were denser flowing from the hills into Willow Marsh. Main habitation sites were situated along the marsh edges in the earliest period and then migrated to higher grounds south and west of the marsh approximately 1,500 years ago.

8.3.2 Historic Resources

Considerable alteration to the natural landscape occurred during the period of Anglo-American farming and ranching. All the drainages running through the EDSP area show signs of considerable siltation and erosion caused by cattle grazing and dry farming. Native grasses, mainly bunchgrass, have been replaced with European grasses. Large native trees have been removed or replaced with eucalyptus along drainages and at the locations of the ranches and homes found in the canyons. Oak, cottonwood, and willow trees can be found sporadically throughout the EDSP area.

8.3.3 Archaeological Resources

Six reports were found from previous archaeological surveys inside the EDSP area, concentrating on the Santa Rita Rehabilitation Center complex. The Santa Rita Rehabilitation Center is located approximately 0.56 mile west of the project.

8.3.4 Historic Sites

Although the California Archaeological Inventory located at Sonoma State University does not record any historic resources inside the EDSP area, numerous structures are listed in *The Thompson and West Historic Atlas of 1878.* The *1878 Historic Atlas* lists 16 structures within the EDSP area. Twelve of the historic sites identified to date in the EDSP are considered either in-use structures or farming complexes. Of these historic resources inventoried above, none are located within the project site.

8.4 Applicable Regulations, Plans, and Standards

8.4.1 Federal

National Register of Historic Places Eligibility

The National Historic Preservation Act of 1966 (as amended through 2000) authorizes the National Register of Historic Places (NRHP), a program for the preservation of historic properties (“cultural resources”) throughout the Nation. The eligibility of a resource for NRHP listing is determined by evaluating the resource using criteria defined in 36 CFR 60.4 as follows:

- The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects of state and local importance

that possess integrity of location, design, setting, materials, workmanship, feeling, association, and:

- That are associated with events that have made a significant contribution to the broad patterns of our history;
- That are associated with the lives of persons significant in our past;
- That embody the distinctive characteristics of a type, period, or method of construction;
- That represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or,
- That have yielded, or may be likely to yield, information important to prehistory or history.

Unless a site is of exceptional importance, it is not eligible for listing in the NRHP until 50 years after it was constructed.

All properties change over time. Therefore, it is not necessary for a property to retain all its historic physical features or characteristics to be eligible for listing on the NRHP. The property must, however, retain enough integrity to enable it to convey its historic identity; in other words, to be recognizable to a historical contemporary. The National Register recognizes seven aspects or qualities that, in various combinations, define integrity:

Location – the place where the historic property was constructed or the place where the historic event occurred.

Design – the combination of elements that create the form, plan, space, structure, and style of a property.

Setting – the physical environment of a historic property.

Materials – the physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property.

Workmanship – the physical evidence of the crafts of a particular culture or people during any given period in history or prehistory.

Feeling – a property's expression of the aesthetic or historic sense of a particular period of time.

Association – the direct link between an important historic event or person and a historic property (National Park Service, 1990).

To retain historic integrity a property will always possess several, and usually most, of these aspects. To properly assess integrity, however, significance (why, where, and when a property is important) must first be fully established. Therefore, the issues of significance and integrity must always be considered together when evaluating a historic property.

Executive Order 11593 (May 13, 1971), 36 Code of Federal Regulations, Section 8921 as incorporated into Title 7, United States Code

Executive Order 11593, Protection of the Cultural Environment, orders the protection and enhancement of the cultural environment through providing leadership, establishing State offices of historic preservation, and developing criteria for assessing resource values.

American Indian Religious Freedom Act, Title 42, United States Code, Section 1996

The American Indian Religious Freedom Act protects Native American religious practices, ethnic heritage sites, and land uses.

Native American Graves Protection and Repatriation Act (NAGPRA) (1990), Title 25, United States Code

Native American Graves Protection and Repatriation Act (NAGPRA) defines "cultural items," "sacred objects," and "objects of cultural patrimony;" establishes an ownership hierarchy; provides for review; allows excavation of remains under certain conditions, but stipulates return of the remains according to ownership; sets penalties for violations; calls for inventories; and provides for return of specified cultural items.

8.4.2 State

CEQA, Archaeological Resources

CEQA and the CEQA Guidelines contain specific standards for determining the significance of impacts to archaeological sites (PRC §21083.2; 14 CCR §15064.5(c)). If the lead agency determines that the project may have a significant effect on unique archaeological resources, the EIR must address those archaeological resources (PRC §21083.2(a)). A "unique archaeological resource" is defined as an "archaeological artifact, object, or site" that, without merely adding to the current body of knowledge:

- Contains information needed to answer important scientific research questions and in which there is a demonstrable public interest;
- Has a special or particular quality such as being the oldest of its type or the best available example of its type; or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC §21083.2(g)).

Under CEQA, significant impacts on non-unique archaeological resources need not be addressed in an EIR. (PRC §21083.2(a), (h)).

The limitations in PRC §21083.2 relating to unique archaeological resources do not apply to archaeological sites that qualify as "historical resources." (PRC §21083.2(l)). If a lead agency finds that an archaeological site is a historical resource, impact assessment is governed by PRC §21084.1, which provides standards for identification of historical resources (14 CCR §15064.5(c)(2). See §§13.58, 20.94-20.98). The CEQA Guidelines also provide that public agencies should seek to avoid effects that could damage a "historical resource of an archaeological nature" when it is feasible to do so (14 CCR §15126.4(b)(3)).

Native American Consultation

Assembly Bill (AB) 52 requires early notice of any project requiring an EIR, Mitigated Negative Declaration or Negative Declaration for any tribe that has submitted a written request. The City of Dublin received one formal request for trial consultation pursuant to Public Resources Code Section 21080.3.1(b)(d) and (e). The City sent a letter to the tribe and no response for consultation was received.

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (Pub. Res. Code § 5097-5097.994)

Public Resources Code Section 5097 specifies the procedures to be followed in the event of the unexpected discovery of Native American human remains on non-federal public lands. California Public Resources Code Section 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The Code further states that:

> "No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine…except on a clear and convincing showing that the public interest and necessity so require."

California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the find or any nearby area reasonably suspected to overlie adjacent remains until the coroner of the county in which the remains are discovered has determined whether or not the remains are subject to the coroner's authority. If the human remains are of Native American origin, the coroner must notify the Native American Heritage Commission within 24 hours of this identification. The Native American Heritage Commission will identify a Native American Most Likely Descendant (MLD) to inspect the site and provide recommendations for the proper treatment of the remains and associated grave goods.

Public Resources Code Section 5097.5

California Public Resources Code Section 5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

CEQA, Historic Resources

CEQA and the CEQA Guidelines contain specific standards for determining the significance of impacts on "historical resources" (PRC §21084.1, 14 CCR §15064.5). A resource listed in the California Register of Historical Resources, or determined by the State Historical Resources Commission to be eligible for listing in the Register, must be treated as an "historical resource" for purposes of CEQA. PRC §21084.1; 14 CCR §15064.5(a)(1). A resource designated as historically significant in a local register of historical resources, or identified as significant in an approved historical resources survey, is presumed to be significant. The presumption of significance may be overcome if the agency concludes, based on a preponderance of the evidence, that the site is not historically or culturally significant (PRC §21084.1; 14 CCR §15064.5(a)(2)).

A lead agency may also find that a site that does not meet any of these criteria should be treated as a historical resource under CEQA (PRC §21084.1; 14 CCR §15064.5(a)(4)). A lead agency may find that "any object, building, structure, site, area, place, record, or manuscript" is historically significant or significant in the "cultural annals of California" provided that its determination is "supported by substantial evidence in light of the whole record" (14 CCR §15064.5(a)(3)). The guidelines also note that a resource ordinarily should be considered historically significant if it meets the criteria for listing on the California Register of Historical Resources (14 CCR §15064.5(a)(3)).

California Register of Historical Resources

To be determined eligible for listing in the California Register of Historical Resources (CRHR), a property must be significant at the local, State, or national level under one or more of the following four criteria as defined in Public Resources Code 5024.1 and CEQA Guideline 15064.5(a).

- It is associated with events or patterns of events that have made a significant contribution to the broad patterns of the history and cultural heritage of California and the United States.
- It is associated with the lives of persons important to the nation or to California's past.

- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
- It has yielded, or may be likely to yield, information important to the prehistory or history of the state and the nation.

In addition to meeting one or more of the above criteria, a significant property must also retain integrity. Properties eligible for listing in the CRHR must retain enough of their historic character to convey the reason(s) for their significance. Integrity is judged in relation to location, design, setting, materials, workmanship, feeling, and association.

8.4.3 Local

City of Dublin General Plan

The City of Dublin's General Plan contains the following policy associated with cultural and tribal resources that are relevant to the project:

Guiding Policy 7.7.1.A.2: Follow State regulations as set forth in Public Resources Code Section 21083.2 regarding discovery of archaeological sites, and Historical Resources, as defined in Section 5020.1 of the Public Resources Code.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan contains the following policies and program associated with cultural and tribal resources that are relevant to the project:

Policy 6-24: The presence and significance of archaeological or historic resources will be determined, and necessary mitigation programs formulated, prior to development approvals for any of the sites identified in the cultural resource survey prepared for this plan.

Policy 6-25: The discovery of historic or prehistoric remains during grading and construction will result in the cessation of such activities until the significance and extent of those remains can be ascertained by a certified archaeologist.

Policy 6-26: All properties with historic resources which may be impacted by future development shall be subjected to in-depth archival research to determine the significance of the resource prior to any alteration.

Policy 6-27: Where the disruption of historic resources is unavoidable, encourage the adaptive re-use or restoration of historic structures (such as the old school house, several barns, and Victorian residences currently in the area) whenever feasible.

ACTION PROGRAM: Cultural Resources

Program 6P: The City of Dublin shall require the following actions as part of the application process for development within eastern Dublin:

- Site Sensitivity: Based on the first stage cultural resource survey of the area conducted as background for the Plan, the City will make a determination of whether the subject site has been identified as having prehistoric or historic resources potentially located on it.
- Research: For those sites with potential resources, a second level of detailed research and field reconnaissance will be required to determine the level of archaeological or historical significance. This research will be the responsibility of the development applicant, and be conducted by a qualified archaeologist. The research will be consistent with the guidelines for prehistoric and historic resources provided in the cultural resources survey prepared for eastern Dublin.
- Mitigation: For those sites that contain significant resources, a mitigation plan must be developed which is consistent with the policies in this Specific Plan and current CEQA guidelines concerning cultural resources.

City of Dublin Municipal Code

Section 8.48.020 Archaeology Regulations of the Dublin Municipal Code states that in the event that archaeological resources, prehistoric or historic artifacts are discovered during any construction or excavation, the following regulations shall apply:

A. Cessation of construction activities. Construction and/or excavation activities shall cease immediately and the Department of Community Development shall be notified.

B. Procedure. A qualified archaeologist shall be consulted to determine whether any such materials are significant prior to resuming ground breaking construction activities. Standardized procedures for evaluating accidental finds and discovery of human remains shall be followed as prescribed in Appendix K of the California Environmental Quality Act Guidelines.

8.5 Environmental Impacts and Mitigation Measures

8.5.1 Significance Criteria

The following significance criteria for cultural and tribal resources were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

Cultural Resources

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Cause a substantial adverse change in the significance of a historic resource (CEQA Guideline 15064.5).
- Cause a substantial adverse change in the significance of an archaeological resource (CEQA Guideline 15064.5).
- Directly or indirectly destroy a unique paleontological resource or site or unique geological feature.
- Disturb any human remains, including those interred outside of formal cemeteries.

Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

8.5.2 Impact Assessment Methodology

For cultural resources, this impact assessment is based on a comparison of known resource locations with the placement of ground disturbing project activities that have the potential to remove, relocate, damage, or destroy the physical evidence of past cultural activities. If such ground disturbance overlaps recorded site locations, then a direct impact may occur. Historical buildings and structures may be directly impacted if the nearby setting and context is modified substantially, even if the building or structure itself is not physically affected. Indirect impacts may occur if activities occur near, but not directly on, known cultural resources.

8.5.3 Summary of No and/or Beneficial Impacts

Known Historical or Archaeological Resources

None of the historic resources inventoried in the *1878 Historic Atlas* in the project area are located within the project site. In addition, no historic sites in the area were identified in the NRHP and CRHR databases. The project site also does not qualify as a unique archaeological resource. Additionally, no historic or archaeological resources were identified in the *Phase I Environmental Site Assessment* (ENGO, 2018). Therefore, the construction of the project would not impact any known historical resources or unique archaeological resources as defined by CEQA, and therefore there would be no impact.

Tribal Cultural Resources

The project site is not listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k). The City sent a letter to one tribe AB52 and no response for consultation was received. In addition, the City requested a Sacred Land File search by the Native Heritage Commission and the result was negative. Therefore, the project site is not considered to be of cultural value to a California Native American tribe as the construction of the project would not impact any known tribal cultural resources as defined by CEQA, and there would be no impact.

8.5.4 Impacts of the Project

Impact CR-1: Cause a substantial adverse change to a previously unknown historic or archeological resource (Class II).

Of the historic resources inventoried in the *1878 Historic Atlas*, none of the historic sites are located within the project site. In addition, no historic sites were identified in the NRHP and CRHR databases. Nonetheless, there is always the possibility that previously unknown historic resources exist below the ground surface within the project site. This is a potentially significant impact.

Implementation of MM CR-1.1: Historic or Archaeological Discovery During Construction would reduce impacts to a level of less-than-significant level.

Mitigation for Impact CR-1

MM CR-1.1: Historic or Archaeological Discovery During Construction

If buried historic or archaeological resources are discovered during construction, operations shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to evaluate the resource in accordance with CEQA Guidelines 15064.5(f), which requires the Lead Agency to make provisions for historical or unique archaeological resource accidently discovered during construction.

The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the resource does not qualify as a significant resource, then no further protection or study is necessary. If the resource does qualify as a significant resource then the impacts shall be avoided by project activities. If the resource cannot be avoided, adverse impacts to the resource shall be addressed. The archaeologist shall make recommendations concerning appropriate mitigation measures that shall be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5(f) of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.

Impact CR-2: Directly impact a paleontological resource or unique geologic feature (Class II).

The project site is not located in an area that is considered likely to have paleontological resources present. Fossils of plants, animals, or other organisms of paleontological significance have not been discovered at the project site, nor has the site been identified to be within an area where such discoveries are likely. The type of depositional environment at the project site typically does not present favorable conditions for the discovery of paleontological resources. Therefore, the project would not result in impacts to paleontological resources or unique geologic features. However, if significant paleontological resources are discovered, implementation of MM CR-2.1: Paleontological Resource Monitoring would reduce impacts to a less-than-significant level (Class II).

Mitigation for Impact CR-2

MM CR-2.1 Paleontological Resource Monitoring

In the event a fossil(s) is discovered during construction for the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards.

The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the paleontological resources are found to be significant, they shall be avoided by project construction activities and recovered by a qualified paleontologist. Upon completion of the recovery, a paleontological assessment shall

be conducted by a qualified paleontologist to determine if further monitoring for paleontological resources is required. The assessment shall include (1) the results of any geotechnical investigation prepared for the project area, (2) specific details of the construction plans for the project area, (3) background research, and (4) limited subsurface investigation within the project area.

If a high potential to encounter paleontological resources is confirmed, a monitoring plan of further project subsurface construction shall be prepared in conjunction with this assessment. After project subsurface construction has ended, a report documenting monitoring, methods, findings, and further recommendations regarding paleontological resources shall be prepared and submitted to the Director of Community Development.

Impact CR-3: Inadvertently disturb human remains (Class III).

As described in the City of Dublin Specific Plan and Phase I Environmental Site Assessment (ENGEO, 2018), the project site does not contain any known recorded formal burial sites. Therefore, no known human remains are located on the project site. Pursuant to Section 7050.5 of the Health and Safety Code, if human remains are discovered, there shall be no further excavation or disturbance of the discovery site or any nearby area reasonably suspected to overlie adjacent human remains until the project applicant has complied with the provisions of State CEQA Guidelines Section 15064.5(e). These provisions require that the County Coroner be notified immediately.

If the remains are found to be Native American, the County Coroner is required to notify the Native American Heritage Commission within 24 hours. The most likely descendant of the deceased Native American is notified by the Commission and given the chance to make recommendations for the remains. If the Commission is unable to identify the most likely descendent, or if no recommendations are made within 24 hours, remains may be reinterred with appropriate dignity elsewhere on the property in a location not subject to further subsurface disturbance. If recommendations are made and not accepted, the Native American Heritage Commission will mediate the problem. CEQA Guidelines 15064.5(d) provides additional guidelines subesuquent to the discovery of Native American human remains.

With implementation of existing regulations, the impact would be less than significant (Class III) and no mitigation is required.

8.5.5 Cumulative Impact Analysis

The geographic extent of cumulative impacts to cultural resources is dependent on the resource under discussion. For example, a cumulative impact to a historic architectural district would extend across the district, while the cumulative impact to individual archaeological or paleontological resources may accumulate across the City of Dublin, depending on the nature of the resources.

Impact CR-4: Contribute to cumulatively considerable impacts on cultural resources (Class II).

The project, in combination with past, present, and reasonably foreseeable future projects, could result in significant impacts to paleontological, archeological, or historic cultural resources as a result of inadvertent discovery and accidental destruction during construction. However, MM CR-1.1: Historic or Archaeological Discovery During Construction and MM CR-2.1: Paleontological Resource Monitoring would apply to the project, ensuring that its contribution to cumulative impacts would not be considerable.

As stated above, project-level impacts to human remains would be less than significant with compliance with the provisions of State CEQA Guidelines Section 15064.5(e) should human remains be discovered on-site. Standard regulatory requirements and procedures are required of other present and reasonably foreseeable future projects, and cumulative impacts would be less than significant.

8.5.6 Level of Significance after Mitigation

Table 8-1: Summary of Impacts and Mitigation Measures – Cultural Resources summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to cultural resources.

Table 8-1: Summary of Impacts and Mitigation Measures – Cultural Resources

Impact	Impact Significance	Mitigation
Impact CR-1: Cause a substantial adverse change to a known historic, tribal cultural, or archeological resource (Class II).	Less than significant with mitigation	MM CR-1.1: Historic or Archaeological Discovery During Construction
Impact CR-2: Directly impact a paleontological resource or unique geologic feature (Class II).	Less than significant with mitigation	MM CR-2.1: Paleontological Resource Monitoring
Impact CR-3: Inadvertently disturb human remains (Class III).	Less than significant	None required
Impact CR-4: Contribute to cumulatively considerable effects on cultural resources (Class II).	Less than significant with mitigation	MM CR-1.1: Historic or Archaeological Discovery During Construction MM CR-2.1: Paleontological Resource Monitoring

8.6 References

City of Dublin, *General Plan,* 1985, amended 2022.

ENGEO, *Phase I Environmental Site Assessment*, 2018

Native American Heritage Commission, Sacred Lands File response letter, April 19, 2022

9 Geology & Soils

9.1 Introduction

This chapter describes effects on geology and soils that would be caused by implementation of the project. Information used to prepare this chapter came from the following resources:

- ENGEO, *At Dublin Preliminary Geotechnical Exploration*, 2018 (see Appendix D) [8]
- City of Dublin, *General Plan 1985*, as amended 2022
- Online reference materials

9.2 Scoping Issues Addressed

During the public comment scoping period for the project, one comment that analysis of geology and soils could be scoped out of the EIR assuming compliance with the California Building Code was received.

9.3 Environmental Setting

This section presents information on geology and soils conditions in the project area. The current soils condition was used as the baseline against which to compare potential impacts of the project.

9.3.1 Subsurface Conditions

Dublin is located in the Coast Ranges geomorphic province, which is characterized as near parallel, northwest trending mountain ranges and valleys. As shown in Figure 9-1: Soils on the Project Site, the online soil survey of the project site from the California Soil Resources Lab (CSRL, 2018) indicates that the project site contains four native soil mapping units: Clear Lake, Sycamore, Linne and Sunnyvale.

Clear Lake Series. The Clear Lake series consists of very deep, poorly drained soils located on plains and flat basins, which formed in alluvium derived from sandstone and shale. A representative profile for the series consists of a very dark gray (N 3/0) clay layer, 39 inches thick, with few faint redoximorphic concentrations in the upper 13 inches. A light olive brown (2.5Y 5/4) clay layer with light yellowish brown (10YR 6/4) masses of iron accumulations occurs below this layer to a depth of approximately 60 inches. This soil is a very hard, firm, and very sticky clay. This soil type is listed as hydric (USDA 2018b), but the two soil mapping units in this series that are present within the project area are drained (Clear Lake clay, drained, 3 to 7

8 This report was prepared on behalf of the project applicant for the At Dublin Development Project and peer reviewed by Kimley-Horn & Associates.

percent slopes, and Clear Lake clay, drained, 0 to 2 percent slopes, MLRA 14), and any hydric soil indicators observed within these mapping units may be relict.

Sycamore Series. The Sycamore series consists of poorly drained soils that formed in alluvium from sedimentary rock on floodplains. Typically, Sycamore soils contain grayish-brown (2.5Y 5/2), slightly acidic, slightly clay loam A horizons that are approximately 15 inches thick; grayish brown and light brownish-gray (2.5Y 4/4), distinctly mottled, mildly to moderately alkaline, silt loam B horizons that extend to a depth of 27 inches; and stratified light brownish-gray and pale brown (10YR 6/3) mottled loam, fine sandy loam and loamy fine sand calcareous C horizons. This soil type is listed as hydric (USDA, 2018b).

Linne Series. The Linne series consists of moderately deep, well drained soils on hills with slopes of 5 to 75 percent. They formed in material weathered from fairly soft shale and sandstone and have medium to very rapid runoff and moderately slow permeability. In a typical profile, the surface layer is composed of black (10YR 2/1), moderately alkaline clay loam that extends nine inches in depth. This soil is underlain by black to very dark gray (10YR 3/1), moderately alkaline clay loam that extends up to 29 inches in depth. From 29 to 32 inches, the soil is composed of gray and light brownish gray (10YR 5/1 and 6/2), moderately alkaline sandy clay loam. From 32 to 36 inches, the soil is composed of very pale brown and white (10YR 7/2 and 8/2) moderately alkaline fine sandy loam. Lastly, from 36 to 51 inches, the soil is comprised of light gray and pale yellow (2.5Y 7/2 and 8/4) moderately alkaline mudstone. This soil type is listed as hydric.

Sunnyvale Series. The Sunnyvale series consists of poorly drained, calcareous soils on nearly level valley floors north of Pleasanton. The surface soil is gray, granular, slightly calcareous, heavy clay loam. Sunnyvale soils are often used for irrigated row crops, for pasture, and for dry-farmed grain. A representative profile for the Sunnyvale series consists of an Ap horizon from 0 to 6 inches with dark gray to very dark grey (N4/ - N3/) silty clay. Similar colors are seen in an Alc2 horizon of silty clay from 6 to 14 inches in depth. A Clca horizon extends from 14 to 34 inches in depth, with light grey to dark grey (N7/ - N3/) silty clay. This soil type is listed as hydric.

9.3.2 Seismicity

The San Francisco Bay Area contains numerous active earthquake faults. The active faults mapped within 20 miles of the site are listed in Table 9-1: Regional Faults and Seismicity. An active fault is defined by the State Mining and Geology Board as one that has had surface displacement within Holocene time (about the last 11,000 years) (Bryant and Hart, 2007). Figure 9-2: Regional Fault Zones shows the approximate locations of these faults and significant historic earthquakes recorded within the San Francisco Bay Region.

Table 9-1: Regional Faults and Seismicity

Fault Segment	Distance from Project Site (miles)	Direction from Project Site (miles)	Maximum Characteristic Magnitude
Mount Diablo Thrust	2.8	North	6.7
Calaveras	3.6	West	7.0
Greenville	8.2	Northeast	7.0
Hayward-Rodgers	10.4	West	7.3
Green Valley	14.8	Northwest	6.8
Great Valley	19.0	East	6.9

Source: ENGEO, 2018

The bedrock formations in the area south of Mount Diablo and north of the Livermore Valley have been folded and cut by thrust faults that typically dip toward the north, according to geologic mapping by Crane (1995) and Graymer, et al. (1996). Geologic studies by Unruh and Sawyer (1997) suggest that the core of Mount Diablo may be underlain at depth (several thousand feet) by an active "blind" thrust fault system (a "blind" thrust fault does not extend to the surface).

According to Unruh and Sawyer (1997), movement on the blind thrust fault system is responsible for the uplift of Mount Diablo and the folding of the rocks in the site vicinity. Unruh and Sawyer believe that surface effects of the deeply buried blind thrust fault system are typically relatively slow, diffuse, and distributed vertical movements associated with the growth of folds. According to their cross sections, the leading edge of the buried Mount Diablo thrust fault may exist at depths of three to five miles somewhere near the Tassajara Anticline, located approximately four miles to the north of the site.

Seismic Hazards

Fault Rupture

Fault rupture is a seismic hazard that affects structures sited above an active fault. The hazard from fault rupture is the movement of the ground surface along a fault during an earthquake. Typically, this movement takes place during the short time of an earthquake, but it also can occur slowly over many years in a process known as creep. Most structures and underground utilities cannot accommodate the surface displacements of several inches to several feet commonly associated with fault rupture or creep.

Ground Shaking

The severity of ground shaking depends on several variables such as earthquake magnitude, epicenter distance, local geology, thickness, seismic wave-propagation properties of

unconsolidated materials, groundwater conditions, and topographic setting. Ground shaking hazards are most pronounced in areas near faults or with unconsolidated alluvium.

Based on observations of damage from recent earthquakes in California (e.g., San Fernando 1971, Whittier-Narrows 1987, Landers 1992, Northridge 1994), ground shaking is responsible for 70 to 100 percent of all earthquake damage. The most common type of damage from ground shaking is structural damage to buildings, which can range from cosmetic stucco cracks to total collapse. The overall level of structural damage from a nearby large earthquake would likely be moderate to heavy, depending on the characteristics of the earthquake, the type of ground, and the condition of the building. Besides damage to buildings, strong ground shaking can cause severe damage from falling objects or broken utility lines. Fire and explosions are also hazards associated with strong ground shaking.

Liquefaction

Liquefaction tends to occur in loose, saturated fine-grained sands, course silts, or clays with low plasticity. The liquefaction process typically occurs at depths less than 50 feet below the ground surface, although liquefaction can occur at deeper intervals, given the right conditions. The most susceptible zone occurs at depths shallower than 30 feet below the ground surface.

Liquefaction can lead to several types of ground failure, depending on slope conditions and the geological and hydrological settings, of which the four most common types of ground failure are: 1) lateral spreads, 2) flow failures, 3) ground oscillation, and 4) loss of bearing strength.

A liquefaction potential analysis was conducted by ENGEO for the project site indicating that the interbedded layers of clay sand and sandy clay will settle approximately three inches due to cyclic softening and liquefaction.

Lateral Spreading

Lateral spreading is a failure within a nearly horizontal soil zone that causes the overlying soil mass to move toward a free face or down a gentle slope. Generally, the effects of lateral spreading are most significant at a free face or the crest of a slope and diminish with distance from the slope. Based on the lack of a laterally continuous layer of potentially liquefiable soil at the site and general flatness of the project site, the risk of lateral spreading is low.

Ground Lurching

Ground lurching is a result of the rolling motion imparted to the ground surface during energy released by an earthquake. Such rolling motion can cause ground cracks to form in weaker soils. The potential for the formation of these cracks is considered greater at contacts between deep alluvium and bedrock. Such an occurrence is possible at the project site as in other locations in the Bay Area region, but based on the site location, the offset is expected to be minor.

Flooding

Portions of the parcel to the south of Dublin Boulevard are in a Special Flood Hazard Area with a designation Zone AH.

Expansive Soils

Samples of existing near-surface soil were tested for plasticity index (PI) to estimate expansive potential. The existing near-surface soil samples tested yielded PIs ranging from 11 to 55, which indicate moderately high expansion potential.

Expansive soil can change in volume with changes in moisture. They can shrink or swell and cause heaving and cracking of slabs-on-grade, pavements, and structures founded on shallow foundations. Building damage due to volume changes associated with expansive soil can be reduced by: (1) using a rigid mat foundation that is designed to resist the settlement and heave of expansive soil, (2) deepening the foundations to below the zone of moisture fluctuation, i.e. by using deep footings or drilled piers, and/or (3) using footings at normal shallow depths, but bottomed on a layer of select fill having a low expansion potential.

9.4 Applicable Regulations, Plans, and Standards

9.4.1 Federal

National Earthquake Hazards Reduction Program

The National Earthquake Hazards Reduction Program was established by the U.S. Congress when it passed the Earthquake Hazards Reduction Act of 1977, Public Law 95–124. In establishing the National Earthquake Hazards Reduction Program, Congress recognized that earthquake-related losses could be reduced through improved design and construction methods and practices, land use controls and redevelopment, prediction techniques and early warning systems, coordinated emergency preparedness plans, and public education and involvement programs. The four basic goals remain unchanged:

1. Develop effective practices and policies for earthquake loss reduction and accelerate their implementation.
2. Improve techniques for reducing earthquake vulnerabilities of facilities and systems.
3. Improve earthquake hazards identification and risk assessment methods, and their use.
4. Improve the understanding of earthquakes and their effects.

Several key federal agencies contribute to earthquake mitigation efforts. There are four primary National Earthquake Hazards Reduction Program agencies:

1. National Institute of Standards and Technology of the Department of Commerce
2. National Science Foundation
3. United States Geological Survey (USGS) of the Department of the Interior

4. Federal Emergency Management Agency (FEMA) of the Department of Homeland Security

Implementation of National Earthquake Hazards Reduction Program priorities is accomplished primarily through original research, publications, and recommendations to assist and guide state, regional, and local agencies in the development of plans and policies to promote safety and emergency planning.

International Building Code

Published by the International Code Council, the scope of this code covers major aspects of construction and design of structures and buildings, except for 3-story one- and two-family dwellings and town homes. The 2012 International Building Code replaced the 1997 Uniform Building Code and contains provisions for structural engineering design. Published by the International Conference of Building Officials, the 2012 International Building Code (IBC) addresses the design and installation of structures and building systems through requirements that emphasize performance. The IBC includes codes governing structural as well as fire- and life-safety provisions covering seismic, wind, accessibility, egress, occupancy, and roofs.

9.4.2 State

California Building Code

The California Building Code (CBC) provides building codes and standards for design and construction of structures in California.

Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. Chapter 33 of the CBC contains requirements relevant to the construction of underground transmission lines. Building permits for all projects are reviewed to ensure compliance with the CBC.

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act, Public Resources Code (PRC), Section 2621-2630 (formerly the Special Studies Zoning Act), regulates development and construction of buildings intended for human occupancy to avoid the hazard of surface fault rupture. This Act categorizes faults as active, potentially active, and inactive. Historic and Holocene age faults are considered active, Late Quaternary and Quaternary age faults are considered potentially active, and pre-Quaternary age faults are considered inactive. These classifications are qualified by the conditions that a fault must be shown to be “sufficiently active” and “well defined” by detailed site-specific geologic explorations to determine whether building setbacks should be established.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act, PRC, Sections 2690–2699, of 1990 directs the California Department of Conservation, Division of Mines and Geology [now called California Geological

Survey (CGS)] to delineate Seismic Hazard Zones. The purpose of the act is to reduce the threat to public health and safety and to minimize the loss of life and property by identifying and mitigating seismic hazards.

Cities, counties, and State agencies are directed to use seismic hazard zone maps developed by CGS in their land-use planning and permitting processes. The act requires that site-specific geotechnical investigations be performed prior to permitting most urban development projects within seismic hazard zones.

9.4.3 Local

City of Dublin General Plan

The City of Dublin's General Plan contains the following policies associated with geology and soils that are relevant to the project:

Guiding Policy 7.3.1.A.1: Maintain natural hydrologic systems.

Implementing Policy 7.3.1.B.1: Enforce the requirements of the Municipal Regional Permit for stormwater issued by the San Francisco Bay Regional Water Quality Control Board or any subsequent permit as well as Chapter 7 (Public Works) and Chapter 9 (Subdivisions) of the Dublin Municipal Code for maintenance of water quality and protection of stream courses.

Implementing Policy 7.3.1.B.2: Review development proposals to insure site design that minimizes soil erosion and volume and velocity of surface runoff.

Guiding Policy 8.2.1.A.1: Geologic hazards shall be mitigated or development shall be located away from geologic hazards to preserve life, protect property, and reasonably limit the financial risks to the City of Dublin and other public agencies that would result from damage to poorly located public facilities.

Implementing Policy 8.2.1.B.1: Structural and Grading Requirements

- All structures shall be designed to the standards delineated in the Dublin Building Code and Dublin's Grading Ordinance. A "design earthquake" shall be established by an engineering geologist for each structure for which ground shaking is a significant design factor.
- Structures intended for human occupancy shall be at least 50 feet from any active fault trace; freestanding garages and storage structures may be as close as 25 feet. These distances may be reduced based on adequate exploration to accurately locate the fault trace.
- Generally, facilities should not be built astride potential rupture zones, although certain low-risk facilities may be considered. Critical facilities that must cross a fault, such as oil, gas, and water lines, shall be designed to accommodate the maximum expected offset

from fault rupture. Site specific evaluations shall determine the maximum credible offset.

- A preliminary geologic hazards report must be prepared for all subdivisions. Any other facility that could create a geologic hazard, such as a road or a building on hillside terrain, must also have such a study. Each of the hazards described in the Seismic Safety and Safety Element must be evaluated. This hazard analysis shall be prepared by a registered engineering geologist.
- Detailed geologic studies will be required at the tentative subdivision map stage for all projects within the Landslide Hazard Area Boundary on the Geologic Hazards and Constraints map, and for other projects if the preliminary investigation indicates a potential geologic hazard. Proposals for mitigation should be included at this stage. The detailed analysis for projects in the Landslide Hazard Area Boundary must consider:
  - Cumulative effect of new development on a partially developed slide;
  - Effects of septic leach systems, garden watering, and altered drainage patterns;
  - Impact of a maximum credible earthquake;
  - Where applicable, passage of the Calaveras Fault through or under landslide deposits;
  - Debris flow and other downslope hazards (especially common east of Dublin). Care must be taken not to locate structures in the path of potential debris flows.
  - Where published maps identify or show “ancient” or Quaternary slides on sites of proposed development, their stability must be analyzed, and effects of the proposed development on the area's stability must be evaluated by a soils engineer.
  - If the preliminary report indicates liquefaction potential, an engineering analysis and design, if necessary, to mitigate liquefaction hazards, shall be required for all structures planned for human occupancy.
  - Evaluation for shrink-swell potential shall be included with all soils reports and design recommendations formulated where the potential is present. These analyses and recommendations shall include public streets and utilities, to reduce future public repair costs.
  - A surface fault rupture evaluation, as outlined by the State of California for Special Studies Zones (Alquist-Priolo Act), shall be required for all development within the Revised Special Studies Zones as shown on the Geologic Hazards and Constraints map.
  - The fault rupture evaluation should be conducted after building sites are specifically defined. Sites situated outside of this zone but within the Preliminary Zones (Slossen, 1973) shall be evaluated if proposed for multifamily dwellings or for public or recreational facilities.

- Any changes in grading or building design that would be significantly affected by geologic hazards or soils conditions, or in turn would significantly alter geologic or soils conditions, shall be accompanied by a re-analysis of those conditions. In addition, any conditions discovered during excavation or grading that significantly depart from the previously described geologic and soils setting shall be evaluated.

Implementing Policy 8.2.1.B.3J: Post-earthquake or damage reconstruction of existing structures shall be permitted only if mitigating factors are incorporated.

Implementing Policy 8.2.1.B.4: Data Review and Collection

- All required reports and data shall be reviewed by the Alameda County Geologist or a consulting engineering geologist. This individual shall participate in the review process from the earliest proposal stage to completion of the project.
- A file of all geologic and soils reports and grading plans shall be maintained as reference material for future planning and design on each site as well as on adjacent sites.
- City and developer shall endeavor to fully disclose hazards to present and future occupants and property owners.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan contains the following policy and program associated with geology and soils that are relevant to the project:

Policy 6-43: New development shall be designed to provide effective control of soil erosion as a result of construction activities and the alteration of site drainage characteristics.

Program 6H: The City should enact and enforce an erosion and sedimentation control ordinance establishing performance standards to ensure maintenance of water quality and protection of stream channels. The ordinance should regulate grading and development activities adjacent to streams and wetland areas and require revegetation of all ground disturbances immediately after construction to reduce erosion potential. Until such an ordinance is in place, the City shall require project applicants to provide a detailed erosion and sedimentation control plan as part of the project submittal.

Dublin Municipal Code

Dublin Municipal Code, Chapter 7.32 adopts the 2019 CBC; as such, all new construction within the city limits is required to adhere to its seismic safety standards. The City of Dublin Community Development Department, Building and Safety Division, is responsible for the administration and enforcement of the Building Code.

9.5 Environmental Impacts and Mitigation Measures

9.5.1 Significance Criteria

The following significance criteria for geology & soils were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of impacts related to the project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Result in triggering or acceleration of geologic processes, such as landslides, substantial soil erosion, or loss of topsoil during construction.
- Expose people or structures to potential risk of loss or injury where there is high potential for seismically induced ground shaking, landslides, liquefaction, settlement, lateral spreading, and/or surface cracking.
- Expose people or structures to potential risk of loss or injury where there is high potential for earthquake-related ground rupture near major fault crossings.
- Expose people or structures to potential risk of loss or injury where corrosive, expansive or other unsuitable soils are present.
- Result in soils that are unable to support an on-site wastewater disposal system (septic).

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

9.5.2 Summary of No and/or Beneficial Impacts

Exposure to Earthquake-Related Ground Rupture

The project site is not located within an Alquist-Priolo Earthquake Fault Zoning Map as mapped by the State Geologist. The closest known fault to the project site is the Mount Diablo Thrust fault, located approximately 2.8 miles north of the project site. There are no known or potentially active faults located within or adjacent to the project site. Based on the distance of

the project site from the Mount Diablo Thrust fault, the project would not expose people or structures to substantial adverse effects, including the risk of loss, injury, or death involving fault rupture, and therefore there would be no impact.

Landslide Susceptibility

The project site is relatively flat and is not located in an area that would be affected by a landslide. Therefore, there would be no impact.

On-site Wastewater Disposal System

The project would involve disposal of wastewater via a sanitary sewer, and there would be no septic systems under the project. Therefore, there would be no impact.

Extraction of Mineral Resources

There are no mines or quarries within 1,000 feet of the project site; nor is the project site within a known mapped oil or gas field, and therefore there would be no impact.

9.5.3 Impacts of the Proposed Project

Impact GEO-1: Expose people or structures to potential risk of loss or injury associated with seismic hazards (Class II).

Ground Shaking

An earthquake of moderate to high magnitude generated within the San Francisco Bay Region could cause considerable ground shaking at the site, similar to that which has occurred in the past. To mitigate the shaking effects, all structures will be required to be designed using sound engineering judgment and the current California Building Code (CBC) requirements, as a minimum.

As part of the project applicant's building permit application, they would be required to submit a design-level geotechnical report specific to the project. This report would provide recommendations on the appropriate level of soil engineering and building design necessary to minimize ground-shaking hazards. Accordingly, MM GEO-1.1: Implement Preliminary Geotechnical Report Recommendations is proposed, requiring the applicant to submit a design-level geotechnical report to the City of Dublin for review and approval. The implementation of this mitigation measure would ensure that the project is not exposed to strong ground shaking hazards and impacts would be less than significant.

Ground Failure, Including Liquefaction, Lateral Spreading, and Ground Lurching

The Preliminary Geotechnical Report prepared for the At Dublin project indicated that based on the lack of a laterally continuous layer of potentially liquefiable soil and the general flatness of the project site, the risk of lateral spreading is low. In addition, based on the site location, the occurrence of ground lurching is expected to be minor.

Liquefaction tends to occur in loose, saturated fine-grained sands, course silts, or clays with low plasticity. The liquefaction potential analysis indicated that interbedded layers of clay sand and sandy clay will settle approximately three inches due to cyclic softening and liquefaction. Based on the high end of the calculated total liquefaction settlements, site improvements on the project site should be designed to withstand a differential settlement of 1½ inches over a 30-foot distance and perform as intended. To mitigate the differential settlement for structures, the Preliminary Geotechnical Report recommends post-tensioned mat foundations for the residential structures and commercial structures.

With incorporation of MM GEO-1.1 Implement Preliminary Geotechnical Report Recommendations to implement geotechnical report recommendations into the final project design and construction documents for the project, and compliance with the CBC and General Plan policies, impacts would be less than significant (Class II).

Mitigation for Impact GEO-1

MM GEO-1.1 Implement Preliminary Geotechnical Exploration Recommendations

The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the Preliminary Geotechnical Exploration. The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the City of Dublin. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.

Impact GEO-2: Trigger or accelerate substantial soil erosion or loss of topsoil (Class II).

The project would involve grading, building construction, and paving activities that could result in erosion and sedimentation. Based on site elevation and distance from water sources, flooding is not expected to occur at the project site.

The topsoil is expected to have a low to moderate permeability level for stormwater infiltration in grassy swales or permeable pavers, unless subdrains are installed. Thus, limited stormwater infiltration is assumed to occur on the project site. However, the Preliminary Geotechnical Exploration recommends a Civil Engineer review pertinent information relating to possible flood levels for the project site based on final pad elevations and provide appropriate design measures for development of the project, if recommended.

Projects involving construction on sites that are one acre or more are required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies how the discharger will protect water quality during construction activities. These measures include, but are not limited to: design and construction of cut and fill slopes in a manner that will minimize erosion, protection of exposed slope areas, control of surface water flows over exposed soils, use of

wetting or sealing agents or sedimentation ponds, limiting soil excavation in high winds, construction of beams and runoff diversion ditches, and use of sediment traps, such as hay bales. (Also see Chapter 12: Hydrology & Water Quality.)

Because the near-surface soil is moderately to highly expansive, the Preliminary Geotechnical Exploration recommends restricting the amount of surface water infiltration near structures, pavements, flatwork, and slabs-on-grade. This may be accomplished by:

- Selecting landscaping that requires little or no watering, especially within three feet of structures, slabs-on-grade, or pavements.
- Using low precipitation sprinkler heads.
- Regulating the amount of water distributed to lawn or planter areas by installing timers on the sprinkler system.
- Providing surface grades to drain rainfall or landscape watering to appropriate collection systems and away from structures, slabs-on-grade, or pavements.
- Preventing water from draining toward or ponding near building foundations, slabs-on-grade, or pavements.
- Avoiding open planting areas within three feet of the building perimeter.

With incorporation of MM GEO-1.1: Implement Preliminary Geotechnical Report Recommendations to implement the Preliminary Geotechnical Exploration recommendations into the final project design and construction documents for the project, and compliance with the CBC and General Plan policies, impacts would be less than significant (Class II).

Impact GEO-3: Expose people or structures to substantial safety risks as a result of liquefaction or expansive soils (Class II).

Ground Failure Including Liquefaction

Laboratory samples of soils in the project area exhibit moderate to high shrink/swell potential with variations in moisture content. The Preliminary Geotechnical Exploration includes recommendations including the use of post-tensioned mat foundations, keeping exposed soils moist prior to placement of concrete for foundation construction, and recommendations for compaction of clay soil to reduce the swell potential of the clay.

With incorporation of MM GEO-1.1: Implement Preliminary Geotechnical Report Recommendations to implement these Preliminary Geotechnical Exploration recommendations into the final project design for the project, and compliance with General Plan policies, expansive soil conditions would be abated, and impacts would be less than significant (Class II).

9.5.4 Cumulative Impact Analysis

Because geologic impacts are site-specific and highly dependent upon the structural characteristics of individual projects, cumulative geologic hazards and soils impacts are generally confined to the project site and immediate vicinity.

Impact GEO-4: Contribute to cumulatively considerable effects on geology and soils (Class II).

Most geologic-related impacts from development are site-specific and, if properly designed, would not result in worsening of the environmental or public health and safety. Cumulative development would be subject to site-specific geologic and/or soils constraints; pursuant to the City of Dublin requirements, a registered geotechnical engineer would investigate site-specific conditions and minimize exposure to hazards or constraints with implementation of their recommendations.

Cumulative development would also involve the exposure of an increased number of people and/or structures to risk of earthquakes and their associated geologic hazards. New construction would be required to comply with the most current CA Building Code (CBC), which establishes building standards to minimize risk based on the geologic and seismic conditions of the region in which a project is located.

With administration of these requirements, the incorporation of MM GEO-1.1: Implement Preliminary Geotechnical Report Recommendations to implement Preliminary Geotechnical Exploration recommendations, and adherence to the CBC, cumulative geologic and soils impacts would be less than significant with mitigation.

9.5.5 Level of Significance after Mitigation

Table 9-2: Summary of Impacts and Mitigation Measures – Geology & Soils summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to geology & soils.

Table 9-2: Summary of Impacts and Mitigation Measures – Geology & Soils

Impact	Impact Significance	Mitigation
Impact GEO-1: Expose people or structures to potential risk of loss or injury associated with seismic hazards (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-2: Trigger or accelerate substantial soil erosion or loss of topsoil (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-3: Expose people or structures to substantial safety risks as a result of liquefaction (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
Impact GEO-4: Contribute to cumulatively considerable effects on geology and soils (Class II).	Less than Significant with Mitigation	MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations

9.6 References

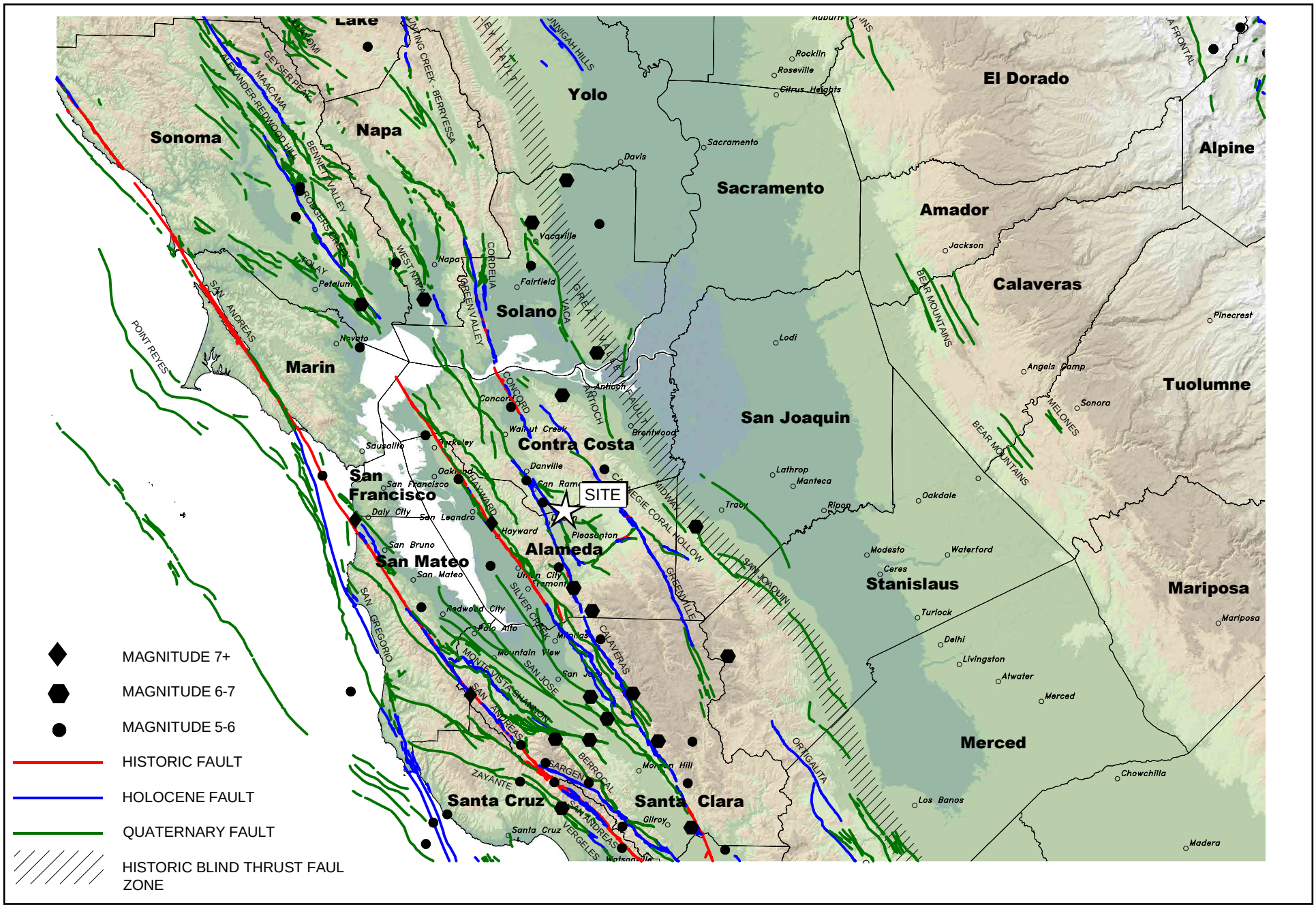
CGS (California Geological Survey). 2018. Fault Rupture Hazard Zones in California, CGS Special Publication #42. Available at https://www.conservation.ca.gov/cgs/Documents/Publications/Special-Publications/SP_042.pdf. Accessed April 4, 2022.

ENGEO Inc. 2018. *At Dublin Preliminary Geotechnical Exploration*.

USDA - NRCS (U.S. Department of Agriculture, Natural Resources Conservation Service). 2018a. WETS Station Livermore NCDC #4997, 1971-2000 analysis. Available at http://ipm.ucanr.edu/calludt.cgi/WXSTATIONDATA?STN=LIVERMOR.C. Accessed April 4, 2022.

USDA (United States Department of Agriculture). 2018b. National List of Hydric Soils. Natural Resources Conservation Service. Available at http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/use/hydric/. Accessed April 4, 2022.

USGS (United States Geological Survey). 2018. Earthquake Hazards Program, National Seismic Hazard Map website. Available at http://earthquake.usgs.gov/hazards/. Accessed April 4, 2022.



Source: ENGEO, 2022

Figure 9-2: Regional Fault Zone
SCS Dublin Project
Environmental Impact Report

Not to scale

10 Greenhouse Gas Emissions

10.1 Introduction

This section describes effects on climate change and greenhouse gas emissions that would be caused by implementation of the project. Information used to prepare this section came from the following resources:

- Project application and related materials
- Air quality data provided by the California Air Resources Board (CARB)
- California Environmental Quality Act (CEQA) Air Quality Guidelines
- Bay Area Air Quality Management District (BAAQMD), *Clean Air Plan* 2017
- City of Dublin, *General Plan*, 1985 amended 2022
- City of Dublin, *Climate Action Plan 2030 And Beyond*, 2020

The study area for climate change and the analysis of greenhouse gas (GHG) emissions is broad because climate change is influenced by world-wide emissions and their global effects. However, the study area is also limited by the CEQA Guidelines [Section 15064(d)], which directs lead agencies to consider an "indirect physical change" only if that change is a reasonably foreseeable impact that may be caused by the project. This analysis limits discussion to those physical changes to the environment that are not speculative and are reasonably foreseeable.

10.2 Scoping Issues Addressed

During the public comment scoping period for the project, one comment was made that greenhouse gas emissions be analyzed, particularly in context to traffic.

10.3 Environmental Setting

10.3.1 Climate Change and Greenhouse Gases

Certain gases in the earth's atmosphere classified as GHGs, play a critical role in determining the earth's surface temperature. Solar radiation enters the earth's atmosphere from space. A portion of the radiation is absorbed by the earth's surface and a smaller portion of this radiation is reflected toward space. This absorbed radiation is then emitted from the earth as low-frequency infrared radiation. The frequencies at which bodies emit radiation are proportional to temperature. Because the earth has a much lower temperature than the sun, it emits lower-frequency radiation. Most solar radiation passes through GHGs; however, infrared radiation is absorbed by these gases. As a result, radiation that otherwise would have escaped back into space is instead "trapped," resulting in a warming of the atmosphere. This

phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate on earth.

The primary GHGs contributing to the greenhouse effect are carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). Fluorinated gases also make up a small fraction of the GHGs that contribute to climate change. Examples of fluorinated gases include chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3); however, it is noted that these gases are not associated with typical land use development. Human-caused emissions of GHGs exceeding natural ambient concentrations are believed to be responsible for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's climate, known as global climate change or global warming.

GHGs are global pollutants, unlike criteria air pollutants and toxic air contaminants (TACs), which are pollutants of regional and local concern. Whereas pollutants with localized air quality effects have relatively short atmospheric lifetimes (approximately one day), GHGs have long atmospheric lifetimes (one to several thousand years). GHGs persist in the atmosphere for long enough time periods to be dispersed around the globe. Although the exact lifetime of a GHG molecule is dependent on multiple variables and cannot be pinpointed, more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, or other forms of carbon sequestration. Of the total annual human-caused CO_2 emissions, approximately 55 percent is sequestered through ocean and land uptakes every year, averaged over the last 50 years, whereas the remaining 45 percent of human-caused CO_2 emissions remains stored in the atmosphere (Intergovernmental Panel on Climate Change, 2013). Table 10-1: Description of Greenhouse Gases, described the primary GHGs attributed to global climate change, including their physical properties.

GHGs are emitted by both natural processes and human activities. Of these gases, CO_2 and CH_4 are emitted in the greatest quantities from human activities. Emissions of CO_2 are largely by-products of fossil fuel combustion, whereas CH_4 results from off-gassing associated with agricultural practices and landfills. GHGs have the potential to adversely affect the environment because such emissions contribute, on a cumulative basis, to climate change. Climate change is by definition a cumulative impact because it occurs worldwide. Although emissions of one single project do not cause climate change, GHG emissions from multiple projects (past, present and future) throughout the world could result in a cumulative impact with respect to climate change.

Man-made GHGs, many of which have greater heat-absorption potential than CO_2, include fluorinated gases and SF_6 (California Environmental Protection Agency [CalEPA], 2006). Different types of GHGs have varying global warming potentials (GWPs). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions, referred to as "carbon dioxide equivalent" (CO_2e), and is the amount of a GHG emitted

multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane CH_4 has a GWP of 28, meaning its global warming effect is 28 times greater than carbon dioxide on a molecule per molecule basis (United Nations Intergovernmental Panel on Climate Change [IPCC], 2014).

The accumulation of GHGs in the atmosphere regulates the earth's temperature. Without the natural heat trapping effect of GHGs, Earth's surface would be about 34° C cooler (CalEPA, 2006). However, it is believed that emissions from human activities, particularly the consumption of fossil fuels for electricity production and transportation, have elevated the concentration of these gases in the atmosphere beyond the level of naturally occurring concentrations.

Table 10-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter; respiration of bacteria, plants, animals, and fungus; evaporation from oceans; and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO_2 is variable because it is readily exchanged in the atmosphere. CO_2 is the most widely emitted GHG and is the reference gas (Global Warming Potential of 1) for determining Global Warming Potentials for other GHGs.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.
Methane (CH_4)	Methane, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase out of Chlorofluorocarbons (CFCs) and HCFCs gains momentum. The 100-year Global Warming Potential of HFCs range from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum

Greenhouse Gas	Description
	production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that Deplete the Ozone Layer prohibited their production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and nontoxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen trifluoride	Nitrogen trifluoride (NF_3) was added to Health and Safety Code section 38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.

Source: Compiled from U.S. EPA, Overview of Greenhouse Gases, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); U.S. EPA, *Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016*, 2018; IPCC *Climate Change 2007: The Physical Science Basis*, 2007; National Research Council, Advancing the Science of Climate Change, 2010; U.S. EPA, *Methane and Nitrous Oxide Emission from Natural Sources*, April 2010;

10.3.2 Greenhouse Gas Emissions Inventory

Total U.S. GHG emissions were 5,981.4 million metric tons (MMT) CO_2e in 2020 (United States Environmental Protection Agency [U.S. EPA], March 2022). Total U.S. emissions have decreased by 7.3 percent from 1990 to 2020 and decreased by 21.4 percent below 2005 levels in 2020, after accounting for sequestration from the land sector (U.S. EPA, 2020). In 2020, fossil fuel combustion accounted for 92.1 percent of CO_2 emissions (U.S. EPA, April 2022). Important drivers influencing emissions levels include: (1) changes in demand for energy and (2) a general decline in the carbon intensity of fuels combusted for energy in recent years by non-transport sectors of the economy.

Based upon the California Air Resources Board (CARB) California Greenhouse Gas Emissions for 2000 to 2019 (CARB, July 2021), California produced 418.2 MMT CO_2e in 2019. The major source of GHGs in California is transportation, contributing 39.7 percent of the state's total GHG emissions. Industrial activity is the second largest source, contributing 21.1 percent of the state's GHG emissions (CARB, July 2021). California's relatively high emissions compared to other states are due in part to its large size and large population compared to other states.

The City of Dublin has roughly 60 percent of total CO_2e coming from transportation, 18 percent from commercial and industrial uses, roughly 18 percent from residential, and the remaining four percent from solid waste and water & wastewater (City of Dublin, 2020); refer to Table 10-2: City of Dublin CAP Reduction Goal Analysis.

Table 10-2: Dublin Community-wide 2015 GHG Emissions and Adjusted Forecast by Sector ($MTCO_2e$)

Emissions Summary	2015	2020	2025	2030	2045
Residential Electricity	21,199	11,505	10,507	8,202	525
Commercial/Industrial Electricity	33,628	17,502	16,362	13,055	890
Residential Gas	35,997	40,162	41,178	42,194	43,210
Commercial/Industrial Gas	20,961	23,752	24,931	26,109	28,466
Waste	12,736	14,138	14,961	15,784	16,881
Water/Wastewater	2,258	1,218	1,148	923	62
Transportation	191,061	168,488	163,288	156,503	164,699
Total Emissions	317,840	276,765	272,374	262,770	254,733
Population	57,514	64,624	68,083	71,541	75,000
Emissions Per Capita	5.5	4.3	4.0	3.7	3.4

Source: City of Dublin Climate Action Plan, 2020. Table 4-2- Dublin Community-Wide 2015 Emissions and Adjusted Forecast by Sector (MT CO_2e).

10.4 Applicable Regulations, Plans, and Standards

10.4.1 Federal

To date, no national standards have been established for nationwide GHG reduction targets, nor have any regulations or legislation been enacted specifically to address climate change and GHG emissions reduction at the project level. Various efforts have been promulgated at the federal level to improve fuel economy and energy efficiency to address climate change and its associated effects.

Energy Independence and Security Act of 2007. The Energy Independence and Security Act of 2007 among other key measures, requires the following, which would aid in the reduction of national GHG emissions:

- Increase the supply of alternative fuel sources by setting a mandatory Renewable Fuel Standard requiring fuel producers to use at least 36 billion gallons of biofuel in 2022.
- Set a target of 35 miles per gallon for the combined fleet of cars and light trucks by model year 2020 and direct the National Highway Traffic Safety Administration (NHTSA) to establish a fuel economy program for medium- and heavy-duty trucks and create a separate fuel economy standard for work trucks.
- Prescribe or revise standards affecting regional efficiency for heating and cooling products and procedures for new or amended standards, energy conservation, energy efficiency labeling for consumer electronic products, residential boiler efficiency, electric motor efficiency, and home appliances.

U.S. Environmental Protection Agency Endangerment Finding. The U.S. EPA authority to regulate GHG emissions stems from the U.S. Supreme Court decision in Massachusetts v. U.S. EPA (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing Clean Air Act and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's ruling, the U.S. EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (carbon dioxide [CO2], methane [CH4], nitrous oxide [N2O], hydrofluorocarbons [HFCs], perfluorocarbons [PFCs], and sulfur hexafluoride [SF6]) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing Act and the U.S. EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

Federal Vehicle Standards. In response to the U.S. Supreme Court ruling discussed above, the George W. Bush Administration issued Executive Order 13432 in 2007 directing the U.S. EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the NHTSA issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, President Barack Obama issued a memorandum directing the Department of Transportation, Department of Energy, U.S. EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the U.S. EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks.

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the U.S. EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

In 2018, the President and the U.S.EPA stated their intent to halt various federal regulatory activities to reduce GHG emission, including the phase two program. California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. On September 27, 2019, the U.S. EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.) The Part One Rule revokes California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light duty trucks, covering model years 2021-2026. The current U.S. EPA administration has repealed SAFE Rule Part One, effective January 28, 2022, and is reconsidering Part Two.

10.4.2 State

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects.

Assembly Bill 1493

Assembly Bill (AB) 1493 (2002), referred to as "Pavley," requires CARB to develop and adopt regulations to achieve "the maximum feasible and cost-effective reduction of GHG emissions from motor vehicles." On June 30, 2009, U.S. EPA granted the waiver of Clean Air Act preemption to California for its greenhouse gas emission standards for motor vehicles beginning with the 2009 model year. Pavley I took effect for model years starting in 2009 to 2016, and Pavley II, which is now referred to as "LEV (Low Emission Vehicle) III GHG" covers 2017 to 2025.

Under Pavley, fleet average emission standards were intended to reach 22 percent reduction from 2009 levels by 2012 and 30 percent by 2016. The Advanced Clean Cars program coordinates the goals of the Low Emissions Vehicles (LEV), Zero Emissions Vehicles (ZEV), and Clean Fuels Outlet programs and would provide major reductions in GHG emissions. By 2025, when the rules would be fully implemented, new automobiles would emit 34 percent less GHGs. Statewide CO2e emissions would be reduced 3 percent by 2020 and 12 percent by 2025. The reduction would increase to 27 percent in 2035 and even further to 33 percent reduction in 2050 (CARB, 2013).

Assembly Bill 32 and Scoping Plan

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main state strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several Sustainable Communities Strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation (CARB 2008).

After completing a comprehensive review and update process, CARB approved a 1990 statewide GHG level and 2020 limit of 427 MMT CO_2e. CARB approved the Scoping Plan on

December 11, 2008. The Scoping Plan includes measures to address GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among other measures. Many of the GHG reduction measures included in the Scoping Plan (e. g Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted and implementation activities are ongoing.

In May 2014, CARB approved the first update to the AB 32 Scoping Plan. The 2014 Scoping Plan update defined CARB's climate change priorities for the next 5 years and sets the groundwork to reach post-2020 goals set forth in EO S-3-05. The 2014 update highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the State's longer-term GHG reduction strategies with other State policy priorities, such as for water, waste, natural resources, clean energy and transportation, and land use (CARB, 2014).

In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017 CARB adopted a second update to the Scoping Plan[9]. The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping Plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other Federal actions. These measures include increasing the Renewable Portfolio Standard to 50 percent by 2030 and extending the cap-and-trade program to 2030 and providing the revenue towards climate programs, disadvantage communities, and projects like the high-speed rail. The 2017 Scoping Plan also includes a 50 percent reduction in petroleum use in vehicles, increasing energy efficiency savings at existing buildings, carbon sequestration in the land base, and reducing methane, black carbon, and other short-live climate pollutants.

The AB 32 Scoping Plan also identifies a cap-and-trade program as one of the strategies California will employ to reduce GHG emissions. Under the cap-and-trade program, an overall limit on GHG emissions from capped sectors will be established and facilities subject to the cap will be able to trade permits (allowances) to emit GHGs. The program began on January 1, 2012, with an enforceable compliance obligation beginning with the 2013 GHG emissions and extending until 2030.

Senate Bill 1368

Senate Bill (SB) 1368 (Emission Performance Standards) is the companion bill of AB 32, which directs the California Public Utilities Commission to adopt a performance standard for GHG

9 California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed May 9, 2022.

emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The California Public Utilities Commission adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, of 1,100 lbs. of CO_2 per megawatt-hour (MWh).

Senate Bill 375

SB 375, signed in September 2008, enhances the State's ability to reach AB 32 goals by directing CARB to develop regional GHG emission reduction targets to be achieved from vehicles for 2020 and 2035. In addition, SB 375 directs each of the state's 18 major Metropolitan Planning Organizations (MPOs) to prepare a "sustainable communities strategy" (SCS) that contains a growth strategy to meet these emission targets for inclusion in the Regional Transportation Plan (RTP). On September 23, 2010, CARB adopted final regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035.

Senate Bills 1078 and X1-2 and Executive Orders S-14-08 and S-21-09

These bills enact the renewable electricity standards for the State. SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, then-Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. The existing RPS requires retail sellers to supply 20 percent of their total electrical load from renewable energy sources by 2010. SB 350 (see below) extended this goal to 50 percent by 2050.

To meet this new goal, a substantial increase in the development of wind, solar, geothermal, and other "RPS eligible" energy projects will be needed. Executive Order S-14-08 seeks to accelerate such development by streamlining the siting, permitting, and procurement processes for renewable energy generation facilities. To this end, S-14-08 issues two directives: (1) the existing Renewable Energy Transmission Initiative will identify renewable energy zones that can be developed as such with little environmental impact and (2) the California Energy Commission (CEC) and the California Department of Fish & Wildlife (CDFW) will collaborate to expedite the review, permitting, and licensing process for proposed RPS-eligible renewable energy projects.

Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010 by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

Senate Bill 350

The Clean Energy and Pollution Reduction Act of 2015 was signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas final end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator (ISO) to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

Assembly Bill 398

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

Senate Bill 32

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B-30-15 (40 percent below 1990 levels by 2030). CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions to achieve 40 percent below 1990 levels by 2030.

Senate Bill 150

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

Senate Bill 100

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders

California's Executive Branch has taken several actions to reduce GHGs through the use of executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05. Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce greenhouse gas emissions to 2000 levels.
- By 2020, reduce greenhouse gas emissions to 1990 levels.
- By 2050, reduce greenhouse gas emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was codified in AB 32. Because the 2050 target is only contained in an executive order, the goals are not legally enforceable for local governments or the private sector.

Executive Order S-01-07. Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. In particular, the executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the Low Carbon Fuel Standard on April 23, 2009.

Executive Order S-13-08. Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08. Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020.

Executive Order S-21-09. Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's Renewable Portfolio Standard (RPS) to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15. Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to

update the Climate Change Scoping Plan to express the 2030 target in terms of MMCO2e. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18. Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

California Regulations and Building Codes

Title 20- Appliance Efficiency Regulations. The California Energy Commission adopted Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Title 24- California Building Code. The California Energy Resources Conservation and Development Commission adopted energy conservation standards for new residential and nonresidential buildings in June 1977 in response to a legislative mandate to reduce California's energy consumption. These standards were most recently revised in 2022 and take effect on January 1, 2023 (Title 24, Part 6, of the California Code of Regulations [CCR]). The standards are updated periodically to allow consideration and possible incorporation of new energy efficient technologies and methods. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions.

On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code was adopted as part of the California Building Standards Code (CALGreen) (Part 11, Title 24, CCR). The green building standards that became mandatory in the 2010 edition of the code established voluntary standards on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics.

On August 11, 2021, the CEC adopted the 2022 Energy Code. In December, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. Buildings whose permit applications are applied for on or after January 1, 2023, must comply with the 2022 Energy Code.

10.4.3 Regional & Local

Bay Area Air Quality Management District

The BAAQMD regulates air quality in the San Francisco Bay Area Air Basin and is responsible for attainment planning related to criteria air pollutants and for district rule development and enforcement. The district inspects stationary sources and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by law. It also reviews air quality analyses prepared for CEQA assessments and has published the *CEQA Air Quality Guidelines* documents for use in evaluation of air quality (including GHG) impacts. In April 2022, the BAAQMD approved new CEQA thresholds for evaluating climate impacts from land use projects and plans.

East Bay Community Energy

East Bay Community Energy (EBCE) is a community choice aggregation local power supplier that began serving Dublin customers in 2018. In January 2022, standard residential accounts moved from an automatic default service "Bright Choice" which is 80 percent carbon free to EBCE's "Renewable 100" product which is sourced from California wind and solar facilities. Non-residential customers will default to Renewable 100 beginning in October 2022.

City of Dublin General Plan

The City of Dublin's General Plan contains the following policies associated with GHG emissions that are relevant to the project:

Energy Efficiency and Conservation in New Development

Guiding Policy 13.3.2.A:

1. Encourage the installation of alternative energy technology in new residential and commercial development.
2. Encourage designing for solar access.
3. Encourage energy efficient improvements be made on residential and commercial properties.

Implementing Policy 13.3.2.B

1. New development proposals shall be reviewed to ensure lighting levels needed for a safe and secure environment are provided - utilizing the most energy-efficient fixtures

(in most cases, LED lights) - while avoiding over-lighting of sites. Smart lighting technology (e.g. sensors and/or timers) shall also be employed in interior and exterior lighting applications where appropriate.

2. New development projects shall install LED streetlights in compliance with the City's LED light standard.
3. In new commercial and residential parking lots, require the installation of conduit to serve electric vehicle parking spaces to enable the easier installation of future charging stations.
4. Encourage the installation of charging stations for commercial projects over a certain size and any new residential project that has open parking (i.e. not individual, enclosed garages).
5. Encourage buildings (and more substantially, whole neighborhoods) to be designed along an east-west axis to maximize solar exposure. Where feasible, require new development projects to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use; and to use regenerative energy heating and cooling source alternatives to fossil fuels.
6. Continue to implement parking lot tree planting standards that would substantially cool parking areas and help cool the surrounding environment. Encourage landscaping conducive to solar panels in areas where appropriate.
7. Promote and encourage photovoltaic demonstration projects in association with new development.
   Consider creating a recognition program for commercial or residential projects that install large-scale solar or wind energy systems and to publicly commend and acknowledge businesses or individuals that construct or remodel buildings that save more energy than required by Title 24 or by the Cal Green Building Code.

City of Dublin Climate Action Plan

The City of Dublin Climate Action Plan 2030 and Beyond (CAP 2030) establishes a vision for the City to reach carbon neutrality by 2045 and includes quantified actions the City will take to GHG emissions by 65,090 metric tons CO_2e by 2030. The CAP 2030 identifies additional actions that will need to be implemented to reach carbon neutrality.

The purpose of the CAP 2030 is to meet the State's 2030 GHG emissions reductions target of at least 40 percent below 1990 levels by 2030. The CAP 2030 identifies GHG reduction strategies and measures that relate to renewable and carbon-free energy, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership. The City has determined that implementing all the measures in the CAP 2030 should reduce the impacts from activities under the CAP to a less than significant level under CEQA.

If a project were consistent with the applicable emissions reduction target, the project would be considered to have a less than significant impact due to GHG emissions and climate change consistent with Public Resources Code 21083.3 and CEQA Guidelines Sections 15183.5, 15064 and 15130.

Dublin Green Building Code

In 2009, the City adopted the Dublin Green Building Code (Municipal Code Chapter 7.94) requiring residential projects over 20 units to reach 50 points on the GreenPoint Rated system or achieve LEED for Homes. GreenPoint Rated is a green building program administered by the nonprofit organization Build It Green with assistance from StopWaste. The GreenPoint Rated system includes five categories: energy efficiency, resource conservation, indoor air quality, water conservation, and community. Currently the City enforces the City enforces the 2019 California Green Building Standards Code with City amendments. The City is in the process of adopting the 2022 California Green Building Standards Codes.

10.5 Environmental Impacts and Mitigation Measures

10.5.1 Significance Thresholds

According to the adopted Appendix G of the *State CEQA Guidelines*, impacts related to GHG emissions from a project would be significant if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; and/or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The Bay Area Air Quality Management District's (BAAQMD's) approach to developing a threshold of significance for GHG emissions is to identify the emissions level for which a project would not be expected to substantially conflict with existing California legislation adopted to reduce statewide GHG emissions needed to move towards climate stabilization. If a project would generate GHG emissions above the threshold level, it would be considered to contribute considerably to a significant cumulative impact. Stationary-source projects include land uses that would accommodate processes and equipment that emit GHG emissions and would require an Air District permit to operate. If annual emissions of operational-related GHGs exceed these levels, the project would result in a cumulatively considerable contribution to a cumulatively significant impact to global climate change. BAAQMD's recommended thresholds are as follows: BAAQMD's recommended thresholds are as follows:

A. Projects must include, at a minimum, the following project design elements:

1. Buildings

   a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).

   b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation

    a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:

        i. Residential projects: 15 percent below the existing VMT per capita

        ii. Office projects: 15 percent below the existing VMT per employee

        iii. Retail projects: no net increase in existing VMT

    b. Achieve compliance with electric vehicle requirements in the most recently adopted version of CALGreen Tier 2; and

B. Be consistent with a local GHG Reduction Strategy that meets the criteria under the CEQA Guidelines section 15183.5(b) C

A qualified GHG Reduction Strategy adopted by a local jurisdiction should include the following elements as described in the State CEQA Guidelines Section 15183.5(b)(1):

- Quantify GHG emissions, both existing and projected over a specified time period, resulting from activities within a defined geographic area;
- Establish a level, based on substantial evidence, below which the contribution to GHG emissions from activities covered by the plan would not be cumulatively considerable;
- Identify and analyze the GHG emissions resulting from specific actions or categories of actions anticipated within the geographic area;
- Specify measures or a group of measures, including performance standards, that substantial evidence demonstrates, if implemented on a project-by-project basis, would collectively achieve the specified emissions level;
- Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels; and
- Be adopted in a public process following environmental review.

It should be noted that the BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, the BAAQMD recommends quantification and disclosure of construction GHG emissions. The BAAQMD also recommends that the Lead Agency should make a determination on the significance of these construction generated GHG

emission impacts in relation to meeting AB 32 GHG reduction goals, as required by the Public Resources Code, Section 21082.2. The Lead Agency is encouraged to incorporate best management practices to reduce GHG emissions during construction, as feasible and applicable.

For CEQA analyses, project-related GHG impacts can be categorized as either direct or indirect. Direct emissions refer to those emitted by stationary sources at the project site or caused by project activity on-site, and these emissions are normally within control of the project sponsor or applicant. Indirect emissions include those emissions that are not within the direct control of the project sponsor or applicant, but may occur as a result of the project, such as the motor vehicle emissions induced by the project. Indirect emissions include emissions from any off-site facilities used for project support as a result of the construction or operation of a project, and these emissions are likely to occur outside the control of the project far off-site or even outside of California.

Construction-phase GHG emissions are quantified as part of the air quality impact assessment (see Chapter 6, Air Quality, and Appendix B for supporting calculations). These one-time emissions can be amortized over the life of the project to describe an equivalent annual emission rate. To amortize the construction emissions over the life of the project, the total GHG emissions due to construction are divided by a 30 year period. The amortized construction emissions can then be added to the annual operational GHG emissions.

The effects of the project are also considered based on whether the project implements reduction strategies identified in AB 32, SB 32, 2017 Scoping Plan, the Governor's Executive Order S-14-08, or other strategies to help reduce GHGs to the level proposed by the Governor. If so, it could reasonably follow that the project would not result in a significant contribution to the cumulative impact of global climate change.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

10.5.2 Study Methodology

The project's construction and operational emissions were calculated using the California Emissions Estimator Model version 2020.4.0 (CalEEMod). Details of the modeling assumptions and emission factors are provided in Appendix B: CalEEmod Air Quality Analysis. However, with updated BAAQMD CEQA thresholds, quantification of emissions is not required. Emission amounts are provided for informational purposes. For construction, CalEEMod calculates emissions from off-road equipment usage and on-road vehicle travel associated with haul, delivery, and construction worker trips. The project's construction-related GHG emissions were forecasted based on the proposed construction schedule and applying the mobile-source and fugitive dust emissions factors derived from CalEEMod. The project's construction-related GHG emissions would be generated from off-road construction equipment, on-road hauling, and vendor (material delivery) trucks, and worker vehicles.

The project's operations-related GHG emissions would be generated by vehicular traffic, area sources (e.g., landscaping maintenance, consumer products), electrical generation, natural gas consumption, water supply and wastewater treatment, and solid waste.

Details of the modeling assumptions and emission factors are provided in Appendix B: CalEEMod Air Quality Analysis.

10.5.3 Summary of No and/or Beneficial Impacts

There are no "no" impacts or "beneficial" impacts.

10.5.4 Impact Analysis

Global climate change is, by definition, a cumulative impact of GHG emissions. Therefore, there is no project-level analysis.

Impact GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Class III).

Project-Related Sources of Greenhouse Gas Emissions

The project would include direct and indirect GHG emissions. Direct operational-related GHG emissions for the project would include emissions from area and mobile sources, while indirect emissions are from energy consumption, water demand, and solid waste.

Construction Emissions

Construction of the project would result in direct emissions of CO_2, N_2O, and CH_4 from the operation of construction equipment and the transport of materials and construction workers to and from the project site. Construction GHG emissions are typically summed and amortized

over a 30-year period, then added to the operational emissions.[10] It is reasonable to look at a 30-year time frame for buildings since this is a typical interval before a new building requires the first major renovation.[11] Total GHG emissions generated during all phases of construction were combined and are presented in Table 10-3: Project Construction-Related Greenhouse Gas Emissions. The CalEEMod outputs are contained within Appendix B, *Air Quality/Greenhouse Gas Emissions Data*. As shown in Table 10-3, the project would result in 34,189 $MTCO_2e$ (1,140 $MTCO_2eq/yr.$ when amortized over 30 years).

Table 10-3: Project Construction-Related Greenhouse Gas Emissions

Year	Emissions ($MTCO_2e$)
2023	3,188.67
2024	9,685.01
2025	10,645.51
2026	7,024.41
2027	2,728.98
2028	917.01
Total Construction Emissions	**34,189.59**
Annualized over 30 years	**1,139.65**

Notes:
$MTCO_2e$ = metric tons of carbon dioxide equivalents
Source: CalEEMod Version 2020.4.0.

Operational Emissions

Operational or long-term emissions occur over the life of the project. GHG emissions would result from direct emissions such as project generated vehicular traffic, on-site combustion of natural gas, operation of any landscaping equipment. Operational GHG emissions would also result from indirect sources, such as off-site generation of electrical power over the life of the project, the energy required to convey water to, and wastewater from the project site, the emissions associated with solid waste generated from the project site, and any fugitive refrigerants from air conditioning or refrigerators. Table 10-4: Project Operation-Related Greenhouse Gas Emissions, summarizes the total GHG emissions associated with project. As shown, the project would generate approximately 11,919.82 metric tons of CO_2e annually.

10 The project lifetime is based on the standard 30-year assumption of the South Coast Air Quality Management District (South Coast Air Quality Management District, *Minutes for the GHG CEQA Significance Threshold Stakeholder Working Group #13,* August 26, 2009).
11 International Energy Agency, *Energy Efficiency Requirements in Building Codes, Energy Efficiency Policies for New Buildings*, March 2008.

Table 10-4: Project Operation-Related Greenhouse Gas Emissions

Emissions Source	Emissions ($MTCO_2e$)
Area	8.11
Energy	1,354
Mobile	9,052.49
Waste	253.86
Water and Wastewater	111.74
Construction (annualized)	**1,139.65**
Total Operational Emissions	**11,919.82**

Notes:
$MTCO_2e$ = metric tons of carbon dioxide equivalents
Source: CalEEMod Version 2020.4.0.

Area Source Emissions. Area source emissions were calculated using CalEEMod and project specific land use data. The primary GHG emission sources calculated by CalEEMod include hearths and landscape equipment. As noted in Table 10-4, the project would result in approximately 8 $MTCO_2e$/year of area source GHG emissions.

Mobile Source. CalEEMod relies upon trip data as part of the transportation analysis and project specific land use data to calculate mobile source emissions. The project would directly result in approximately 9,052 $MTCO_2e$/year of mobile source-generated GHG emissions; refer to Table 10-4.

Energy Consumption. Energy consumption emissions were calculated using CalEEMod and project-specific land use data. Electricity is provided by East Bay Community Energy (EBCE) and conveyed to customers through Pacific Gas and Electric's (PG&E) existing infrastructure. The project would indirectly result in approximately 1,354 $MTCO_2e$/year due to energy consumption; refer to Table 10-4. It should be noted that Dublin electricity customers are automatically enrolled in community choice energy through EBCE, which would further reduce the energy emissions.

Water Demand. The project's water supply would be provided by local groundwater and imported surface water. Emissions from indirect energy impacts due to water treatment and transport would result in approximately 112 $MTCO_2e$/year; refer to Table 10-4.

Solid Waste. Solid waste associated with operations of the project would result in approximately 254 $MTCO_2e$/year; refer to Table 10-4.

It should be noted that the operational emissions are based on the 2019 Title 24 Part 6 (Building Energy Efficiency Standards) energy consumption rates. The standards also require

updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements that would cut residential energy use by more than 50 percent (with solar) and nonresidential energy use by 30 percent. The standards also encourage demand responsive technologies including battery storage and heat pump water heaters and improve the building's thermal envelope through high performance attics, walls and windows to improve comfort and energy savings (California Energy Commission, March 2018).

The proposed project would also comply with the appliance energy efficiency standards in Title 20 of the California Code of Regulations. The Title 20 standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances. The proposed project would be constructed according to the standards for high-efficiency water fixtures for indoor plumbing and water efficient irrigation systems required in 2019 Title 24, Part 11 (CALGreen).

As noted above, the California Building Standards Commission adopted the 2022 Energy Code for inclusion into the California Building Standards Code. The latest building encourages efficient electric heat pumps, establishes electric-ready requirements for new homes, expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and more. The analysis conservatively uses 2019 Energy Code as the project would be required to comply with 2022 or later standards which would increase efficiency of buildings.

At the State and global level, improvements in technology, policy, and social behavior can also influence and reduce operational emissions generated by a project. The state is currently on a pathway to achieving the Renewable Portfolio Standards goal of 33 percent renewables by 2020 and 60 percent renewables by 2030 per SB 100. Despite these goals, the majority of the proposed project's emissions would still be from mobile and energy sources. Future mobile source emissions are greatly dependent on changes in vehicle technology, fuels, and social behavior, which can be influenced by policies to varying degrees. Due to these external factors, average emissions from transportation in 2050 would mostly still generate GHG emissions, but the quantity is uncertain in light of potential changes in technology and policy over the next 30 years.

The majority of project emissions (approximately 88 percent) would occur from mobile and energy sources. As noted above, energy and mobile sources are targeted by statewide measures such as low carbon fuels, cleaner vehicles, strategies to promote sustainable communities and improved transportation choices that result in reducing VMT, continued implementation of the Renewable Portfolio Standard (the target is now set at 60 percent renewables by 2030), and extension of the Cap and Trade program (requires reductions from industrial sources, energy generation, and fossil fuels).

The Cap and Trade program covers approximately 85 percent of California's GHG emissions as of January 2015. The statewide cap for GHG emissions from the capped sectors (i.e., electricity generation, industrial sources, petroleum refining, and cement production) commenced in 2013

and will decline approximately three percent each year, achieving GHG emission reductions throughout the program's duration. The passage of AB 398 in July 2017 extended the duration of the Cap and Trade program from 2020 to 2030. With continued implementation of various statewide measures, the proposed project's operational energy and mobile source emissions would continue to decline in the future.

The project would include additional energy efficiency and GHG reduction design features per City's Climate Action Plan, including eliminating the use of natural gas in new developments, LED streetlights, efficient outdoor lighting, options for photovoltaic solar systems, solar ready buildings, and drought tolerant and water efficient landscaping. Additionally, as described in Chapter 6 (Air Quality), implementation of MM AQ-2.4: Wood Burning Fireplaces would require the project to prohibit the use of wood burning devices (e.g., fireplaces, wood stoves) and ensure compliance with BAAQMD Regulation 6, Rule 3.

The project also reduces transportation GHG emissions by applying smart growth principles as an urban in-fill development with a mix of retail, entertainment, and residential uses adjacent to transit/multi-modal corridors and within two miles of a BART station. The project facilitates the use of existing bus routes with stops adjacent to the project site. As of May 2022. the Livermore Amador Valley Transit Authority (LAVTA) runs bus service from the project site (Dublin Boulevard and Tassajara Road) to the BART station with 30-minute headways.

Additionally, the project would improve and complete pedestrian and bicycle connections around its perimeter and through the project site. Bicycle storage would be provided in the multi-family buildings, as required, and bicycle racks would be provided near the commercial uses. The project would also improve and complete bicycle lanes and facilities along the perimeter and through the project site that connect with existing bicycle routes. As discussed in Chapter 6: Air Quality, the project would also implement MM AQ-2.5: Vehicle Trip Reduction, which would include a Transportation Demand Management (TDM) plan to reduce mobile GHG emissions for all uses.

Consistency with City of Dublin CAP 2030

The CAP 2030 identifies additional actions that will need to be implemented to reach carbon neutrality. The purpose of the CAP 2030 is to meet the State's 2030 GHG emissions reductions target of at least 40 percent below 1990 levels by 2030. The CAP 2030 identifies GHG reduction strategies and measures that relate to renewable and carbon-free energy, building efficiency and electrification, sustainable mobility and land use, materials and waste management, and municipal leadership. The CAP 2030 is a qualified GHG Reduction Strategy under CEQA, which can be used to determine the significance of GHG emissions from a project (CEQA Guidelines section 15183.5). BAAQMD also recognizes the use of a CAP as a significance threshold for a project's GHG emissions. Therefore, if the project is consistent with the CAP 2030, then the project would result in a less than significant cumulative impact to global climate change in 2030.

The City's CAP 2030 constitutes a qualified GHG Reduction Strategy and has been utilized in this analysis for determining the level of significance of the project's GHG emissions. The analysis of the project's cumulative contribution to climate change and GHG emissions is the analysis of the project's consistency with the applicable CAP 2030 measures that is provided in Table 10-5: Project Consistency with the City of Dublin Climate Action Plan 2030 and Beyond Control Measures. Thus, the project would help implement the CAP 2030, and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. A less than significant impact would occur in this regard.

Table 10-5: Project Consistency with Applicable City of Dublin Climate Action Plan 2030 and Beyond Control Measures

Control Measure	Description	Project Consistency
Strategy 1: 100% Renewable and Carbon-Free Electricity		
Measure CF-1: Opt-Up to 100% Renewable and Carbon-Free Electricity	The City of Dublin will set 100% renewable and carbon-free electricity as the default electricity for all Dublin customers served by East Bay Community Energy to unlock health and GHG emissions reduction benefits associated with carbon-free electricity.	**Consistent**. The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements.
Measure CF-2: Develop a Renewable Resource Buildout Plan	The City will leverage State and local funding and partnerships to develop local community solar projects in Dublin and investigate development of micro-grids to improve the resilience of the local electricity infrastructure.	**Not applicable**. The City is the responsible party for this measure. The project would be required to comply with any associated standards or requirements.
Strategy 2: Building Efficiency and Electrification		
Measure EE-1: Achieve All-Electric New Building Construction	Adopt an all-electric building reach code for new construction to reduce natural gas use and limit the development of new gas infrastructure in the City of Dublin.	**Consistent**. The City is the responsible party for this measure. However, the project would not include new natural gas infrastructure.
Measure EE-2: Implement the State Building Energy Disclosure Program	The City of Dublin will require all commercial and multifamily buildings covered by AB 802 to report energy use through the Energy Star Portfolio Manager tool.	**Consistent**. The project would require all commercial and multifamily buildings to report energy use through the Energy Star Portfolio Manager tool.
Measure EE-3: Streamline Battery Storage Permit Requirements	The City will ensure that permitting for the installation of new battery storage in residential and commercial buildings is streamlined and clear in order to promote the	**Consistent**. The City is the responsible party for this measure. The project would not conflict with implementation and would comply with the battery storage requirements in the latest building code.

Control Measure	Description	Project Consistency
	installation of additional energy storage capacity in Dublin.	
Measure EE-4: Develop an Existing Building Electrification Plan	Develop a plan to promote the retrofit of 22% of existing buildings in Dublin to all electric by 2030 and consider development of existing building electrification ordinances in the future.	**Not applicable**. This measure establishes countywide building retrofit measures and specifications for energy efficiency, water and resource conservation, and indoor air quality and health. As the project does not include existing structures, this measure does not apply.
Strategy 3: Sustainable Mobility and Land Use		
Measure SM-1: Adopt an Electric Vehicle Charging Station Ordinance	The City of Dublin will adopt an electric vehicle (EV) charging station ordinance for multifamily and commercial buildings to increase access to charging stations and promote the use of electric vehicles.	**Consistent**. The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements.
Measure SM-2: Develop an Electric Vehicle Infrastructure Plan	Develop an electric vehicle (EV) infrastructure plan to ensure that the City is optimally siting EV chargers and using the most beneficial program for publicly accessible EV chargers.	**Consistent**. The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements.
Measure SM-3: Develop a Transportation Demand Management Plan	Develop a comprehensive Transportation Demand Management (TDM) Plan for the City of Dublin. The TDM Plan will identify strategies to help facilitate the move from single-occupancy vehicles to less carbon intensive transportation modes.	**Consistent.** The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements. Additionally, the project includes MM AQ-2.5 Vehicle Trip Reduction that would include a TDM plan for both residential and non-residential uses to reduce air quality and GHG emissions, and encourage reduction in VMT.
Measure SM-4: Develop a Citywide Parking Management Plan	Develop a comprehensive Parking Management Plan that will specify parking requirements and costing that supports multi-modal transportation and a reduction in vehicle miles traveled.	**Consistent.** The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements.

Control Measure	Description	Project Consistency
Measure SM-5: Update the Bicycle and Pedestrian Master Plan	Update the Bicycle and Pedestrian Master Plan to contribute to the overall VMT reduction required to meet the City's climate goals. The plan will maximize the convenience and safety of active transportation within the City of Dublin.	**Consistent.** The City is the responsible party for this measure; however, the project would be required to comply with any associated standards or requirements. The project includes connections to existing bikeways and pedestrian pathways. Additionally, the project includes MM AQ-2.5 Vehicle Trip Reduction for both residential and non-residential uses, that includes provisions regarding bicycle facilities.
Measure SM-6: Continue to Prioritize Transit Oriented Development	Dublin has access to two BART stations and several LAVTA bus lines. Focusing higher density development and amenities around these transit stops can decrease VMT and GHG emissions generated within Dublin.	**Not applicable.** While the project is not located within a TOD area, it is 1.5 miles from the East Dublin / Pleasanton BART station and will provide high density mixed-uses near a transit stop.
Measure SM-7: Develop a Built Environment that Prioritizes Active Mobility	The City of Dublin will implement building standards that improve the pedestrian experience and create a built environment that prioritizes active mobility.	**Consistent**. The project includes various multi-use paths and walkways that connect the residents and retail patrons with adjacent open space, surrounding neighborhoods and nearby Emerald Glen Park Additionally, the project includes walkways and connections between neighborhoods through the internal park system. The project provides a variety of open spaces for users.
Section 6.4: Strategy 4: Materials and Waste Management		
Measure MM-1: Achieve the Organic Waste Reduction Requirements of SB 1383	The City of Dublin will coordinate with community stakeholders to achieve the goal of organics comprising less than 9.35% of Dublin waste by 2025. Additionally, at least 20% of currently disposed edible food will be recovered for human consumption by 2025.	**Consistent**. The City is the responsible party for this measure. The project would be included in the City's organics program that includes curbside pickup of food waste and yard waste for residential neighborhoods.
Measure MM-2: Reduce the Embodied GHG Emissions Associated with Building Materials	The City of Dublin will require the use of low carbon concrete in new construction projects to reduce lifecycle GHG emissions and the embodied carbon associated with construction projects.	**Consistent.** The project would comply with the City's low carbon concrete requirements as they are adopted.

Control Measure	Description	Project Consistency
Section 6.5: Strategy 5: Municipal Leadership Measures		
Measure ML-1: 100% Renewable Electricity for Municipal Buildings and Operations	The City of Dublin's municipal government will help achieve GHG emission reduction goals related to municipal electricity use by opting-up all municipal accounts to 100% renewable electricity and expanding the City's battery storage capacity.	**Not applicable.** There are no municipal buildings associated with the proposed project.
Measure ML-2: Reduce Municipal Employee Commute GHG Emissions	The City of Dublin's municipal government will achieve its GHG emissions reduction and mobility goals by incentivizing municipal employee alternative transportation use as well as electric vehicle use.	**Not applicable.** The City is the responsible party for this measure. The project would not conflict with the City's ability to enact the measure.
Measure ML-3: Electrify Municipal Vehicle Fleet and Equipment	The City of Dublin's municipal government will electrify at least 33% of its municipal vehicle fleet and municipal maintenance equipment by 2030.	**Not applicable.** The City is the responsible party for this measure. The project would not conflict with the City's ability to enact the measure.
Measure ML-4: Total Cost of Ownership and Life-Cycle Analysis of GHG Impacts in Municipal Project Request for Proposals	The City of Dublin's municipal government will aim to ensure it is constructing projects with the lowest total cost of ownership and lowest GHG emissions for new construction projects through a requirement that all capital improvement projects include a life-cycle cost analysis and lifecycle GHG emissions analysis.	**Not applicable.** This is a municipal measure. The project would not conflict with the City's ability to enact the measure.
Measure ML-5: Promote Municipal Awareness of Sustainable Goods and Services	The City of Dublin's municipal government will achieve its materials and waste management goals by promoting awareness to City staff regarding the purchase of sustainable goods and services.	**Not applicable.** This is a municipal measure. The project would not conflict with the City's ability to enact the measure.
Measure ML-6: Enhance Municipal Carbon Sequestration Opportunities	The City of Dublin's municipal government will strive to increase carbon sequestration activities through tree planting and compost application throughout the City.	**Not applicable.** This is a municipal measure. The project would not conflict with the City's ability to enact the measure.
Measure ML-7: Implement the	The City of Dublin's municipal government will work to achieve its resilience goals through implementation of the City of	**Not applicable.** This is a municipal measure. The project would not conflict with the City's ability to enact the measure.

Control Measure	Description	Project Consistency
Green Stormwater Infrastructure Plan	Dublin Green Stormwater Infrastructure Plan.	

Source: City of Dublin Climate Action Plan 2030 and Beyond, 2020 and Kimley-Horn & Associates, 2022.

Consistency with the CARB Scoping Plan

The California State Legislature adopted AB 32 in 2006. AB 32 focuses on reducing GHGs (carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride) to 1990 levels by the year 2020. Pursuant to the requirements in AB 32, CARB adopted the Climate Change Scoping Plan (Scoping Plan) in 2008, which outlines actions recommended to obtain that goal. The Scoping Plan provides a range of GHG reduction actions that include direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, market- based mechanisms such as the cap-and-trade program, and an AB 32 implementation fee to fund the program.

The latest CARB Climate Change Scoping Plan (2017) outlines the state's strategy to reduce state's GHG emissions to return to 40 percent below 1990 levels by 2030 pursuant to SB 32. The CARB Scoping Plan is mostly applicable to state agencies and is not directly applicable to cities/counties and individual projects. Nonetheless, the Scoping Plan has been the primary tool that is used to develop performance-based and efficiency-based CEQA criteria and GHG reduction targets for climate action planning efforts. CARB is developing an updated 2022 scoping plan that has not been adopted.

The 2017 Scoping Plan Update identifies additional GHG reduction measures necessary to achieve the 2030 target. These measures build upon those identified in the First Update to the Climate Change Scoping Plan (2013). Although a number of these measures are currently established as policies and measures, some measures have not yet been formally proposed or adopted. It is expected that these measures or similar actions to reduce GHG emissions would be adopted as required to achieve statewide GHG emissions targets. As shown in Table 10-5: Project Consistency with Applicable CARB Scoping Plan Measures, the project is consistent with most of the strategies, while others are not applicable to the project.

Table 10-5: Project Consistency with Applicable CARB Scoping Plan Measures

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
Transportation	California Cap-and-Trade Program Linked to Western Climate Initiative	Regulation for the California Cap on Greenhouse Gas Emissions and Market-Based Compliance Mechanism October	**Not Applicable.** The Cap-and-Trade Program applies to large industrial sources such as power plants, refineries, and cement manufacturers. However, the regulation indirectly affects people who use the products and services produced by these industrial sources when increased cost of products or services (such as electricity and fuel) are transferred to the

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
		20, 2015 (CCR 95800)	consumers. The Cap-and-Trade Program covers the GHG emissions associated with electricity consumed in California, whether generated in-state or imported. Accordingly, GHG emissions associated with CEQA projects' electricity usage are covered by the Cap-and-Trade Program. The Cap-and-Trade Program also covers fuel suppliers (natural gas and propane fuel providers and transportation fuel providers) to address emissions from such fuels and from combustion of other fossil fuels not directly covered at large sources in the Program's first compliance period.
	California Light-Duty Vehicle Greenhouse Gas Standards	Pavley I 2005 Regulations to Control GHG Emissions from Motor Vehicles	**Consistent**. This measure applies to all new vehicles starting with model year 2012. The project would not conflict with its implementation as it would apply to all new passenger vehicles purchased in California. Passenger vehicles, model year 2012 and later, associated with construction and operation of the project would be required to comply with the Pavley emissions standards.
		2012 LEV III Amendments to the California Greenhouse Gas and Criteria Pollutant Exhaust and Evaporative Emission Standards	**Consistent.** The LEV III amendments provide reductions from new vehicles sold in California between 2017 and 2025. Passenger vehicles associated with the site would comply with LEV III standards.
	Low Carbon Fuel Standard	2009 readopted in 2015. Regulations to Achieve Greenhouse Gas Emission Reductions Sub article 7. Low Carbon Fuel Standard CCR 95480	**Consistent.** This measure applies to transportation fuels utilized by vehicles in California. The project would not conflict with implementation of this measure. Motor vehicles associated with construction and operation of the project would utilize low carbon transportation fuels as required under this measure.
	Regional Transportation-Related Greenhouse Gas Targets.	SB 375. Cal. Public Resources Code §§ 21155, 21155.1, 21155.2, 21159.28	**Consistent**. The project would provide development in the region that is consistent with the growth projections in the Regional Transportation Plan/Sustainable Communities Strategy (SCS) (Plan Bay Area 2040).
	Goods Movement	Goods Movement Action Plan January 2007	**Not applicable**. The project does not propose any changes to maritime, rail, or intermodal facilities or forms of transportation.
	Medium/Heavy-Duty Vehicle	2010 Amendments to the Truck and Bus Regulation, the	**Consistent**. This measure applies to medium and heavy-duty vehicles that operate in the state. The project would not conflict with implementation of this

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
		Drayage Truck Regulation and the Tractor-Trailer Greenhouse Gas Regulation	measure. Medium and heavy-duty vehicles associated with construction and operation of the project would be required to comply with the requirements of this regulation.
	High Speed Rail	Funded under SB 862	**Not applicable**. This is a statewide measure that cannot be implemented by a project applicant or Lead Agency.
Electricity and Natural Gas	Energy Efficiency	Title 20 Appliance Efficiency Regulation	**Consistent.** The project would not conflict with implementation of this measure. The project would comply with the latest energy efficiency standards.
		Title 24 Part 6 Energy Efficiency Standards for Residential and Non-Residential Building	
		Title 24 Part 11 California Green Building Code Standards	
	Renewable Portfolio Standard/Renewable Electricity Standard.	2010 Regulation to Implement the Renewable Electricity Standard (33% 2020)	**Consistent**. The project would provide the option to home buyers to include photovoltaic solar systems. Photovoltaic systems would be installed on the rooftops of commercial buildings. All structures that do not include solar PV panels will be "solar ready," as required by City Municipal Code sections 7.94.060 and 7.94.070. The project would obtain electricity from the electric utility PG&E. PG&E obtained 33 percent of its power supply from renewable sources in 2016. Therefore, the utility would provide power when needed on site that is composed of a greater percentage of renewable sources.
		SB 350 Clean Energy and Pollution Reduction Act of 2015 (50% 2030)	
	Million Solar Roofs Program	Tax incentive program	**Consistent.** This measure is to increase solar throughout California, which is being done by various electricity providers and existing solar programs. Homeowners within the project would be able to take advantage of incentives that are in place at the time of construction.
Water	Water	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The project would comply with the California Green Building Standards Code, which requires a 20 percent reduction in indoor water use. The project would also comply with the City's Water-Efficient Landscaping Regulations (Chapter 8.88 of the Dublin Municipal Code).
		SBX 7-7—The Water Conservation Act of 2009	

Scoping Plan Sector	Scoping Plan Measure	Implementing Regulations	Project Consistency
		Model Water Efficient Landscape Ordinance	
Green Buildings	Green Building Strategy	Title 24 Part 11 California Green Building Code Standards	**Consistent.** The State is to increase the use of green building practices. The project would implement required green building strategies through existing regulation that requires the project to comply with various CalGreen requirements. The project would include sustainability design features that support the Green Building Strategy.
Industry	Industrial Emissions	2010 CARB Mandatory Reporting Regulation	**Not applicable.** The project does not include industrial land uses.
Recycling and Waste Management	Recycling and Waste	Title 24 Part 11 California Green Building Code Standards AB 341 Statewide 75 Percent Diversion Goal SB 1383 Mandatory Organics Diversion	**Consistent.** The project would not conflict with implementation of these measures. The project is required to achieve the recycling mandates via compliance with the CALGreen code. The City has consistently achieved its state recycling mandates.
Forests	Sustainable Forests	Cap and Trade Offset Projects	**Not applicable.** The project site is in an area designated for urban uses. No forested lands exist on-site.
High Global Warming Potential	High Global Warming Potential Gases	CARB Refrigerant Management Program CCR 95380	**Not applicable**. The regulations are applicable to refrigerants used by large air conditioning systems and large commercial and industrial refrigerators and cold storage system. The project is not expected to use large systems subject to the refrigerant management regulations adopted by CARB.
Agriculture	Agriculture	Cap and Trade Offset Projects for Livestock and Rice Cultivation	**Not applicable**. The project site is designated for urban development. No grazing, feedlot, or other agricultural activities that generate manure occur currently exist on-site or are proposed to be implemented by the project.

Source: California Air Resources Board (CARB), *California's 2017 Climate Change Scoping Plan*, November 2017 and CARB, *Climate Change Scoping Plan*, December 2008.

As discussed above, the Scoping Plan reflects the 2030 target of a 40 percent reduction below 1990 levels, set by Executive Order B-30-15 and codified by SB 32.

Appendix B, Local Action, of the 2017 CARB Scoping Plan lists potential actions that support the State's climate goals. However, the Scoping Plan notes that the applicability and performance of the actions may vary across the regions. The document is organized into two categories (A) examples of plan-level GHG reduction actions that could be implemented by local governments and (B) examples of on-site project design features, mitigation measures, that could be required of individual projects under CEQA, if feasible, when the local jurisdiction is the lead agency. Many of these on-site project design features are included in the CAP.

The project would implement several Mitigation Measures included in the Air Quality Assessment during construction that would help reduce construction-related GHG emissions. For example, a few of the construction measures include enforcing idling time restrictions on construction vehicles, use of added exhaust muffling and filtering devices, replant vegetation in disturbed areas as quickly as possible, and posting a publicly visible sign with the telephone number and person at the lead agency to contact regarding dust complaints. As indicated above, GHG reductions are also achieved as a result of State of California energy and water efficiency requirements for new non-residential developments. These efficiency improvements correspond to reductions in secondary GHG emissions. Therefore, energy saving measures, such as Title 24, reduces GHG emissions from the power generation facilities by reducing load demand.

The project would be required to comply with existing regulations, including applicable measures from the City's General Plan and CAP 2030, or would be directly affected by the outcomes (vehicle trips and energy consumption would be less carbon intensive due to statewide compliance with future low carbon fuel standard amendments and increasingly stringent Renewable Portfolio Standards). As such, the project would not conflict with any other state-level regulations pertaining to GHGs.

Regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed; nevertheless, it can be anticipated that operation of the project would benefit from implementation of current and potential future regulations (e.g., improvements in vehicle emissions, SB 100/renewable electricity portfolio improvements, etc.) enacted to meet an 80 percent reduction below 1990 levels by 2050. The CAP 2030 shows a path towards carbon neutrality by 2045.

Therefore, based on the above analysis, project related GHG emissions would not result in a cumulatively considerable contribution to the significant cumulative impact of climate change.

Consistency with Plan Bay Area

The project would be consistent with the overall goals of the Metropolitan Transportation Commission's *Plan Bay Area 2040* Regional Transportation Plan/Sustainable Communities Strategy in concentrating new development in locations where there is existing infrastructure as the project would develop the project site to provide a mix of land uses. The project is located approximately 1.5 miles of the Dublin/Pleasanton BART station, adjacent to I-580, other

major arterials, and bicycle lanes. The project includes various multi-use paths and walkways that connect the residents and retail patrons with adjacent open space, surrounding neighborhoods and nearby Emerald Glen Park. The project would provide housing and mixed uses on an infill location near transit. These project design features are consistent with the GHG reduction planning efforts and housing performance targets outlined in *Plan Bay Area 2040.* Therefore, the project would not conflict with the land use concept plan in *Plan Bay Area 2040* and impacts would be less than significant.

10.5.5 Level of Significance After Mitigation

Table 10-6: Summary of Impacts and Mitigation Measures – Greenhouse Gas Emissions summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to greenhouse gas emissions.

Table 10-6: Summary of Impacts and Mitigation Measures – Greenhouse Gas Emissions

Impact	Impact Significance	Mitigation
Impact GHG-1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases (Class III).	Less than Significant	

10.6 References

Bay Area Air Quality Management District, *2017 CEQA Air Quality Guidelines*, 2017.

Bay Area Air Quality Management District, *Final 2017 Clean Air Plan*, 2017.

Bay Area Air Quality Management District, *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts From Land Use Projects and Plans,* 2022.

California Air Pollution Control Officers Association, *CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act*, 2008.

California Air Pollution Control Officers Association (CAPCOA). 2016. *CalEEMod User's Guide*.

California Air Resources Board, *Climate Change Proposed Scoping Plan*. 2008.

California Air Resources Board, *Greenhouse Gas for 2000-2019 — Trends of Emissions and Other Indicators*, July 2021.

California Air Resources Board, *California Greenhouse Gas Inventory for 2000-2010 — by Category Defined in the Scoping Plan*, 2013.

California Air Resources Board, *California's 2017 Climate Change Scoping Plan,* 2017.

City of Dublin. *Climate Action Plan2030 And Beyond*, 2020.

Intergovernmental Panel on Climate Change (IPCC). 2007. Climate Change 2007: Synthesis Report, the Fourth IPCC Assessment Report. Available at: http://www.ipcc-nggip.iges.or.jp/public/index.html

Intergovernmental Panel on Climate Change (IPCC). 2014. Climate Change 2014: Synthesis Report, the Fifth IPCC Assessment Report. Available at: https://www.ipcc.ch/report/ar5/

US EPA. April 2018. Overview of Greenhouse Gases. Available at: https://www.epa.gov/ghgemissions/overview-greenhouse-gases

US EPA. April 2018. Inventory of U.S. Greenhouse Gas Emissions and Sinks. Available at: https://www.epa.gov/ghgemissions/inventory-us-greenhouse-gas-emissions-and-sinks-1990-2016

11 Hazards & Hazardous Materials

11.1 Introduction

This section describes effects of hazards and hazardous materials that would result from implementation of the project. Information used to prepare this section came from the following resources:

- ENGEO Incorporated, *Phase I Environmental Site Assessment*, 2018 (see Appendix E)
- City of Dublin, *General Plan*, 1985, as amended 2022
- City of Dublin, *Eastern Dublin Specific Plan,* 1994, updated 2022

11.2 Scoping Issues Addressed

During the public comment scoping period for the project, comments requesting analysis of the potential for hazards release, aerially deposited lead, sampling of backfill material, pesticides, and hazards in general were received.

11.3 Environmental Setting

This section presents information on the potential for hazardous conditions on the project site.

11.3.1 Hazardous Materials

Hazardous materials, as defined by the California Code of Regulations, are substances with certain physical properties that could pose a substantial present or future hazard to human health or the environment when handled, disposed, or otherwise managed improperly. Hazardous materials are grouped into the following four categories, based on their properties:

- Toxic – causes human health effects
- Ignitable – has the ability to burn
- Corrosive – causes severe burns or damage to materials
- Reactive – causes explosions or generates toxic gases

Hazardous waste is any hazardous material that is discarded, abandoned, or slated to be recycled. The criteria that define a material as hazardous also define a waste as hazardous. If handled, disposed, or otherwise handled improperly, hazardous materials and hazardous waste can result in public health hazards if released into the soil or groundwater or through airborne releases in vapors, fumes, or dust. Soil and groundwater having concentrations of hazardous material constituents higher than specific regulatory levels must be handled and disposed of as hazardous waste when excavated or pumped from an aquifer. The California Code of Regulations, Title 22, Sections 66261.20-24 contain technical descriptions of toxic characteristics that could cause soil or groundwater to be classified as hazardous waste.

11.3.2 Phase I Environmental Site Assessment

A Phase I ESA was prepared by ENGEO in January 2018 to determine the presence or absence of hazardous materials on the project site. This assessment included a review of local, state, tribal, and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources. A reconnaissance of the property was conducted to review site use and current conditions to check for the storage, use, production or disposal of hazardous or potentially hazardous materials and interviews with persons knowledgeable about current and past site use. The findings are summarized as follows.

Existing Conditions

The Phase I ESA identified 11 Federal USGS wells located within one mile of the project site. The closed well, Well Number 1, is located less than one-half-mile east-southeast of the property, and 20 groundwater level measurements were observed, which ranged between 34.9 feet and 36.9 feet below the ground.

No Recognized Environmental Conditions (RECs), historical RECs, nor controlled RECs were identified on the property. However, ENGEO identified the following conditions that could pose an environmental concern:

- One five-gallon bucket containing petroleum hydrocarbon material and one five-gallon bucket containing petroleum hydrocarbon spilt material (middle parcel APN 985-52-24).
- Approximately nine drums in poor condition (middle parcel APN 985-52-24).
- Minor stained soil with odors (middle parcel APN 985-52-24).
- Minor stressed vegetation under abandoned tractors (middle parcel APN 985-52-24).
- Solid waste debris (middle parcel AP: 985-52-24 and southern parcel APN 985-51-5).
- Abandoned Zone 7 water supply well (middle parcel APN 985-52-24).

Records Search

Environmental Data Resources, Inc. (EDR) performed a search of federal, State, and local databases listing contaminated sites, brownfield sites (a development site having the presence or potential presence of hazardous substance, pollutant, or contaminate), underground storage tank sites, waste storage sites, toxic chemical sites, contaminated well sites, clandestine drug lab sites, and other sites containing hazardous materials. The project site and adjacent sites were not listed on any databases.

Topographic Maps and Aerial Photographs

ENGEO reviewed historical USGS topographic maps and aerial photographs provided by EDR of the project site dating back to 1906. In the 1906 map, no structures were identified. Structures do appear in 1953 and disappear by 1998.

In the aerial photographs the project site was vacant or used as agricultural land in 1939 and four structures appear on the site in 1949. The site appears to have historically been used as agricultural row crops based on 1966 and 1968 aerial photographs.

Hazardous Building Materials

The Phase I ESA concluded that asbestos-containing materials and lead-based paint were not a concern because of the absence of buildings on the project site.

11.3.3 Livermore Municipal Airport

The Livermore Municipal Airport is located in the western portion of Livermore, immediately south of I-580, and approximately two miles from the project site. The airport is owned and operated by the City of Livermore.

The Livermore Executive Airport Land Use Compatibility Plan (ALUCP) indicates that 600 aircraft were based at the airport in 2008, with that number projected to increase to 900 by 2030. The airport averaged 394 operations per day in 2014 (143,810 operations annually).

Most of the project site, excluding the most northerly portion, is located with the Airport Influence Area (AIA)/Overlay Zoning District. This area is designated as an area in which current or future airport-related noise, overflight, safety and/or airspace protection factors may affect land uses or necessitate restrictions on those uses. The AIA is a designation in the ALUCP by the Alameda County Airport Land Use Commission.

As shown in Figure 11-1: Livermore Municipal Airport Safety Compatibility Zones, the same portion of the project site is also located within Land Use Compatibility Zone 7 (Area of Influence) of the Livermore Municipal Airport, as established in the ALUCP.

11.4 Applicable Regulations, Plans, and Standards

The management of hazardous materials and hazardous wastes is regulated at federal, State, and local levels, including, among others, through programs administered by the U.S. Environmental Protection Agency (U.S. EPA); agencies within the California Environmental Protection Agency (CalEPA), such as the Department of Toxic Substances Control (DTSC); federal and state occupational safety agencies; and the Alameda County Department of Environmental Health. Regulations pertaining to flood hazards are discussed in Chapter 12: Hydrology & Water Quality, and regulations for geologic and soil-related hazards are discussed in Chapter 9: Geology and Soils.

11.4.1 Federal

Toxic Substances Control Act/Resource Conservation and Recovery Act/Hazardous and Solid Waste Act

The federal Toxic Substances Control Act of 1976 and Resource Conservation and Recovery Act (RCRA) established a program administered by the U.S. EPA for the regulation of the

generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA was amended in 1984 by the Hazardous and Solid Waste Act (HSWA), which affirmed and extended the "cradle to grave" system of regulating hazardous wastes.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law (U.S. Code Title 42, Chapter 103) provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites; provides for liability of persons responsible for releases of hazardous waste at these sites; and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Clean Water Act/SPCC Rule

The Clean Water Act (CWA) (33 U.S.C. Section 1251 et seq., formerly the Federal Water Pollution Control Act of 1972), was enacted with the intent of restoring and maintaining the chemical, physical, and biological integrity of the waters of the United States. The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Those discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process (CWA Section 402). In California, NPDES permitting authority is delegated to, and administered by, the nine Regional Water Quality Control Boards (RWQCBs). The project is within the jurisdiction of the San Francisco RWQCB.

Section 402 of the Clean Water Act authorizes the California State Water Resources Control Board to issue NPDES General Construction Storm Water Permit (Water Quality Order 99-08-DWQ), referred to as the "General Construction Permit." Construction activities can comply with and be covered under the General Construction Permit provided that they:

- Develop and implement a Storm Water Pollution Prevention Plan (SWPPP) which specifies Best Management Practices (BMPs) that will prevent all construction pollutants from contacting stormwater and with the intent of keeping all products of erosion from moving off-site into receiving waters;
- Eliminate or reduce non-stormwater discharges to storm sewer systems and other waters of the nation; and

- Perform inspections of all BMPs.

NPDES regulations are administered by the RWQCB. Projects that disturb one or more acres are required to obtain NPDES coverage under the Construction General Permits.

As part of the CWA, U.S. EPA oversees and enforces the Oil Pollution Prevention regulation contained in Title 40 of the CFR, Part 112 (Title 40 CFR, Part 112) which is often referred to as the "SPCC rule" because the regulations describe the requirements for facilities to prepare, amend and implement Spill Prevention and Countermeasures (SPCC) Plans. A facility is subject to SPCC regulations if a single oil (or gasoline, or diesel fuel) storage tank has a capacity greater than 660 gallons, the total above ground oil storage capacity exceeds 1,320 gallons, or the underground oil storage capacity exceeds 42,000 gallons, and if, due to its location, the facility could reasonably be expected to discharge oil into or upon the "Navigable Waters" of the United States.

Occupational Safety and Health Administration

Occupational Safety and Heather Administration's (OSHA) mission is to ensure the safety and health of America's workers by setting and enforcing standards; providing training, outreach, and education; establishing partnerships; and encouraging continual improvement in workplace safety and health. OSHA staff establishes and enforces protective standards and reaches out to employers and employees through technical assistance and consultation programs. OSHA standards are listed in Title 29 CFR Part 1910.

OSHA's Hazardous Waste Operations and Emergency Response Standard (HAZWOPER) applies to five distinct groups of employers and their employees. This includes any employees who are exposed or potentially exposed to hazardous substances — including hazardous waste — and who are engaged in one of the following operations:

- Clean-up operations — required by a governmental body, whether federal, State, local, or other involving hazardous substances — that are conducted at uncontrolled hazardous waste sites;
- Corrective actions involving clean-up operations at sites covered by RCRA as amended (42 U.S.C. 6901 et seq.);
- Voluntary clean-up operations at sites recognized by federal, state, local, or other governmental body as uncontrolled hazardous waste sites;
- Operations involving hazardous wastes that are conducted at treatment, storage, and disposal facilities regulated by Title 40 Code of Federal Regulations Parts 264 and 265 pursuant to RCRA, or by agencies under agreement with U.S. EPA to implement RCRA regulations; and

- Emergency response operations for releases of, or substantial threats of releases of, hazardous substances regardless of the location of the hazard.

11.4.2 State

Hazardous Materials Release Response Plans and Inventory Act of 1985

The California Health and Safety Code, Division 20, Chapter 6.95, known as the Hazardous Materials Release Response Plans and Inventory Act or the Business Plan Act, requires businesses using hazardous materials to prepare a plan that describes their facilities, inventories, emergency response plans, and training programs. Businesses must submit this information to the County Environmental Health Division. The Environmental Health Division verifies the information and provides it to agencies responsible for protection of public health and safety and the environment. Business Plans are required to include emergency response plans and procedures in the event of a reportable release or threatened release of a hazardous material, including, but not limited to, all of the following:

- Immediate notification to the administering agency and to the appropriate local emergency rescue personnel.
- Procedures for the mitigation of a release or threatened release to minimize any potential harm or damage to persons, property, or the environment.
- Evacuation plans and procedures, including immediate notice, for the business site.
- Business Plans are also required to include training for all new employees, and annual training, including refresher courses, for all employees in safety procedures in the event of a release or threatened release of a hazardous material.

Hazardous Waste Control Act

The Hazardous Waste Control Act created the State hazardous waste management program, which is similar to but more stringent than the federal RCRA program. The act is implemented by regulations contained in Title 26 of the CCR, which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with the DTSC.

Unified Hazardous Waste and Hazardous Materials Management Regulatory Program

The Unified Hazardous Waste and Hazardous Materials Management Regulatory Program (Unified Program) required the administrative consolidation of six hazardous materials and waste programs (Program Elements) under one agency, a Certified Unified Program Agency (CUPA). The Program Elements consolidated under the Unified Program are Hazardous Waste Generator and On-site Hazardous Waste Treatment Programs (a.k.a. Tiered Permitting); Aboveground Petroleum Storage Tank SPCC; Hazardous Materials Release Response Plans and Inventory Program (a.k.a. Hazardous Materials Disclosure or "Community-Right-To-Know"); California Accidental Release Prevention Program (Cal ARP); Underground Storage Tank (UST) Program; and Uniform Fire Code Plans and Inventory Requirements.

The Unified Program is intended to provide relief to businesses complying with the overlapping and sometimes conflicting requirements of formerly independently managed programs. The Unified Program is implemented at the local government level by CUPAs. Most CUPAs have been established as a function of a local environmental health or fire department. Some CUPAs have contractual agreements with another local agency, a participating agency, which implements one or more Program Elements in coordination with the CUPA.

Department of Toxic Substance Control

Department of Toxic Substance Control (DTSC) is a department of Cal EPA and is the primary agency in California that regulates hazardous waste, cleans up existing contamination, and looks for ways to reduce the hazardous waste produced in California. DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning. Government Code §65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services (DHS) lists of contaminated drinking water wells, sites listed by the California Water Resources Control Board as having UST leaks and have had a discharge of hazardous wastes or materials into the water or groundwater and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

California Office of Emergency Services

To protect the public health and safety and the environment, the California Office of Emergency Services (OES) is responsible for establishing and managing statewide standards for business and area plans relating to the handling and release or threatened release of hazardous materials. Basic information on hazardous materials handled, used, stored, or disposed of (including location, type, quantity, and the health risks) needs to be available to firefighters, public safety officers, and regulatory agencies. The information must be included in these institutions' business plans to prevent or mitigate the damage to the health and safety of persons and the environment from the release or threatened release of these materials into the workplace and environment.

These regulations are covered under Chapter 6.95 of the California Health and Safety Code Article 1– Hazardous Materials Release Response and Inventory Program (Sections 25500 to 25520) and Article 2– Hazardous Materials Management (Sections 25531 to 25543.3). CCR Title 19, Public Safety, Division 2, Office of Emergency Services, Chapter 4–Hazardous Material Release Reporting, Inventory, and Response Plans, Article 4 (Minimum Standards for Business Plans) establishes minimum statewide standards for Hazardous Materials Business Plans (HMBP).

These plans shall include the following: (1) a hazardous material inventory in accordance with Sections 2729.2 to 2729.7; (2) emergency response plans and procedures in accordance with Section 2731; and (3) training program information in accordance with Section 2732. Business plans contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of in the State. Each business shall prepare a HMBP if that business uses, handles, or stores a hazardous material or an extremely hazardous material in quantities greater than or equal to the following: 500 pounds of a solid substance, 55 gallons of a liquid, 200 cubic feet of compressed gas, a hazardous compressed gas in any amount, or hazardous waste in any quantity.

California Occupational Safety and Health Administration

The California Occupational Safety and Health Administration (Cal/OSHA) is the primary agency responsible for worker safety in the handling and use of chemicals in the workplace. Cal/OSHA standards are generally more stringent than federal regulations. The employer is required to monitor worker exposure to listed hazardous substances and notify workers of exposure (8 CCR Sections 337-340). The regulations specify requirements for employee training, availability of safety equipment, accident-prevention programs, and hazardous substance exposure warnings.

11.4.3 Local

City of Dublin General Plan

The City of Dublin General Plan contains the following policies associated with hazards and hazardous materials that are relevant to the project:

Guiding Policy 8.3.4.A.1: Maintain and enhance the ability to regulate the use, transport, and storage of hazardous materials and to quickly identify substances and take appropriate action during emergencies.

Guiding Policy 8.3.4.A.2: Minimize the risk of exposure to hazardous materials from contaminated sites.

Implementing Policy 8.3.4.B.2: As part of the City's Comprehensive Emergency Response Plan, the City has adopted a Hazardous Materials Response Plan. The City will periodically review the Plan to prepare for and respond to emergencies related to hazardous materials.

Implementing Policy 8.3.4.B.3: Periodically review and enforce the City's ordinances regulating the handling, transport, and storage of hazardous materials and hazardous waste.

Implementing Policy 8.3.4.B.4: Require site-specific hazardous materials studies for new development projects where there is a potential for the presence of hazardous materials from previous uses on the site. If hazardous materials are found, require the clean-up of sites to acceptable regulatory standards prior to development.

Guiding Policy 8.4.1.A.1: All proposed land uses within the Airport Influence Area (AIA) shall be reviewed for consistency with the safety compatibility policies and airspace protection policies of the Airport Land Use Compatibility Plan (ALUCP) for the Livermore Municipal Airport.

Implementing Policy 8.4.1.B.1: Adopt an Airport Overlay Zoning District to ensure that all proposed development within the Airport Influence Area (AIA) is reviewed for consistency with all applicable Livermore Municipal Airport, Airport Land Use Compatibility Plan (ALUCP) policies.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan contains the following policy associated with hazards and hazardous materials that are relevant to the project:

Policy 11-1 Prior to issuance of building permits for site-specific Phase I (and if necessary Phase II) environmental site assessments shall be made available to the Community Development Director, with appropriate documentation that all recommended remediation actions have been completed.

Alameda County – Livermore Executive Airport Land Use Compatibility Plan

The Livermore Executive Airport Land Use Compatibility Plan (ALUCP) governs land use around Livermore Municipal Airport. The ALUCP was adopted by the Alameda County Airport Land Use Commission (ALUC) in 2012.

The ALUCP should act as a guide for the ALUC and local jurisdictions in safeguarding the general welfare of the public. The ALUCP establishes that the following "specific characteristics" are to be avoided: (1) glare or distracting lights that could be mistaken for airport lights; (2) sources dust, heat, steam, or smoke that may impair pilot vision; (3) sources of steam or other emissions that may cause thermal plumes or other forms of unstable air that generate turbulence within the flight path; (4) sources of electrical interferences with aircraft communications or navigation; or (5) features that create an increased attraction for wildlife including landfills or agricultural and recreational uses that attract large flocks of birds.

11.5 Environmental Impacts and Mitigation Measures

11.5.1 Significance Criteria

The following significance criteria for hazards & hazardous materials were derived from the Environmental Checklist in CEQA Guidelines Appendix G. An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment.
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area.
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

11.5.2 Summary of No and/or Beneficial Impacts

Hazards within 0.25 Mile of a School

The nearest public school to the project site is Eleanor Murray Fallon Middle School, located .25 miles north of the project site. Kolb Elementary School is located 0.5 miles east of the project site. Emerald High School located at 3600 Central Parkway is currently under construction and Phase 1 is scheduled to be completed in early 2024. Located .25 miles east, it will be the nearest school to the project site. The project does not propose any industrial uses and the proposed residential and commercial uses would utilize commercially common chemicals (e.g. cleaning supplies) that are readily prevalent at schools and the surrounding community. Therefore, the project would not affect an existing or proposed school within the designated rate of one-quarter mile and this threshold is not evaluated further.

Listed Hazardous Material Site

The project site is also not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, this threshold is not evaluated further.

Emergency Response Plan

The project site is not located within the area of or within the direct vicinity of an emergency response plan. Therefore, this threshold is not further evaluated.

Wildland Fire

The project site is not located adjacent to wildlands that would put the property at risk for fires. Therefore, this threshold is not further evaluated.

11.5.3 Impacts of the Proposed Project

Impact HAZ-1: Exposure to known hazardous contaminants (Class II).

The project site is currently undeveloped and has not supported urban development in the past. Although the Phase I ESA concluded there were no Recognized Environmental Conditions (RECs) or historical RECs on the site, the following deleterious materials were observed:

- One 5-gallon bucket of petroleum hydrocarbon containing material and one 5-gallon bucket of petroleum hydrocarbon containing spilt material (middle parcel APN 985-52-24).
- Approximately nine drums in poor condition (middle parcel APN 985-52-24).
- Minor stained soil with odors (middle parcel APN 985-52-24).
- Minor stressed vegetation under abandoned tractors (middle parcel APN 985-52-24).
- Solid waste debris (middle parcel AP: 985-52-24 and southern parcel APN 985-51-5).

- Abandoned Zone 7 water supply well (middle parcel APN 985-52-24).

Based on the land uses being proposed, the disturbance of these deleterious materials could result in the exposure of hazardous contaminants into the environment. This is considered a potentially significant impact. Implementation of MM HAZ-1.1: Disposal of Deleterious Materials would reduce this impact to less than significant.

Mitigation for Impact HAZ-1

MM HAZ-1.1 Disposal of Deleterious Materials.

Prior to any ground disturbance on the middle parcel (APN 985-52-24), the project applicant shall retain a qualified hazardous materials contractor to properly dispose of the observed deleterious materials, and any others discovered during remediation. Additionally, the applicant shall close the abandoned Zone 7 water supply well in accordance with applicable regulatory agency requirements.

Impact HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions. (Class III).

Project construction activities may involve the use, transport, and disposal of hazardous materials. These materials may include chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances used during construction. Construction of the project would also require the use of gasoline and diesel-powered heavy equipment, such as bulldozers, backhoes, water pumps, and air compressors. Transportation, storage, use, and disposal of hazardous materials during construction activities would be required to comply with applicable federal, State, and local statutes and regulations regarding the transport, storage, and use of hazardous materials. Compliance with these statutes and regulations would ensure that human health and the environment are not exposed to hazardous materials.

The project would develop a mixed-use of commercial and residential uses on the project site. The project's end uses would not involve the routine use of large quantities of hazardous materials. Small quantities of hazardous materials would be used as part of daily operations, including cleaning solvents (e.g., degreasers, diesel, paint thinners, and aerosol propellants), paints, disinfectants, and fertilizers. These substances would be stored in secure areas and would be required to comply with all applicable regulatory requirements.

If future commercial users propose to use, handle, or store hazardous materials or waste in quantities that are regulated by the Alameda County Department of Environmental Health, they would be required to submit a Hazardous Materials Business Plan documenting basic information on the location, type, quality, and health risks of hazardous materials and/or

waste. Transport of these materials would be performed by commercial vendors who would be required to comply with applicable federal and state regulations.

For the residential portion of the project, there would be a less than significant impact to the transport, use or disposal of hazardous materials, since residential development does not use, store or transport significant quantities of hazardous materials. To the extent there are potentially hazardous materials used in construction, the impacts would be less than significant due to compliance with regulatory requirements, and no mitigation would be required.

Impact HAZ-3: Create aviation hazards for persons residing or working in the project area (Class III).

Most of the project site is located with the Airport Influence Area (AIA)/Overlay Zoning District. This area is designated as an area in which current or future airport-related noise, overflight, safety and/or airspace protection factors may affect land uses or necessitate restrictions on those uses.

The ALUP establishes that the following "specific characteristics" are to be avoided in the AIA: 1) Glare or distracting lights that could be mistaken for airport lights; 2) Sources of dust, heat, steam, or smoke that may impair pilot vision; 3) Sources of steam or other emissions that may cause thermal plumes or other forms of unstable air that generate turbulence within the flight path; 4) Sources of electrical interferences with aircraft communications or navigation; or 5) Features that create an increased attraction for wildlife including landfills or agricultural and recreational uses that attract large flocks of birds.

The project does not: 1) Propose any exterior lights that could be mistaken for airport lights; 2) Propose any uses or activities that emit substantial amounts of dust, heat, steam, or smoke; 3) Propose any uses or activities that would generate electrical interference; or 4) Have features that could attract large flocks of birds (e.g., a pond). Therefore, the project would be compatible with the flight hazards policies of the Airport Land Use Compatibility Plan and impacts would be less than significant.

Existing airport noise is addressed in Chapter 14: Noise and Vibration. The project's location relative to the AIA would not result in significant noise exposure to future residents, businesses or employees.

11.5.4 Cumulative Impact Analysis

The geographical area for the analysis of cumulative impacts involving risks associated with hazards and hazardous materials is the is the project site and adjacent properties.

Impact HAZ-4: Contribute to cumulatively considerable impacts to hazards and hazardous materials (Class II).

Most hazards and hazardous materials impacts from development are site-specific and if properly designed would not result in additive worsening of the environmental or public health and safety. Cumulative development would be subject to site-specific hazards and/or hazardous materials constraints; pursuant to the City of Dublin's building requirements.

Nevertheless, development of past, present and reasonably foreseeable future developments could cumulatively increase the potential for exposure of people throughout the City of Dublin to existing soil contamination from ground disturbance during construction; hazards associated with the use, transport, or disposal of hazardous materials for any industrial projects; wildland fire hazards from development in a Fire Hazard Severity Zone; and compliance with the Alameda County Emergency Response and/or Evacuation Plans because of the addition of residents and employees in areas without adequate emergency access. Therefore, an overall increase in the potential for exposure to hazards, hazardous materials, and wildland fires could occur as development occurs. The project's potential contribution to this cumulative increase would be less than significant based on the primary site-specific nature of potential impacts, compliance with regulatory requirements, and implementation of MM HAZ- 1.1: Disposal of Deleterious Materials.

11.5.5 Level of Significance after Mitigation

Table 11-1: Summary of Impacts and Mitigation Measures – Hazards & Hazardous Materials summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to hazards and hazardous materials.

Table 11-1: Summary of Impacts and Mitigation Measures – Hazards & Hazardous Materials

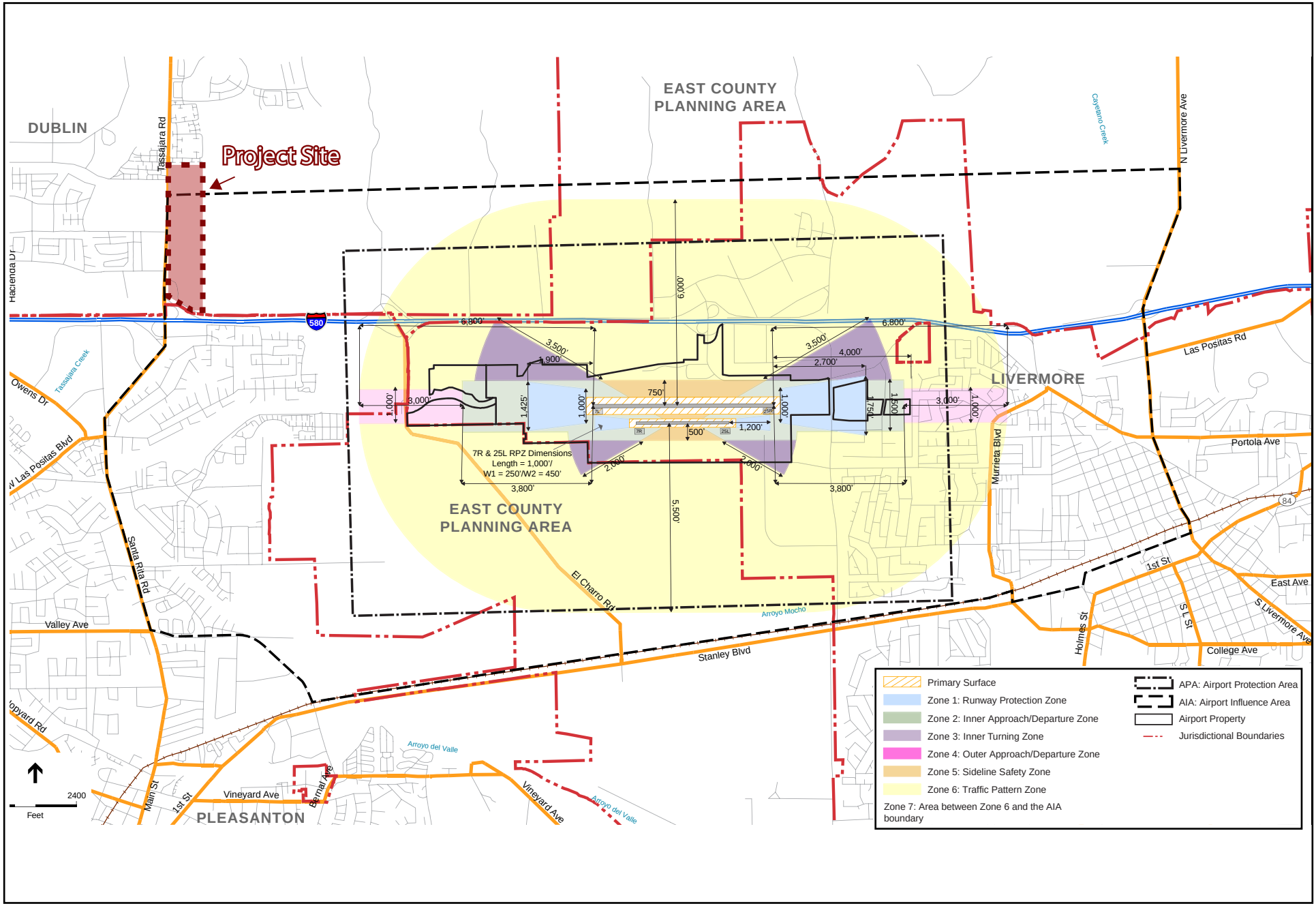
Impact	Impact Significance	Mitigation
Impact HAZ-1: Exposure to known hazardous contaminants (Class II).	Less than Significant with Mitigation	MM HAZ- 1.1: Disposal of Deleterious Materials.
Impact HAZ-2: Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, or through reasonably foreseeable upset and accident conditions. (Class III).	Less than Significant	None required.
Impact HAZ-3: Create aviation hazards for persons residing or working in the project area (Class III)	Less than Significant	None required.
Impact HAZ-4: Contribute to cumulatively considerable impacts to hazards and hazardous materials (Class II).	Less than Significant with Mitigation	MM HAZ- 1.1: Disposal of Deleterious Materials.

11.6 References

CAL FIRE (California Department of Forestry and Fire Protection). 2008. Very High Fire Hazard Severity Zones in LRA in Alameda County. Available at https://osfm.fire.ca.gov/divisions/community-wildfire-preparedness-and-mitigation/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/. Accessed April 4, 2022.

City of Dublin. *Eastern Dublin Specific Plan* 1994, updated 2022.

County of Alameda. *Livermore Executive Airport Land Use Compatibility Plan*, 2012.



Source: Alameda County ALUC, 2012

Figure 11-1: Livermore Municipal Airport Safety Compatibility Zones
SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience B

12 Hydrology & Water Quality

12.1 Introduction

This chapter describes effects on water resources (hydrology and water quality) that would be caused by implementation of the project. Information used to prepare this chapter came from the following resources:

- Aerial/satellite photography
- Project application and related materials
- Dublin-San Ramon Services District, *2020 Urban Water Management Plan*, 2021

12.2 Scoping Issues Addressed

During the public comment scoping period for the project, one comment letter was received requesting analysis of planned potable water supply, wastewater connection, irrigation water supply, and hydrology and water quality in general.

12.3 Environmental Setting

This section presents information on the existing conditions of the project site and vicinity for hydrology and water quality.

12.3.1 Surface Water

Watershed

The project site is located within the Livermore Drainage Unit which is one of two major drainage basins in the Alameda Creek Watershed, and east of Tassajara Creek, which runs in a north-south direction. Tassajara Creek is a natural watercourse north of Interstate 580; but is channelized south of Interstate 580, prior to its convergence with Arroyo Mocho. Arroyo Mocho flows south to Arroyo De La Laguna, which empties into the San Francisco Bay.

The project site is located in the service area of the Dublin-San Ramon Services District (DSRSD), which serves the City of Dublin with potable water and non-potable recycled water. Alameda County Flood Control and Water Conservation District, known as Zone 7, supplies wholesale water to DSRSD.

Flooding

Flood Insurance Rate maps partition flood areas into three zones: Zone A for areas of 100-year flood; Zone B for areas of 500-year flood; and Zone C for areas of minimal flooding. The National Flood Insurance Program 100-year floodplain is considered the base flood condition. This is defined as a flood event of a magnitude that would be equaled or exceeded an average of once during a 100-year period. Floodways are defined as stream channels plus adjacent

floodplains that must be kept free of encroachment as much as possible so that the 100-year floods can be carried without substantial increases (no more than one foot) in flood elevations.

According to the Federal Emergency Management Agency (FEMA) mapped Flood Insurance Rate Map (FIRM), the majority of the project site is within Zone X (areas of the 0.2% annual chance flood; areas of one percent annual chance flood with average depth of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 1% annual chance flood), except the southerly portion of PA-1, which lies within zone AH (flood depth of one to three feet) with a base flood elevation of 349.0. (FEMA, 2009). As shown in Figure 12-1: Flood Hazard Areas, the southerly portion of the project site is located within the 100-year floodplain.

12.3.2 Groundwater

The project is within the Livermore Valley Groundwater Basin which extends about 14 miles from the Pleasanton Ridge east to the Altamont Hills and about three miles from the Livermore Upland north to the Orinda Upland. Principal streams providing surface drainage include Arroyo Valle, Arroyo Mocho, and Arroyo Las Positas, with Alamo Creek, South San Ramon Creek, and Tassajara Creek as minor streams. All streams converge on the west side of the basin to form Arroyo de la Laguna, which flows south and joins Alameda Creek in Sunol Valley.

Some geologic structures restrict the lateral movement of groundwater, but the general groundwater gradient is to the west, then south towards Arroyo de la Laguna. Elevations within the basin range from about 600 feet in the east, near the Altamont Hills, to about 280 feet in the southwest, where Arroyo de la Laguna flows into Sunol Groundwater Basin. Average annual precipitation ranges from 16 inches on the valley floor to more than 20 inches along the southeast and northwest basin margins.

The floor of the Livermore Valley and portions of the upland areas on all sides of the valley overlie groundwater-bearing materials. The materials are continental deposits from alluvial fans, outwash plains, and lakes. They include valley-fill materials, the Livermore Formation, and the Tassajara Formation. Under most conditions, the valley-fill and Livermore sediments yield adequate to large quantities of groundwater to all types of wells. The quality of water produced from these rocks ranges from poor to excellent, with most waters in the good to excellent range.

Total storage capacity of the basin is estimated at about 500,000 acre-feet (af). Groundwater storage was estimated at 219,000 af in 1999.

Zone 7 has maintained an annual hydrologic inventory of supply and demand since 1974. The inventory describes the balance between groundwater supply and demand. Under average hydrologic conditions, the groundwater budget is essentially in balance. Groundwater budget inflow components include natural recharge of 10,000 acre-feet, artificial recharge of 10,900 af, applied water recharge of 1,740 acre-feet, and subsurface inflow of 1,000 af. Groundwater budget outflow components include urban extraction of 10,290 af, agricultural extraction of

190 af, other extraction and evaporation associated with gravel mining operations of 12,620 af, and subsurface outflow of 540 af.

Zone 7 extracts groundwater from the Livermore Valley Main Groundwater Basin (Main Basin) which contains high-yielding aquifers and good quality groundwater. The Main Basin has an estimated storage capacity of approximately 254,000 af. California Department of Water Resources (DWR) has not identified the Main Basin as a basin in overdraft or a basin expected to be in overdraft. The Main Basin is considered a storage facility and not a long-term source of water supply because Zone 7 only pumps groundwater it has artificially recharged using its surface water supplies.

DSRSD, the City of Pleasanton, the City of Livermore, and California Water Service Company have agreements with Zone 7 limiting their extraction of the long-term sustainable yield of the Main Basin. This agreement, along with Zone 7's other groundwater management activities, keeps the groundwater budget in balance under average hydraulic conditions. Each of these entities, known as retailers, has a groundwater pumping quota (GPQ) and are responsible for a fee if they pump in excess of their GPQ.

DSRSD groundwater supply is pumped by Zone 7 from Mocho well No. 4, a Zone 7 installed well located in the Mocho well field. Groundwater from Mocho No.4 is blended with water from other Zone 7 water supplies and is delivered to DSRSD to meet its total water demand. Zone 7 conducts a program of groundwater replenishment by recharging imported surface water via its streams ("in-stream recharge") for storage in the Main Basin. Zone 7's operational policy is to maintain the balance between the combination of natural and artificial recharge and withdrawal, ensuring that groundwater levels do not drop below the historic low level of 128,000 af. Zone 7 plans to recharge 9,200 afy on average, which means that Zone 7 can pump an equivalent 9,200 afy on average from the Main Basin.

12.4 Applicable Regulations, Plans, and Standards

12.4.1 Federal and State

Clean Water Act

Under the Clean Water Act of 1972, the United States Environmental Protection Agency (U.S. EPA) is authorized to regulate the discharge of pollutants in the waters of the United States and to regulate water quality standards for surface waters. The U.S. EPA has delegated authority for implementing water quality regulations to the California State Water Resources Control Board (State Water Board), which has nine Regional Water Quality Control Boards (RWQCB).

Porter-Cologne Water Quality Control Act

State Water Board regulates water quality through the Porter-Cologne Water Quality Act of 1969, which contains a complete framework for the regulation of waste discharges to both surface waters and groundwater of the state. On the regional level, the project falls under the

jurisdiction of the San Francisco Bay RWQCB, which is responsible for the implementation of state and federal water quality protection statutes, regulations and guidelines.

National Pollutant Discharge Elimination System

Pursuant to Section 402 of the CWA and the Porter-Cologne Water Quality Control Act, municipal storm water discharges in the City of Dublin are regulated under the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008, adopted May 11, 2022, and the San Francisco Bay Regional Water Quality Control Board (RWQCB) Transmittal of Order No. R2-2003-0032, Water Quality Certification and Waste Discharge Requirements, Dublin Ranch Project, dated April 22, 2003. Both NPDES permits are overseen by the RWQCB.

The City of Dublin is a member agency of the Alameda Countywide Clean Water Program, which assists municipalities and other agencies in Alameda County with implementation of the Municipal Regional Permit. Provision C.3 addresses post-construction stormwater management requirements for new development and redevelopment projects that add and/or replace 5,000 square feet or more of impervious area. Provision C.3 requires the incorporation of site design, source control, and stormwater treatment measures into development projects to minimize the discharge of pollutants in stormwater runoff and non-stormwater discharges, and to prevent increases in runoff flows. Low Impact Development (LID) methods are to be the primary mechanism for implementing such controls.

Municipal Regional Permit Provision C.3.g pertains to hydromodification management. This Municipal Regional Permit provision requires that stormwater discharges not cause an increase in the erosion potential of the receiving stream over the existing condition. Increases in runoff flow and volume must be managed so that the post-project runoff does not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force.

The Hydromodification Management Susceptibility Map developed by the Alameda Countywide Clean Water Program indicates that Dublin drains primarily to earthen channels; therefore, projects that create or replace one acre or more of impervious surface and increase impervious surface over pre-project conditions are subject to hydromodification management requirements.

In addition, projects disturbing more than one acre of land during construction are required to comply with the NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002 (Construction General Permit). Construction General Permit activities are regulated at a local level by the RWQCB.

To obtain coverage under the Construction General Permit, a project applicant must provide a Notice of Intent, a Stormwater Pollution Prevention Plan (SWPPP), and other documents

required by Attachment B of the Construction General Permit. Activities subject to the Construction General Permit include clearing, grading, and disturbances to the ground, such as grubbing or excavation. The permit also covers linear underground and overhead projects such as pipeline installations.

The Construction General Permit uses a risk-based permitting approach and mandates certain requirements based on the project risk level (Level 1, 2, or 3). The project risk level is based on the risk of sediment discharge and the receiving water risk. The sediment discharge risk depends on project location and timing (such as wet season versus dry season activities). The receiving water risk depends on whether the project would discharge to a sediment-sensitive receiving water. The determination of the project risk level would be made by project applicants when the Notice of Intent is filed (and more details of the timing of the construction activity are known).

The performance standard in the Construction General Permit is that dischargers minimize or prevent pollutants in stormwater discharges and authorized non-stormwater discharges through the use of controls, structures, and best management practices (BMPs). A SWPPP must be prepared by a qualified SWPPP developer that meets the certification requirements in the Construction General Permit. The purpose of the SWPPP is: 1) to help identify the sources of sediment and other pollutants that could affect the quality of stormwater discharges, and 2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater as well as non-stormwater discharges resulting from construction activity. Operation of BMPs must be overseen by a qualified SWPPP practitioner who meets the requirements outlined in the permit.

Section 303(d) and Total Maximum Daily Loads

Section 303(d) of the Clean Water Act (CWA) requires each state to identify water bodies that are impaired, and which consequently require further action to support their beneficial uses. Once a water body is identified as impaired, the state is required to establish a Total Maximum Daily Load (TMDL) for each pollutant that is a source of impairment. A TMDL is a calculation of the maximum amount of a pollutant that a water body can receive and still meet water quality standards, which will ensure the protection of beneficial uses. The Basin Plan establishes TMDLs and the attainment strategies that need to be implemented to meet the standards. TMDL attainment strategies are implemented by the RWQCB through National Pollutant Discharge Elimination System (NPDES) permits.

National Flood Insurance Program

The National Flood Insurance Program (NFIP), implemented by the Congress of the United States in 1968, enables participating communities to purchase flood insurance. Flood insurance rates are set according to flood-prone status of property as indicated by FIRMs developed by FEMA. FIRMs identify the estimated limits of the 100-year floodplain for mapped watercourses, among other flood hazards. As a condition of participation in the NFIP, communities must adopt regulations for floodplain development intended to reduce flood damage for new

development through such measures as flood proofing, elevation on fill, or floodplain avoidance.

Senate Bill 610

Senate Bill (SB) 610 was passed on January 1, 2002, amending California state law to require detailed analysis of water supply availability for large development projects. An SB 610 Water Supply Assessment (WSA) must be prepared if the following three conditions are met: 1) the project is subject to CEQA under Water Code Section 10910; 2) the project meets criteria to be defined as a "Project" under Water Code Section 10912; and 3) the applicable water agency's current Urban Water Management Plan (UWMP) does not account for the water supply demand associated with the project. A project would meet the definition of "Project" per Water Code Section 10912 if it is:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects specified in this subdivision; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project (DWR, 2003b).

12.4.2 Local

City of Dublin General Plan

The City of Dublin General Plan establishes the following policies associated with hydrology and water quality that are relevant to the project:

Guiding Policy 7.3.1.A.1: Maintain natural hydrologic systems.

Implementing Policy 7.3.1.B.1: Enforce the requirements of the Municipal Regional Permit for stormwater issued by the San Francisco Bay Regional Water Quality Control Board or any subsequent permit as well as Chapter 7 (Public Works) and Chapter 9 (Subdivisions) of the Dublin Municipal Code for maintenance of water quality and protection of stream courses.

Implementing Policy 7.3.1.B.2: Review development proposals to ensure site design that minimizes soil erosion and volume and velocity of surface runoff.

Guiding Policy 12.3.5.A.1: Protect the quality and quantity of surface water and groundwater resources that serve the community.

Guiding Policy 12.3.5.A.2: Protect water quality by minimizing stormwater runoff and providing adequate stormwater facilities.

Guiding Policy 12.3.5.A.3: To minimize flooding in existing and future development, design stormwater facilities to handle design-year flows based on buildout of the General Plan.

Implementing Policy 12.3.5.B.1: Support Zone 7's efforts to complete planned regional storm drainage improvements.

Implementing Policy 12.3.5.B.2: With the goal of minimizing impervious surface area, encourage design and construction of new streets to have the minimum vehicular travel lane width possible while still meeting circulation, flow, and safety requirements for all modes of transportation.

Implementing Policy 12.3.5.B.3: Discourage additional parking over and above the required minimum parking standards for any land use unless the developer can demonstrate a need for additional parking.

Implementing Policy 12.3.5.B.5: Review design guidelines and standard details to ensure that developers can incorporate clean water runoff requirements into their projects.

Implementing Policy 12.3.5.B.6: Maximize the runoff directed to permeable areas or to stormwater storage by appropriate site design and grading, using appropriate detention and/or retention structures, and orienting runoff toward permeable surfaces designed to manage water flow.

Implementing Policy 12.3.5.B.7: Review development plans to minimize impervious surfaces and generally maximize infiltration of rainwater in soils, where appropriate. Strive to maximize permeable areas to allow more percolation of runoff into the ground through such means as bioretention areas, green strips, planter strips, decomposed granite, porous pavers, swales, and other water permeable surfaces. Require planter strips between the street and the sidewalk within the community, wherever practical and feasible.

Implementing Policy 12.3.5.B.8: Continue conducting construction site field inspections to ensure proper erosion control and materials/waste management implementation to effectively prohibit non-stormwater discharges.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan contains the following program associated with hydrology and water quality that are relevant to the project:

Program 6H: The City should enact and enforce an erosion and sedimentation control ordinance establishing performance standards to ensure maintenance of water quality and protection of stream channels. The ordinance should regulate grading and development activities adjacent to streams and wetland areas, and require revegetation of all ground disturbances immediately after construction to reduce erosion potential. Until such an ordinance is in place, the City shall require project applicants to provide a detailed erosion and sedimentation control plan as part of the project submittal.

12.5 Environmental Impacts and Mitigation Measures

12.5.1 Significance Criteria

The following significance criteria for hydrology & water quality were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water or ground water quality.
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge, such that the project may impede sustainable groundwater management of the basin.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would: Result in a substantial erosion or siltation on- or off-site; Substantially increase the rate or amount of runoff in a manner which would result in flooding on-or off-site; Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or Impede or redirect flood flows.
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation.
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

12.5.2 Summary of No and/or Beneficial Impacts

Based on the site's location, it would not be subject to inundation by seiche, tsunami, or mudflow. Therefore, these thresholds are not evaluated further in this chapter.

12.5.3 Impacts of the Proposed Project

Impact HYD-1: Contribute to the depletion of local groundwater supplies or interfere with groundwater recharge (Class III).

The project could substantially deplete local groundwater supplies or interfere with groundwater recharge if it:

- Affected groundwater basin in overdraft conditions;
- Caused the affected groundwater basin to be in overdraft;
- Caused a substantial local groundwater level drawdown at wells in the area; or
- Redirected natural recharge to the basin, such as through the introduction of impervious areas that prevent infiltration.

As further described in Chapter 16: Public Services, Utilities & Service Systems, the project would generate a total water demand of approximately 225afy. The project water demand, inclusive of potable, recycled, and groundwater, would not be higher than the demand included for the project site in the DSRSD's 2020 UWMP. Therefore, the project would not exceed the capacity of the groundwater production system.

Furthermore, DWR has not identified the Main Basin as a basin in overdraft nor as a basin expected to be in overdraft. Thus, the project would not cause the groundwater basin to be in overdraft, and it would not result in substantial local groundwater level drawdown at wells in the area.

Given that the site is currently vacant and undeveloped, the project would result in a net increase in impervious surfaces on-site. An increase in impervious surfaces from the primarily

pervious existing condition could reduce groundwater recharge. Site acreage and impervious surface acreage includes building footprints, public and private street pavement, sidewalks, walkways and driveways. Pursuant to the Stormwater Control Plans to be prepared for the project, however, stormwater would be reduced through inclusion of bioretention, Silva Cells with bioretention, and landscaping throughout the project site that would allow infiltration of stormwater. These features would allow for infiltration and replenishment of the groundwater basin.

In conclusion, the project would not result in groundwater overdraft, substantial local groundwater level drawdown; or substantially redirect stormwater such that natural basin recharge would be precluded. Impacts to local groundwater would be less than significant (Class III).

Impact HYD-2: Increase stormwater runoff due to an increase in impervious surfaces (Class III).

The rate and amount of surface runoff is determined by multiple factors, including the following: amount and intensity of precipitation; amount of other imported water that enters a watershed; and amount of precipitation and imported water that infiltrates to the groundwater. Infiltration is determined by several factors, including soil type, antecedent soil moisture, rainfall intensity, the amount of impervious surfaces within a watershed, and topography. The rate of surface runoff is largely determined by topography and the intensity of rainfall over time. The project would not alter any precipitation amounts or intensities, nor would it require any additional water to be imported into the project site. However, construction would include earth-disturbing activities which may affect site-specific infiltration and permeability during construction (temporary) and operation (permanent).

The project would include a drainage system that would collect and convey runoff and ultimately discharge it to the City of Dublin's municipal storm drainage system. In accordance with the C.3 provision of the Municipal Regional Storm Water Permit (MRP) and the California Regional Water Control Board (RWQCB) Transmittal of Order No. R2-2003-0032, Water Quality Certification and Waste Discharge Requirements, Dublin Ranch Project, dated April 22, 2003, the project would be required to implement post construction stormwater treatment measures minimizing long term water quality impacts by using low impact development, site design and source control measures.

The Dublin Ranch West Side Storm Drain Benefit District, adopted March 18, 2008, allocated flow from watershed PA-1, PA-2 and PA-3 for design of the storm drain system that has since been constructed. Below is a summary of the allocated 15-year peak flows for the project:

- Watershed PA-1 = 24.52 cubic feet/second (cfs)
- Watershed PA-2a and 2b = 26.21 cfs
- Watershed PA-2c = 25.19 cfs

- Watershed PA-3 = 19.60 cfs
- Watershed PA-4 = not a part of the Dublin Ranch Master Drainage Watershed
- Watershed "Tassajara" = not a part of the Dublin Ranch Master Drainage Watershed

The majority of the project site, including parcels PA-2 and PA-3, as well as Dublin Boulevard, Central Parkway and Brannigan Street, is located within the Dublin Ranch Master Drainage Watershed. Most drainage from the project site is discharged into the existing underground storm drain system in the public streets surrounding the project site. The existing storm drain system has been previously constructed in accordance with the Dublin Ranch Drainage Master Plan infrastructure improvements. Thus, the watersheds and drainage connection points for each development parcel and surrounding public streets have been previously identified and hydraulically sized as part of the revised SWMP for Dublin Ranch (March 2003), and the Dublin Ranch Drainage Master Plan (March 2006).

As a part of the Dublin Ranch Drainage Master Plan improvements, a water quality/detention basin was constructed at the downstream end of the Dublin Ranch Development Watershed adjacent to Interstate 580. This water quality/detention basin treats stormwater runoff for the properties that were included in the Dublin Ranch Development Watershed, including parcels PA-2 and PA-3. The stormwater quality/detention pond was constructed to meet the mandates in California Regional Water Quality Control Board San Francisco Bay Region Order No. R2--2003-0031, Waste Discharge Requirements and Water Quality Certification for Dublin Ranch Project, Dublin and Livermore, Alameda County.

Impervious surface area within PA-1, PA-4, Gleason Drive and Tassajara Road were not included in the Dublin Ranch Drainage Master Plan, therefore full compliance to the MRP C.3 Requirements and Zone 7 Water Agency requirements shall be met within the project boundaries.

In accordance with MRP C.3 Requirements and Zone 7 flood control requirements, drainage for the project site would be designed to maintain the existing watershed drainage pattern and avoid any impact to downstream watersheds by reducing the post development runoff for the site to the predevelopment condition by incorporating low impact development features such as bioretention and Silva Cells to treat and reduce stormwater pollutants from entering into the municipal separate storm drain system. The grading design would maintain the north/south sloping layout of the land, matches existing grades along project perimeters, minimizes the use of retaining walls, while minimizing the earthwork cut and fill.

Although the project would increase the amount of impervious surface area within the project site, the use of on-site treatment and detention would prevent a substantial increase in stormwater flows. Furthermore, stormwater discharges from the project and other new developments in the City would be required to comply with the Construction General Permit, MRP Provision C.3 requirements, and incorporate appropriate site-specific LID and source and treatment control measures. Thus, the project would not result in an increase in stormwater

runoff due to an increase in impervious surfaces. Impacts would be less than significant (Class III).

Impact HYD-3: Substantially alter drainage patterns on- or off-site that would result in the storm water transport of contaminants, pollutants, bacteria, salts, and sediment into downstream facilities (Class III).

Regulations under three State stormwater permits are applicable to this impact: 1) The Municipal Regional Stormwater NPDES Permit Provision C.3 Requirements (MRP), 2) The California Regional Water Control Board (RWQCB) Transmittal of Order No. R2-2003-0032, Water Quality Certification and Waste Discharge Requirements, Dublin Ranch Project, dated April 22, 2003, and 3) The NPDES General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities (Construction General Permit).

Construction General Permit

Because the project would disturb more than one acre of land, the project applicant would be required to submit a Notice of Intent (NOI) to the State Water Resources Control Board and apply for coverage under the Construction General Permit. As part of the NOI application process a Stormwater Pollution Prevention Plan (SWPPP) must be submitted for review and approval prior to commencing construction.

In addition to potential sediment transport, construction activities require the use of gasoline- and diesel-powered heavy equipment, such as bulldozers, backhoes, water pumps, and air compressors and chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, and glues. An accidental release of any of these substances could degrade the quality of the surface water runoff and adversely affect receiving waters.

To address this potential impact, the project applicant is required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit. The SWPPP shall be designed to address the following objectives:

> (1) All pollutants and their sources, including sources of sediment associated with construction, construction site erosion, and all other activities associated with construction activity are controlled;
>
> (2) Where not otherwise required to be under a Regional Water Quality Control Board permit, all non-stormwater discharges are identified and either eliminated, controlled, or treated;
>
> (3) Site Best Management Practices (BMPs) are effective and result in the reduction or elimination of pollutants in stormwater discharges and authorized non-stormwater discharges from construction activity; and

(4) Stabilization BMPs installed to reduce or eliminate pollutants after construction are completed.

The SWPPP is required to be consistent with the BMP requirements as described in the most recent version of the California Stormwater Quality Association (CASQA) Stormwater Best Management Handbook-Construction or the Caltrans Stormwater Quality Handbook Construction Site BMPs Manual. The project applicant has prepared preliminary erosion control plans which follow CASQA guidelines and which includes silt fences, fiber rolls, drop inlet protection and curb inlet sediment barriers, and rocked construction site entrances. Construction BMPs include soil preparation, hydroseeding, wind erosion control, water conservation practices, and stockpile management.

MRP Provision C.3 Requirements

The Municipal Regional Stormwater NPDES Permit (MRP) adopted by the RWQCB, requires the implementation of post construction stormwater treatment measures minimizing long term water quality impacts by using low impact development, site design and source control measures. Pursuant to the RWQCB requirements, the project applicant will be required to prepare a Preliminary Storm Water Management Plan (SWMP) for the project.

Given that the project would meet the water quality requirements required by the Construction General Permit, MRP Provision C.3 Requirements, and the California Regional Water Control Board (RWQCB) Transmittal of Order No. R2-2003-0032, Water Quality Certification and Waste Discharge Requirements, Dublin Ranch Project, dated April 22, 2003, the impact would be less than significant (Class III) and no mitigation is necessary.

Impact HYD-4: Place structures which would impede or redirect flood flows within a 100-year flood hazard area (Class III).

According to FIRM map number 06001C328G, the majority the project is outside of a 100-year flood hazard area. A portion of PA-1 is currently within the AH zone with a flood depth of 1-3 feet. As shown in 12-1: Flood Hazard Areas, implementation of the project would include an import of soils to elevate structures within PA-1 above the 100-year flood elevation level; thus, as a part of the design process, the project applicant would seek a Conditional Letter of Map Revision (CLOMR) from FEMA. A CLOMR describes the changes that can be expected as a result of the project and states whether these changes would be in accordance with NFIP regulations.

In accordance with the comments and instructions provided in the CLOMR, the project applicant would initiate a request for a LOMR which would modify the associated FIRM map to show the elevation and hydrology alterations to the regulatory floodway resulting from the project. LOMR approval would be required prior to construction. The raised elevations within PA-1 and the associated CLOMR and LOMR process would reduce impacts to a less-than-significant level and no mitigation is required.

12.5.4 Cumulative Impact Analysis

The geographical area for cumulative hydrology impacts is the Alameda Creek Watershed.

Impact HYD-5: Contribute to cumulatively considerable impacts on hydrology and water quality (Class III).

Present and reasonably foreseeable future projects could contribute to cumulatively considerable impacts on hydrology and water quality, including an increase the amount of impervious surfaces in the area, which would decrease the area available for water percolation and groundwater recharge. However, the WSA for the project provides verification of sufficient water supply to satisfy the water demand of the project. Per the Urban Water Management Plan (UWMP), DSRSD has adequate water supply to meet demands of future projects during normal, dry, and multiple-dry years through 2035. UWMP water demand estimates, including groundwater, are based on the full General Plan build out of the municipalities within the DSRSD service area. Thus, the future water demand estimates would account for the water supply and potential demands of reasonably foreseeable future projects as well as the project.

Stormwater discharges from the project and other new developments in the City would be required to comply with the Construction General Permit, MRP Provision C.3 requirements, and the California Regional Water Control Board (RWQCB) Transmittal of Order No. R2-2003-0032, Water Quality Certification and Waste Discharge Requirements, Dublin Ranch Project, dated April 22, 2003 incorporate appropriate site-specific LID and source and treatment control measures. Compliance with these regulations would ensure that the project and other new developments would not increase stormwater runoff or substantially alter drainage patterns. The project, combined with present and reasonably foreseeable future projects, would result in less-than-significant cumulative impacts to stormwater quantity and water quality.

12.5.5 Level of Significance after Mitigation

Table 12-1: Summary of Impacts and Mitigation Measures – Hydrology & Water Quality summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to hydrology & water quality.

Table 12-1: Summary of Impacts and Mitigation Measures – Hydrology & Water Quality

Impact	Impact Significance	Mitigation
Impact HYD-1: Contribute to the depletion of local groundwater supplies or interfere with groundwater recharge (Class III).	Less than Significant	None required.
Impact HYD-2: Increase stormwater runoff due to the increase in impervious surfaces (Class II).	Less than Significant	None required.
Impact HYD-3: Substantially alter drainage patterns on- or off-site that would result in the storm water transport of pollutants, bacteria, salts, and sediment into downstream facilities (Class III).	Less than Significant	None required.
Impact HYD-4: Place structures which would impede or redirect flood flows within a 100-year flood hazard area? (Class III).	Less than Significant	None required.
Impact HYD-5: Contribute to cumulatively considerable effects on hydrology and water quality (Class III).	Less than Significant	None required.

12.6 References

CASQA (California Stormwater Quality Association). 2003. "Construction Handbook."

Dublin-San Ramon Services District. 2021. 2020 Urban Water Management Plan. Available at https://www.dsrsd.com/home/showpublisheddocument/7749/637607511715070000. Accessed April 4, 2022.

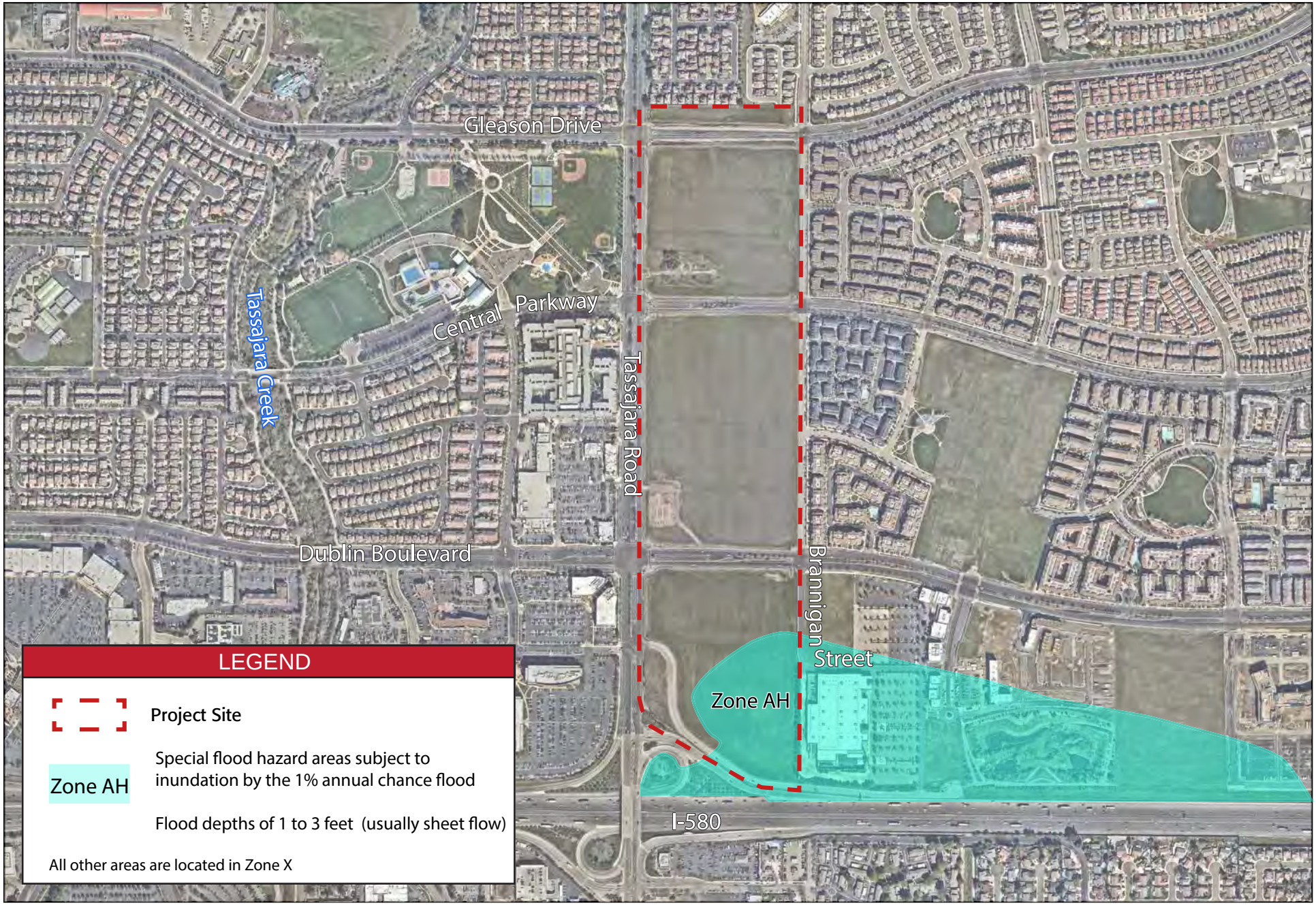
DWR (California Department of Water Resources). 2003. "Guidebook for Implementation of Senate Bill 610 and Senate Bill 221 of 2001 to assist water suppliers, cities, and counties in integrating water and land use planning". Available at: https://digitalcommons.law.ggu.edu/caldocs_agencies/95/. Accessed April 4, 2022.

DWR (California Department of Water Resources). 2021. California's Groundwater Update 2020 (Bulletin 118). Available at https://data.cnra.ca.gov/dataset/calgw_update2020. Accessed April 4, 2022.

Federal Emergency Management Agency. 2009. Flood Insurance Rate Map Number 06001C0328G. Available at https://msc.fema.gov/portal/home. Accessed April 4, 2022.

Mackay & Somps. 2006. Dublin Ranch Drainage Master Plan.

USACE (U.S. Army Corps of Engineers). 2008. A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States: A Delineation Manual. Available at: https://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/Ordinary_High_Watermark_Manual_Aug_2008.pdf. Accessed April 4, 2022.



Source: Kimley-Horn, 2022; FEMA, 2009

Figure 12-1: Flood Hazard Areas
SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience B

13 Land Use & Planning

13.1 Introduction

This section describes effects on land use and planning that would be caused by implementation of the project. Information used to prepare this section came from the following resources:

- City of Dublin, *General Plan*, 1985 as amended 2022
- City of Dublin, *Eastern Dublin Specific Plan,* 1994, updated 2022
- City of Dublin, *Municipal Code*
- Alameda County, *Livermore Executive Airport Land Use Compatibility Plan*, 2012

13.2 Scoping Issues Addressed

During the public comment scoping period for the project, a comment requesting general analysis of land use and planning was received.

13.3 Environmental Setting

This section presents information on the existing conditions of the project site and vicinity for land use.

13.3.1 Project Site Land Uses

The project site was previously used for agricultural purposes and has remained vacant, with exception to of seasonal uses and consists of low lying native and non-native grasses turned periodically for the purposes of weed abatement and fire hazard management. A small group of trees and shrubs is located near the corner of Tassajara Road and Central Parkway. No grading for development has occurred to date.

13.3.2 Land Uses in the Project Site Vicinity

West

Tassajara Road forms the western boundary of the project site. Medium density residential, parks/public recreation, general commercial, and campus office uses are located to the west.

North

Undeveloped land contemplated for future residential development form the northern boundary of the project site just north of Gleason Drive. Single family medium density residential uses are located to the north.

East

Brannigan Street forms the eastern boundary of the project site. A broad mix of land uses are located to the east including multi-family residential, general commercial, and a vacant parcel at the southeast corner of Dublin Boulevard and Brannigan Street

South

Interstate 580 forms the southern boundary of the project site. The City of Pleasanton is located south of the project site.

13.3.3 Livermore Municipal Airport

The Livermore Municipal Airport [12] is located in the western portion of the City of Livermore, south of I-580 and approximately two miles southeast from the project site. The airport is owned and operated by the City of Livermore and features two parallel runways: 7L /25R and 7R/25L, 5,255 feet in length and 2,699 feet in length, respectively.

The majority of the project site is also located within Land Use Compatibility Zone 7 of the Airport Influence Area, as established in the Livermore Executive Airport Land Use Compatibility Plan.

13.4 Applicable Regulations, Plans, and Standards

Appendix G of the State CEQA Guidelines recommends the evaluation of a project's potential conflicts with: 1) Physically divide an established community, 2) Conflict with any applicable land use plan, policy or regulation of an agency having jurisdiction over a project adopted for the purpose of avoiding or mitigating an environmental effect; and 3) any applicable Habitat Conservation Plan (HCP) or Natural Community Conservation Plan (NCCP).Applicable local land use plans and ordinances for land use are described below. See Chapter 6: Air Quality for a discussion of the project's consistency with applicable federal, State, and local air quality plans.

13.4.1 Federal

Federal Aviation Regulations

The Federal Aviation Regulations (FAR), Part 77 – Safe, Efficient Use, and Preservation of Navigable Airspace, requires the Federal Aviation Administration (FAA) be noticed of proposed construction or alternation as described in FAR Part 77 Section 77.9. This pertains to any

12 The City of Livermore refers to the airport as "Livermore Municipal Airport" while the Alameda County Airport Land Use Commission refers to the airport as "Livermore Executive Airport". This EIR will refer to it as "Livermore Municipal Airport" except in instances where the "Livermore Executive Airport Land Use Plan" is discussed.

construction or alteration that exceeds an imaginary surface extending outward and upward at any of the following slopes:

(1) 100 to 1 for a horizontal distance of 20,000 ft. from the nearest point of the nearest runway of each airport with its longest runway more than 3,200 ft. in actual length, excluding heliports.

(2) 50 to 1 for a horizontal distance of 10,000 ft. from the nearest point of the nearest runway of each airport with its longest runway no more than 3,200 ft. in actual length, excluding heliports.

(3) 25 to 1 for a horizontal distance of 5,000 ft. from the nearest point of the nearest landing and takeoff area of each heliport.

Notice received by the FAA under this subpart is used to:

(1) Evaluate the effect of the proposed construction or alteration on safety in air commerce and the efficient use and preservation of the navigable airspace and of airport traffic capacity at public use airports;

(2) Determine whether the effect of proposed construction or alteration is a hazard to air navigation;

(3) Determine appropriate marking and lighting recommendations, using FAA Advisory Circular 70/7460-1, Obstruction Marking and Lighting;

(4) Determine other appropriate measures to be applied for continued safety of air navigation; and

(5) Notify the aviation community of the construction or alteration of objects that affect the navigable airspace, including the revision of charts, when necessary.

13.4.2 State

State Aeronautics Act

The State Aeronautics Act requires each county with an airport to establish an Airport Land Use Commission to regulate land use around airports, to protect public safety and ensure that land uses near airports do not interfere with aviation operations. The Livermore Executive Airport Land Use Compatibility Plan regulates land use around Livermore Municipal Airport by requiring compliance with the applicable policies. In certain circumstances, local governments have the ability to override the decisions of the Airport Land Use Commission by a two-thirds vote.

13.4.3 Local

City of Dublin General Plan

The City of Dublin General Plan is the comprehensive planning document governing development within the City, and contains goals, policies, and programs describing the community's vision for economic viability, livable neighborhoods, and environmental protection.

The General Plan, as amended, establishes policies for the orderly growth and development of the City of Dublin. Among other purposes, the General Plan identifies policies necessary to protect and enhance those features and services which contribute to the quality of life of the community in which it serves.

The General Plan is a comprehensive policy plan which sets forth a series of written statements (goals, policies and objectives) defining the direction, character and composition of future land use development, and establishes guidelines (policies and actions) necessary to attain conformance with the plan. It is made up of 12 elements and various maps which accompany the elements. The elements are: 1) Land Use 2) Parks & Open Space 3) Schools, Public Lands & Utilities 4) Circulation & Scenic Highways, 5) Housing, 6) Conservation, 7) Seismic Safety & Safety, 8) Noise, 9) Community Design & Sustainability, 10) Economic Development, 11) Water Resources, 12) Energy Conservation. The General Plan Land Use Plan Map visually represents the physical relationship of all portions of the text, including development densities.

General Plans are reviewed annually and should be updated every three years to ensure that the most recent technical data, community goals and state law requirements are recognized. Major updates typically occur every 10 to 30 years, depending on changes in land use patterns, growth and development pressures, and new regulations.

As shown in Figure 3-3: Existing General Plan Land Use Designations, the southern and western portions of the project site are designated General Commercial in the General Plan. The northern and eastern portions of the project site are designated Medium Density Residential, Public/Semi-Public, Medium/High Density Residential, and Neighborhood Commercial in the General Plan.

Eastern Dublin Specific Plan

The Eastern Dublin Specific Plan (EDSP) provides a framework to guide future land use and development decisions in eastern Dublin. It serves as an extension of the General Plan and can be used as both a policy and regulatory document. For projects within the EDSP area, policies and standards in the Specific Plan will take precedence over more general policies and standards applied throughout the rest of the city.

The project site is located within the following Planning Subareas of the EDSP: 1) Town Center – Commercial, along Tassajara Road south of Gleason Drive and north of Dublin Boulevard; 2) Town Center – Residential, along Brannigan Street south of Gleason Drive and north of Dublin

Boulevard; 3) Tassajara Gateway, area south of Dublin Boulevard; and 4) Foothill Residential for the small area of the project on the north side of Gleason Drive. The EDSP's description of the land use concept for each Subarea is described as follows:

Town Center – Commercial Subarea

This subarea represents the commercial core for eastern Dublin. The area is intended to be a high density, pedestrian-oriented commercial, civic, and entertainment center for Dublin and the surrounding communities. The subarea consists of two distinct parts; the General Commercial area and the Neighborhood Commercial area.

The General Commercial area, which extends along Tassajara Road, is intended to include uses with a broader market area and a greater orientation to the motoring public, including a full range of regional and community retail, service, office, and restaurant uses. Ideally, a major community shopping center, with supermarket, drug store, hardware store, liquor store, and other supporting retail and service uses would be located in this area.

Town Center – Residential Subarea

This subarea is generally located in the area bounded by Dublin Boulevard on the south, Fallon Road on the east, Gleason Drive on the north and Hacienda Drive on the west. The residential subarea is bisected by the Town Center--Commercial subarea. A community park and open space occupy the eastern portion of the subarea and residential is designated for the western portion.

Tassajara Gateway Planning Subarea

This subarea is located at the Tassajara Road interchange with I-580 and includes the areas on either side of Tassajara Road between I-580 and Dublin Boulevard. The land use concept for the Tassajara Gateway encourages the development of uses that will benefit from their location at the intersection of the area's two major east-west travel corridors (I- 580 and Dublin Boulevard) with the major north-south corridor (Tassajara Road). The area is favored for uses that depend on the location's high visibility and convenient vehicular access. Uses which fit these criteria might include activities such as hotels, campus office, conference center, restaurants, and quality regional retail.

Foothill Residential Subarea

This subarea includes most of the Specific Plan area north and east of the Town Center subarea. Land use in this subarea is predominantly single-family residential. Other uses include schools and parks.

East Alameda County Conservation Strategy

The East Alameda County Conservation Strategy (EACCS) is a guidance document intended to provide a framework to protect, enhance, and restore natural resources in eastern Alameda County, while improving and streamlining the environmental permitting process for impacts resulting from infrastructure and development studies. The City of Dublin adopted the EACCS

as its guidance document for public projects and uses the document to provide input for managing biological resources and conservation priorities during project-level planning and environmental planning. For privately sponsored development projects such as this project, proponents are encouraged to consult the EACCS for guidance, but compliance with the document is not mandatory.

Alameda County - Livermore Executive Airport Land Use Compatibility Plan

The Livermore Executive Airport Land Use Compatibility Plan (ALUCP) governs land use around Livermore Municipal Airport. This Plan was adopted by the Alameda County Airport Land Use Commission (ALUC) in 2012.

The ALUCP should act as a guide for the ALUC and local jurisdictions in safeguarding the general welfare of the public. To guide future development, the ALUCP provides compatibility criteria for noise, safety and airspace protection.

As stated in the ALUCP, in comparison to noise, safety is in many respects a more difficult concern to address in airport land use compatibility policies. The primary reason for this difference is that safety policies address uncertain events which *may occur* with *occasional* aircraft operations, whereas noise policies deal with known, quantifiable, and more or less predictable events which *do occur* with *every* aircraft operation.

In regard to airspace protection whether a particular object constitutes an airspace obstruction depends upon the height of the object relative to the runway elevation and its proximity to the airport. The acceptable height of objects near an airport is most commonly determined by application of standards set forth in Federal Aviation Regulation Part 77.

13.4.4 Zoning

The City of Dublin Zoning Ordinance implements the General Plan and Specific Plans and to guide and manage the future growth of the city in accordance with those plans. As shown in Figure 3-4: Existing Zoning, the project site is designated Planned Development (PD) per Resolution No. 104-94, which was adopted as part of the EDSP. This PD Pre-zoning allowed for the annexation of 1,538 acres.

The purpose of the PD is to allow flexibility to encourage innovative development while ensuring that the goals, policies and action programs of the General Plan and Eastern Dublin Specific Plan are met. In particular, the PD is intended to implement the following policies:

1. Allow and encourage mixed use residential and commercial development in order to meet specific housing and employment needs, reduce vehicular trips, and foster pedestrian access to shopping and employment areas.
2. Concentrate development on less environmentally and visually sensitive or constrained portions of the plan area and preserve significant open space areas and natural and topographic landscape features with minimum alteration of land forms.

3. Encourage innovative approaches to site planning, building design and construction to create housing products for all segments of the community, including commercial and office structures.
4. Encourage higher intensity development near transit corridors.
5. Create an attractive, efficient and safe environment.
6. Develop an environment that encourages social interaction and the use of common open areas for neighborhood or community activities and other amenities.
7. Create an environment that decreases dependence on the private automobile.

13.5 Environmental Impacts and Mitigation Measures

13.5.1 Significance Criteria

The following significance criteria for land use & planning were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Physically divide an established community.
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

13.5.2 Summary of No and/or Beneficial Impacts

Physically Divide an Established Community

The project would not physically divide an established community because it is located in within the City limits and would be compatible with surrounding land uses. In addition, existing roadway connections to the surrounding community would be maintained. Therefore, there would be no impact.

The environmental effects related to compatibility between proposed on-site land uses and adjacent land uses during both construction and operation are described in the respective impact section of the following environmental resource chapters: Aesthetics, Air Quality, Greenhouse Gas Emissions, Noise, and Transportation and Circulation.

13.5.3 Impacts of the Proposed Project

Impact LU-1: Substantially conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Class III)

General Plan/Specific Plan Amendment

As shown in Figure 3-5: Proposed General Plan Land Use Designations, the project would include a General Plan/Specific Plan amendment that would re-designate the project site from six to five land use designations. With City Council approval of the project and certification of the EIR, the project would be consistent with applicable land use plan, policy, and regulations. And environmental impacts would be less than significant and no mitigation is required.

Ordinances and Regulations

The project would be required to comply with all applicable City of Dublin ordinances and regulations.

The Top Golf netting and support poles would be up to 190 feet in height and therefore require review by the Federal Aviation Administration (FAA) in accordance with FAR Part 77. Section 2.6.2.f. of the Alameda County Airport Land Use Plan (ALUP) recommends review by the Airport Land Use Commission (ALUC) for projects that involve “Any obstruction reviewed by the FAA in accordance with FAR Part 77 that receives a finding other than ‘not a hazard to air navigation’.” However, if the proposed project receives a finding from the FAA of “not a hazard to air navigation,” no ALUC review is required.

13.5.4 Cumulative Impact Analysis

The geographic area for the analysis of cumulative impacts to land use and planning is the greater EDSP area, where land use changes could interact with land use changes under the project to result in cumulative effects.

Impact LU-2: Contribute to cumulatively considerable land use impacts (Class III).

Land use impacts would be cumulatively considerable if the project, in conjunction with other past, present, reasonably foreseeable future projects, would be designed or otherwise conditioned to maintain consistency with adopted land use plans and ordinances or be amended with the appropriate mitigation and conditions of approval.

As described above, the project, with implementation of the General Plan amendment, would be consistent with the City's General Plan and the EDSP. All feasible mitigation measures to address environmental impacts of the project have been described in this EIR.

Implementation of future projects requiring a change in the General Plan land use designation would require discretionary approval, similar to this project review and approval process. It is reasonably assumed that these projects would be designed or otherwise conditioned to maintain consistency with adopted land use plans and ordinances or be amended with the appropriate mitigation and conditions of approval.

As described above, the project would be consistent with applicable land use goals, policies and objectives of the General Plan. Mitigation measures to address potential environmental impacts of the project have been included in this EIR. Given the project's consistency, as well as the potential for other projects in the cumulative impact scenario to be generally consistent with the land use policy framework, overall cumulative land use consistency impacts would be less than significant.

13.5.5 Level of Significance after Mitigation

Table 13 -1: Summary of Impacts and Mitigation Measures – Land Use & Planning summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to land use & planning.

Table 13-1: Summary of Impacts and Mitigation Measures – Land Use & Planning

Impact	Impact Significance	Mitigation
Impact LU-1: Substantially conflict with an applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect (Class III).	Less Than Significant	None required.
Impact LU-2: Contribute to cumulatively considerable land use impacts (Class III).	Less Than Significant	None required.

13.6 References

Alameda County, *Livermore Executive Airport Land Use Compatibility Plan*, 2012.

City of Dublin, *General Plan*, 1985 as amended 2022.

City of Dublin, *Eastern Dublin Specific Plan,* 1994, updated 2022.

City of Dublin, *Municipal Code.*

Code of Federal Regulations. Available at https://www.ecfr.gov/current/title-14/chapter-I/subchapter-E/part-77. Accessed April 4, 2022.

14 Noise & Vibration

14.1 Introduction

This section describes the potential noise effects that would be caused by implementation of the project. Information used to prepare this section came from the following resources:

- Project application and related materials
- City of Dublin, *General Plan*, 1985 amended 2022
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- 2022 Noise Analysis Technical Data (Appendix F)

14.2 Scoping Issues Addressed

During the public comment scoping period for the project, a comment requesting analysis of project construction noise was received.

14.3 Environmental Setting

This section presents information on the existing conditions of the project site and vicinity for noise and vibration.

14.3.1 General Information on Noise

To describe environmental noise and to assess impacts on areas sensitive to community noise, a frequency weighting measure that simulates human perception is customarily used. The frequency weighting scale known as A-weighting best reflects the human ear's reduced sensitivity to low frequencies and correlates well with human perceptions of the annoying aspects of noise. The A-weighted decibel scale (dBA) is cited in most noise criteria. In general, a difference of more than 3 dBA is a perceptible change in environmental noise, while a 5 dBA difference typically causes a change in community reaction. An increase of 10 dBA is perceived by people as a doubling of loudness.

As shown in Table 14-1: Typical A-Weighted Noise Levels, people experience a wide range of sounds in the environment. Excessive noise is not only undesirable but may also cause physical and/or psychological damage. The amount of annoyance or damage caused by noise is dependent primarily upon: the amount and nature of the noise, the amount of ambient noise present before the intruding noise, and the activity of the person working or living in the area. Environmental and community noise levels rarely are of sufficient intensity to cause irreversible hearing damage, but disruptive environmental noise can interfere with speech and other communication and be a major source of annoyance by disturbing sleep, rest, and relaxation.

Table 14-1: Typical A-Weighted Noise Levels

Noise Level (dBA)	Indoor Noise Source	Outdoor Noise Source
0	(Lowest Threshold of Human Hearing)	(Lowest Threshold of Human Hearing)
10-20	Broadcast/ recording studio	
30	Library Bedroom at night, concert hall (background)	Quiet rural nighttime
40	Theater, large conference room (background)	Quiet urban/ suburban nighttime
50	Dishwasher in next room	Quiet urban daytime
60	Large business office	Heavy traffic at 300 feet
70	Vacuum cleaner at 10 feet Normal Speech at 3 feet	Noisy urban area, daytime Gas lawnmower, 100 feet Commercial area
80	Garbage disposal at 3 feet	Diesel truck at 50 feet at 50 mph
90	Food blender at 3 feet	Gas lawn mower at 3 feet
100		Jet fly-over at 1,000 feet
110	Rock band	

Source: California Department of Transportation, Technical Noise Supplement to the Traffic Noise Analysis Protocol, September 2013

Decibels are logarithmic units that conveniently compare the wide range of sound intensities to which the human ear is sensitive. Therefore, the cumulative noise level from two or more sources will combine logarithmically, rather than linearly (i.e., simple addition). For example, if two identical noise sources produce a noise level of 50 dBA each, the combined noise level would be 53 dBA, not 100 dBA. Sound is generally propagated by spherical spreading according to the "inverse square law," where the sound energy decreases with the square of the distance. As such, the sound pressure level would be reduced by 6 decibels per doubling of distance from a ground-level stationary or point source. For a noise source which is relatively long, such as a constant stream of highway traffic (line source), the sound pressure spreads at a rate of three decibels per doubling of distance. At very large distances, beyond several hundred feet, wind and temperature gradients influence sound propagation. Changes in noise levels due to wind are generally short-term without persistent directional winds, where some hours may be one or two decibels louder than others within the margin of precision of this assessment.

The community noise environment and the consequences of human activities cause noise levels to be widely variable over time. For simplicity, sound levels are usually best represented by an equivalent level over a given time period (Leq) or by an average level occurring over a 24-hour period. The Leq, or equivalent sound level, is a single value for any desired duration, which includes all of the time-varying sound energy in the measurement period, usually 1 hour. Given

the sensitivity to noise increases during evening and nighttime hours when people are trying to sleep, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time sounds. The Community Noise Equivalent Level, CNEL, is a measure of the day-night noise exposure, with a 5-decibel penalty added to evening sounds (7:00 p.m. to 10:00 p.m.) and a 10 dBA addition to nighttime sounds (10:00 p.m. to 7:00 a.m.). The Ldn, or day-night average sound level, is equal to the 24-hour equivalent sound level (in dBA) with a 10 decibel penalty applied to nighttime sounds occurring between 10:00 p.m. and 7:00 a.m.

Community noise levels are closely related to the intensity of human activity and land use. Noise levels are generally considered low when ambient levels are below 45 dBA Leq, moderate in the 45 to 60 dBA Leq range, and high above 60 dBA Leq. In wilderness areas, the Ldn noise levels can be below 35 dBA. In small towns or wooded and lightly used residential areas, the Ldn is more likely to be approximately 50 or 60 dBA. Levels of approximately 75 dBA Leq are more common in busy urban areas (e.g. downtown Los Angeles), and levels up to 85 dBA Leq occur near major freeways and airports.

Although people often accept the higher levels associated with very noisy urban residential and residential-commercial zones, the surrounding land uses dictate what noise levels would be considered acceptable or unacceptable. Lower levels are expected in rural or suburban areas than what would be expected for commercial or industrial zones. Nighttime ambient levels in urban environments are about seven decibels lower than the corresponding daytime levels. In rural areas, away from roads and other human activity, the day-to-night difference can be considerably less. Areas with full-time human occupation that are subject to nighttime noise are often considered objectionable because of the likelihood of disrupting sleep. Noise levels higher than 45 dBA Ldn at night can result in the onset of sleep interference effects. At 70 dBA Ldn, sleep interference effects become considerable (U.S. EPA, 1974).

14.3.2 General Information on Vibration

Sources of groundborne vibrations include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides, etc.) or man-made causes (explosions, machinery, traffic, trains, construction equipment, etc.). Vibration sources may be continuous (e.g. factory machinery) or transient (e.g. explosions). Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude, including Vibration Decibels (VdB), peak particle velocity (PPV), and the root mean square (RMS) velocity. VdB is the vibration velocity level in the decibel scale. PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration.

Table 14-2: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations, displays the reactions of people and the effects on buildings produced by continuous vibration levels. The annoyance levels shown in the table should be interpreted with care since vibration may be found to be annoying at much lower levels than those listed, depending on the level of activity or the sensitivity of the individual. To sensitive individuals,

vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. In high noise environments, which are more prevalent where groundborne vibration approaches perceptible levels, this rattling phenomenon may also be produced by loud airborne environmental noise causing induced vibration in exterior doors and windows.

Table 14-2: Human Reaction and Damage to Buildings for Continuous or Frequent Intermittent Vibrations

Maximum PPV (inch/sec)	Vibration Annoyance Potential Criteria	Vibration Annoyance Potential Criteria	FTA Vibration Damage Criteria
0.008	-	Extremely fragile historic buildings, ruins, ancient monuments	-
0.01	Barely Perceptible	-	-
0.04	Distinctly Perceptible	-	-
0.1	Strongly Perceptible	Fragile buildings	-
0.12	-	-	Buildings extremely susceptible to vibration damage
0.2	-	-	Non-engineered timber and masonry buildings
0.25	-	Historic and some old buildings	-
0.3	-	Older residential structures	Engineered concrete and masonry (no plaster)
0.4	Severe	-	-
0.5	-	New residential structures, Modern industrial/commercial buildings	Reinforced-concrete, steel, or timber (no plaster)

PPV = peak particle velocity; inch/sec = inches per second; FTA = Federal Transit Administration
Source: California Department of Transportation, *Transportation and Construction Vibration Guidance Manual*, 2020; and Federal Transit Administration, *Transit Noise and Vibration Assessment Manual*, 2018.

Ground vibration can be a concern in instances where buildings shake, and substantial rumblings occur. However, it is unusual for vibration from typical urban sources such as buses and heavy trucks to be perceptible. Common sources for groundborne vibration are planes, trains, and construction activities such as earth-moving which requires the use of heavy-duty earth moving equipment. For the purposes of this analysis, a PPV descriptor with units of inches per second (inch/sec) is used to evaluate construction-generated vibration for building damage and human complaints.

14.3.3 Project Setting

The *City of Dublin General Plan Noise Element* (Noise Element), Figure 9-1: 2011 Existing Noise Exposure Contours, shows contours of 70 and 75 dB near I-580, 60 and 65 dB along Dublin

Boulevard, 60 and 65 dB along Tassajara Road, and 60 dB along Gleason Drive. Noise Element Figure 9-2: 2035 Projected Noise Exposure Contours, shows projected noise contours in 2035 and shows an increase to 70 dB along Dublin Boulevard.

The primary sources of stationary noise in the project vicinity are those associated with the operations of adjacent residential uses to the north and east, as well as commercial uses to the east and west. The noise associated with these sources may represent a single-event noise occurrence, short-term, or long-term/continuous noise.

14.3.4 Sensitive Receptors

Noise exposure standards and guidelines for various types of land uses reflect the varying noise sensitivities associated with each of these uses. Residences, hospitals, schools, guest lodging, libraries, and churches are treated as the most sensitive to noise intrusion and therefore have more stringent noise exposure targets than other uses, such as manufacturing or agricultural uses that are not subject to impacts such as sleep disturbance.

The closest sensitive receptors to the project site include residential uses located adjacent to the north, east, and west.

14.3.5 Existing Ambient Noise Measurements

To quantify existing ambient noise levels in the project area, Kimley-Horn and Associates conducted four short-term noise measurements on April 13, 2022 (see Appendix F and Figure 14-1: Noise Measurement Locations). Meteorological conditions consisted of cool temperatures (53 degrees Fahrenheit [F]), calm winds under six miles per hour (mph), and clear skies. The noise measurement sites were representative of typical existing noise exposure within and immediately adjacent to the project site. The 10-minute measurements were taken between 11:00 a.m. and 12:30 p.m. The noise measurements were taken during the midday hours, as the midday hours typically have the highest daytime noise levels in urban environments. The sound level meter and microphone were mounted on a tripod five feet above the ground. Short-term (Leq) measurements are considered representative of the noise levels throughout the day. The average noise levels and sources of noise measured at each location are listed in Table 14-3: Existing Noise Measurements.

Table 14-3: Existing Noise Measurements

Site No.	Location	L_{eq} (dBA)	L_{min} (dBA)	L_{max} (dBA)	Peak	Time
1	East of project site, within residential neighborhood located at 4650 Rimini Court	49.7	42.3	65.4	86.6	11:08 am
2	North of project site, within residential neighborhood located at 5086 Osborne Circle	53.4	36.2	73.7	100.5	11:45 am
3	West of project site, within residential neighborhood located at 4865 Swinford Court	57.3	42.9	68.9	90.7	12:04 pm
4	East of project site, within residential neighborhood located at 4093 Clarinbridge Circle	52.5	45.6	67.6	79.9	10:40 am

Source: Kimley-Horn and Associates, 2022

As shown in Table 14-3: Existing Noise Measurements, the ambient recorded noise levels ranged from 49.7 dBA to 57.4 dBA Leq near the project site. The maximum noise levels in the project vicinity ranged from 65.4 dBA to 73.7 dBA. The field survey noted the most commonly present noises in the project vicinity are produced by automotive vehicles (cars, trucks, buses, and motorcycles) on local roadway traffic and landscaping equipment. Traffic moving along streets and freeways produces a sound level that remains relatively constant and is therefore a component of the City's minimum ambient noise level. Vehicle noise varies with the volume, speed, and type of traffic. Slower traffic produces less noise than fast moving traffic. Trucks typically generate more noise than cars. Infrequent or intermittent noise also is associated with some vehicles, including sirens, vehicle alarms, slamming of doors, garbage and construction vehicle activity, and honking of horns. These noises add to urban noise and are regulated by a variety of agencies (as described below).

14.3.6 Existing Roadway Noise Levels

Existing roadway noise levels were calculated for the roadway segments in the project vicinity. This task was accomplished using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (FHWA-RD-77-108) and existing traffic volumes from the transportation analysis. The noise prediction model calculates the average noise level at specific locations based on traffic volumes, average speeds, roadway geometry, and site environmental conditions. The average vehicle noise rates (also referred to as energy rates) used in the FHWA model have been modified to reflect average vehicle noise rates identified for California by the California Department of Transportation (Caltrans). The Caltrans data indicates that California automobile noise is 0.8 to 1.0 dBA higher than national levels and that medium and heavy truck noise is 0.3 to 3.0 dBA lower than national levels. The average daily noise levels along roadway segments in proximity to the project site are included in Table 14-4: Existing Traffic Noise Levels.

Table 14-4: Existing Traffic Noise Levels

Roadway Segment	ADT	CNEL at 100 feet from Centerline of Roadway (dBA)
Hacienda Drive		
Central Parkway to Dublin Boulevard	13,530	62.3
Dublin Boulevard to I-580 WB Off Ramp	33,050	66.4
I-580 WB Off Ramp to I-580 EB Off Ramp	37,540	66.6
I-580 EB Off Ramp to Owens Drive	45,340	68.9
Tassajara Road		
Fallon Road to Gleason Drive	25,250	67.3
Gleason Drive to Aviano Way	23,410	67.0
Aviano Way to Project Driveway	23,410	67.0
Project Driveway to Central Parkway	23,410	67.0
Central Parkway to Project Driveway (South Entry Level Townhomes)	27,290	67.8
Project Driveway (South Entry Level Townhomes) to Finnian Way	27,850	67.9
Finnian Way to Project Driveway (Affordable Housing)	27,100	67.9
Project Driveway (Affordable Housing) to Dublin Boulevard	27,100	67.9
Dublin Boulevard to Northside Drive	38,450	69.2
Northside Drive to I-580 WB Off-Ramp	39,360	69.2
I-580 WB Off-Ramp to Pimlico Drive	48,660	70.1
Saint Rita Road		
I-580 WB Off-Ramp to Pimlico Drive	38,050	69.0
Brannigan Street		
Gleason Drive to Aviano Way	3,250	53.4
Aviano Way to Central Parkway	3,700	54.0
Central Parkway to Finnian Way	2,200	51.8
Finnian Way to Project Driveway (South Family Homes)	3,140	53.3
Project Driveway (South Family Homes) to Dublin Boulevard	3,140	53.3
Dublin Boulevard to Project Driveway (Commercial)	2,040	51.4

Roadway Segment	ADT	CNEL at 100 feet from Centerline of Roadway (dBA)
Fallon Road		
Tassajara Road to Gleason Drive	14,050	63.6
Gleason Drive to Central Parkway	21,530	65.5
Central Parkway to Dublin Boulevard	25,190	67.4
Dublin Boulevard to I-580 WB Off Ramp	28,670	67.9
I-580 WB Off Ramp to I-580 EB Off Ramp	24,540	67.1
I-580 EB Off Ramp to W Jack London Boulevard	23,640	65.9
Gleason Drive		
Tassajara Road to Project Driveway	9,410	61.7
Project Driveway to Brannigan Street	9,410	61.7
Brannigan Street to Grafton Street	7,170	60.6
Grafton Street to Fallon Road	6,960	60.5
Central Parkway		
Hacienda Drive to Tassajara Road	7,110	59.2
Tassajara Road to Project Driveway (North Side)	9,040	60.3
Project Driveway (North Side) to Brannigan Street	9,040	60.3
Brannigan Street to Montalcino Street/Chancery Lane	7,940	59.7
Montalcino Street/Chancery Lane to Grafton Street	7,340	59.3
Grafton Street to Fallon Road	6,670	58.9
Dublin Boulevard		
Hacienda Drive to Tassajara Road	27,760	68.0
Tassajara Road to Project Driveway (South Family Homes)	24,740	67.3
Project Driveway (South Family Homes) to Brannigan Street	24,740	67.3
Brannigan Street to Grafton Street	21,530	66.9
Grafton Street to Keegan Street	19,610	66.5
Keegan Street to Lockhart Street	13,640	64.9
Lockhart Street to Fallon Road	14,570	65.2

Notes: ADT = average daily trips; dBA = A-weighted decibels; CNEL = community noise equivalent level.
Data source: Based on traffic data within the transportation analysis for the SCS Dublin Project, prepared by Kimley-Horn, 2022. Refer to Appendix F for traffic noise modeling assumptions and results.
Source: Kimley-Horn and Associates, 2022

As depicted in Table 14-4: Existing Traffic Noise Levels, the existing traffic-generated noise levels on project-vicinity roadways currently ranges from 51.4 to 70.1 dBA CNEL. As previously described, CNEL is 24-hour average noise level with a 5 dBA "weighting" during the hours of 7:00 a.m. to 10:00 p.m. and a 10 dBA "weighting" added to noise during the hours of 10:00 p.m. to 7:00 a.m. to account for noise sensitivity in the evening and nighttime, respectively.

14.4 Applicable Regulations, Plans, and Standards

14.4.1 State

California Building Code

Title 24 of the California Code of Regulations contains standards for allowable interior noise levels associated with exterior noise sources. The standards apply to new hotels, motels, dormitories, apartment houses, and dwellings other than detached single-family residences. The standards require interior noise level attributable to exterior sources not exceed 45 dBA CNEL in any habitable room. Multi-family residential structures proposed where the CNEL would exceed 60 dBA requires an acoustical analysis showing that the proposed building design would achieve the prescribed allowable interior noise standard.

In 1974, the California Commission on Housing and Community Development adopted noise insulation standards for multi-family residential buildings (Title 24, Part 2, California Code of Regulations). Title 24 establishes standards for interior room noise (attributable to outside noise sources). The regulations also specify that acoustical studies must be prepared whenever a multi-family residential building or structure is proposed to be located near an existing or adopted freeway route, expressway, parkway, major street, thoroughfare, rail line, rapid transit line, or industrial noise source, and where such noise source or sources create an exterior CNEL (or Ldn) of 60 dBA or greater. Such acoustical analysis must demonstrate that the residence has been designed to limit intruding noise to an interior CNEL (or Ldn) of at least 45 dBA.

California Noise Control Act of 1973

Sections 46000 through 46080 of the California Health and Safety Code, known as the California Noise Control Act, find that excessive noise is a serious hazard to public health and welfare, and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The Act also finds that there is a continuous and increasing bombardment of noise in urban, suburban, and rural areas. The California Noise Control Act declares that the State has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the State to provide an environment for all Californians that is free from noise that jeopardizes their health or welfare.

14.4.2 Local

City of Dublin General Plan

The Noise Element of the City of Dublin General Plan establishes residential, commercial, and industrial land use compatibility standards for noise measured at the property line of the receiving land use. The land use compatibility noise criteria provide the basis for decisions on location of land uses in relation to noise sources and for determining noise mitigation requirements.

Table 14-5: Land Use/Noise Compatibility Matrix shows the City of Dublin's Land Use Compatibility for Community Noise Environments standards for specific land uses. As indicated, the normally acceptable exterior noise level is 70 dBA CNEL or less for office, retail, and commercial land uses (the types of land uses proposed for development with implementation of the project). Noise levels over 75 dBA CNEL are considered normally unacceptable for new development of these types of land uses. For residential land uses, the normally acceptable exterior noise level is 60 dBA CNEL or less and noise levels over 70 dBA CNEL are considered normally unacceptable.

Table 14-5: Land Use/Noise Compatibility Matrix

Land Use Category	Normally Acceptable	Conditionally Acceptable*	Normally Unacceptable	Clearly Unacceptable
Residential	60 or less	61-70	71-75	Over 75
Motels, hotels	60 or less	61-70	71-80	Over 80
Schools, churches, nursing homes	60 or less	61-70	71-80	Over 80
Neighborhood parks	60 or less	61-65	66-70	Over 70
Offices: retail commercial	70 or less	71-75	76-80	Over 80
Industrial	70 or less	71-75	Over 75	

Notes:
*Conditionally acceptable exposure requires noise insulation features in building design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
Source: City of Dublin General Plan Noise Element, 1993, as amended. Table 9.1

General Plan Policies

The City of Dublin General Plan establishes the following policies associated with noise and vibration that are relevant to the project:

Guiding Policy 9.2.1.A.1: Where feasible, mitigate traffic noise to levels indicated by Table 9.1: Land Use Compatibility for Community Noise Environments.

Implementing Policy 9.2.1.B.4: Noise impacts related to all new development shall be analyzed by a certified acoustic consultant.

Implementing Policy 9.2.1.B.5: Request demonstration of ability to mitigate noise prior to approval of light rail or bus service in the Southern Pacific Right-of-Way Transportation Corridor.

A depressed rail line or noise walls close to the tracks could make light rail a good neighbor.

Implementing Policy 9.2.1.B.6: Review all multi-family development proposals within the projected 60 CNEL contour for compliance with noise standards (45 CNEL in any habitable room) as required by State law.

Because the General Plan designates almost all residential sites subject to 60 or greater CNEL for multifamily development, this standard will be effective in Dublin. Project designers may use one or more of four available categories of mitigation measures: site planning, architectural layout (bedrooms away from noise source, for example), noise barriers, or construction modifications.

Implementing Policy 9.2.1.B.7: Review all non-residential development proposals within the projected CNEL 65 dBA contour for compliance with exterior noise transmission standards as required by the California Green Building Standards Code.

The noise element specifies that project designers may use one or more of four available categories of mitigation measures: site planning, architectural layout (bedrooms away from noise source, for example), noise barriers, or construction modifications.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan establishes the following policy associated with noise and vibration that are relevant to the project:

Policy 6-44: Require development along the I-580 frontage to provide adequate mitigation to conform to the State Land Use Compatibility Standards for noise and policies and standards in the City of Dublin's Noise Element.

City of Dublin Municipal Code

Noise regulations listed in the City of Dublin's Municipal Code are enacted for the purpose of securing and promoting the public health, comfort, safety, welfare, and prosperity and the peace and quiet of the city and its inhabitants. The goal is to maintain and preserve the quiet atmosphere of the city, and to implement programs and enact legislation consistent with the objectives and goals set forth in the Noise Element of the General Plan and aimed at retaining noise levels throughout the city acceptable values established in the General Plan.

Code Section 5.28.020 prohibits any person within the City to from making any loud, or disturbing, or unnecessary, or unusual or habitual noise or any noise which annoys or disturbs or injures or endangers the health, repose, peace or safety of any reasonable person of normal sensitivity present in the area. Section 8.36.060(C)(3) states that lots less than 5,000 square feet with mechanical equipment that generates noise (such as swimming pool, spa, and air

conditioning equipment) on the property shall be enclosed as necessary to reduce noise at the property line to a maximum of 50 dBA at any time. For lots 5,000 square feet or larger, mechanical equipment that generates noise when located within a required setback as allowed by this subsection, and within 10 feet of an existing or potential residence, or an existing paved patio area on adjoining property, shall be enclosed as necessary to reduce noise at the property line to a maximum of 50 dBA at any time.

14.5 Environmental Impacts and Mitigation Measures

14.5.1 Significance Criteria

CEQA does not define what construction or operational noise level increase would be considered substantial. Typically, a noise increase of 3 dBA Ldn or greater at a residential receptor would be considered significant when existing ambient noise levels are between 60 and 65 dBA Ldn (FICON, 1992). A noise increase of 5 dBA Ldn or greater at the receptor would be considered a significant impact when existing ambient noise levels are less than 60 dBA Ldn (FICON, 1992). Noise due to construction activities is usually considered to be less than significant in terms of CEQA compliance if the construction activity is temporary and the use of heavy construction equipment and noisy activities are limited to daytime hours. As indicated above, the City of Dublin does not have separate noise standards for construction.

The following significance criteria for noise were derived from the Environmental Checklist in CEQA Guidelines Appendix G.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies (refer to Impact N-1).
- Generate excessive groundborne vibration or groundborne noise levels (refer to Impact N-2).
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. (refer to Impact N-3).

Significance Classifications

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

Impacts Assessment Methodology

Construction

Construction noise estimates are based upon noise levels on typical noise levels generated by construction equipment published by the Federal Transit Administration (FTA) and Federal Highway Administration (FHWA). Construction noise is assessed in dBA L_{eq}. This unit is appropriate because L_{eq} can be used to describe noise level from operation of each piece of equipment separately, and levels can be combined to represent the noise level from all equipment operating during a given period. The FTA's *Transit Noise and Vibration Impact Assessment Manual* (2018) (FTA Noise and Vibration Manual) identifies a maximum 8-hour noise level standard of 80 dBA L_{eq} at residential uses and 90 dBA L_{eq} at commercial and industrial uses for short-term construction activities.

Construction noise modeling was conducting using the FHWA Roadway Construction Noise Model (RCNM). Reference noise levels are used to estimate noise levels at nearby sensitive receptors based on a standard noise attenuation rate of 6 dB per doubling of distance (line-of-sight method of sound attenuation for point sources of noise). Construction noise level estimates do not account for the presence of intervening structures or topography, which may reduce noise levels at receptor locations. Therefore, the noise levels presented herein represent a conservative, reasonable worst-case estimate of actual temporary construction noise. As noted above, the City of Dublin does not establish quantitative construction noise standards and therefore, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour L_{eq}) for residential uses and 90 dBA (8-hour L_{eq}) for non-residential uses to evaluate construction noise impacts. The construction noise modeling assumptions and outputs are provided in Appendix F of this EIR.

Operational

The analysis of the existing and future noise environments is based on noise prediction modeling and empirical observations. Reference noise level data are used to estimate the project operational noise impacts from stationary sources. Noise levels are collected from field noise measurements and other published sources from similar types of activities are used to estimate noise levels expected with the project's stationary sources. The reference noise levels are used to represent a worst-case noise environment as noise levels from stationary sources can vary throughout the day.

Traffic noise impacts are assessed using the U.S. Federal Highway Traffic Noise Prediction Model (FHWA-RD-77-108). Model input data includes without- and with-project average daily traffic volumes on adjacent roadway segments, day/night percentages of autos, medium and heavy trucks, vehicle speeds, ground attenuation factors, and roadway widths. The roadway speeds are based on the posted speed limits observed during site visits. The model analyzed the noise impacts from the nearby roadways onto the project vicinity, which consists of the area that has the potential of being impacted from the on-site noise sources as well as the project-generated traffic on the nearby roadways. The roadway traffic model input assumptions are presented in Appendix F.

Vibration

Groundborne vibration levels associated with construction-related activities for the project were evaluated utilizing typical groundborne vibration levels associated with construction equipment, obtained from FTA published data for construction equipment. Potential groundborne vibration impacts related to structural damage and human annoyance were evaluated, considering the distance from construction activities to nearby land uses and typically applied criteria for structural damage and human annoyance.

14.5.2 Summary of No and/or Beneficial Impacts

There are no “no” impacts nor “beneficial” impacts.

14.5.3 Impacts of the Proposed Project

Impact N-1: Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Class II)

Construction

There are two types of short-term noise impacts associated with construction, noise generated from equipment and increase in traffic flow on local streets.

Equipment Noise

Construction noise typically occurs intermittently and varies depending on the nature or phase of construction (e.g. land clearing, grading, excavation, paving). Noise generated by construction equipment, including earth movers, material handlers, and portable generators, can reach high levels. During construction, exterior noise levels could affect the residential neighborhoods surrounding the construction site. The nearest sensitive receptors to the project construction area are existing residential uses to the north, with the nearest residential building located approximately 30 feet from the construction area. However, it is acknowledged that construction activities would occur throughout the project site and would not be concentrated at a single point near sensitive receptors.

Construction activities would include site preparation, grading, paving, building construction, and architectural coating applications. Such activities would require dozers and tractors during site preparation; excavators, graders, dozers, scrapers, and tractors during grading; cranes, forklifts, generators, pavers, paving equipment, rollers, tractors, and welders during building construction; pavers, air compressors, paving equipment, and rollers during paving; and air compressors during architectural coating applications. Typical operating cycles for these types of construction equipment may involve 1 or 2 minutes of full power operation followed by 3 to 4 minutes at lower power settings. Other primary sources of acoustical disturbance would be random incidents, which would last less than one minute (such as dropping large pieces of equipment or the hydraulic movement of machinery lifts). Typical noise levels associated with individual construction equipment are listed in Table 14-6: Typical Construction Equipment Noise Levels.

Table 14-6: Typical Construction Equipment Noise Levels

Equipment Onsite	Typical Level (dBA) 50 Feet from the Source
Air Compressor	80
Backhoe	80
Compactor	82
Concrete Mixer	85
Concrete Pump	82
Concrete Vibrator	76
Crane, Derrick	88
Crane, Mobile	83
Dozer	85
Generator	82
Grader	85
Impact Wrench	85
Jack Hammer	88
Loader	80
Paver	85
Pump	77
Roller	85
Saw	76
Scraper	85
Shovel	82
Truck	84

Source: Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, September 2018

The FHWA Roadway Construction Noise Model (RCNM) was used to calculate the worst-case construction noise levels at nearby sensitive receptors surrounding the project site during construction. The modeled receptor locations represent the closest existing receiving land uses to project construction activities. Noise levels at other sensitive receptors surrounding the project site would be located further away and would experience lower construction noise levels than the closest receptors modeled.

The Municipal Code does not establish quantitative exterior construction noise standards and therefore, this analysis conservatively uses the FTA's threshold of 80 dBA (8-hour L_{eq}) for residential uses and 90 dBA (8-hour L_{eq}) for non-residential uses to evaluate construction noise impacts.[13]

The noise levels calculated in Table 14-7: Project Construction Noise Levels show estimated exterior noise levels for the worst-case construction noise scenario without accounting for attenuation from intervening barriers, structures, or topography. Because site preparation, grading, and infrastructure activities are anticipated to overlap, the equipment from these phases have been combined. Further, the equipment from the building construction and paving phases have been combined, as these phases are also anticipated to overlap. During construction, equipment would operate throughout the project site and the associated noise levels would not occur at a fixed location for extended periods of time.

Table 14-7: Project Construction Noise Levels

Construction Phase/Activity	Receptor Location			Estimated Exterior Construction Noise Level (dBA L_{eq})	Noise Threshold (dBA Leq)[2]	Exceeded?
	Land Use	Direction	Distance[1]			
Site Preparation / Grading / Infrastructure	Residential	North	500	71.6	80	No
	Commercial	East	500	71.6	90	No
Building Construction / Paving	Residential	North	500	71.5	80	No
	Commercial	East	500	71.5	90	No

Notes:
1. Following FTA methodology, all equipment is assumed to operate at the center of the project site because equipment would operate throughout the project site and not at a fixed location for extended periods of time. Thus, the worst-case distance used in the RCNM model was 500 feet to the residential property line north of the construction zone and 500 feet to the commercial property line east of the construction zone.
2. The FTA Noise and Vibration Manual establishes construction noise standards of 80 dBA $L_{eq(8\text{-hour})}$ for residential uses and 90 dBA $L_{eq(8\text{-hour})}$ for commercial and industrial uses.

Source: Federal Highway Administration, *Roadway Construction Noise Model,* 2006. Refer to Appendix F for noise modeling results.

13 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*, Table 7-2, Page 179, September 2018.

As shown in Table 14-7, construction noise levels would range from approximately 71.5 to 71.6 dBA L_{eq} at the nearest residential and commercial receptors, which would not exceed the FTA's construction noise standards of 80 dBA L_{eq} and/or 90 dBA L_{eq}. Notwithstanding, the project would be required to implement MM N-1.1: Construction Noise Reduction to reduce construction noise levels. MM N-1.1 would require construction best management practices and limit noise-generating construction activities to occur between the daytime hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday and non-City holidays. Implementation of the construction noise best management practices would ensure that construction noise would not result in annoyance or disturbance or injury or endangerment of the health, repose, peace or safety of any reasonable person of normal sensitivity residing in the project vicinity. With implementation of MM N-1.1, impacts would be reduced to a less than significant level.

Construction Traffic Noise

Construction activities would cause increased noise along access routes to and from the project site due to movement of equipment and workers, as well as hauling trips. Grading at the project site would require approximately 93,600 cubic yards of import, which would result in approximately 11,700 hauling trips.[14] It is anticipated that construction worker trips would be a maximum of 951 trips per day, and vendor trips would be a maximum of 285 trips per day.[15] As a result, mobile source noise would increase along access routes to and from the project site during construction. However, mobile traffic noise from construction trips would be temporary and would cease upon completion of project construction.

According to the *Highway Traffic Noise Analysis and Abatement Policy and Guidance*, a doubling of traffic volumes would result in a 3 dB increase in traffic noise levels, which is barely detectable by the human ear. As shown in Table 14-4: Existing Traffic Noise Levels, all roadway segments in the project vicinity have greater than 2,039 average daily trips (ADT). Project construction trips would result in a maximum of 1,236 trips per day during the building construction phase. Therefore, project-generated construction trips (i.e., 1,236 trips per day) would not double existing traffic volumes (i.e. 2,039 ADT). It should be noted that this analysis conservatively assumes that every single project-generated construction trip would travel along one roadway segment. However, in reality, the project's construction trips would be distributed along the surrounding local roadways. Thus, the project-generated construction trips would not have the potential to significantly increase traffic noise volumes in the project vicinity and impacts would be less than significant. Additionally, the combination of on-site construction equipment and construction traffic noise would not exceed the FTA threshold.

[14] Ibid.
[15] Ibid.

14.5.4 Operations

Implementation of the project would create new sources of noise in the project vicinity. The major noise sources associated with the project that would potentially impact existing and future nearby residences include the following:

- Traffic noise;
- Mechanical equipment (i.e., trash compactors, air conditioners, etc.);
- Slow moving delivery/supply trucks on the project site, approaching and leaving the loading areas;
- Activities at the loading areas (i.e., maneuvering and idling trucks, banging and clanging of equipment); and
- Parking areas (i.e., car door slamming, car radios, engine start-up, and car pass-by).

Traffic Noise

The proposed project would result in additional traffic on adjacent roadways from daily activities, thereby increasing vehicular noise in the vicinity of existing and proposed land uses. Based on the transportation analysis, typical daily activities are forecast to generate 10,983 average daily trips. In general, traffic noise level increases of less than 3 dBA is barely perceptible to people, while a 5-dBA increase is readily noticeable (Caltrans, 2013). Generally, traffic volumes on project area roadways would have to approximately double for the resulting traffic noise levels to increase by 3 dBA. Therefore, permanent increases in ambient noise levels of less than 3 dBA are considered to be less than significant.

Traffic noise levels for roadways primarily affected by the project were calculated using the FHWA's Highway Noise Prediction Model (FHWA-RD-77-108). Traffic noise modeling was conducted for conditions with and without the project, based on traffic volumes obtained from the transportation analysis. The calculated traffic noise levels for the "Near Term Without Project" and "Near Term With Project" scenarios are compared in Table 14-8: Near Term and Near Term Plus Project Traffic Noise Levels. As described in Table 14-8, under the "Near Term Without Project" scenario, noise levels would range from approximately 52.7 dBA to 70.7 dBA, with the highest noise levels occurring along the Dublin Boulevard segment from Tassajara Road to Brannigan Street. The "Near Term With Project" scenario noise levels would range from approximately 53.7 dBA to 70.8 dBA, with the highest noise levels also occurring along the Dublin Boulevard segment from Tassajara Road to Brannigan Street.

Table 14-8: Near Term and Near Term Plus Project Traffic Noise Levels

Roadway	Near Term Without Project Noise Level (dBA CNEL)	Near Term With Project Noise Level (dBA CNEL)	Change	Significant Impact
Hacienda Drive				
Central Parkway to Dublin Boulevard	62.5	62.5	0.0	No
Dublin Boulevard to I-580 WB Off Ramp	67.1	67.2	0.1	No
I-580 WB Off Ramp to I-580 EB Off Ramp	67.1	67.2	0.1	No
I-580 EB Off Ramp to Owens Drive	69.0	69.1	0.1	No
Tassajara Road				
Fallon Road to Gleason Drive	68.0	68.0	0.0	No
Gleason Drive to Aviano Way	67.6	67.7	0.1	No
Aviano Way to Project Driveway	67.6	67.7	0.1	No
Project Driveway to Central Parkway	67.6	67.7	0.1	No
Central Parkway to Project Driveway (South Entry Level Townhomes)	68.1	68.3	0.2	No
Project Driveway (South Entry Level Townhomes) to Finnian Way	68.2	68.3	0.1	No
Finnian Way to Project Driveway (Affordable Housing)	68.2	68.6	0.4	No
Project Driveway (Affordable Housing) to Dublin Boulevard	68.2	68.6	0.4	No
Dublin Boulevard to Northside Drive	69.9	70.2	0.3	No
Northside Drive to I-580 WB Off-Ramp	69.9	70.2	0.3	No
I-580 WB Off-Ramp to Pimlico Drive	70.5	70.7	0.2	No
Saint Rita Road				
I-580 WB Off-Ramp to Pimlico Drive	69.2	69.4	0.2	No
Brannigan Street				
Gleason Drive to Aviano Way	54.4	54.6	0.2	No
Aviano Way to Central Parkway	54.9	55.4	0.5	No

Roadway	Near Term Without Project Noise Level (dBA CNEL)	Near Term With Project Noise Level (dBA CNEL)	Change	Significant Impact
Central Parkway to Finnian Way	52.7	53.7	1.0	No
Finnian Way to Project Driveway (South Family Homes)	54.0	55.2	1.2	No
Project Driveway (South Family Homes) to Dublin Boulevard	54.0	55.6	1.6	No
Dublin Boulevard to Project Driveway (Commercial)	51.6	54.4	2.8	No
Fallon Road				
Tassajara Road to Gleason Drive	64.2	64.2	0.0	No
Gleason Drive to Central Parkway	66.5	66.5	0.0	No
Central Parkway to Dublin Boulevard	68.1	68.1	0.0	No
Dublin Boulevard to I-580 WB Off Ramp	68.6	68.7	0.1	No
I-580 WB Off Ramp to I-580 EB Off Ramp	67.6	67.7	0.1	No
I-580 EB Off Ramp to W Jack London Boulevard	66.5	66.6	0.1	No
Gleason Drive				
Tassajara Road to Project Driveway	62.0	62.1	0.1	No
Project Driveway to Brannigan Street	62.0	62.1	0.1	No
Brannigan Street to Grafton Street	61.0	61.1	0.1	No
Grafton Street to Fallon Road	60.7	60.7	0.0	No
Central Parkway				
Hacienda Drive to Tassajara Road	60.7	60.9	0.2	No
Tassajara Road to Project Driveway (North Side)	61.8	62.0	0.2	No
Project Driveway (North Side) to Brannigan Street	61.8	61.9	0.1	No
Brannigan Street to Montalcino Street/Chancery Lane	61.6	61.7	0.1	No

Roadway	Near Term Without Project Noise Level (dBA CNEL)	Near Term With Project Noise Level (dBA CNEL)	Change	Significant Impact
Montalcino Street/Chancery Lane to Grafton Street	62.0	62.1	0.1	No
Grafton Street to Fallon Road	62.2	62.3	0.1	No
Dublin Boulevard				
Hacienda Drive to Tassajara Road	70.6	70.7	0.1	No
Tassajara Road to Project Driveway (South Family Homes)	70.7	70.8	0.1	No
Project Driveway (South Family Homes) to Brannigan Street	70.7	70.8	0.1	No
Brannigan Street to Grafton Street	70.5	70.6	0.1	No
Grafton Street to Keegan Street	70.5	70.5	0.0	No
Keegan Street to Lockhart Street	69.9	69.9	0.0	No
Lockhart Street to Fallon Road	70.0	70.0	0.0	No
East of Fallon Road	68.3	68.3	0.0	No

Source: Noise modeling is based on traffic data within the transportation analysis for the SCS Dublin Project, prepared by Kimley-Horn, 2022.

As depicted in Table 14-8: Near Term and Near Term Plus Project Traffic Noise Levels, the "Near Term With Project" traffic noise levels would not exceed the 3.0 dBA increase significance threshold along any of the surrounding roadways. As a result, the project would not result in a perceptible increase in traffic noise levels and impacts would be less than significant.

On-Site Mobile Noise

Future residents at the project site would be exposed to mobile traffic noise along Tassajara Road, Dublin Boulevard, Central Parkway, Brannigan Street, and Gleason Drive. Table 14-8: Near Term and Near Term Plus Project Traffic Noise Levels identifies traffic noise levels at 100 feet from the roadway centerline. As shown in Table 14-8, the "Near Term With Project" traffic noise levels along adjacent roadways (i.e. Tassajara Road, Dublin Boulevard, Central Parkway, and Gleason Drive) would range from 61.9 to 70.8 dBA CNEL. Therefore, future on-site residences facing adjacent roadways would experience traffic noise levels above the City's 60 dBA Normally Acceptable exterior standard for residential uses and the City's 45 dBA interior standard per the State Building Code and Implementing Policy 9.2.1.B.6.

As such, the project would be required to comply with MM N-1.2: Noise Attenuation, which requires a detailed acoustical study demonstrating that all residential units would meet the City's 60 dBA exterior noise standard for all common outdoor living areas through any necessary noise reduction features (barriers, berms, enclosures, etc.). Further, MM N-1.2 also requires all residential units to be designed to ensure that interior noise levels in habitable rooms from exterior sources (including vehicles on adjacent roadways) not exceed 45 dBA, in compliance with Title 24 of the California Code of Regulations and Implementing Policy 9.2.1.B.6. Compliance with MM N-1.2 would ensure on-site mobile noise impacts would be less than significant.

Mechanical Equipment

Regarding mechanical equipment, the project would generate stationary-source noise associated with heating, ventilation, and air conditioning (HVAC) units. Such HVAC units typically generate noise levels of approximately 52 dBA at a reference distance of 50 feet[16] from the operating units during maximum heating or air conditioning operations, which would attenuate to 46 dBA at 100 feet. The nearest existing sensitive receptors would be located more than 100 feet from the commercial and mixed-use areas of the project site. The proposed PA-4 single family residential areas would be located adjacent to existing residences (north of Gleason Drive). However, the mechanical equipment associated with the proposed residences would be similar to the existing uses and would also be buffered by an existing wall, a proposed road and existing and proposed setbacks and would be approximately 100 feet away from the closest residences. Given that existing sensitive receptors would be located beyond 100 feet from on-site HVAC units, noise generated by HVAC units would not result in a significant impact.

Slow Moving Trucks (Deliveries) and Loading Areas

Potential noise impacts with the project's commercial uses would be associated primarily with truck deliveries. The primary noise associated with truck deliveries is the arrival and departure of trucks. Noise sources at truck loading areas may include maneuvering and idling trucks, truck refrigeration units, forklifts, banging and clanging of equipment (i.e., hand carts and roll-up doors), and voices of truck drivers and employees. The closest sensitive receptors would be located 400 feet or more away from proposed commercial loading areas and in most cases, would not have a direct line of sight to the loading areas.

Delivery truck loading/unloading activities typically result in maximum noise levels from 68 dBA at 30 feet.[17] These activities are expected to occur intermittently throughout the day, as trucks arrive and leave the parking lot areas for deliveries. Delivery truck noise at the existing sensitive receptors would be attenuated to 45.5 dBA and would not exceed the City's Normally

[16] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden, *Noise Navigator Sound Level Database with Over 1700 Measurement Values*, June 26, 2015.
[17] Loading dock reference noise level measurements conducted by Kimley-Horn on December 18, 2018.

Acceptable standard of 60 dBA. Therefore, truck delivery noise impacts would be less than significant.

Parking Areas

The instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys range from 53 to 61 dBA.[18] Conversations in parking areas may also be an annoyance to adjacent sensitive receptors. Sound levels of speech typically range from 33 dBA at 50 feet for normal speech to 50 dBA at 50 feet for very loud speech.[19] These activities are expected to occur intermittently throughout the day, as residents, visitors, and employees arrive and leave the parking areas. As such, noise associated with parking lots is typically not of sufficient volume to exceed community noise standards, which are based on a time-averaged scale such as the CNEL scale. While the instantaneous maximum sound levels generated by a car door slamming, engine starting up, and car pass-bys may be an annoyance, noise levels are not a significant impact.

The nearest sensitive receptors would be the residences located approximately 120 feet to the east of potential non-residential parking areas within the project site. At this distance, noise levels would attenuate to 53.4 dBA. As parking lot noise levels would not exceed the City's 60 dBA standard, project-related parking lot noise impacts would be less than significant.

Operations Conclusion

Overall, with implementation of MM N-1.2: Noise Attenuation and adherence to Municipal Code requirements, noise impacts associated with traffic, mechanical equipment, deliveries, loading/unloading activities, and parking lot noise would be reduced to a less than significant level.

Mitigation for Impact N-1

MM N-1.1 Construction Noise Reduction

To reduce the effects of construction noise, the City of Dublin shall ensure that the project applicants include the following on all construction contracts for the project:

- All construction operations shall comply with local noise standards and be limited to normal daylight hours. All stationary equipment shall be adequately muffled and located away from sensitive receptors. The construction contractor shall limit all on-site noise-producing construction activities, including deliveries and warming up of equipment, to the daytime hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, and non-City holidays.

[18] Kariel, H. G., *Noise in Rural Recreational Environments*, Canadian Acoustics 19(5), 3-10, 1991.
[19] Elliott H. Berger, Rick Neitzel, and Cynthia A. Kladden. Noise Navigator Sound Level Database with Over 1700 Measurement Values, July 6, 2010.

- The construction contractor shall ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good condition and appropriate for the equipment.
- The construction contractor shall locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall prohibit unnecessary idling of internal combustion engines.
- The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction- related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- The construction contractor shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaints (starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem, as deemed acceptable by the City of Dublin Community Development Department. The construction contractor shall conspicuously post the contact name and telephone number for the noise disturbance coordinator at the construction site.

MM N-1.2 Noise Attenuation

As part of the Site Development Review Permit process for Planning Areas 2, 3, and 4, a detailed acoustical study based on architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City of Dublin Community Development Department to demonstrate that all residential units would meet the City's 60 dBA exterior noise standard for all common outdoor living areas. In addition, the acoustical study shall demonstrate that interior noise levels at all residential units at the project site would meet the City's 45 dBA threshold. This mitigation measure complies with the applicable sections of the California Building Code (Title 24 of the *California Code of Regulations*) and Implementing Policy 9.2.1.B.6. The necessary noise reduction may be achieved by implementing noise control measures at the receiver locations. Where closed windows are required to achieve the interior 45 dBA CNEL limit, project plans and specifications shall include ventilation as required by the California Building Code. The final grading and building plans shall incorporate the required noise barriers (patio enclosure, wall, berm, or combination wall/berm), and the property owner/developer shall install these barriers and enclosures.

Impact N-2: Would the Project generate excessive groundborne vibration or groundborne noise levels? (Class III)

14.5.5 Construction

Increases in groundborne vibration levels attributable to the project would be primarily associated with construction-related activities. Construction on the project site would have the potential to result in varying degrees of temporary groundborne vibration, depending on the specific construction equipment used and the operations involved. Ground vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. The effect on buildings located in the vicinity of the construction site often varies depending on soil type, ground strata, and construction characteristics of the receiver building(s). The results from vibration can range from no perceptible effects at the lowest vibration levels, to low rumbling sounds and perceptible vibration at moderate levels, to slight damage at the highest levels. Groundborne vibrations from construction activities rarely reach levels that damage structures.

Construction-related ground vibration is normally associated with impact equipment such as pile drivers, jackhammers, and the operation of some heavy-duty construction equipment, such as dozers and trucks. Vibration decreases rapidly with distance.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations. In general, depending on the building category of the nearest buildings adjacent to the potential pile driving area, the potential construction vibration damage criteria vary. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.50 inch per second (inch/sec) peak particle velocity (PPV) is considered safe and would not result in any construction vibration damage.

The FTA architectural damage criterion for continuous vibrations for non-engineered timber and masonry buildings (i.e., 0.20 inch/second) appears to be conservative. The types of construction vibration impact include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver.

In addition, not all buildings respond similarly to vibration generated by construction equipment. The City of Dublin does not provide numerical vibration standards for construction activities. Therefore, this impact discussion uses FTA standard of 0.20 inch/second PPV with respect to the prevention of structural damage for normal buildings and human annoyance.

Construction of the project could potentially include impact-pile driving or drilling. The nearest structures to project construction activities, with the exception of pile driving, would be the residential buildings located approximately 30 feet to the north. Additionally, pile driving activities may occur during construction of the multi-family parking garage. As such, the nearest structures (residential buildings) may be located as close as 100 feet east of potential pile driving activities. Table 14-9: Typical Construction Equipment Vibration Levels, identifies vibration levels feet for typical construction equipment.

Based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during project construction would range from 0.003 to 0.644 inch/second PPV at 25 feet from the source of activity. It is also acknowledged that construction activities would occur throughout the project site and would not be concentrated at the point closest to the nearest structure.

At the closest structures and sensitive receptors are located approximately 30 feet away, vibration from typical equipment for construction activities (i.e., excluding pile drivers) would range from 0.002 to 0.068 inch/second PPV. At 100 feet (i.e., the closest distance for structures and sensitive receptors to pile driving activities) vibration generated from pile driving would range from 0.021 to 0.081 inch/second PPV. Therefore, vibration from construction activities experienced at the nearest structure and sensitive receptor would not exceed the 0.20 inch/second PPV significance threshold.

Table 14-9: Typical Construction Equipment Vibration Levels

Equipment Type	Reference Peak Particle Velocity at 25 Feet (inches per second)	Peak Particle Velocity at 30 Feet (inches per second)[2]	Peak Particle Velocity at 100 Feet (inches per second)[2]
Pile Driver (impact)[1]	0.644	--	0.081
Pile Driver (sonic)[1]	0.170	--	0.021
Large Bulldozer	0.089	0.068	0.011
Caisson Drilling	0.089	0.068	0.011
Loaded Trucks	0.076	0.058	0.010
Rock Breaker	0.059	0.045	0.007
Jackhammer	0.035	0.027	0.004
Small Bulldozer/Tractor	0.003	0.002	<0.001

Notes: -- = not applicable
1. Pile driving activities would not occur within 100 feet of existing structures.
2. Calculated using the following formula:
PPV $_{equip}$ = PPV$_{ref}$ x $(25/D)^{1.5}$, where:
PPV (equip) = the peak particle velocity in inch per second of the equipment adjusted for the distance
PPV (ref) = the reference vibration level in inch per second from Table 7-4 of the FTA Transit Noise and Vibration Impact Assessment Manual (September 2018)
D = the distance from the equipment to the receiver

As noted above, the 0.20 inch/second PPV threshold is conservative because the construction vibration damage criteria for non-engineered timber and masonry buildings. Buildings would be better represented by the 0.50 inch/second PPV significance threshold (construction vibration damage criteria for reinforced concrete, steel or timber buildings). Because construction equipment vibration levels would not exceed the significance thresholds, impacts would be less than significant.

14.5.6 Operations

The project would not generate groundborne vibration that could be felt at surrounding uses. Project operations would not involve railroads or substantial heavy truck operations, and therefore would not result in vibration impacts at surrounding uses. As a result, impacts from vibration associated with project operation would be less than significant.

Impact N-3: For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? (Class III)

The nearest public airport is the Livermore Municipal Airport located approximately 2.5 miles southeast of the project site. The ALUCP shows the project within the Airport Influence Area, Airport Safety Zone 7 as shown in Figure 11-1: Livermore Municipal Airport Safety Compatibility Zones. According to the ALUC, no restrictions on residential development shall apply to portions of Zone 7 that extend beyond the boundary of the Airport Protection Area. Although, the project is partially within the Airport Influence Area, it is not within the airport protection Area and is outside of the 55 CNEL noise contour. There are no private airstrips near the project site. Impacts would be less than significant in this regard.

14.5.7 Cumulative Impacts

The geographic area for the analysis of cumulative impacts to noise is the City of Dublin.

Impact N-4: Contribute to cumulatively considerable impacts on noise? (Class II)

Cumulative Construction Noise

The project's construction activities would result in a substantial temporary increase in ambient noise levels. There would be periodic, temporary, significant noise impacts that would cease upon completion of construction activities. The project would contribute to construction noise impacts if other developments proximate to the project site occur concurrent with the project.

However, based on the noise analysis above, the project's construction noise impacts would be less than significant with implementation of MM N-1.1: Construction Noise Reduction. Based on the fact that noise dissipates as it travels away from its source, noise impacts from on-site construction activities would be limited to the project site and vicinity. Thus, cumulative

operational noise impacts from related projects, in conjunction with project-specific noise impacts, would not be cumulatively significant.

Cumulative Operational Noise

Cumulative noise impacts describe how much noise levels are projected to increase over existing conditions with the development of the project and other foreseeable projects. Cumulative noise impacts would occur primarily as a result of increased traffic on local roadways due to buildout of the project and other projects in the vicinity. Cumulative increases in traffic noise levels were estimated by comparing the Cumulative Without Project and Cumulative With Project scenarios to existing conditions. The transportation analysis considers cumulative traffic from future growth assumed in the traffic model, as well as cumulative projects identified by the City of Dublin.

A project's contribution to a cumulative traffic noise increase would be considered significant when the combined effect exceeds perception level (i.e., auditory level increase) threshold. The following criteria is used to evaluate the combined effect of the cumulative noise increase.

- *Combined Effect.* The cumulative with project noise level ("Cumulative With Project") would cause a significant cumulative impact if a 3.0 dB increase over "Existing" conditions occurs and the resulting noise level exceeds the applicable exterior standard at a sensitive use. Although there may be a significant noise increase due to the project in combination with other related projects (combined effects), it must also be demonstrated that the project has an incremental effect. In other words, a significant portion of the noise increase must be due to the project.

The following criteria have been used to evaluate the incremental effect of the cumulative noise increase.

- *Incremental Effects*. The "Cumulative With Project" causes a 1.0 dBA increase in noise over the "Cumulative Without Project" noise level.

A significant impact would result only if both the combined and incremental effects criteria have been exceeded. Noise by definition is a localized phenomenon, and reduces as distance from the source increases. Consequently, only the project and growth due to occur in the general area would contribute to cumulative noise impacts. Table 14-10: Cumulative Plus Project Conditions Predicted Traffic Noise Levels identifies the traffic noise effects along roadway segments in the vicinity of the project site for "Existing," "Cumulative Without Project," and "Cumulative With Project," conditions, including incremental and net cumulative impacts.

First, it must be determined whether the "Cumulative With Project" 3.0 dB increase above existing conditions (*Combined Effects*) is exceeded. Next, under the *Incremental Effects* criteria, cumulative noise impacts are defined by determining if the forecast ambient ("Cumulative

Without Project") noise level is increased by 1 dB or more. As shown in Table 14-10, the proposed project would exceed the combined effects criterion of 3.0 dB along the following roadways: Brannigan Street, Central Parkway, and Dublin Boulevard. However, the incremental effects criterion of 1 dB would not be exceeded along any of the roadway segments in the project vicinity.

As indicated in Table 14-10, the cumulative increase in traffic noise levels, as a result of the proposed project and cumulative projects, would not exceed the combined and incremental effects criteria along any of the surrounding roadways. Therefore, the project, in combination with cumulative background traffic noise levels, would result in a less than significant cumulative impact. The project's contribution to traffic noise would not be cumulatively considerable.

Table 14-10: Cumulative Plus Project Conditions Predicted Traffic Noise Levels

Roadway Segment	Existing	Cumulative Without Project	Cumulative With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA Difference: Existing and Cumulative With Project	dBA Difference: Cumulative Without and With Project	
Hacienda Drive						
Central Parkway to Dublin Boulevard	62.3	63.7	63.6	1.3	-0.1	No
Dublin Boulevard to I-580 WB Off Ramp	66.4	67.7	67.7	1.3	0.0	No
I-580 WB Off Ramp to I-580 EB Off Ramp	66.6	67.3	67.3	0.7	0.0	No
I-580 EB Off Ramp to Owens Drive	68.9	69.3	69.3	0.4	0.0	No
Tassajara Road						
Fallon Road to Gleason Drive	67.3	68.5	68.4	1.1	-0.1	No
Gleason Drive to Aviano Way	67.0	67.4	67.4	0.4	0.0	No
Aviano Way to Project Driveway	67.0	67.4	67.4	0.4	0.0	No
Project Driveway to Central Parkway	67.0	67.4	67.4	0.4	0.0	No
Central Parkway to Project Driveway (South Entry Level Townhomes)	67.8	67.7	67.5	-0.3	-0.2	No
Project Driveway (South Entry Level Townhomes) to Finnian Way	67.9	67.7	67.6	-0.3	-0.1	No
Finnian Way to Project Driveway (Affordable Housing)	67.9	68.0	67.8	-0.1	-0.2	No

Roadway Segment	Existing	Cumulative Without Project	Cumulative With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA Difference: Existing and Cumulative With Project	dBA Difference: Cumulative Without and With Project	
Project Driveway (Affordable Housing) to Dublin Boulevard	67.9	68.0	67.9	0.0	-0.1	No
Dublin Boulevard to Northside Drive	69.2	70.1	70.2	1.0	0.1	No
Northside Drive to I-580 WB Off-Ramp	69.2	70.6	70.5	1.3	-0.1	No
I-580 WB Off-Ramp to Pimlico Drive	70.1	71.0	70.9	0.8	-0.1	No
Saint Rita Road						
I-580 WB Off-Ramp to Pimlico Drive	69.0	69.1	69.1	0.1	0.0	No
Brannigan Street						
Gleason Drive to Aviano Way	53.4	54.8	54.7	1.3	-0.1	No
Aviano Way to Central Parkway	54.0	56.1	55.5	1.5	-0.6	No
Central Parkway to Finnian Way	51.8	54.3	54.4	2.6	0.1	No
Finnian Way to Project Driveway (South Family Homes)	53.3	55.2	55.7	2.4	0.5	No
Project Driveway (South Family Homes) to Dublin Boulevard	53.3	55.2	55.8	2.5	0.6	No
Dublin Boulevard to Project Driveway (Commercial)	51.4	55.4	54.7	3.3	-0.7	No

Roadway Segment	Existing	Cumulative Without Project	Cumulative With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA Difference: Existing and Cumulative With Project	dBA Difference: Cumulative Without and With Project	
Fallon Road						
Tassajara Road to Gleason Drive	63.6	64.9	64.9	1.3	0.0	No
Gleason Drive to Central Parkway	65.5	66.9	66.9	1.4	0.0	No
Central Parkway to Dublin Boulevard	67.4	68.1	68.1	0.7	0.0	No
Dublin Boulevard to I-580 WB Off Ramp	67.9	69.4	69.4	1.5	0.0	No
I-580 WB Off Ramp to I-580 EB Off Ramp	67.1	69.0	69.0	1.9	0.0	No
I-580 EB Off Ramp to W Jack London Boulevard	65.9	68.1	68.1	2.2	0.0	No
Gleason Drive						
Tassajara Road to Project Driveway	61.7	63.7	63.6	1.9	-0.1	No
Project Driveway to Brannigan Street	61.7	63.7	63.6	1.9	-0.1	No
Brannigan Street to Grafton Street	60.6	62.5	62.5	1.9	0.0	No
Grafton Street to Fallon Road	60.5	61.6	61.5	1.0	-0.1	No
Central Parkway						
Hacienda Drive to Tassajara Road	59.2	63.1	63.0	3.8	-0.1	No
Tassajara Road to Project Driveway (North Side)	60.3	63.0	62.9	2.6	-0.1	No

Roadway Segment	Existing	Cumulative Without Project	Cumulative With Project	Combined Effects	Incremental Effects	Cumulatively Significant Impact?
	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA @ 100 Ft from Centerline	dBA Difference: Existing and Cumulative With Project	dBA Difference: Cumulative Without and With Project	
Project Driveway (North Side) to Brannigan Street	60.3	63.1	62.8	2.5	-0.3	No
Brannigan Street to Montalcino Street/Chancery Lane	59.7	62.6	62.5	2.8	-0.1	No
Montalcino Street/Chancery Lane to Grafton Street	59.3	62.9	62.8	3.5	-0.1	No
Grafton Street to Fallon Road	58.9	63.1	63.0	4.1	-0.1	No
Dublin Boulevard						
Hacienda Drive to Tassajara Road	68.0	70.5	70.5	2.5	0.0	No
Tassajara Road to Project Driveway)	67.3	71.0	71.0	3.7	0.0	No
Project Driveway (South Family Homes) to Brannigan Street	67.3	71.0	71.0	3.7	0.0	No
Brannigan Street to Grafton Street	66.9	70.9	70.8	3.9	-0.1	No
Grafton Street to Keegan Street	66.5	70.7	70.7	4.2	0.0	No
Keegan Street to Lockhart Street	64.9	70.2	70.1	5.2	-0.1	No
Lockhart Street to Fallon Road	65.2	70.4	70.4	5.2	0.0	No
East of Fallon Road[1]	0.0	69.8	69.8	69.8	0.0	No

Notes:
1. The Dublin Boulevard extension, east of Fallon Road, will be constructed as part of the proposed project.
Source: Noise modeling is based on traffic data within the transportation analysis for the SCS Dublin Project, prepared by Kimley-Horn, 2022.

14.5.8 Level of Significance after Mitigation

Table 14-11: Summary of Impacts and Mitigation Measures – Noise summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to noise.

Table 14-11: Summary of Impacts and Mitigation Measures – Noise

Impact	Impact Significance	Mitigation
Impact N-1: Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Class II)	Less than Significant with Mitigation	MM N-1.1: Construction Noise Reduction MM N-1.2: Noise Attenuation
Impact N-2: Would the Project generate excessive groundborne vibration or groundborne noise levels? (Class III)	Less than significant	None required.
Impact N-3: For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels? (Class III)	Less than significant	None required.
Impact N-4: Contribute to cumulatively considerable impacts on noise? (Class II)	Less than Significant with Mitigation	MM N-1.1: Construction Noise Reduction MM N-1.2: Noise Attenuation

14.6 References

California Department of Transportation (Caltrans). 2009. Technical Noise Supplement. pp. 248 – 249. Available at: http://www.dot.ca.gov/hq/env/noise/pub/tens_complete.pdf. Accessed April 4, 2022.

California Department of Transportation (Caltrans). 2013. Technical Noise Supplemental to the Traffic Noise Analysis Protocol. Available at: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf Accessed April 4, 2022.

FHWA (Federal Highway Administration). 2006. FHWA Highway Construction Noise Handbook. (FHWAHEP-06-015; DOT-VNTSC-FHWA-06-02). Available at: https://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm. Accessed April 4, 2022.

FICON (Federal Interagency Committee on Noise). 1992. Federal Agency Review of Selected Airport Noise Analysis Issues. August. Available at: http://www.gsweventcenter.com/GSW_RTC_References/1992_0801_FICON.pdf. Accessed April 4, 2022.

FTA (Federal Transit Administration). 2006. Transit Noise and Vibration Impact Assessment Final Report. Available at: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Noise_and_Vibration_Manual.pdf. Accessed April 4, 2022.

FTA. Transit Noise and Vibration Impact Assessment Manual. 2018, Table 7-2, Page 179.

USEPA (United States Environmental Protection Agency). 1974. Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety. Available at: https://nepis.epa.gov/Exe/ZyNET.exe/2000L3LN.TXT?ZyActionD=ZyDocument&Client=EPA&Index=Prior+to+1976&Docs=&Query=&Time=&EndTime=&SearchMethod=1&TocRestrict=n&Toc=&TocEntry=&QField=&QFieldYear=&QFieldMonth=&QFieldDay=&IntQFieldOp=0&ExtQFieldOp=0&XmlQuery=&File=D%3A%5Czyfiles%5CIndex%20Data%5C70thru75%5CTxt%5C00000001%5C2000L3LN.txt&User=ANONYMOUS&Password=anonymous&SortMethod=h%7C-&MaximumDocuments=1&FuzzyDegree=0&ImageQuality=r75g8/r75g8/x150y150g16/i425&Display=hpfr&DefSeekPage=x&SearchBack=ZyActionL&Back=ZyActionS&BackDesc=Results%20page&MaximumPages=1&ZyEntry=1&SeekPage=x&ZyPURL. Accessed April 4, 2022.



Source: Google Earth, 2021

Figure 14-1: Noise Measurement Locations
SCS Dublin Project
Environmental Impact Report

Not to scale

Kimley»Horn
Expect More. Experience B

15 Population & Housing

15.1 Introduction

This section describes effects on population and housing that would be caused by implementation of the project. Information used to prepare this section came from the following resources:

- City of Dublin, *General Plan*, 1985 amended 2022
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- City of Dublin, *6th Cycle Public Review Draft Housing Element*, 2022
- Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), *Plan Bay Area 2050*, 2021

15.2 Scoping Issues Addressed

During the public comment scoping period for the project, comments requesting analysis of the number of school children generated were received.

15.3 Environmental Setting

This section presents information on population and housing conditions in the project area.

15.3.1 Population Characteristics

Alameda County

Alameda County has a current population of approximately 1,656,591 persons (DOF, 2021a). The 6th Cycle Public Review Draft Housing Element estimates that the population of Alameda County will increase to 2,092,370 (an increase of 42 percent compared to population in 2010) by 2040 (City of Dublin, 2022a). Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population shows population numbers for the County as determined by the City as determined by the City General Plan Housing Element.

City of Dublin

As of January 1, 2021, the City of Dublin has a population of 64,695 persons representing approximately four percent of Alameda County's population (DOF, 2021a). As shown in Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population, the population in Dublin is expected to increase to 83,595 by 2040 (a 82 percent increase compared to population in 2010).

Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population

	2010	2020	2025	2030	2035	2040	Percent Increase 2010-2040
Dublin	46,036	72,589	54,780	71,870	78,140	83,595	82%
Alameda County	1,477,980	1,682,353	1,776,495	1,868,635	1,960,630	2,092,370	42%

Sources: City of Dublin 6th Cycle Draft Housing Element, 2022.

15.3.2 Housing Characteristics

Alameda County

As shown in Table 15-2: Housing Units for City of Dublin and Alameda County, the County has an estimated 617,415 housing units with an average of 2.84 persons per household (DOF, 2021c and City of Dublin, 2022a).

As reported by the Housing Element, the vacancy rate is a measure of the availability of housing in a community. It also demonstrates how well the types of units available meet the market demand. A low vacancy rate suggests that households may have difficulty finding housing within their price range; a high supply of vacant units may indicate either the existence of a high number of desired units, or an oversupply of units. The vacancy rate for housing in Alameda County is estimated to be 5.4 percent (City of Dublin, 2022a).

Table 15-2: Housing Units for City of Dublin and Alameda County

	2021	Persons per Household	Vacancy Rate
Dublin	23,891	2.99	2.9 %
Alameda County	617,415	2.84	5.4 %

Source: DOF, 2021c and City of Dublin, 2022a.

City of Dublin

According to the Department of Finance, the City of Dublin has approximately 23,891 housing units with an average of 2.99 persons per household in 2021. The vacancy rate for housing in the City is 2.9 percent.

The Association of Bay Area Governments (ABAG) determines the regional housing needs allocation (RHNA) by income category for each community in the region based on employment activities, community patterns, types and tenure of housing needs, and others every eight years. The City of Dublin's allocation and approved units for the 5th RHNA cycle and the City's allocation for the 6th RHNA cycle that will begin on January 1,2023 are shown in Table 15-3: City of Dublin Regional Housing Needs Allocation. The City is required to ensure that sufficient

sites that are planned and zoned for housing are available to accommodate its need and to implement proactive programs that facilitate and encourage the production of housing commensurate with its housing needs.

Table 15-3: City of Dublin Regional Housing Needs Allocation

Income Category	5th Cycle RHNA	Units Approved	Remaining 5th Cycle RHNA	6th Cycle RHNA
Extremely Low Income	796	26	770	1,085
Very Low Income				
Low Income	446	39	407	625
Moderate Income	425	79	346	560
Above Moderate Income	618	4,878	-4,260	1,449
Total	**2,285**	**5,022**	**-2,737**	**3,719**

Sources: City of Dublin, 2022, ABAG, 2021

15.4 Applicable Regulations, Plans, and Standards

15.4.1 Federal

There are no applicable federal regulations applicable to the project.

15.4.2 State

California Housing Element Law

Government Code Sections 65580–65589.8 include provisions related to the requirements for housing elements of local government general plans. Among these requirements, some of the necessary elements include an assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. Additionally, to assure that counties and cities recognize their responsibilities in contributing to the attainment of the State housing goals, the statute calls for local jurisdictions to plan for, and allow the construction of, a share of the region's projected housing needs. The share is known as the Regional Housing Needs Allocation (RHNA). The RHNA for the Bay Area is based on a Regional Housing Needs Plan (RHNP) developed by ABAG for a nine-county area that includes Alameda County and the City of Dublin. The City's RHNA that covers the period from 2015 through 2023 includes 2,285 units and the City's RHNA that covers the period from 2023-2031 includes 3,719 units.

15.4.3 Local

Association of Bay Area Governments

Association of Bay Area Governments (ABAG) is the official comprehensive regional planning agency for the San Francisco Bay Area, which is composed of nine counties, including Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. ABAG

produces growth forecasts on four-year cycles so that other regional agencies, including the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD), can use the forecast to make funding and regulatory decisions. ABAG projections are also the basis for the Regional Transportation Plan and regional Ozone Attainment Plan. The general plans, zoning regulations, and growth management programs of local jurisdictions inform the ABAG projections. The ABAG projections are also developed to reflect the impact of "smart growth" policies and incentives that could be used to shift development patterns from historical trends toward a better jobs-housing balance, increased preservation of open space, and greater development and redevelopment in urban core and transit-accessible areas throughout the ABAG region.

In October 2021, ABAG and MTC adopted Plan Bay Area 2050 and its associated Environmental Impact Report (EIR). The third such regional housing and transportation plan adopted by MTC and ABAG, Plan Bay Area 2050 is a long-range blueprint to guide transportation investments and land-use decisions through 2050, while meeting the requirements of California's landmark 2008 Senate Bill 375, which calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks.

City of Dublin General Plan 6th Cycle Public Review Draft Housing Element

The City of Dublin is in the process of updating and adopting its Housing Element. Dublin's 6th Cycle Draft Housing Element, which focuses on the regional housing needs for the period between 2023 and 2031, includes all the mandatory sections as identified by California law, including an inventory of land parcels that could accommodate its Regional Housing Needs Allocation (RHNA) as set by ABAG. The Housing Element outlines housing production objectives, describes strategies to achieve those objectives, examines the local need for special needs populations, identifies adequate sites for housing production serving various income levels, analyzes constraints to new development, and evaluates the Housing Element's consistency with other General Plan elements. A list of Housing Element policies and programs that are relevant to the project are provided below.

Policy A.1: Ensure the provision of a variety of housing types to fulfill the City's RHNA.

Policy D.3: Encourage the provision of housing to meet the needs of households of all sizes.

Program B.1 Mixed-Use Development

Program B.6: Housing Type and Size Variations

The Affordable Housing Program

The City of Dublin has Inclusionary Zoning Regulations that require residential development to include a certain percentage of affordable housing. Developers may choose to satisfy a portion of the obligation through the payment of a fee in-lieu of construction, with the funds being deposited into the City's affordable housing fund. As of May 2, 2022, the fund had an available

balance of $6.1 million. The City also adopted a nonresidential development affordable housing impact fee to fund affordable housing to serve the workforces of new nonresidential development. The proceeds are deposited into the affordable housing fund program.

Eastern Dublin Specific Plan

The Eastern Dublin Specific Plan (EDSP) and EIR were adopted in May 1993 to evaluate the potential environmental effects of urbanizing eastern Dublin over a 20 to 30-year period. The buildout potential of the EDSP is 32,023 residents, 13,913 dwelling units, and 29,424 jobs. The project is located in the EDSP area.

15.5 Environmental Impacts and Mitigation Measures

15.5.1 Significance Criteria

The following significance criteria for population & housing were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of potential impacts related to this project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure.)
- Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.
- Displace substantial numbers of people, necessitation the construction of replacement housing elsewhere.

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

15.5.2 Summary of No and/or Beneficial Impacts

Displace existing housing or substantial people.

The project site does not include any existing housing and therefore would not displace existing housing or people. Implementation of the project would not displace substantial people, nor would it require the construction of replacement housing elsewhere. As a result, no impacts would occur.

15.5.3 Impacts of the Proposed Project

Impact POP-1: Induce substantial population growth in an area, either directly or indirectly (Class III).

According to the latest population numbers from the City, the average Dublin household has 2.99 persons per unit (City of Dublin, 2022a). Therefore, the proposed Project is estimated to add a maximum population of approximately 1,944 residents. As shown in Table 15-4: Additional Population Generated by Project, this increase would constitute a three percent increase as compared to the City's 2021 population. A three percent increase would still be within the range of population growth forecast by the City, which is 83,595 by 2040. Therefore, the project's population growth would be consistent with the City's population projections.

Table 15-4: Additional Population Generated by Project

Dublin 2021 Population	Population generated by Project[1]	Percent of Total Population
64,695	1,944	3%

Source: DOF, 2021c, City of Dublin, 2022a.
Note:
1- Based on 2.99 people per unit from City of Dublin, 2022a.

Table 15-5: Buildout Potential of the Eastern Dublin Specific Plan, shows the forecasted growth of the EDSP area and the project site within the EDSP area. The project would provide 265,000 square feet of general commercial land use. This comprises 2.5 percent of the planned general commercial for the EDSP area and 30 percent of the planned commercial area for the project site. Three percent of the anticipated commercial growth for the area would not result in a direct population increase beyond what is anticipated. The project would comprise four percent of the forecasted residential units for the EDSP but increase the number of residential units planned for the project site by 1,095 units (an increase of 155%). While the project would increase the population projections for the City, by increasing the number of units allowed from 261 to 650, the project still represents a small fraction of the planned buildout for the EDSP overall; would be consistent with the nature of surrounding development; and would be within the estimate of population growth estimated by and the City's Housing Element. For all of these reasons, impacts associated with increased population growth would be less than significant and no mitigation measures are required.

Table 15-5: Buildout Potential of the Eastern Dublin Specific Plan

	EDSP	EDSP Project Site	Proposed Project	% of EDSP overall	% of EDSP Project site
Residential (units)	17,970	261	650	4%	249%
Commercial (square feet)	10,575,000	902,563	265,000	2.5%	30%
Population	**42,669**	**705**	**1,800**	**4%**	**255%**

Source: Eastern Dublin Specific Plan, 1994, as updated.

15.5.4 Cumulative Impact Analysis

The geographic context for the analysis of cumulative population and housing impacts includes the City of Dublin.

Impact POP-2: Contribute to cumulatively considerable impacts on population and housing (Class III).

The project would have a maximum of 1,944 residents. Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population estimates the City of Dublin would have a population of 83,595 by 2040, and the project population growth is within City population forecasts. Therefore, the project would not cause a cumulatively considerable impact on population and housing and no mitigation is required.

15.5.5 Level of Significance after Mitigation

Table 15-6: Summary of Impacts and Mitigation Measures – Population & Housing summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to population & housing.

Table 15-6: Summary of Impacts and Mitigation Measures – Population & Housing

Impact	Impact Significance	Mitigation
Impact POP-1: Induce substantial population growth in an area, either directly or indirectly (Class III).	Less than significant	None required.
Impact POP-2: Contribute to cumulatively considerable impacts on population and housing (Class III).	Less than significant	None required.

15.6 References

ABAG (Association of Bay Area Governments). 2021. Final regional Housing Needs Allocation (RHNA) Plan: San Francisco Bay Area, 2023-2031. Available at https://abag.ca.gov/sites/default/files/documents/2021-12/Final_RHNA_Allocation_Report_2023-2031-approved_0.pdf. Accessed April 5, 2022.

City of Dublin. 2023-2031 Draft Housing Element. 2022a Available at https://www.dublin.ca.gov/2241/Housing-Element-Update#:~:text=The%20Housing%20Element%20is%20one,process%20as%20further%20described%20below. Accessed May 12, 2022.

City of Dublin. Annual Progress Report on the Status of the General Plan and Housing Element for the Calendar Year 2021. 2022b Available at https://dublin.ca.gov/DocumentCenter/View/29893/General-Plan-and-Housing-Element-Annual-Progress-Report-for-2021. Accessed April 5, 2022.

DOF (California Department of Finance). 2021a. Demographic Research Unit. E-1 Population Estimates for Cities, Counties, and the State January 1, 2020 and 2021. Available at https://dof.ca.gov/forecasting/demographics/estimates-e1/. Accessed April 4, 2022.

DOF (California Department of Finance). 2021b. Demographic Research Unit. P-2A Total Population for California and Counties. Available at https://dof.ca.gov/forecasting/demographics/projections/. Accessed April 5, 2022.

DOF (California Department of Finance). 2021c. Demographic Information. E-5 Population and Housing Estimates for Cities, Counties and the State, January 2011 - 2021, with 2010 Benchmark. Available at: https://dof.ca.gov/forecasting/demographics/estimates/estimates-e5-2010-2021/. Accessed April 4, 2022.

16 Public Services, Utilities & Service Systems

16.1 Introduction

This section describes effects on public services, utilities, and service systems that would be caused by implementation of the project. The discussion addresses existing environmental conditions in the affected area, identifies and analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts anticipated from project construction and operation. In addition, existing laws and regulations relevant to public services, utilities, and service systems are described. In some cases, compliance with these existing laws and regulations would serve to reduce or avoid certain impacts that might otherwise occur with the implementation of the project.

Information used to prepare this section came from the following resources:

- Project application and related materials
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- City of Dublin, *General Plan,* 1985 amended 2022
- City of Dublin, *Parks and Recreation Master Plan*, 2022
- Dublin Police Services, *2020-2021 Annual Report*, 2021
- Dublin San Ramon Services District, *SCS Dublin Development Project Water Supply Assessment and Water Supply Verification*, 2022 (see Appendix G)
- Dublin San Ramon Services District, *Wastewater Treatment and Biosolids Facilities Master Plan*, 2017
- Dublin San Ramon Services District, *Water System Master Plan*, 2016
- Dublin San Ramon Services District*, 2020 Urban Water Management Plan,* 2021
- Dublin Unified School District, *2020/2021 Demographics and Alternative Enrollment Projections*, May 2021
- Dublin Unified School District, *School Facilities Needs Analysis*, May 2021
- Dublin Unified School District, *7-Year Student Population Projections Packet by Residence Fall 2019-2025*, March 2019
- Zone 7 Water Agency, *2020 Urban Water Management Plan*, 2021

16.2 Scoping Issues Addressed

During the public comment scoping period for the project, comments requesting analysis of the project impact on schools, potable water supply, wastewater connection, and stormwater management were received.

16.3 Environmental Setting

This section presents information on public services, utilities, and service systems in the project area. Physical impacts to public services, utilities, and service systems are usually associated with population in-migration and growth in an area, which increase the demand for a particular service, leading to the need for expanded or new facilities.

16.3.1 Public Services

Police Protection

The Alameda County Sheriff's Office provides law enforcement to the City of Dublin on a contract basis (known locally as "Dublin Police Services"). Criminal investigations, crime prevention, and some business office functions are performed at the Dublin Civic Center (100 Civic Center), while dispatch and some data processing functions are handled at Sheriff's Office facilities in Oakland and San Leandro. Dublin Police Services has 59 sworn personnel assigned to duty in the City of Dublin. Eight City of Dublin civilian employees provide support services for Dublin Police Services (Dublin Police Services, 2021). Dublin Police Services responded to 30,706 calls for service in 2020 with an average patrol response time of approximately 5.3 minutes (Dublin Police Services, 2021). This response time meets the Alameda County Sheriff's Office standards and the industry average of five minutes.

Fire Protection and Emergency Response Services

The Alameda County Fire Department ("Fire Department") provides fire protection, emergency medical services, and public assistance to the City of Dublin. The Fire Department serves approximately 508 square miles and has a service population of 394,000 people in their entire service area (Alameda County Fire Department, 2022a). The Fire Department employs over 400 personnel and 100 reserve firefighters who staff four battalions consisting of 35 companies in 27 fire stations. Fire Department services also include three specialized response teams: Hazardous Materials Unit, Urban Search and Rescue Unit, and Water Rescue Team Unit. The Fire Department also staffs specialized response teams for hazardous materials, urban search and rescue, and water rescue.

As shown in Table 16-1: Alameda County Fire Department Stations in the City of Dublin, the Fire Department has three stations and one fire bureau in the City of Dublin, all are staffed. Stations 16 and 18 are staffed with one engine company and three personnel. Station 17, closest to the project site, houses an engine and a truck company, one Type 3 engine, and a water rescue boat. The station is staffed by a total of six personnel.

Table 16-1: Alameda County Fire Department Stations in the City of Dublin

Station Number	Address	Distance to Project	Station Details
16	7494 Donohue Drive	3.4 miles	This station has one engine company, a patrol, a water tender, and an air support unit. The response area is primarily west and central Dublin.
17	6200 Madigan Avenue	0.6 miles	This station houses an engine and a truck company, one Type 3 engine, and a water rescue boat. Central Dublin is its primary response area but also responds to the west, central core, and eastern most sections of the City.
18	4800 Fallon Road	0.8 miles	This station has an engine company, one patrol, and a bulldozer. Its response area covers the easternmost portions of Dublin, urban wildland interface areas, and Highway 580.
Fire Prevention Bureau	100 Civic Plaza	2.5 miles	Performs plan reviews and inspections of new construction. The Bureau reviews building plans to ensure compliance with applicable fire codes and regulations.

Source: Alameda County Fire Department, 2022b.

In 2020-2021, the Fire Department responded to 3,698 calls from the City of Dublin. The Fire Department's average response times are reported to the City of Dublin on a quarterly basis. For fiscal year 2020-2021 the Fire Department responded to 92% of all emergency calls in less than 5 minutes.

Aid Agreements

The Fire Department has mutual and automatic mutual aid agreements with the Livermore-Pleasanton Fire Department, the San Ramon Valley Fire Department, and the Camp Parks Fire Department. These agreements help to ensure service is sent based on shortest response times and may result in a mix of different agencies responding to a particular call. In the case of a wildland fire within the State Responsibility Areas of the County, CAL FIRE's ground and air resources are also available. The Fire Department also participates in the California Master Mutual Aid Plan that allows source requests to be filled from an agency outside Alameda County.

Schools

Dublin Unified School District (DUSD) provides Transitional Kindergarten (TK) through grade 12 educational services to the City of Dublin. During the 2020-2021 school year, DUSD had a total enrollment of 12,604 students, 689 certified staff members, 359 classified staff, and 65 administrators (DUSD, 2021a and DUSD, 2022a). DUSD operates 12 schools; seven elementary (TK-5), oneTK-8 school, two middle (grade 6-8), and two high schools (one comprehensive, one alternative) (DUSD, 2022a). Emerald High is also under construction and Phase I is anticipated

to open in 2024, giving the district three total high school sites (DUSD, 2022b). DUSD also offers Pathways, an alternative option for elementary students; Independent Study; Dublin Adult School; Home/Hospital Instruction for those with serious physical or mental health issues; Home Schooling for K-6th grade; Online Program for Students; and various programs for students with disabilities.

As noted in the *DUSD2021 School Facilities Needs Analysis*, in order to be consistent with the State Allocation Board (SAB) reporting requirements, the enrollment school level configuration was adjusted to represent grades transitional kindergarten through 6 at the elementary level and grades 7 and 8 at the middle school level. Available facilities capacity is calculated by subtracting the October 2020 student enrollment from existing school facilities capacity for each school level. As a result and as shown in Table 16-2: Dublin School District Existing Student Capacity, this operation results in deficit capacity at the Elementary School and High School levels and available capacity at the Middle School level.

Table 16-2: Dublin School District Existing Student Capacity

Grade Level	Existing Facilities Capacity	Student Enrollment (October 2020)	Available/ (Deficit) Capacity
Elementary School (TK-6)	6,994	7,483	(489)
Middle School (7-8)	1,909	1,906	3
High School (9-12)	2,499	3,381	(882)
Total	**11,402**	**12,770**	**(1,368)**

Source: DUSD, 2021b.

Elementary Schools

DUSD comprises eight elementary schools (including Cottonwood Creek Elementary (TK-8)) serving 7,483 TK-5 students as of Fall 2020. The project site is served by Kolb Elementary School (0.5 miles east) and Cottonwood Creek Elementary (1.5 miles west).

Middle School

DUSD comprises three middle schools (including Cottonwood Creek Elementary (TK-8)) serving 1,906 grade 6-8 students as of Fall 2020. The project site is served by Fallon Middle School (0.5 miles northeast) and Cottonwood Creek Elementary (1.5 miles west).

High School

The DUSD currently operates one comprehensive high school, Dublin High School, located four miles west of the project site. As of Fall 2017, there were 3,381 grade 9-12 high school

students enrolled in the District with Dublin High School serving 3,286 students, and Valley Continuation High serving the remaining students.

Parks

The City of Dublin's Parks and Recreation Master Plan establishes the goals, standards, policies, and action programs to guide the City of Dublin in the acquisition, development and management (operations and maintenance) of Dublin's park and recreation facilities through the ultimate build-out of the City in accordance with the General Plan.

As shown in Table 16-3: Dublin Parks and Sport Facilities Existing Service Levels and Standards, the Master Plan establishes park standards for neighborhood and community parks and sport facilities. Comparisons to the National Recreation and Park Association (NRPA) standards are also shown for reference.

Table 16-3: Dublin Parks and Sport Facilities Existing Service Levels and Standards

Park & Sport Facilities	Current Supply (Number of Facilities)	NRPA Standard	City of Dublin Standard	Existing Level of Service [1,2]
Parks	24	8.5 per 1,000	5 per 1,000	3.27
Baseball/Softball Fields	18	1 per 7,500	1 per 9,350	8.32
Soccer Fields	16	1 per 19,000	1 per 3,500	12.18
Tennis Courts	20	1 per 5,500	1 per 2,700	6.80
Basketball Courts	13	1 per 8,570	1 per 4,300	4.53
Cricket Fields	2	--	1 per 40,000	0.19[3]
Volleyball Courts	9	1 per 19,800	1 per 17,000	5.33

Notes:
1. Acres per 1,000 population
2. Based on current population
3. Based on 2015 population
Source: City of Dublin Parks and Recreation Master Plan, 2022.

The City currently provides 24 parks, which include 18 neighborhood parks/square, five community parks, and one nature park totaling a combined 237.04 acres. These parks range from passive to active and are a mix of small neighborhood parks to a large aquatic complex. In addition to these facilities, Dublin maintains over 26.26 miles of greenways and trails. The series of trails sprawls throughout the City ranging from recreational trails to shared use paths. The City of Dublin envisions 116.84 additional acres of parks in the future. One potential future site for a two-acre Neighborhood Square is near the project site south of Dublin Boulevard between Tassajara Road and Fallon Road.

The nearest community park is Emerald Glen Park located directly adjacent to the project site on the west side of Tassajara Road. The closest neighborhood parks are Bray Commons (0.4 miles east) and Ted Fairfield Park (0.5 miles north).

Community Facilities

As shown in Table 16-4: City of Dublin Community Facilities, the Parks and Community Services Department operates five community centers.

Table 16-4: City of Dublin Community Facilities

Name	Address	Distance from Project Site	Facilities
Dublin Civic Center	100 Civic Plaza	2.5 miles	Council Chambers: Theater-style seating for 142, panel seating for 11, two podiums, and two built-in screens. Regional Meeting Room: 80 for dining and 125 for assembly.
Dublin Public Library Community Room	200 Civic Plaza	2.55 miles	1,830 square foot Community Room that is available for rent for up to 122 people.
Dublin Senior Center	7600 Amador Valley Boulevard	3.3 miles	Ballroom seats 248 for dining, raised stage, casual seating nook, and two patios Lounge area with fireplace and furniture
Shannon Community Center	11600 Shannon Avenue	3.8 miles	6,000 square foot room that fits 300 for dining
Heritage Park and Museums	6600 Donlon Way	3.7 miles	The Old St. Raymond Church and Sunday School Barn are available for rentals

Source: Dublin Parks & Community Services, 2022.

16.3.2 Utilities and Service Systems

Water

Dublin San Ramon Services District (DSRSD) provides potable water and non-potable recycled water service to the City of Dublin and the Dougherty Valley portion of the City of San Ramon. As of 2020, DSRSD's water service population is approximately 92,409 (DSRSD, 2021).

Potable Water

DSRSD obtains its water supply from Alameda County Flood Control and Water Conservation District, Zone 7 ("Zone 7"), a multi-purpose agency that oversees water-related issues in the Livermore-Amador Valley. Zone 7 is a State Water Project contractor that wholesales treated water to four retail water agencies in the Tri-Valley area (DSRSD, City of Livermore, City of

Pleasanton, and California Water Service Company-Livermore District). It also retails non-potable water supplies for irrigated agricultural use, treated water to several direct customers, provides and maintains flood control facilities, and manages groundwater and surface water supplies in its service area. In addition to other water sources listed below, DSRSD has a groundwater pumping quota (GPQ) of 645 acre-feet/year in the Livermore Valley Main Groundwater Basin (Main Basin), which Zone 7 pumps on DSRSD's behalf as part of its water contract.

Zone 7 uses a combination of water supplies and water storage facilities to meet the municipal and industrial demands of its retailers. These include the following:

- Imported surface water from the State Water Project;
- Imported surface water transferred from the Byron Bethany Irrigation District;
- Local surface water runoff captured in Del Valle Reservoir;
- Local groundwater extracted from the Livermore Valley Groundwater Main Basin;
- Local storage in the Chain-of-Lakes; and
- Non-local groundwater storage in the Semitropic Water Storage District and Cawelo Water District.

A full discussion of these water supply sources can be found in the Zone 7's 2020 Urban Water Management Plan (2021).

Recycled Water

DSRSD's water supply is augmented with recycled water from its Recycled Water Treatment Facilities. DSRSD owns and operates a wastewater treatment plant that treats wastewater from Dublin, South San Ramon, and Pleasanton. The wastewater treatment plant includes conventional secondary treatment facilities, as well as tertiary and advanced recycled water treatment facilities. The DSRSD - East Bay Municipal Utility Recycled Water Authority (DERWA) operates the San Ramon Valley Recycled Water Program, a multi-phased project that distributes recycled water from the Recycled Water Treatment Facilities to portions of DSRSD's and East Bay Municipal Utility District (EBMUD) service areas.

DSRSD began its recycled water program in the early 1990's by adopting Resolution No. 42-92 in August 1992. The resolution set priorities and policies for the use and promotion of recycled water service within and outside DSRSD's water service area. DSRSD then adopted the "Water Recycling Business Plan Framework" in 1993, to establish the DSRSD Recycled Water Enterprise. Since that time, recycled water has been an important part of water planning at DSRSD.

In that same year, the City of Dublin certified an EIR for the Eastern Dublin General Plan Amendment and Specific Plan. The DSRSD service plan for eastern Dublin is predicated upon the use of recycled water for landscape irrigation. Potable water supply requests to Zone 7 by

DSRSD for Eastern Dublin under the "Contract between Zone 7 and DSRSD for a Municipal & Industrial Water Supply," are the net of the eastern Dublin total water demands, less the recycled water provided by DSRSD.

In 1995, DSRSD began providing recycled water to Dougherty Valley. Similar to eastern Dublin, the DSRSD service plan for Dougherty Valley is also predicated upon the use of recycled water for landscape irrigation. In 2018, DSRSD commenced delivery of recycled water to Pleasanton. DSRSD currently has a moratorium on any new recycled water connections.

Current and Projected Water Supply and Demand

Table 16-5: DSRSD Current and Projected Water Supply and Demand, provides a summary of DSRSD's current and projected future water supply and demand as presented in the 2020 UWMP.

Table 16-5: DSRSD Current and Projected Water Supply and Demand

	2020 Actual	2025	2030	2035	2040	2045
Demand						
Potable Water	10,330	11,993	13,363	13,807	13,820	14,034
Recycled Water	3,044	3,044	3,004	3,044	3,044	3,044
Total Demand	**13,374**	**15,037**	**16,407**	**16,851**	**16,864**	**17,078**
Supply						
Potable Water	10,966	11,993	13,363	13,807	13,820	14,034
Recycled Water	2,888	3,044	3,044	3,044	3,044	3,044
Total Supply	**13,854**	**15,037**	**16,407**	**16,851**	**16,864**	**17,078**

Notes: All values are in acre feet per year
Source: DSRSD, 2021.

Project Site Facilities

A series of water lines ranging from 12 inches (along Brannigan Street) to as large as 20 inches (along Dublin Boulevard) surround the project site.

Wastewater

DSRSD provides wastewater collection and treatment service to the City of Dublin as well as to the southern portion of the City of San Ramon and Pleasanton making its wastewater service area larger than its water service area.

Collection System

DSRSD's wastewater infrastructure includes a wastewater collection system and the wastewater treatment plant (WWTP). The collection system conveys wastewater primarily by

gravity to the WWTP. Generally, wastewater flows by gravity from the northwest to the south and from the east to the west and then to the south within the wastewater collection service area. The collection system consists of approximately 207 miles of gravity mains, 26 feet of force main, one permanent lift station, and one temporary lift station (DSRSD, 2017).

The project would connect to existing underground DSRSD sewer lines located within the right-of-way of the adjacent roadways. Major sanitary sewer facilities include a 30-inch pipe on Dublin Boulevard, a 15-inch pipe on Tassajara Road, and 10-inch pipes on both Brannigan Street and Gleason Drive.

Treatment Facility

DSRSD owns and operates the Regional Wastewater Treatment Plant in the City of Pleasanton, which treats wastewater from the cities of Dublin, South San Ramon, and Pleasanton. The WWTP includes conventional secondary treatment facilities, as well as tertiary and advanced recycled water treatment facilities.

The WWTP includes conventional secondary treatment facilities, as well as tertiary and advanced recycled water treatment facilities. The conventional secondary wastewater treatment facilities include primary sedimentation, activated sludge secondary treatment, secondary sedimentation, chlorine disinfection, and effluent pumping. The secondary treatment facilities currently have an average dry weather flow (ADWF) capacity of 17.0 MGD.

A portion of the secondary effluent from the WWTP is treated further to produce Title 22 disinfected tertiary recycled water ("recycled water"). Recycled water is produced using sand filtration and ultraviolet disinfection facilities (SFUV) during the dry season when demands are high. The sand filtration tertiary treatment facility capacity is approved by RWQCB for 16.2 MGD, and the ultraviolet disinfection system has been approved to be operated at up to 17.6 MGD. The WWTP also includes microfiltration and ultraviolet disinfection facilities (MFUV) with a treatment capacity of 3.0 MGD. These facilities currently act as backup facilities for the SFUV facilities and are used during times of low and high demand.

Wastewater that is not recycled is discharged into the San Francisco Bay through a pipeline owned by the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers agency created in 1974 by DSRSD, Livermore, and Pleasanton. Operations began in September 1979, with an expansion in 2005, for a current design capacity of 41.2 MGD. The wastewater effluent from the Livermore and DSRSD wastewater treatment facilities are conveyed to the LAVWMA pump station in Pleasanton. The wastewater effluent is then pumped out of the Livermore-Amador Valley via a 16-mile pipeline from Pleasanton to San Leandro and enters the East Bay Regional Discharge Authority system for de-chlorination and discharge through a deep-water outfall to the San Francisco Bay (DSRSD, 2021).

Storm Drainage

The City of Dublin maintains storm drain pipes and inlets that are on public streets or that carry water which originates on a public street. Drainage facilities that are located on private

property are maintained by private property owners. Private drainage facilities may include (but are not limited to) V-ditches or channels on residential or commercial property and drain inlets in parking lots.

Runoff that leaves the project site enters either a 42-inch-diameter line in Arnold Road or an 84-inch-diameter line into a storm drainage structure on the north side of I-580. From there, runoff is conveyed south under I-580 via a triple set of 54-inch-diameter storm drains to Chabot Canal. Chabot Canal conveys stormwater to Arroyo Mocho, which outlets into South San Ramon Creek, which becomes Arroyo de La Laguna, and ultimately Alameda Creek, which is tributary to San Francisco Bay.

Solid Waste

The City of Dublin has an existing franchise agreement with Amador Valley Industries for residential and commercial garbage, recycling, and organics collection. Single family residences are provided with recycling and organics service with their garbage subscription and must be subscribed to all three streams. Multi-family residences must have access to recycling, organics, and garbage services. Commercial businesses must subscribe to recycling and organics service the same way they subscribe to garbage collection. Solid waste generated within the City is received at Altamont Landfill & Resource Recovery facility which has a total permitted capacity of 124 million cubic yards. The Altamont Landfill has approximately 65.4 million cubic yards of capacity remaining and is permitted to operate through 2070 (CalRecycle, 2022a).

Electricity

Electricity in City of Dublin is provided by East Bay Community Energy (EBCE) and is conveyed to customers through Pacific Gas and Electric's (PG&E) existing infrastructure. In January 2022, standard residential accounts moved from an automatic default service "Bright Choice" which is 80 percent carbon free to EBCE's product "Renewable 100" which is sourced from California wind and solar facilities. Non-residential customers will default to Renewable 100 beginning in October 2022.

Natural Gas

PG&E operates one of the largest natural gas distribution networks in the country, including 48,700 miles of natural gas transmission and distribution pipelines (PG&E, 2022c). Service is provided to 15 million accounts. A transmission gas pipeline runs parallel to the southern boundary of the City, south of Interstate 580, and small-diameter pipelines serve the City (PG&E, 2022c).

16.4 Applicable Regulations, Plans, and Standards

16.4.1 Federal

Wastewater

Clean Water Act

The Federal Water Pollution Control Act of 1972, more commonly known as the Clean Water Act (CWA), regulates the discharge of pollutants into watersheds throughout the U. S. under the CWA, the United States Environmental Protection Agency (U.S. EPA) implements pollution control programs and sets wastewater treatment standards.

National Pollutant Discharge Elimination System

Pursuant to Section 402 of the Clean Water Act (CWA) and the Porter-Cologne Water Quality Control Act, municipal stormwater discharges in the City of Dublin are regulated under the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit, Order No. R2-2009-0074, NPDES Permit No. CAS612008, adopted October 14, 2009, and revised November 28, 2011. The Municipal Regional Permit is overseen by the Regional Water Board.

The City of Dublin is a member agency of the Alameda Countywide Clean Water Program, which assists municipalities and other agencies in Alameda County with implementation of the Municipal Regional Permit. Provision C.3 addresses post-construction stormwater management requirements for new development and redevelopment projects that add and/or replace 10,000 square feet or more of impervious area. Provision C.3 requires the incorporation of site design, source control, and stormwater treatment measures into development projects to minimize the discharge of pollutants in stormwater runoff and non-stormwater discharges and to prevent increases in runoff flows. Low Impact Development (LID) methods are to be the primary mechanism for implementing such controls.

Municipal Regional Permit Provision C.3.g pertains to hydromodification management. This Municipal Regional Permit provision requires that stormwater discharges not cause an increase in the erosion potential of the receiving stream over the existing condition. Increases in runoff flow and volume must be managed so that the post-project runoff does not exceed estimated pre-project rates and durations, where such increased flow and/or volume is likely to cause increased potential for erosion of creek beds and banks, silt pollutant generation, or other adverse impacts on beneficial uses due to increased erosive force. The Hydromodification Management Susceptibility Map, developed by the Alameda Countywide Clean Water Program, indicates that the Community Plan area drains primarily to earthen channels and therefore projects implemented under the Community Plan that create and/or replace one acre or more of impervious surface and increase impervious surface over pre-project conditions are subject to hydromodification management requirements.

16.4.2 State

Police Services

All law enforcement agencies within California are organized and operate in accordance with the applicable provisions of the California Penal Code. This code sets forth the authority, rules of conduct, and training for police officers.

Fire Protection

California Occupational Safety and Health Administration

In accordance with California Code of Regulations Title 8 Sections 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Equipment" the California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all fire-fighting and emergency medical equipment.

Fire Protection

The California Fire Code contains regulations relating to construction and maintenance of buildings and the use of premises. Fire hazards are addressed mainly through the application of the State Fire Code that addresses access, including roads, and vegetation removal in high fire hazard areas, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, and many other general and specialized fire safety requirements for new and existing buildings and premises.

California Health and Safety Code

State fire regulations are set forth in Sections 13000 et seq. of the California Health and Safety Code. This includes regulations for building standards (as also set forth in the California Building Code), fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

Emergency Response

The State passed legislation authorizing the Office of Emergency Services (OES) to prepare a Standard Emergency Management System (SEMS) program, which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the State withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster.

Schools

Senate Bill 50

Senate Bill (SB) 50 (1998), which is funded by Proposition 1A, limits the power of cities and counties to require mitigation of developers as a condition of approving new development and provides instead authorizes school districts to impose fees in amounts limited by law. SB 50 anticipated that the state would fund a portion of new school facilities construction and the remainder would be funded by the local school district. SB 50 provides for three levels of statutory impact fees. The level depends on whether state funding is available; whether the school district is eligible for state funding; and whether the school district meets certain additional criteria involving bonding capacity, year-round schools, and the percentage of moveable classrooms in use. Consistent with this authority, the DUSD as of June 14, 2022 implements a Level 2 fee of $7.96 per square foot of new residential development and $0.78 per square foot of new commercial development.

California Government Code sections 65995-65998 sets forth provisions to implement SB 50 and limits the City's discretion to mitigate for development's impact on schools. Specifically, in accordance with Section 65995(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization…on the provision of adequate school facilities." The school district, rather than the City, is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Furthermore, Government Code section 65995(i) provides that: "A state or local agency may not deny or refuse to approve a legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073 on the basis of a person's refusal to provide school facilities mitigation that exceeds the amounts authorized pursuant to this section or pursuant to Section 65995.5 or 65995.7, as applicable."

California Education Code Section 17620(a)(1) states that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

California Government Code, Section 65995(b), and Education Code Section 17620

SB 50 amended California Government Code Section 65995, which contains limitations on Education Code Section 17620, the statute that authorizes school districts to assess development fees within school district boundaries. Government Code Section 65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. On February 23, 2022, the State Allocation Board (SAB) approved increasing the allowable amount of statutory school facilities fees (Level I School Fees) from $4.08 to $4.79 per square foot of assessable space for residential

development of 500 square feet of more, and from $0.66to $0.78 per square foot of chargeable covered and enclosed space for commercial/industrial development (SAB, 2022). School districts may levy high fees if they apply to the SAB and meet certain conditions.

The Kindergarten-University Public Education Facilities Bond Act of 2002 (Proposition 47)

This act was approved by California voters in November 2002 and provides for a bond issue of $13.05 billion to fund necessary education facilities to relieve overcrowding and to repair older schools. Funds will be targeted at areas of greatest need and must be spent according to strict accountability measures. Funds will also be used to upgrade and build new classrooms in the California Community Colleges, the California State University, and the University of California to provide adequate higher education facilities to accommodate growing student enrollment.

Parks and Recreation

Quimby Act

The Quimby Act (California Government Code Section 66477) states that "the legislative body of a City or county may, by ordinance, require the dedication of land or impose a requirement of the payment of fees in lieu thereof, or a combination of both, for park or recreational purposes as a condition to the approval of a tentative or parcel map." Requirements of the Quimby Act apply only to the acquisition of new parkland and do not apply to the physical development of new park facilities or associated operations and maintenance costs. The Quimby Act seeks to preserve open space needed to develop parkland and recreational facilities; however, the actual development of parks and other recreational facilities is subject to discretionary approval and is evaluated on a case-by-case basis with new residential development. The City of Dublin has adopted park fees as allowed by the Quimby Act, as described in greater detail below.

Water Supply

Senate Bill 610

SB 610 amended the Public Resources and Water Codes as they pertain to consultation with water supply agencies and water supply assessments. SB 610 requires Water Supply Assessments (WSA) for "projects" as that term is defined by Water Code Section 10912, which are subject to CEQA. The project does meet the definition of a project as specified in Water Code Section 10912 and has not been the subject of a previously adopted WSA or included in a WSA for a larger project; thus, a WSA is required and included as Appendix G.

Senate Bill 221

Whereas SB 610 requires a written assessment of water supply availability, SB 221 requires lead agencies to obtain an affirmative written verification of sufficient water supply prior to approval of certain specified subdivision projects. For this purpose, water suppliers may rely on an Urban Water Management Plan (if the project is accounted for within the UWMP), a Water

Supply Assessment prepared for the project, or other acceptable information that constitutes "substantial evidence."

"Sufficient water supply" is defined in SB 221 as the total water supplies available during normal, single-dry and multiple-dry water years within the 20-year (or greater) projection period that are available to meet the projected demand associated with a project, in addition to existing and planned future uses. The project would develop more than 500 dwelling units and is therefore subject to the requirements of SB 221. The WSA provides verification of sufficient water supply to serve the project.

California Urban Water Management Planning Act

The California Urban Water Management Planning (UWMP) Act requires urban water suppliers to prepare an UWMP every five years and to file this plan with the Department of Water Resources, the California State Library, and any city or county within which the supplier provides water supplies. All urban water suppliers, either publicly or privately owned, providing water for municipal purposes either directly or indirectly to more than 3,000 customers or supplying more than 3,000 acre-feet annually are required to prepare an UWMP (CWC §10617).

The UWMP Act was enacted in 1983. Over the years, it has been amended in response to water resource challenges and planning imperatives confronting California. A significant amendment was made in 2009 as a result of the governor's call for a statewide 20 percent reduction in urban water use by 2020. Colloquially known as 20x2020, the Water Conservation Act of 2009 (also referred to as SB X7-7) required urban retail water suppliers to establish water use targets for 2015 and 2020 that would result in statewide water savings of 20 percent by 2020. Beginning in 2016, urban retail water suppliers are required to comply with the water conservation requirements in SB X7-7 to be eligible for state water grants or loans.

Wastewater

San Francisco Bay Regional Water Quality Control Board

The San Francisco Bay RWQCB is the local division of the SWRCB that has oversight authority over the project. SWRCB is a State department that provides a definitive program of actions designed to preserve and enhance water quality and to protect beneficial uses of water in California. NPDES permits allow RWQCB to collect information on where the waste is disposed, what type of waste is being disposed, and what entity is disposing of the waste. RWQCB is also charged with conducting inspections of permitted discharges and monitoring permit compliance.

Solid Waste

California Integrated Waste Management Act

California's Integrated Waste Management Act of 1989 (AB 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000, through source

reduction, recycling, and composting. AB 939 also establishes a goal for all California counties to provide at least 15 years of ongoing landfill capacity.

To help achieve this goal, the Act requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to the Department of Resources Recycling and Recovery (CalRecycle), a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling.

As part of CalRecycle's Zero Waste Campaign, regulations affect what common household items can be placed in the trash. Household materials—including fluorescent lamps and tubes, batteries, electronic devices and thermostats—that contain mercury are no longer permitted in the trash and must be disposed separately.

In 2007, SB 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CalRecycle sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CalRecycle with an update of its progress in implementing diversion programs and its current per capita disposal rate.

California Solid Waste Reuse and Recycling Access Act of 1991

The California Solid Waste Reuse and Recycling Access Act of 1991 requires adequate space in all developments to be set aside for collecting and loading recyclable materials and organics. The Act requires CalRecycle to develop a model ordinance for adoption by any local agency relating to adequate areas for collection and loading of recyclable materials as part of development projects. Local agencies are required to adopt the model, or an ordinance of their own, governing adequate areas in development programs for collection and loading of recyclable materials.

CALGreen Building Code

The California Green Building Standards Code (CALGreen) came into effect for all projects beginning after January 1, 2011. Effective January 1, 2017, Section 4.408, Construction Waste Reduction Disposal and Recycling, mandates that, in the absence of a more stringent local ordinance, a minimum of 65 percent of non-hazardous construction and demolition debris must be recycled or salvaged. The Code requires the applicant to have a waste management plan for on-site sorting of construction debris.

The City of Dublin has a more stringent requirement and requires that at least 65 percent for remodels and 75 percent for new construction by weight of the total construction and demolition debris generated by a project via reuse or recycling excluding asphalt and concrete debris of which 100 percent must be diverted, unless the applicant has been granted an infeasible exemption. The modified diversion requirement is equal to the maximum feasible

diversion rate established by the WMP Compliance Official for the project (Dublin Municipal Code Chapter 7.30).

16.4.3 Regional

Zone 7 Water Agency

Zone 7 is responsible for providing flood protection to the residents of Eastern Alameda County. Zone 7 owns and maintains drainage facilities within the Dublin city limits. Drainage plans for development projects must be reviewed by Zone 7 to ensure that the project does not propose any impacts to downstream facilities. In addition, development projects that involve work within Zone 7's right-of-way or that involve construction, modification, or connection to a Zone 7 facility are required to obtain an Encroachment Permit and comply with Zone 7 standards and specifications.

Dublin San Ramon Services District

The Dublin San Ramon Services District (DSRSD) provides potable water and recycled water service within its service area. DSRSD's 2020 Urban Water Management Plan UWMP was adopted by the DSRSD Board of Directors in June 2021. The 2020 UWMP includes existing and projected water demands for existing and projected future land uses within DSRSD's service area.

The Water Shortage Contingency Plan (WSCP) describes the DSRSD's strategic plan to prepare and respond to water shortage conditions resulting from a drought, regulatory action, emergency, or other types of events. It also includes defined actions to reduce demand over six shortage condition levels, from 10 percent to more than 50 percent demand reductions. The WSCP provides a guide for DSRSD to prevent catastrophic service disruptions and has been updated to be consistent with the 2018 Water Conservation Legislation requirements.

Alameda County Emergency Operations Plan

The purpose of the Alameda County Emergency Operations Plan (EOP) is to establish policies and procedures and assign responsibilities for effective management of emergency operations within Alameda County.

The County's responses to disasters is based on five phases:

1. Prevention
2. Preparedness
3. Response
4. Recovery
5. Mitigation

During each phase, there are specified activities, operational capabilities and effective responses to a given disaster. The County's Primary Emergency Operating Centers (EOC) is in Dublin at 4985 Broder Blvd approximately one-mile northwest of the project site. The EOC is

equipped with emergency power generators, radios, telephones, maps, and can be staffed 24-hours per day.

16.4.4 Local

City of Dublin General Plan

The City of Dublin General Plan establishes the following policies associated with public services and utilities that are relevant to the project:

Guiding Policy 3.4.2.1: Provide active parks and facilities which are adequate to meet citywide needs for open space, cultural, and sports facilities, as well as the local needs of the Eastern Extended Planning Area.

Guiding Policy 3.4.2.2: Establish a trail system with connections to planned regional and sub-regional systems, including north-south corridors such as East Bay Regional Park District's trail along Tassajara Creek north to Mt. Diablo State Park.

Implementing Policy 3.4.2.B.1: Require land dedication and improvements for the parks designated in the General Plan for the Eastern Extended Planning Area and based on a standard of 5 net acres per 1,000 residents. Collect in-lieu park fees as required by City policies.

Guiding Policy 4.4.1.A.1: Ensure that adequate solid waste disposal capacity is available, to avoid constraining development, consistent with the Dublin General Plan.

Implementing Policy 4.4.1.B.3: Prior to project approval, the applicant shall demonstrate that capacity will exist in solid waste disposal facilities for their project prior to the issuance of building permits.

Implementing Policy 4.4.1.B.4: Large scale projects should be required to submit a plan that demonstrates how they will contribute toward the City's State mandated diversion requirement.

Guiding Policy 4.5.1.A.1: Expand sewage treatment and disposal capacity to avoid constraining development consistent with the Dublin General Plan.

Implementing Policy 4.5.1.B.1: Prior to project approval, developers shall demonstrate that adequate capacity will exist in sewage treatment and disposal facilities for their projects prior to the issuance of building permits.

Guiding Policy 4.6.1.A.1: Base General Plan proposals on the assumption that water supplies will be sufficient and that local wells could be used to supplement imported water if necessary.

Guiding Policy 7.3.1.A.1: Maintain natural hydrologic systems.

Implementing Policy 7.3.1.B.1: Enforce the requirements of the Municipal Regional Permit for stormwater issued by the San Francisco Bay Regional Water Quality Control Board or any subsequent permit as well as Chapter 7 (Public Works) and Chapter 9 (Subdivisions) of the Dublin Municipal Code for maintenance of water quality and protection of stream courses.

Implementing Policy 7.3.1.B.2: Review development proposals to ensure site design that minimizes soil erosion and volume and velocity of surface runoff.

Guiding Policy 12.3.1.A.1: Work with Zone 7 and DSRSD to secure an adequate water supply for, and provide water delivery to, existing and future customers in Dublin.

Implementing Policy 12.3.1.B.1: In anticipation of planned future growth, continue working with DSRSD and Zone 7 to plan and provide for sufficient future water supplies.

Guiding Policy 12.3.2.A.1: Increase water conservation efforts and strive to maximize water use efficiency in existing residential, commercial, and industrial buildings and grounds.

Guiding Policy 12.3.2.A.2: Support DSRSD in extending recycled water service to established areas of Dublin.

Guiding Policy 12.3.3.A.1: Promote the conservation of water resources in new development

Implementing Policy 12.3.3.B.1: Continue implementation of the Water Efficient Landscape Regulations, which requires grouping plants with the same water requirements together (hydrozoning), the installation of water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls, and the minimal use of turf.

Implementing Policy 12.3.3.B.2: Support DSRSD's ongoing efforts to extend recycled water infrastructure ("purple pipe") to new locations.

Guiding Policy 12.3.5.A.1: Protect the quality and quantity of surface water and groundwater resources that serve the community.

Guiding Policy 12.3.5.A.2: Protect water quality by minimizing stormwater runoff and providing adequate stormwater facilities.

Guiding Policy 12.3.5.A.3: To minimize flooding in existing and future development, design stormwater facilities to handle design-year flows based on buildout of the General Plan.

Implementing Policy 12.3.5.B.1: Support Zone 7's efforts to complete planned regional storm drainage improvements.

Implementing Policy 12.3.5.B.2: With the goal of minimizing impervious surface area, encourage design and construction of new streets to have the minimum vehicular travel lane width possible while still meeting circulation, flow, and safety requirements for all modes of transportation.

Implementing Policy 12.3.5.B.3: Discourage additional parking over and above the required minimum parking standards for any land use unless the developer can demonstrate a need for additional parking.

Implementing Policy 12.3.5.B.5: Review design guidelines and standard details to ensure that developers can incorporate clean water runoff requirements into their projects.

Implementing Policy 12.3.5.B.6: Maximize the runoff directed to permeable areas or to stormwater storage by appropriate site design and grading, using appropriate detention and/or retention structures, and orienting runoff toward permeable surfaces designed to manage water flow.

Implementing Policy 12.3.5.B.7: Review development plans to minimize impervious surfaces and generally maximize infiltration of rainwater in soils, where appropriate. Strive to maximize permeable areas to allow more percolation of runoff into the ground through such means as bioretention areas, green strips, planter strips, decomposed granite, porous pavers, swales, and other water-permeable surfaces. Require planter strips between the street and the sidewalk within the community, wherever practical and feasible.

Implementing Policy 12.3.5.B.8: Continue conducting construction site field inspections to ensure proper erosion control and materials/waste management implementation to effectively prohibit non-stormwater discharges.

Eastern Dublin Specific Plan

The City of Dublin's Eastern Dublin Specific Plan establishes the following goals, policies and programs associated with public services, utilities and service systems that are relevant to the project:

GOAL: To ensure that fire protection services in eastern Dublin are consistent with standards maintained in the rest of the city.

Policy 8-5: Time the construction of new facilities to coincide with new service demand in order to avoid periods of reduced service efficiency. The first station will be sited and construction completed prior to completion of initial development in the planning area.

Program 8F: Establish appropriate funding mechanisms (e.g., Mello Roos District, developer financing with reimbursement agreements, etc.) to cover upfront costs of capital improvements (i.e., fire stations and related facilities and equipment).

Program 8H: Based on approval by the City, incorporate applicable Dougherty Regional Fire Authority (DRFA) recommendations on project design relating to access, water pressure, fire safety and prevention into the requirements for development approval. Require that the following DPFA design standards are incorporated where appropriate:

- Use of non-combustible roof materials in all new construction.

- Available capacity of 1,000 GPM at 20 PSI fire flow from project fire hydrants on public water mains. For groupings of one-family and small two-family dwellings not exceeding two stories in height, the fire flow requirements are a minimum of 1,000 GPM. Fire flow requirements for all other buildings will be calculated based on building size, type of construction, and location.
- Automatic fire alarm systems and sprinklers in all non-residential structures for human use.
- Compliance with DRFA and City minimum road widths, maximum street slopes, parking recommendations, and secondary access road requirements.

GOAL: Provide adequate police services to the eastern Dublin planning area to ensure the health, safety and welfare of existing and future residents, workers, and visitors.

Policy 8-4: Provide additional personnel and facilities and revise "beats" as needed in order to establish and maintain City standards for police protection service in eastern Dublin.

Program 8E: Incorporate into the requirements of project approval Police Department recommendations on project design that affects traffic safety and crime prevention.

GOAL: To provide an adequate water system for the Eastern Dublin Specific Plan area.

Policy 9-1: Water Conservation. Require the following as conditions of project approval in eastern Dublin:

- Use of water-conserving devices such as low-flow showerheads, faucets, and toilets.
- Support implementation of the DSRSD Water Use Reduction Plan and implementation of Best Management Practices (BMPs) for water conservation.
- Require all developments to meet the BMPs of the Memorandum of Understanding regarding Urban Water Conservation in California, of which DSRD is a signatory.
- Water efficient irrigation systems within public rights-of-way, median islands, public parks, recreation areas and golf course areas (see Program 9B on Water Reclamation).
- Drought resistant plant palettes within public rights-of-way, median islands, public parks, recreation areas and golf course areas.
- Ensure that highly invasive plant species that could out-compete native species and threaten wildlife habitat are not used in these areas. Species which should be prohibited include, but are not limited to: Acacia, Algerian Ivy, Bamboo, Mattress Vine, Black Locust, Blue Gum Eucalyptus, Castor Bean, Cotoneaster, English Ivy, French Broom, Fountain Grass, Giant Reed, German Ivy, Gorse, Ice Plant, Pampas Grass, Periwinkle, Pyracantha, Scotch Broom, Spanish Broom, Tamarisk, Tree of Heaven, and Tree Tobacco.

- Water efficient irrigation and landscaping systems for residential, commercial, institutional, and industrial areas in accordance with AB325.
- Adoption of a water efficient landscape ordinance by the City of Dublin that will apply to eastern Dublin development.
- Encourage the use of recycled water during construction for compaction and dust control.

Program 9B: Water Reclamation. Require the following as conditions of project approval in eastern Dublin:

- Implementation of DSRSD and Zone 7 findings and recommendations on uses of reclaimed water to augment existing water supplies.
- Construction of a recycled water distribution system in eastern Dublin as well as necessary offsite facilities to support recycled water use. Construction of such a recycled water system will require approval of the use of recycled water for landscape irrigation by DSRSD, Zone 7 and the San Francisco Bay Area Regional Water Quality Control Board.

Program 9E: DSRSD Standards. Require that design and construction of all water and recycled water system facility improvements be in accordance with DSRSD policies, standards and master plans.

Program 9F: Consistency With Resource Management Policies. Require the siting of water system infrastructure to be consistent with the Resource Management Policies of this plan.

Program 9G: Implementation Responsibilities. Require the Developer to obtain proper approvals; refer to attached Table 9.1, Water Service Matrix of Implementation responsibilities.

Program 9H: DSRSD Service. Require a “will-serve” letter from DSRSD prior to grading permit approval.

GOAL: To provide adequate wastewater collection, treatment and disposal for the Eastern Dublin Specific Plan area.

Program 9K: Recycled Water Distribution System. Require development within the project to fund a recycled water distribution system computer model reflecting the proposed Specific Plan land uses and verify the conceptual backbone reclaimed water distribution system presented on Figure 9.3.

Program 9M: Design Level Wastewater Investigation. Require eastern Dublin applicants to prepare (in coordination with DSRSD) a detailed wastewater capacity investigation or supplement the information in the Specific Plan, which reflects the phased development approach matched against the allocation of sewer permits. Such an investigation shall include, at a minimum, a thorough estimate of planned land uses at the site and estimated wastewater

flows to be generated at the site. Base the estimation of the wastewater flows for sewer permits on the DSRSD approved wastewater flow factors.

Program 9N: DSRSD Service. Require a "will-serve" letter from DSRSD prior to grading permit approval.

Program 9O: DSRSD Standards. Coordination with DSRSD Policies, Standards and Master Plans. Require design and construction of all wastewater systems to be in accordance with DSRSD service policies, procedures, design and construction standards and master plans.

Program 9P: Onsite Wastewater Treatment. In conjunction with DSRSD, discourage onsite wastewater treatment systems such as package plants and septic systems in accordance with the policies of the San Francisco Bay Regional Water Quality Control Board.

Program 9Q: Connection to Public Sewers. Require all developments in the Specific Plan be connected to public sewers. Exceptions to this requirement, in particular septic tank systems, will only be allowed upon receipt of written approval from Alameda County Environmental Health Department and DSRSD.

Program 9R: Implementation Responsibilities. Require developers obtain proper approvals; refer to attached Table 9.2, Wastewater Service Matrix of Implementation Responsibilities.

GOAL: To provide adequate storm drainage facilities for the Eastern Dublin Specific Plan area.

Policy 9-7: Require drainage facilities that will minimize any increased potential for erosion or flooding.

GOAL: To reduce the total flow of waste to landfill by promoting waste reduction, source separation, curbside collection, and other recycling alternatives to landfilling.

Policy 8-8: Encourage the separation of recyclable materials from the general waste stream by supporting the development of a recycling collection system and facilities.

Program 8K: Prepare a solid waste management plan for eastern Dublin which includes the following:

- Specific areas designated for the collection of recyclable materials in multifamily and commercial areas, with coordination as needed for pick-up.

GOAL: To provide a full complement of community services and facilities as needed in eastern Dublin.

Policy 8-9: Coordinate with Pacific Gas and Electric and Pacific Bell in planning and scheduling future facilities which will serve eastern Dublin.

Program 8-L: Require project applicants to provide documentation that electric, gas, and telephone service can be provided to all new development.

City of Dublin Municipal Code

The City of Dublin Municipal Code contains all ordinances for the City. The Municipal Code is organized by Title, Chapter, and Section.

The City's Fire Code, which is Section 5.08.020, regulates permit processes, emergency access, hazardous material handling, and fire protection systems, including automatic sprinkler services, fire extinguishers, and fire alarms. The Fire Code contains specialized technical regulations related to fire and life safety in the City.

City of Dublin Parks and Recreation Master Plan

The City of Dublin Parks and Recreation Master Plan was adopted in April 2022 by the City Council. The goal of the plan is to build and maintain parks and facilities that both enhance the positive image of the City and meet the needs of the City into the future. The Plan establishes goals, standards, guiding policies, and action programs to guide the City of Dublin in the acquisition, development, and management (operations and maintenance) of Dublin's park and recreation facilities through the ultimate build-out of the City in accordance with the General Plan.

Local Impact Fees

Pursuant to SB 50 and Government Code Section 65994, Dublin Unified School District charges development fees on a per-square-foot basis for commercial and industrial uses.

Additionally, the City has fire, public facilities, noise mitigation and traffic impact fees.

16.5 Environmental Impacts and Mitigation Measures

16.5.1 Significance Criteria

The following significance criteria for public services, utilities, & service systems were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address Lead Agency requirements and the full range of impacts of the project.

An impact of the project would be considered significant and would require mitigation if it would meet one of the following criteria.

- Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or

other performance objectives for any of the following public services: Fire protection, Police protection, schools, parks, other public facilities.

- Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- Require or result in the construction of a new water storm drainage facilities or expansion of existing facilities, the construction of which could cause significant effects.
- Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed.
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
- Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- Comply with federal, state, and local statutes and regulations related to solid waste.
- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.
- Includes recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

The significance of each impact is identified according to the classifications listed below.

Class I: Significant impact; cannot be mitigated to a level that is less than significant.

Class II: Significant impact; can be mitigated to a level that is less than significant through implementation of recommended mitigation measures.

Class III: Adverse impact but less than significant; no mitigation recommended.

Class IV: Beneficial impact; mitigation is not required.

No Impact.

Public Services

Police and fire service providers were contacted to ascertain the current average response times, estimated response times, and current service levels that would be utilized in this impact

analysis. Impacts to these public services would be considered significant if average response times, service ratios or other performance standards could not be met, such that the construction of new or expanded facilities would be required to maintain said ratios, response times and/or other performance standards. The evaluation of school impacts is limited to those effects with the potential to result in the need for construction of new classrooms or placement of portable classrooms.

Utilities

Utility providers were contacted to ascertain utility services available to the project. Impacts to these utilities would be considered significant if utility service standards could not be met, such that the construction of new or expanded facilities would be required to maintain availability of utilities.

16.5.2 Summary of No and/or Beneficial Impacts

Compliance with Solid Waste Regulations

The project would be located within City limits and would be provided solid waste collection and disposal services by a licensed contractor requiring compliance with federal, state, and local solid waste regulations. Therefore, there would be no impact.

16.5.3 Impacts of the Proposed Project

Impact PSU-1: Introduce in a new service population requiring the construction of new or altered police, fire protection, or emergency medical services facilities (Class III).

Fire Protection and Emergency Medical Services

The nearest fire station (Station No. 17) is located 0.6 mile from the project site. Using an average travel speed of 25 miles per hour, a fire engine dispatched from the station would reach the project in less than two minutes, which is less than their eight-minute average for 90 percent of all incidents and well within the allowable travel time to meet the Fire Department's response time objective of five minutes for single unit and 10 minutes for multiple unit responses to the source. The Fire Department indicated that it expects to be able to serve the project with existing stations. The project site would be served with vehicle access point from all surrounding roadways and thus would meet California Fire Code requirements for emergency access.

Although the addition of new residents and commercial services to the project site would increase the demand for fire services, implementation of the project is not anticipated to have an adverse effect on response times for fire protection and emergency services and would not affect the Fire Department’s ability to serve the project or City at large.

The project would be required to comply with all applicable State building and fire codes. These codes require a development plan that provides for fire protection systems, ingress and egress, maximum occupancy limitations, and construction techniques and materials dictated by

the proposed use of the structure (refer to the City of Dublin's Municipal Code, Chapter 5.08, Fire Code).

Specifically, the Fire Department would review the development plan for conformance with locally-defined performance standards, including the California Fire Code, as adopted by the Fire Department, and California Building Code standards. Site access, capacity of the water mains, road widths and turning radii, road grades, surfacing, load bearing capability, sprinkler systems, stand pipes, smoke detectors, and fire alarms would also be reviewed for consistency with Fire Department standards.

The project will be required to fund on-site and off-site improvements consistent with existing City regulations and requirements. The City would collect public facilities fees (per Chapter 7.78 of the City of Dublin Municipal Code) from the project applicant to help off-set fire protection-related capital improvements and on-going maintenance expenses incurred by the project prior to issuance of a Building Permit.

Police Services

The Alameda County Sheriff's Office, acting as Dublin Police Services, would serve the project with law enforcement services. The project would require additional police protection services associated with additional residential dwelling units and commercial uses. The project would be expected to generate 400 to 500 emergency calls annually.

Although the addition of new residents and commercial services to the project site would increase the demand for police services, implementation of the project is not anticipated to have an adverse effect on response times for police services and would not affect the Sheriff's Office ability to serve the project.

The project would be required to comply with Chapter 7.32.300 (Building Security) and Chapter 7.32.310 (Nonresidential building security) of the City's Building Code, which includes building standards aimed at reducing law enforcement calls within the City. In addition, the City would collect public facilities fees (Chapter 7.78 of the City of Dublin Municipal Code) to help off-set police service capital improvements and on-going maintenance expenses incurred by the project prior to issuance of a building permit to ensure that the project will not cause impacts on law enforcement services.

For these reasons, the project would not trigger the need to construct new police, fire, or emergency facilities or alter existing facilities. Therefore, impacts would be Class III, less than significant.

Impact PSU-2: Require the construction of new or expanded educational facilities (Class III).

Project Student Generation vs. Projected Student Generation

Using the student generation rates identified in Table 16-6: Dublin Unified School District Student Generation Rates by Housing Type, the total number of students that would be

generated by the project were calculated. There would be 200 elementary students, 83 middle school students, and 71 high school students, for a total of 354 new students, generated by the project. The estimated number of students to be generated is shown in comparison to the number of students projected to be generated by the project site in the 7-Year Student Population Projections; see Table 16-7: Estimated Project Student Generation vs. DUSD Projections.

The DUSD's 7-Year Student Population Projections (DUSD, 2019) projected future student population by Study Area based on future anticipated residential development between 2019 and 2025. The project site comprises all of Study Areas 120A and 106 and part of Study Areas 102 and 127. Therefore, the estimated student populations for those Study Areas are analyzed below.

Table 16-6: Dublin Unified School District Student Generation Rates by Housing Type

School Level	Housing Type		
	Single Family Detached	Single Family Attached	Multi Family
Elementary School (K-5)	0.427	0.303	0.152
Middle School (6-8)	0.156	0.128	0.086
High School (9-12)	0.141	0.095	0.106

Source: DUSD, 2019.

Table 16-7: Estimated Project Student Generation vs. DUSD Projections

Residential Type	Students Generated			Total
	Elementary School	Middle School	High School	
150 Single Family Units (Detached)	64	23	21	108
400 Medium-High Density Units (Single Family Attached)	121	51	39	211
100 Multifamily Units	15	9	11	35
Total (A)	**200**	**83**	**71**	**354**
DUSD Projected Increase for the Project Site [1] (B)	*212*	*110*	*172*	*494*
Difference (A-B)	**(12)**	**(27)**	**(101)**	**(140)**

Notes:
1. Includes Study Areas 127, 120A, 106, and 102.
Source: DUSD, 2021b and DUSD, 2019.

As shown in Table 16-7: Estimated Project Student Generation vs. DUSD Projections, the project would generate 140 fewer students than those projected to be generated by Study

Areas 127, 120A, 106, and 102. However, as shown in Table 16-2: Dublin School District Existing Student Capacity and detailed below, DUSD is experiencing school capacity constraints, to which the project would contribute.

School Capacity

Elementary and high school DUSD facilities as a whole are operating over capacity as of Fall of 2020 while middle school facilities have a remaining capacity of three additional students. The project site is specifically served by Cottonwood Creek Elementary (1.5 miles west), Kolb Elementary School (0.5 miles east), Fallon Middle School (0.5 miles northeast), and Dublin High School (four miles west). Capacity and enrollment projections are discussed for each facility in detail below.

Cottonwood Creek Elementary School (K-5)

The existing elementary facilities at Cottonwood Creek Elementary School are currently 86.1 percent utilized. Total school enrollment is projected to increase to 1,115 students by 2025, an increase of 20.5 percent compared to Fall of 2018 enrollment. The elementary facilities are anticipated to be 92.0 percent utilized for the 2026/2027 school year. Therefore, Cottonwood Creek Elementary School is anticipated to have sufficient capacity to serve the projected elementary student population through at least Spring 2027.

Kolb Elementary School

Kolb Elementary School is projected to have a total enrollment of 925 students by 2025, an increase of 30.2 percent compared to Fall of 2018 enrollment. The school facilities are currently 89.2 percent utilized; however, they are projected to be 100.4 percent utilized by the 2026/2027 school year. Given this greater than 100 percent utilization, the school does not have sufficient capacity to support projected student growth. Portable classrooms may be needed to support future operation.

Elementary Schools District-Wide

There is an expected overall increase in elementary school (TK-5) enrollment of approximately 760 students by Fall of 2025 (a 12.2 percent increase compared to Fall of 2018 enrollment). The existing elementary schools within the District are not anticipated to be able to absorb this projected student growth with Kolb and Murray Elementary Schools projected to operate at 100.4 percent and 135.9 percent utilization during the 2026/2027 school year. Development projections indicate the potential need for an additional flexible K-8 site to be constructed within the eastern or central portion of the District where most of the student growth is expected to occur.

Cottonwood Creek Elementary School (6-8)

The existing middle school facilities at Cottonwood Creek Elementary School are currently 80.2 percent utilized. Total school enrollment is projected to increase to 1,115 students by 2025, an increase of 20.5 percent compared to Fall of 2018 enrollment. The middle school facilities are anticipated to be 134.4 percent utilized for the 2026/2027 school year. Therefore, Cottonwood

Creek Elementary School is not anticipated to have sufficient capacity to serve the projected middle school student population. This projected demand supports the potential need to construct one more flexible K-8 site within the eastern or central portion of DUSD, which is planned in the Dublin Crossing Specific Plan.

Fallon Middle School

Fallon Middle School is projected to have a total enrollment of 1,583 students by 2025, an increase of 6.6 percent compared to Fall of 2018 enrollment. The school facilities are currently 95.4 percent utilized; however, they are anticipated to be 133.5 percent utilized by the 2026/2027 school year. Given this greater than 100 percent utilization, the school does not have sufficient capacity to support projected student growth. This projected demand supports the potential need to construct one more flexible K-8 site within the eastern or central portion of DUSD.

Middle-Schools District-Wide

Over the next seven years, the DUSD's grade 6-8 student population is expected to continue to grow. There is an expected overall increase in enrollment of about 627 students by Fall of 2025 (a 23 percent increase compared to Fall of 2018 enrollment). All three existing middle schools are projected to operate at greater than 100 percent capacity for the 2026/2027 school year. Therefore, projected demand indicates the potential need to construct one more flexible K-8 site within the eastern or central portion of the District where most of the resident student growth is expected to occur.

Dublin High School

It is projected that DUSD enrollment will increase by 1,248 students by Fall of 2025 (an increase of 40.9 percent compared to Fall of 2018 enrollment). The District indicates that much of this projected growth is due to the addition of approximately 650 new residential units per year that are projected for construction through 2023 and the number of larger class sizes currently at the elementary and middle school grades that are due to graduate through to high school in the next seven years.

Dublin High School is projected to have a student enrollment of 4,157 by 2025, 1,658 students more than its current capacity of 2,499. The high school facility is projected to operate at 131.9 percent capacity for the 2026/2027 school year. This projected high school facility demand supports the current construction of the new Emerald High School located at 3600 Central Parkway. According to the latest construction newsletter update, construction has commenced and will be complete by December 2023 with closeout in April 2024. Once fully operational, Emerald High School would have an enrollment of up to 2,500 students which would relieve the projected over-enrollment for Dublin High in 2025.

School Impact Fees

In accordance with Section 65995(h) of the California Government Code, the project would be required to pay school impact fees at the time of the building permit issuance. The DUSD

currently implements a Level 2 fee of $7.96 per square foot of residential development and $0.78 per square foot for commercial and industrial uses. These fees are used by the DUSD to mitigate impacts associated with long-term operation and maintenance of school facilities.

The project applicant's fees would be determined at the time of the building permit issuance and would reflect the most current fee amount established by the DUSD. School fees from residential and commercial uses would help fund necessary school service and facilities improvements to accommodate anticipated population and school enrollment growth within the DUSD service area and would allow for the DUSD to allocate these funds as deemed necessary. Pursuant to Government Code Section 65995, payment of development fees is "full and complete mitigation" for impacts on schools. Therefore, the demand on the DUSD as a result of the project is considered a less than significant impact (Class III) on school services, and no mitigation is required.

Impact PSU-3: Create a need for new or expanded park and recreational facilities (Class III).

Implementation of the project would increase the demand for neighborhood and community parks due to the projected increase in the residential population generated by the project. As shown in Table 16-8: Community and Neighborhood Park Requirements, the project would not provide enough neighborhood or community parks.

Table 16-8: Community and Neighborhood Park Requirements

Park Type	City Standard (acres/ 1,000 population)	Park Requirement [1]	Parks Provided	Net Difference
Community Park	3.3	5.94	0	(5.94)
Neighborhood Park	1.7	3.06	2.5	(0.56)
Total	**5.0**	**9**	**2.5**	**(6.5)**

1. Based on a total of 650 residential units at 2.77 persons per household (CA Department of Finance, 2021).

The Parks and Community Services Department Public Facilities Fee would be applied to development at the project site. The Public Facilities Fees would vary according to the size of residential units, the location of the development, and a credit for the dedication of land and funding for construction of the parks. With payment of the City's public facilities fees (Chapter 7.78 of the City of Dublin Municipal Code), the project would have a less than significant impact (Class III) on park and recreation facilities in the City, and no mitigation is required.

Impact PSU- 4: Require new or expanded water supplies or water treatment facilities (Class III).

The project would connect to the existing water lines located within the surrounding roadways. Connections would be looped for redundancy.

DSRSD provides both potable water and recycled water within its service area. However, on March 25, 2019, DERWA found that it cannot meet the combined peak demands and projected

demands of its member agencies (DSRSD and EBMUD) and the City of Pleasanton. DERWA approved Resolution No. 19-3 requesting that its member agencies take action to reduce recycled water demands and implement a connection moratorium due to limited recycled water supply during the peak months. Under this resolution, DSRSD implemented a connection moratorium for new recycled water connections starting March 25, 2019.

As described in the SCS Dublin Development Project Water Supply Assessment (WSA) (see Appendix G), the unit potable water demand factors used by DSRSD are shown in Table 16-9: Project Potable Water Demand. These standard water use factors were developed for use in the DSRSD 2016 Water System Master Plan (WSMP) and have been refined based on actual water use trends observed in DSRSD's water service area, and were used for water supply planning purposes in the DSRSD 2020 UWMP to project future potable water demands within DSRSD's water service area.

The exterior water use factors presented in the WSMP assume extensive irrigation with recycled water and minimal potable water use. The WSA assumed exterior water use factors based on the current Model Water Efficient Landscape Ordinance (MWELO) guidelines. However, if sufficient recycled water supplies become available in the future, then recycled water can be used to meet the project's irrigation demands and potable water demand would be reduced to the WSMP exterior water use factors.

As shown in Table 16-9: Project Potable Water Demand, the project would generate a potable water demand of approximately 225 acre-feet per year (afy).

Table 16-9: Project Potable Water Demand

Use	Interior Water Use Factor	Exterior Water Use Factor (gpd)	Potable Water Demand (afy)
General Commercial [1]	0.14	7,217	52.29
	255	--	12.15
Medium Density Residential	255	5,100	51.29
Medium-High Density Residential	160	4,220	73.37
Public/Semi Public [1]	0.05	1,555	1.74
	255		30.39
Parks / Public Recreation	125	3,273	3.67
Total			**224.9**

Notes:
1. Conservatively assumes that the dwelling units associated with the general commercial and public/semi-public land use are medium density.

Source: DSRSD, SCS Dublin Project Water Supply Assessment, July 2022.

DSRSD operates an extensive water recycling program. Recycled water is produced from DSRSD's regional wastewater treatment facilities and distributed to water customers in its service area. However, because recycled water supplies are unavailable for use at the project site, irrigation water demands for the project were assumed to be met with potable water. Should sufficient recycled water supplies become available in the future, recycled water can be used to meet the project's irrigation demands.

According to the DSRSD 2020 UWMP, sufficient potable water supply is available to meet the projected demand for the DSRSD in all hydrologic conditions including five-year droughts beginning in the time period analyzed (2025-2045). The UWMP determined projected water demand based on projected growth within the DSRSD service area, which includes the City of Dublin and the project site. Growth projections used by the UWMP for the City of Dublin were provided by the CA Department of Finance. The Regional Housing Needs Allocation (RHNA) for the City of Dublin was also used to project City growth. The project was analyzed in comparison to both of these growth projections in Chapter 15, Population and Housing in this document. The UWMP also accounted for the build out of the EDSP, which includes the project site, as a major driver of water demand in the next 20 years.

As discussed in Chapter 15, Population and Housing, the project would not cause an increase in population growth beyond what is anticipated for the City of Dublin by the DOF or required by the 5th or 6th cycle RHNA. Additionally, DSRSD plans to continue to manage potable water demands within its service area through conservation efforts and its recycled water program for non-potable uses.

Though not anticipated, if water supply shortages should occur, DSRSD may invoke its Water Shortage Contingency Plan as described in the UWMP. Therefore, DSRSD would be able to supply potable water for the project with no water supply shortage or the requirement for expanded water supplies. Therefore, project impacts to water supply would be Class III, less than significant.

Impact PSU-5: Require the construction or expansion of new wastewater treatment facilities (Class III).

Conservatively, if all of the project's potable water use exits the project site as wastewater, the project would generate 201 acre-feet per year. This wastewater would exit this site via existing connections to the wastewater line installed beneath Gleason Drive, Dublin Boulevard, Brannigan Street and Tassajara Road. Wastewater lines would be constructed as a part of the project beneath Central Avenue.

The project's wastewater would be accommodated within the DSRSD Wastewater Treatment Plant. Per the DSRSD 2017 Wastewater Treatment and Biosolids Facilities Master Plan, DSRSD's Wastewater Treatment Plant has a total capacity of 75 million gallons per day (mgd). As discussed in Impact PSU-4, the project would not result in the need for additional water supply.

Thus, the wastewater generated by the project site is also accounted for in DSRSD's wastewater projection. Therefore, construction and operational impacts would be Class III, less than significant.

Impact PS-6: Require the construction or expansion of stormwater drainage facilities (Class III).

The rate and amount of surface runoff is determined by multiple factors, including the amount and intensity of precipitation; amount of other imported water that enters a watershed; and amount of precipitation and imported water that infiltrates to the groundwater. Infiltration is determined by several factors, including soil type, antecedent soil moisture, rainfall intensity, the amount of impervious surfaces within a watershed, and topography. The rate of surface runoff is largely determined by topography and the intensity of rainfall over a given period of time.

In accordance with MRP C.3 Requirements and Zone 7 flood control requirements, drainage for the project site would be designed to maintain the existing watershed drainage pattern and avoid any impact to downstream watersheds by reducing the post development runoff for the site to the predevelopment condition by incorporating low impact development features such as bioretention and Silva Cells to treat and reduce stormwater pollutants from entering into the municipal separate storm drain system. The grading design would maintain the north/south sloping layout of the land, matches existing grades along project perimeters, minimizes the use of retaining walls, while minimizing the earthwork cut and fill.

Although the project would increase the amount of impervious surface area within the project site, the use of on-site treatment and detention would prevent a substantial increase in stormwater flows. Furthermore, stormwater discharges from the project and other new developments in the City would be required to comply with the Construction General Permit, MRP Provision C.3 requirements, and incorporate appropriate site-specific LID and source and treatment control measures. Thus, the project would not result in an increase in stormwater runoff due to an increase in impervious surfaces and therefore would not require the construction or expansion of stormwater drainage facilities. Impacts would be less than significant (Class III).

Given that post stormwater run-off would not exceed existing pre stormwater runoff conditions, impacts from the project would be less than significant (Class III).

Impact PSU-7: Generate solid waste that would exceed the capacity of area landfills (Class III).

Solid waste generated by operation of the project is shown in Table 16-10: Proposed Project Estimated Daily Solid Waste Generation.

Table 16-10: Proposed Project Estimated Daily Solid Waste Generation

Land Use	Unit	lbs. per Unit per Day[1]	Total lbs. per Day
Commercial Retail	265,000 sf	0.046	12,190
Residential	650 du	12.23	7,950
Hotel	140 rooms	4.00	560
Total	--	--	**20,700**

Notes:
1. U.S. Census 2009–2013 American Community Survey and CalRecycle, 2015b
Source: Kimley-Horn, 2018

The 20,700 pounds of daily solid waste generated by the project would represent 0.18 percent of the Altamont Landfill permitted maximum daily throughput of 11,150 tons per day. As described above, the Altamont Landfill has adequate capacity.

The project would also generate waste during the construction phase. As stated above, CalGREEN Section 4.408, Construction Waste Reduction Disposal and Recycling, mandates that in the absence of a more stringent local ordinance, a minimum of 65 percent of non-hazardous construction (and demolition) debris must be recycled or salvaged. Adherence to the Building Code would reduce total waste generated by demolition and construction, and the waste would be appropriately sorted disposed at landfills with adequate capacity.

Construction and operational impacts would be Class III, less than significant.

16.5.4 Cumulative Impact Analysis

The geographic area for the analysis of cumulative public service and utility service impacts is the service area of provider.

Impact PSU-8: Contribute to cumulatively considerable public services, utilities and service system impacts (Class III).

Public Services

Regarding police and fire protection services, the General Plan includes provisions to provide adequate public services at projected buildout. The project, combined with past, present, and reasonably foreseeable future projects, would not exceed those projections, and impacts to police and fire protection services would be less than significant.

Regarding schools, the Dublin Unified School District is nearing capacity for the majority of its schools by 2024. State law deems new developments' payment of the fees imposed by the DUSD, the amounts of which are restricted by law, adequate mitigation to address impacts to public schools. Developers of present and reasonably foreseeable future projects would be required to pay these fees and therefore, by law, impacts to schools would be less than significant.

Utilities

Regarding water demand, the DSRSD has analyzed water demand for their service area through 2045—inclusive of past, present, and reasonably foreseeable future projects—and finds that adequate entitlement and water supply exists to serve development of the area.

Wastewater generation from cumulative projects would similarly be accommodated within the DSRSD's Wastewater Treatment Facility's total capacity of 17 million gallons per day (mgd), well above their current average treatment rates of 10.5 mgd during dry-weather and 10.9 mgd during wet-weather.

Regarding stormwater, the project would ensure that no net increase in stormwater would leave the project site during a peak storm event and would avoid cumulatively significant stormwater impacts to downstream waterways at times when capacity is most constrained. The project would implement standard pollution prevention measures during construction to ensure that downstream water quality impacts are minimized to the greatest extent possible. In addition, the project would provide water quality measures to prevent pollution during project operations.

Stormwater facilities in the project vicinity either have or will be required to have capacity to serve both the project and planned future development in the service area. Increases in runoff flow and volume from future development must be managed so that the post-project runoff does not exceed estimated pre-project rates and durations, in accordance with Municipal Regional Permit Provision C.3.g. Therefore, the project, in conjunction with other planned and approved projects, would not have a cumulatively significant impact related to storm drainage.

Regarding electricity and gas, energy impacts are addressed in Chapter 17 Energy Consumption.

Lastly, the Altamont Landfill has estimated a closure year of 2070, which is based upon anticipated tipping tonnage and volume, as well as capacity. Solid waste generation from past, present, and reasonably foreseeable future projects would be accommodated within those capacities.

In conclusion, cumulative impacts to public services, utilities and service systems would be less than significant (Class III).

16.5.5 Level of Significance after Mitigation

Table 16-11: Summary of Impacts and Mitigation Measures – Public Services summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to public services.

Table 16-11: Summary of Impacts and Mitigation Measures – Public Services, Utilities & Service Systems

Impact	Impact Significance	Mitigation
Impact PSU-1: Introduce in a new service population requiring the construction of new or altered police, fire protection, or emergency medical services facilities (Class III).	Less than Significant	None required.
Impact PSU-2: Require construction of new or expanded educational facilities (Class III).	Less than Significant	None required.
Impact PSU-3: Create a need for new or expanded park and recreational facilities (Class III).	Less than Significant	None required.
Impact PSU-3: Require new or expanded water supplies or water treatment facilities (Class III).	Less than Significant	None required.
Impact PSU- 4: Require new or expanded water treatment facilities (Class III).	Less than Significant	None required.
Impact PSU-5: Require the construction or expansion of new wastewater treatment facilities (Class III).	Less than Significant	None required.
Impact PS-6: Require the construction or expansion of stormwater drainage facilities (Class III).	Less than Significant	None required.
Impact PSU-7: Generate solid waste that would exceed the capacity of area landfills (Class III).	Less than Significant	None required.
Impact PSU-8: Contribute to cumulatively considerable public services, utilities and service system impacts (Class III).	Less than Significant	None required.

16.6 References

Alameda County Fire Department. 2022a. About Us webpage. Available at https://fire.acgov.org/AboutUs/aboutus.page?. Accessed April 7, 2022.

Alameda County Fire Department. 2022b. Service Area webpage. Available at https://fire.acgov.org/AboutUs/servicearea.page?. Accessed April 7, 2022.

CalRecycle. 2022a. Solid Waste Facilities, Sites, and Operation. Available at http://www.calrecycle.ca.gov/SWFacilities/. Accessed April 4, 2022.

CalRecycle. 2022b. Waste Characterization. Service Sector: Estimate Solid Waste Generation and Disposal Rates. Available at: https://www2.calrecycle.ca.gov/wastecharacterization/general/rates. Accessed April 4, 2022.

Ciceron, Ferdinand. 2008. Sanitary Sewer Design Standards. City of Oakland. Engineering Design & ROW Management Division. Department of Engineering and Construction. Community & Economic Development Agency.

Citygate Associates. 2017. Alameda County Fire Department Standards of Coverage Review, Volume 2 of 3 – Technical Report. Available at https://fire.acgov.org/index.page. Accessed April 7, 2022.

DERWA Board Meeting Agendas and Minutes. 2019. March 25, 2019 Agenda. Available at http://www.srvrwp.org/pdf/Agenda_032519.pdf. Accessed July 19, 2022.

Dublin Parks & Community Services. 2022. Parks & Community Services webpage. Available at https://www.dublin.ca.gov/90/Parks-Community-Services. Accessed April 7, 2022.

Dublin Police Services. 2021. 2020-2021 Annual Report. Available at https://dublin.ca.gov/2309/Annual-Report. Accessed April 7, 2022.

DSRSD (Dublin San Ramon Services District). 2022. SCS Dublin Development Project Water Supply Assessment.

DSRSD (Dublin San Ramon Services District). 2016. Water System Master Plan. Available at http://www.dsrsd.com/about-us/library/plans-studies. Accessed April 4, 2022.

DSRSD (Dublin San Ramon Services District). 2017. Wastewater Treatment and Biosolids Facilities Master Plan. Available at: http://www.dsrsd.com/about-us/library/plans-studies. Accessed April 4, 2022.

DSRSD (Dublin San Ramon Services District). 2018. AT Dublin Project Utilities Analysis.

DSRSD (Dublin San Ramon Services District). 2021. 2020 Urban Water Management Plan. Available at https://www.dsrsd.com/about-us/library/plans-studies. Accessed April 4, 2022.

DUSD (Dublin Unified School District). 2019. 7-year Student Population Projections Packet by Residence, Fall 2019-2025. Available at https://www.dublin.k12.ca.us/ourpages/auto/2020/10/19/54013061523437567031/7-

Year%20Student%20Population%20Projects%20Packet%20by%20Residence%20Fall%202019-2025.pdf. Accessed June 24, 2022.

DUSD (Dublin Unified School District). 2021a. 2020/21 Demographics and Alternative Enrollment Projections. Available at https://go.boarddocs.com/ca/dublinusd/Board.nsf/files/C3JRGD6DE8FD/$file/Dublin%20Demographics%202020%20Alt%20updated.pdf. Accessed April 4, 2022.

DUSD (Dublin Unified School District). 2021b. School Facilities Needs Analysis. Available at https://www.dublin.k12.ca.us/ourpages/auto/2021/5/3/98608398437547812/DUSD_SFNA_Report_2021_FINAL_2021_05_03.pdf. Accessed April 4, 2022.

DUSD (Dublin Unified School District). 2022a. Overview webpage. Available at https://www.dublinusd.org/m/pages/index.jsp?uREC_ID=466634&type=d. Accessed April 7, 2022.

DUSD (Dublin Unified School District). 2022b. Emerald High School Construction Newsletter. Available at https://ehs.dublinusd.org/apps/news/show_news.jsp?REC_ID=780556&id=0. Accessed April 7, 2022.

Pacific Gas & Electric. 2022a. Company Profile. Available online http://www.pge.com/en/about/company/profile/index.page. Accessed April 4, 2022.

Pacific Gas & Electric. 2022b. Gas Transmission Pipeline. Available at http://www.pge.com/en/safety/systemworks/gas/transmissionpipelines/index.page. Accessed April 4, 2022.

California State Allocation Board Meeting Agenda, February 23, 2022. Available at https://www.dgs.ca.gov/OPSC/Resources/Page-Content/Office-of-Public-School-Construction-Resources-List-Folder/State-Allocation-Board-Agendas. Accessed June 24, 2022.

Waste Management, Inc., 2022. Sustainability. Available at: http://altamontlandfill.wm.com/sustainability/index.jsp. Accessed April 4, 2022.

Zone 7 Water Agency. 2021. 2020 Urban Water Management Plan. Available at https://www.zone7water.com/sites/main/files/file-attachments/0_final_2020_uwmp.pdf?1624903044. Accessed April 4, 2022.

17 Transportation

17.1 Introduction

This chapter evaluates the potential effects of the SCS Dublin project on the circulation system including vehicle miles traveled (VMT), transit, safety, bicycle and pedestrian facilities, and emergency access. Information used to prepare this section is referenced from the following resources:

- Aerial photography
- Project application and related materials
- Replica website (https://my.replicahq.com)
- Alameda County Transportation Commission, Congestion Management Program 2021
- Caltrans, *Guide for the Preparation of Traffic Impact Studies*, 2002
- Caltrans, *Vehicle Miles Traveled-Focused Transportation Impact Study Guide*, 2020
- City of Dublin, *Bicycle and Pedestrian Master Plan*, 2014
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- City of Dublin, *General Plan*, 1985 amended 2022
- City of Dublin, Impact Fees FY 2021-22
- City of Dublin, Resolution No. 199-12 Adopting a Complete Streets Policy
- City of Dublin, *Transportation Impact Analysis Guidelines*, 2021
- City of Livermore, *General Plan*,2004 amended 2021
- City of Pleasanton, *General Plan*, 2009 amended 2019
- City of Pleasanton, *Pedestrian and Bicycle Master Plan*, 2018
- Fehr and Peers, *Transportation Impact Study Report for North Central Roseville Specific Plan – Parcel 49*, January 2015
- Kittelson & Associates, *City of Dublin Citywide Travel Model Update, 2021 Model Update*, July 2021
- Senate Bill 743 (regarding VMT)
- Transportation Research Board, *Highway Capacity Manual 6th Edition* (HCM 6)
- Caltrans, *Highway Design Manual*, (HDM) 7th Edition
- Tri-Valley Transportation Council, *Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance*, 2017

Relative to level of service (LOS) analysis, Section 15064.3 was added to the State CEQA Guidelines effective December 28, 2018 as part of a comprehensive guidelines update and addresses the determination of significance for transportation impacts under CEQA. This section requires that transportation impact analysis be based on VMT instead of a congestion metric (such as LOS) and states that a project's effect on automobile delay shall not constitute a

significant environmental impact. Per the City's TIA Guidelines, projects which generate more than 50 peak hour trips or propose to amend a General Plan land use designation and substantially increase potential traffic generation must provide an analysis of the project at current planned land use versus proposed land use in the build out condition for the project area, including future cumulative conditions. Therefore, a separate transportation impact analysis that evaluates the project's effect on traffic operations and intersection LOS will be provided in a separate document.

17.2 Scoping Issues Addressed

During the scoping period for the project, one letter from Caltrans and one letter from the City of Pleasanton regarding transportation and circulation was received. A meeting between City of Dublin Staff and City of Pleasanton Staff on May 10, 2022 clarified their comments. Concerns raised included the following:

17.2.1 Caltrans

- Provide justification if the project's VMT is presumed to have a less-than significant VMT impact and is exempt from a detailed VMT analysis
- Provide a detailed VMT analysis if the project does not meet the screening criteria and include the following:
  - Identify a VMT mitigation if necessary, which should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
  - Schematic illustration of walking, biking, and auto conditions at the project site and study area roadways.
  - The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.
- Evaluate increased conflicts between bicyclists/pedestrians and vehicles at the Tassajara Road/Santa Rita Road/I-580 interchange area.
- Recommendation to upgrade bike/pedestrian facilities across the interchange to enhance bike and pedestrian safety. Consider the proposed Class II buffered bike lane project on Tassajara Road across the I-580 interchange (Project Ala-580-X10 in the Caltrans District 4 Bike Plan) as a potential project improvement to meet the needs of additional anticipated bicyclists generated by the project.

17.2.2 City of Pleasanton

- Require the developer to contribute its pro-rata share of the improvements to the I-580 interchange pedestrian and bicycle improvements through the City of Dublin's Traffic Impact Fee or by other means.

17.3 Environmental Setting

This section presents information on transportation and circulation conditions in the project area.

17.3.1 Existing Roadway Network

The project area is shown in Figure 17-1: Study Intersections. Regional access to the project site is from Interstate 580 (I-580). Regional project traffic is anticipated to primarily use the I-580 ramps at Hacienda Drive, Tassajara Road, and Fallon Road. Local roadways serving the project site include Dublin Boulevard, Tassajara Road, Central Parkway, Brannigan Street, and Gleason Drive. Project driveways would be located on Gleason Drive, Central Parkway, Finnian Way, Dublin Boulevard, Tassajara Road, and Brannigan Street. Additional details are provided below for the existing street and highway system including transit, bicycle, and pedestrian facilities.

State Highways

Interstate 580 (I-580)

I-580 is part of the interstate freeway system and is located directly to the south of the project site. I-580 extends east-west connecting the project to the San Francisco Bay Area in the west and the City of Livermore and Interstate 5 in the east. The posted speed limit on I-580 is 65 miles per hour (mph) in the project area.

I-580 express lanes were opened in 2016 and are in operation Monday through Friday from 5:00 AM to 8:00 PM. I-580 is a designated route of regional significance in the Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance.

Arterials

Dublin Boulevard

Dublin Boulevard is an east-west roadway that bisects the southern portion of the project site. It is classified as an arterial west of Tassajara Road and a collector east of Tassajara Road. This roadway serves existing residential, office, and retail land uses. Phase 1A of the Kaiser medical office building was constructed on the parcel south of Dublin Boulevard between Keegan Street/Kaiser Road and Lockhart Street. A portion of Phase 1B is under construction and is located on the vacant parcels south of Dublin Boulevard between Carnmore Place and Kaiser Road. The remaining Phase 2 to Phase 3 will be located on the parking area south of the

existing Kaiser Medical Center and the vacant parcels south of Dublin Boulevard between Kaiser Road and the existing Fallon Gateway retail center.

In addition, the Emerald High School is currently under construction and will be located to the east of the project site bounded by Central Parkway to the north, Dublin Boulevard to the south, Chancery Lane and Finnian Way to the west, and residential homes to the east. Primary vehicle access will be provided via Central Parkway with secondary access to the athletic field parking lot off Dublin Boulevard.

On-street parking is not permitted along this roadway and the posted speed limit is 45 mph in the project area. Dublin Boulevard is a divided roadway with five to six lanes in the project area.

Sidewalks exist along both sides of the roadway in the project area, except for along the project frontage. Class II bike lanes also exist along Dublin Boulevard.

The Dublin Boulevard Extension project to extend Dublin Boulevard 1.5 miles from Fallon Road to North Canyons Parkway in Livermore is currently in the design phase. The extension is planned to have four to six travel lanes with a median, Class II buffered bike lanes, sidewalks, a shared use path on the north, curb and gutter, traffic signals, street lighting, landscaped raised median islands, bus stops, and all city street utilities.

Fallon Road

Fallon Road is a north-south arterial extending east of the project site near the City of Dublin eastern border. The roadway primarily serves residential land uses, with retail located at the south end near the I-580 ramps. Westbound and eastbound ramps provide access to I-580.

On-street parking is not permitted along this roadway and the posted speed limit is 45 mph north of the I-580 ramps. The speed limit is 40 mph north of Bent Tree Drive (through Tassajara Road). Fallon Road is a divided roadway in the project area and varies from four lanes in between the I-580 ramps and Central Parkway, six lanes from Central Parkway to Gleason Drive, and four lanes from Gleason Drive to Tassajara Road.

Sidewalks exist along both sides of Fallon Road from south of Central Parkway to Signal Hill Drive/Kingsmill Terrace. Gaps exist in the sidewalk on Fallon Road including north of Signal Hill Drive/Kingsmill Terrace, and near Dublin Boulevard to south of Stoneridge Drive/Jack London Boulevard. Class II bike lanes exist along this roadway from north of the I-580 ramps to Tassajara Road. A Class IB sidepath also exists along this roadway between Gleason Drive and Tassajara Road. No bike lanes exist south of the I-580 ramps.

Tassajara Road

Tassajara Road is a north-south principal arterial extending along the project site (west side). It provides access to Camino Tassajara to the north, which connects to the City of San Ramon and

unincorporated Contra Costa County. I-580 eastbound and westbound ramps are located on this roadway.

On-street parking is not permitted on this road and the posted speed limit is 45 mph in the project area. North of Somerset Lane, the roadway varies between four divided lanes and two undivided lanes. It is a five-lane divided roadway from Somerset Lane to Cascade Creek Lane/Dublin Ranch Drive (two northbound lanes, three southbound lanes), a four-lane divided roadway from Cascade Creek Lane/Dublin Ranch Drive to Central Parkway, a five-lane divided roadway (two northbound lanes, three southbound lanes) from Central Parkway to I-580 ramps, and a six-lane divided roadway from I-580 ramps south into Pleasanton.

Sidewalks and Class II bike lanes exist along most of Tassajara Road. No sidewalks exist along the project frontage.

Minor Arterials

Brannigan Street

Brannigan Street is a two-lane, north-south minor arterial extending along the project site (east side). The roadway extends approximately 0.75 miles and primarily serves residential land uses, with a Lowes Home Improvement center and retail located south of Dublin Boulevard.

On-street parking is striped and permitted along approximately 0.25 miles of this roadway and the posted speed limit is 25 mph in the project area.

Sidewalk exists along Brannigan Street, except along the project frontage and along the undeveloped parcel south of Dublin Boulevard where Brannigan Street is a private street. A Class IB Sidepath exists along this roadway between Dublin Boulevard and Kohnen Way.

Central Parkway

Central Parkway is a three-mile two-lane divided east-west minor arterial that extends through the northern portion of the project site and serves residential land uses, as well as the offices located at the west end, Emerald Glen Park just west of Tassajara Road, James Dougherty Elementary School located east of Hacienda Drive, and Cottonwood Creek Elementary at the east end.

On-street parking is not permitted along this roadway except for a few short segments near residential uses on the east end of the roadway and in front of James Dougherty Elementary School. The posted speed limit is 35 mph in the project area.

Sidewalks exist along both sides of Central Parkway for a majority of the roadway except along both sides of the project frontages. Class II bike lanes exist along both sides of Central Parkway and a Class IB Sidepath exists exist along the roadway between Brannigan Street and Lockhart Street.

Gleason Drive

Gleason Drive is two-mile east-west minor arterial extending north along the project site. The roadway primarily serves residential land uses, as well as the offices located at the west end of the road and Emerald Glen Park west of Tassajara Road.

On-street parking is not permitted along this roadway and the posted speed limit is 40 mph. Gleason Drive is a four-lane divided roadway, except for a one-block stretch along the project frontage, where it is a two-lane divided roadway.

Sidewalks and Class II bike lanes exist along Gleason Drive, except for along the project frontage, where no sidewalks or bike facilities exist.

Hacienda Drive

Hacienda Drive is a north-south collector located west of the project site and extends approximately two and a half miles from the City of Dublin in the north, to the City of Pleasanton in the south. Hacienda Drive is classified as an arterial south of Dublin Boulevard. The roadway connects nearby offices, corporate campuses, and retail to local single family and multifamily residential land uses. I-580 eastbound and westbound ramps are located on this roadway. A new IKEA store was approved in 2018 (not constructed) west of Hacienda Drive, east of Arnold Road, and between Martinelli Way to the north and I-580 to the south.

On-street parking is not permitted on this road and the posted speed limit is 35 mph. It is a three-lane divided roadway (two northbound lanes, one southbound lane) from Gleason Drive to Central Parkway, a five-lane divided roadway (two northbound lanes, three southbound lanes) from Central Parkway to Dublin Boulevard, and a six-lane divided roadway from Dublin Boulevard south into Pleasanton.

Sidewalks and Class II bike lanes exist along both sides of this roadway.

17.3.2 Pedestrian Facilities

Existing pedestrian facilities in the project area include sidewalks along the west side of Tassajara Road and on the east side of Brannigan Street from Dublin Boulevard to beyond the northern project site boundary. Sidewalks also exist on both sides of Gleason Drive, Central Parkway, and Dublin Boulevard from Tassajara Road to the east and from Brannigan Street to the west. No sidewalks currently exist along the project frontage

17.3.3 Bicycle Facilities

Bicycle facilities are divided into four classes. Class I bike paths are physically separated from motor vehicle lanes and is further divided into Class IA Multi-use Paths and Class IB sidepaths. Class II bike lanes on roadways are marked by signage and pavement striping. Painted buffers may separate the vehicle travel lanes from the bike lane and green bike lane pavement coloring are used to highlight potential conflict zones between vehicles and cyclists. Class III bike routes share the travel lane with motor vehicles and have signs and sharrow striping to guide bicyclists

on paved routes. Class IV bike facilities are protected cycle tracks that provide a physical barrier between motor vehicles and cyclists. Figure 17-2: Existing Bicycle Facilities shows the bicycle facilities in the project area.

Direct access to bicycle facilities is provided adjacent to the project site including Class IB sidepaths along Brannigan Street, Finnian Way, Central Parkway, and Dublin Boulevard and Class II bike lanes along Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard.

17.3.4 Transit Facilities

Tri-Valley Wheels has multiple transit routes in the cities of Pleasanton, Dublin, and Livermore. Many routes (such as Route 1, 3, 10R, etc.) operate within the project area, but do not operate near the project site. Only routes that service the nearby area of the project are described in this section. Figure 17-3: Existing Transit Facilities shows the transit facilities in the project area. Schedules for each route are current as of May 2022, but may change due to COVID-19 or other external factors.

Route 2 is a local bus route that operates between the East Dublin/Pleasanton BART Station to Positano Hill. In the project area, Route 2 operates on Central Parkway, Tassajara Road, Brannigan Street, and Gleason Drive. On weekdays, Route 2 operates between 7:33 AM to 8:20 AM and between 3:15 PM to 3:45 PM. Route 2 only operates a single trip in the morning and afternoon to serve Fallon Middle School and does not operate on Saturdays or Sundays. The closest bus stop is on Central Parkway at Glynnis Rose Drive.

Route 30R is a local bus route that operates between the West Dublin/Pleasanton BART Station to the Sandia Laboratory in Livermore, CA. In the vicinity of the project site, Route 30R operates on Dublin Boulevard. On weekdays, Route 30R operates between 5:14 AM to 10:50 PM in 30-minute headways. On weekends, Route 30R operates between 5:16 AM to 10:53 PM in 60-minute headways. The closest bus stop is on Dublin Boulevard at Glynnis Rose Drive and Grafton Street.

Route 501a, 501b, and 501c are Dublin School Routes that operate between Dublin High School to Positano Hill. In the vicinity of the project site, Route 501a operates on Gleason Drive, Tassajara Road, and Fallon Road, Route 501b operates on Gleason Drive, Tassajara Road, Central Parkway, and Fallon Road, and Route 501c operates on Dublin Boulevard and Fallon Road. In the morning, it operates between 7:38 AM to 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM to 4:40 PM. On Wednesday afternoons, it operates between 3:06 PM to 3:41 PM. On Friday afternoons, it operates between 2:41 PM to 3:16 PM. The service is only provided on school days. The closest bus stop area is at the intersections along Gleason Street at Central Parkway and Tassajara Road and Central Parkway at Glynnis Rose Drive.

Route 502 is a Dublin School Route that operates between Dublin High School to the intersection of Central Parkway and Panorama Drive. In the vicinity of the project site, Route 502 operates on Tassajara Road, Dublin Boulevard, and Central Parkway. In the morning, it

operates between 7:32 AM to 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM to 4:44 PM. On Wednesday afternoons, it operates between 3:06 PM to 3:45 PM. On Friday afternoons, it operates between 2:41 PM to 3:20 PM. The service is only provided on school days. Near the project site, there is a bus stop at the intersections along Central Parkway at Glynnis Rose Drive and Dublin Boulevard at Brannigan Street.

Route 504 is a Dublin School Route that operates between Dublin High School to the intersection of Gleason Drive and Brannigan Street. In the vicinity of the project site, Route 504 operates on Dublin Boulevard, Tassajara Road, Fallon Road, and Gleason Drive. In the morning, it operates between 7:41 AM to 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM to 4:36 PM. On Wednesday afternoons, it operates between 3:06 PM to 3:37 PM. On Friday afternoons, it operates between 2:41 PM to 3:12 PM. The service is only provided on school days. The closest bus stops are along Gleason Drive at Tassajara Road and Brannigan Street.

17.4 Applicable Regulations, Plans, and Standards

17.4.1 Federal

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) of 1990 prohibits discrimination toward people with disabilities and guarantees that they have equal opportunities as the rest of society to become employed, purchase goods and services, and participate in government programs and services. The ADA includes requirements pertaining to transportation infrastructure. The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered State and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

Surface Transportation Assistance Act Routes (STAA – Federal Designation)

The Surface Transportation Assistance Act (STAA) of 1982 allows large trucks, referred to as STAA trucks that comply with maximum length and width requirements, to operate on routes that are part of the National Network. The National Network includes the Interstate System and other designated highways that were a part of the Federal-Aid Primary System on June 1, 1991; states are encouraged, however, to allow access for STAA trucks on all highways.

17.4.2 State

Senate Bill 743 – Transportation Impacts

Adopted in 2013, Senate Bill (SB) 743 changes how transportation impacts are evaluated under CEQA. Previously, CEQA analysis was conducted using an LOS measurement that evaluated traffic delay. As specified under SB 743 and implemented under Section 15064.3 of the State

CEQA Guidelines (effective December 28, 2018), VMT is the required metric to be used for identifying CEQA impacts and mitigation. In December 2018, the Governor's Office of Planning and Research (OPR) published a Technical Advisory on Evaluating Transportation Impacts, including guidance for VMT analysis. The Office of Administrative Law approved the updated CEQA Guidelines and lead agencies were given until July 1, 2020 to implement the updated guidelines for VMT analysis.

VMT was chosen as the primary metric to better integrate land use and multimodal transportation choices, to encourage alternative transportation, promote greater efficiency, and reduce GHG emissions. The most recent technical guidance on analyzing the transportation impacts under CEQA, released by OPR in December of 2018, provides recommendations regarding assessment of VMT, thresholds of significance, and mitigation measures. OPR offered a generalized recommendation of a 15 percent reduction below existing VMT as a threshold of CEQA significance.

For the VMT analysis, OPR recommends using a trip-based assessment of VMT that captures the full extent of the vehicle trip length – even the portion that extends beyond the jurisdictional boundary (trips that extend into another county). This differs from the traditional boundary- based assessment of VMT impacts that quantifies only the length of the vehicle trips that occurs within the boundaries of a jurisdiction.

Additionally, SB 743 also amended the State congestion management program statutes lifting the sunset clause for the designation of infill opportunity zones, where CMP LOS standards would no longer apply.

California Complete Streets Act of 2008

This act requires that the circulation elements of local general plans accommodate a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways in a manner that is suitable to the rural, suburban, or urban context of the jurisdiction. Users are defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and riders of public transportation.

California Transportation Development Act

The Mills-Alquist-Deddeh Act (SB 325) (also known as the Transportation Development Act [TDA]) was enacted in 1971 to improve public transportation services and encourage regional transportation coordination. This law provides funding to be allocated to transit- and non-transit-related purposes that comply with regional transportation plans. The TDA provides two funding sources: 1) the Local Transportation Fund (LTF), which is derived from a ¼ cent of the general sales tax collected statewide, and 2) the State Transit Assistance fund (STA), which is derived from the statewide sales tax on diesel fuel.

California Environmental Quality

The Steinberg Act (SB 743) (also known as the Environmental Act) was enacted in 2013 to shift the focus of transportation analysis from driver delay to reducing greenhouse gas emissions,

creating multimodal networks, and promoting mixed land uses. SB 743 requires the Governor's Office of Planning and Research to amend the CEQA Guidelines to provide alternative level of service metrics for transportation impact evaluations. The alternative criteria must encourage greenhouse gas emissions reductions, support the development of multimodal transportation networks, and promote a diversity of land uses. In August 2014, OPR released a preliminary discussion draft of changes to the CEQA Guidelines for review and comment. Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

Under the new guidelines, measurements of transportation impacts may include vehicle miles traveled, vehicle miles traveled per capita, automobile trip generation rates, or automobile trips generated.

17.4.3 Local

City of Dublin General Plan

The City of Dublin General Plan establishes the following policies associated with transportation that are relevant to the project:

Guiding Policy 5.2.2.A.1: Design streets to (1) include sufficient capacity for projected traffic, (2) minimize congested conditions during peak hours of operation at intersections, (3) serve a variety of transportation modes including vehicles, bicycles, pedestrians and transit, and variety of users including people with disabilities, children, and seniors, (4) provide continuity with existing streets, and (5) allow convenient access to planned land uses.

Guiding Policy 5.2.2.A.3: The goals, policies, and implementation measures for street design in Section 10.8 of the Community Design and Sustainability Element should be consulted when new streets are being designed and/or existing streets are being modified.

Guiding Policy 5.2.2.A.4: Reserve right-of-way and construct improvements necessary to allow streets to accommodate projected vehicular traffic with the least friction.

Guiding Policy 5.2.2.A.6: The City shall strive to phase development and roadway improvements so that the operating Level of Service (LOS) for intersections in Dublin does not exceed LOS D. However, intersections within the Downtown Dublin Specific Plan area (including the intersections of Dublin Boulevard/San Ramon Road and Village Parkway/Interstate 680 on-ramp) are excluded from this requirement and may operate at LOS E or worse as long as the safety for pedestrians and bicyclists is maintained and impacts to transit travel speeds are minimized.

Guiding Policy 5.2.2.A.7: The City will comply with all provisions of the Alameda County Congestion Management Program and will review proposed development projects to ensure compliance with this Program.

Implementing Policy 5.2.2.B.1: Design streets according to the forecasted demand and maximum design speeds listed above, and to the detailed standards set forth in the City of Dublin's Street Design Standards and Standard Plans which are maintained by the Public Works Department, as well as the listed Additional Policies.

Implementing Policy 5.2.2.B.2: Design and construct all roads in the City's circulation network as defined in Figure 5-1 [Exhibit 3.6-4a] as well as bicycle and pedestrian networks as defined in the City of Dublin Bicycle and Pedestrian Master Plan.

Guiding Policy 5.2.3.A.1: Provide an integrated multi-modal circulation system that provides efficient vehicular circulation while providing a design that allows safe and convenient travel along and across streets for all users, including pedestrians, bicyclists, persons with disabilities, seniors, children, youth, and families; and encourages pedestrian, bicycle, transit, and other non-automobile transportation alternatives.

Implementing Policy 5.2.3.B.1: Provide continuity with existing streets, include sufficient capacity for projected traffic, and allow convenient access to planned land uses.

Guiding Policy 5.3.1.A.1: Support improved local transit as essential to a quality urban environment, particularly for residents who do not drive.

Guiding Policy 5.3.1.A.2: Support the development of a community that facilitates and encourages the use of local and regional transit systems.

Guiding Policy 5.3.1.A.3: Encourage improvements in the Enhanced Pedestrian Areas to improve the walkability of these areas.

Guiding Policy 5.3.1.A.4: Maintain enhanced signal coordination and limit intersection delays on major and RAPID transit routes to minimize delays to transit service.

Implementing Policy 5.3.1.B.2: Require dedication of land and the construction of improvements to support the use of public transit in the community. Improvements could consist of bus turnouts, shelters, benches, real time arrival information, and other facilities that may be appropriate.

Implementing Policy 5.3.1.B.4: Capitalize on opportunities to connect into and enhance ridership on regional transit systems including BART, LAVTA and any future light rail systems.

Guiding Policy 5.4.3.A.1: Plan for all users by creating and maintaining Complete Streets that provide safe, comfortable, and convenient travel along and across streets (including streets, roads, highways, bridges, and other portions of the transportation system) through a

comprehensive, integrated transportation network that meets the requirements of currently adopted transportation plans and serves all categories of users.

Guiding Policy 5.4.3.A.2: Be context aware by maintaining sensitivity to local conditions and needs in both residential and business districts as well as urban, suburban, and rural areas, and will work with residents, merchants, and other stakeholders to ensure that a strong sense of place ensues.

Guiding Policy 5.4.3.A.6: Encourage developers to implement Complete Streets in private transportation infrastructure by providing guidance during the development approval process.

Guiding Policy 5.5.1.A.1: Provide safe, continuous, comfortable and convenient bikeways throughout the City.

Guiding Policy 5.5.1.A.2: Improve and maintain bikeways and pedestrian facilities and support facilities in conformance with the recommendations in the Dublin Bicycle and Pedestrian Master Plan.

Guiding Policy 5.5.1.A.3: Enhance the multi-modal circulation network to better accommodate alternative transportation choices including BART, bus, bicycle, and pedestrian transportation.

Guiding Policy 5.5.1.A.4: Provide comfortable, safe, and convenient walking routes throughout the City and, in particular, to key destinations such as Downtown Dublin, the BART Stations, schools, parks, and commercial centers.

Implementing Policy 5.5.1.B.2: Improve bikeways, bicycle support facilities, and pedestrian facilities in accordance with the Dublin Bicycle and Pedestrian Master Plan in conjunction with development proposals.

Implementing Policy 5.5.1.B.3: Ensure on-going maintenance of bikeways, bicycle support facilities and pedestrian facilities that are intended for public use and located on private property in conjunction with development proposals.

Guiding Policy 5.6.1.A.1: Designate and accommodate truck routes to minimize noise nuisance on residential arterial streets.

Implementing Policy 5.6.1.B.2: Take advantage of opportunities to provide long-term truck parking facilities.

Guiding Policy 5.9.1.A.1: Continue the city's program of requiring developers to contribute fees and/or improvements to help fund off-site improvements related to their projects.

City of Dublin Eastern Dublin Specific Plan

The Eastern Dublin Specific Plan establishes the following policies associated with transportation that are relevant to the project:

Policy 4-24: Require all employment-related development to provide convenient and attractive pedestrian, bicycle, and transit-related facilities to encourage alternate modes of commuting to and from work.

Policy 4-31: Establish a convenient, multi-use, all-weather network of trails, including bike lanes, to link planning area parks, recreation facilities, schools, employment centers and major open space areas to each other and to the surrounding community.

Policy 5-2: Require all development to provide a balanced orientation toward pedestrian, bicycle, and automobile circulation.

Policy 5-3: Plan development in eastern Dublin to maintain Level of Service D or better as the average intersection level of service at all intersections within the Specific Plan area during AM, PM and midday peak periods. The average intersection level of service is defined as the hourly average.

Policy 5-12: BART service to the eastern Dublin/Pleasanton station orients local transit service to provide transit connections between the BART station and all portions of the Specific Plan area.

Policy 5-13: Establish design guidelines for residential and commercial development so that there are clear and safe pedestrian paths between building entrances and transit service stops.

Policy 5-14: Provide transit shelters at major limit stops and bus pullouts on major collector, arterial and major arterial streets.

Policy 5-18: Provide convenient and secure bicycle parking and support facilities at key destinations in eastern Dublin, such as schools, recreation areas, transit stops and commercial centers.

Policy 5-19: Parking requirements in eastern Dublin shall be kept to a minimum consistent with actual parking needs. Allowance shall be made for shared parking in mixed-use areas. Parking requirements may be reduced wherever it can be demonstrated that use of alternative transportation will reduce parking demand.

Policy 5-21: Require all non-residential projects with 50 or more employees to participate in a Transportation Systems Management (TSM) program.

City of Dublin Bicycle and Pedestrian Master Plan

The City of Dublin Bicycle and Pedestrian Master Plan establishes the following guiding and implementing policies associated with transportation that are relevant to the project:

Policy 2-1: Implement and maintain an integrated transportation network that allows safe and convenient travel along and across streets for all users, including pedestrian and bicyclists'

needs and access at key destinations, such as Downtown Dublin, transit stations, and other major destinations.

Policy 2-2: Expand the existing bicycle network on the basis of access to key destinations as per Policy 2-1 above to provide low-stress, bicycle facilities if right of way allows such as buffered bicycle lanes on arterial and collector roadways where appropriate and bicycle routes with sharrows on low-volume residential streets.

Policy 2-3: Require short-term and long-term bicycle parking consistent with the latest version of the California Green Building Standards Code.

Policy 3-1: As a condition of project approval, require private development projects to construct bicycle and pedestrian facilities on site and in the adjacent public right-of-way included in the proposed bicycle system as well as bicycle parking and amenities in accordance with the California Green Building Standards Code. Consider requiring large development projects to provide accessible mid-block cut throughs (or "paseos").

Policy 3-2: Consult the recommended bicycle and pedestrian network maps and project lists prior to implementation of traffic signals, signal upgrades, and resurfacing/restriping projects.

Policy 3-3: Install pedestrian countdown signals, modify pedestrian clearance intervals on actual walking speed observed in the field, implement density operations (Flash Do Not Walk timing extension for slow walkers, etc.), and install, replace, and upgrade bicycle signal detectors, as necessary, per the California Manual Uniform of Traffic Control Devices (CA MUTCD) with new signal installation and signal modification projects, whenever possible.

Policy 3-4: Implement the City's Complete Streets Policy by reviewing the transportation network, block size, and development patterns of all proposed projects for consistency with this Plan, the Downtown Dublin Specific Plan, and the Dublin Complete Streets Policy.

Policy 3-7: Continue to implement the City Bicycle and Pedestrian Guidelines on all City capital and private development projects as required by the City. Allow the update of the design guidelines to incorporate the latest MUTCD standards.

In addition to the policies above, the City is currently updating their Bicycle and Pedestrian Master Plan with the following additional proposed projects near the project site:

- Conduct a Complete Streets study to identify bicycle and pedestrian improvements on Tassajara Road, Dublin Boulevard, and Gleason Drive along the project frontage and to determine the feasibility of Class I or Class IV bicycle facilities along these roadways.
- Construct a Class I bicycle path along Central Parkway.
- Construct a Class II buffered bicycle lane and evaluate opportunities to lower the speed limit along Central Parkway and Gleason Drive.

- Improve bicycle and pedestrian access at the intersections of Tassajara Road/Gleason Drive, Brannigan Street/Central Parkway, Brannigan Street/Dublin Boulevard, and Gleason Drive/Brannigan Street, which may include evaluating and designing appropriate protected intersection elements.
- Redesign I-580 interchange ramp terminals at Tassajara Road and Fallon Road to provide safe crossings.

It should be noted that the above projects have not been formally adopted yet and therefore this project would only need to be consistent with the adopted City of Dublin Bicycle and Pedestrian Master Plan in 2014.

Resolution No. 199-12 Adopting a Complete Streets Policy

The City adopted Resolution No. 199-12 on December 4, 2012, which states that the City will create and maintain Complete Streets to provide a safe, comfortable, and convenient travel across streets through a comprehensive, integrated transportation network that meets the adopted current transportations plans and General Plan. The City shall maintain, plan, and design projects affecting the transportation system to be consistent with the City's General Plan, as well as bicycle, pedestrian, transit, multimodal, and other relevant plans. The Complete Streets Policy shall also serve all categories of users including pedestrians, bicycles, persons with disabilities, motorist, movers of commercial goods, users and operations of public transportation, emergency responders, seniors, children, youth, and families.

Developers and private land owners will be encouraged to implement complete streets in private developments through the consistent application of the complete streets elements.

City of Dublin Impact Fees FY 2021-22

The City of Dublin has developed impact fees to be paid by developers for all or a portion of the costs of the construction and acquisition of transportation facilities. These facilities mitigate impacts of developments within the City and assists in implementing the goals and objectives of the City's General Plan and the Eastern Dublin Specific Plan. The proposed project will be subject to the Eastern Dublin Transportation Impact Fee residential and non-residential rates and the Tri-Valley Transportation Development Fee. Residential impact fees are based on the project's density (i.e., the number of units per acre). Non-residential impact fees are based on the land use measurement units (e.g., per student for schools or per bed for hotels) or based on the fee rate, PM peak hour trip rate multiplier, and square feet of the project.

City of Dublin Local Roadway Safety Plan (in progress)

The City is currently developing a Local Roadway Safety Plan (LRSP). The project's consistency with the LRSP will be reviewed during the Site Development Review Permit process, as needed.

City of Dublin Transportation Impact Analysis Guidelines

The City's Transportation Impact Analysis (TIA) Guidelines (July 2021) provides guidance to City staff, applicants, and consultants on the requirements to evaluate transportation impacts for

projects in the City of Dublin. For projects subject to CEQA, the TIA must include an evaluation that addresses the CEQA statute. In addition, the TIA must include a local operational evaluation. The level of analysis will vary based on the size, type and location of the project. A TIA for a simple project may include trip generation estimates, brief documentation of VMT for CEQA compliance, and a site plan review. More complex projects may require a detailed VMT analysis, and an intersection operations analysis documenting the project's effect on the local transportation infrastructure.

17.5 Environmental Impacts and Mitigation Measures

17.5.1 Significance Criteria

CEQA Criteria

The following significance criteria for transportation and circulation were derived from the Environmental Checklist in CEQA Guidelines Appendix G. These significance criteria have been amended or supplemented, as appropriate, to address lead agency requirements and the full range of potential impacts related to this project.

The CEQA Transportation Guidelines were reviewed to determine the level of impact (potentially significant impact, less than significant with mitigation incorporated, less than significant impact, or no impact). A mitigation would be required if the project resulted in a significant impact for one of the following criteria:

- Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.
- Conflict with or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.

City of Dublin Transportation Impact Analysis Guidelines

Implementation of the project would have a significant transportation impact if it would result in VMT exceeding the thresholds defined in the City of Dublin Transportation Impact Analysis (TIA) Guidelines. Section 4.3.4 of the Guidelines defines the thresholds of significance by land use type as:

- **Residential Projects:** A significant impact occurs if a Proposed Project VMT/capita is greater than 15 percent below the existing Planning Area 4.
- **Office Projects:** A significant impact occurs if a Proposed Project VMT/employee is greater than 15 percent below the existing Planning Area 4 average.

- **Retail Projects:** A significant impact occurs if a Proposed Project causes a net increase in total VMT. The total VMT for Planning Area 4 without and with the project is calculated. The difference between the two scenarios is the net change in total VMT that is attributable to the project.
- **Other Development Projects:** The City will make a determination of the applicable thresholds on a case-by-case basis based on the land use type, project description and setting. Generally, these projects will be analyzed based on how similar they are to residential, office, and retail projects.
    - Student housing and senior housing land uses for example should be treated as residential for screening and detailed VMT analysis.
    - Research and development, industrial, medical offices, and hospital projects may be evaluated as office projects using the VMT/employee metric.
    - Project such as hotels, private schools, religious institutions, and regional parks, should be treated as retail for detailed VMT analysis.

- **Mixed-Use Projects:** Evaluate each component of a mixed-use project independently and apply the significance threshold for each land use type. Alternatively, the evaluation would apply only to the project's dominant use if it generated 80 percent of total daily trips.

17.5.2 Summary of No and/or Beneficial Impact

There are no "no" impacts nor "beneficial" impacts.

17.5.3 Impacts of the Proposed Project

TRANS-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (Class III).

The following describes the project's potential impact on transit, bicycle, and pedestrian circulation as it relates to City programs, plans, ordinances, or policies.

Transit Access and Circulation

The project proposes access for pedestrians to use public transit. Sidewalks and crosswalks are proposed adjacent to the project site to allow for pedestrians to access to existing and future bus stops nearby. Route 2 has its closest bus stop on Central Parkway at Glynnis Rose Drive. Route 30R has its closest bus stop on Dublin Boulevard at Glynnis Rose Drive and Grafton Street. Route 501 has its closest bus stop area at the intersections along Gleason Street at Central Parkway and Tassajara Road and Central Parkway at Glynnis Rose Drive. Route 502 has its closest bus stop along Central Parkway at Glynnis Rose Drive and Dublin Boulevard at Brannigan Street. Route 504 has its closest bus stops on Gleason Drive at Tassajara Road and Brannigan Street.

It is anticipated that in coordination with LAVTA on the future Site Development Review Permit, additional bus stops along the project frontage including but not limited to the frontage along Dublin Boulevard. Each of these existing and future bus stops are accessible to the project site via pedestrian walkways. Therefore, the project would result in a less than significant impact related to City's transit programs, plans, ordinances, or policies.

Bicycle Access and Circulation

The project is proposing to construct Class II bicycle lanes along Gleason Drive between Tassajara Road and Brannigan Street to fill in the gaps in the bicycle facility. The project is not proposing nor responsible for providing any bicycle facilities on Tassajara Road between the I-580 westbound and eastbound ramps to connect the City of Dublin bicycle network to the City of Pleasanton bicycle network. This is consistent with the proposed bicycle network outlined in the City's Bicycle and Pedestrian Master Plan. In addition, the project is not proposing to alter existing bicycle facilities. Therefore, the project would result in a less than significant impact related to City's bicycle programs, plans, ordinances, or policies.

Pedestrian Access and Circulation

The project is proposing to construct sidewalks along its frontage to fill in the gaps in the pedestrian facility. These proposed sidewalks connect to the existing sidewalks and crosswalks adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the project site. In addition, the project is not proposing to alter existing pedestrian facilities. Therefore, the project would not conflict with plans, ordinances, or policies as it relates to pedestrian facilities and would result in a less than significant impact.

TRANS-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) regarding Vehicle Miles Traveled (Class I).

Per City of Dublin *TIA Guidelines*, each unique land use for the mixed-use project was analyzed separately to determine if the land use would result in a significant VMT impact. Section 4.2 of the City of Dublin *TIA Guidelines* also provides criteria for land use types and intensities that screen out from requiring a detailed VMT analysis because the nature of these land uses is presumed to have a less than significant VMT impact.

Table 17-1: VMT Analysis Results by Project Land Use provides a summary of proposed Project land uses, the analysis methodology for determining a VMT impact, and the significance findings by land use type. The remainder of this section details specific assumptions, justifications, analysis methodologies, and results for each Project land-use type.

Table 17-1: VMT Analysis Results by Project Land Use

Land Use Type	Description	Analysis Methodology	Significance Finding
Residential	Multi-family and Single-family Housing (market-rate)	Travel Demand Model Analysis	Less than Significant
Affordable Housing	Below market rate dwelling units	Screen-Out	Less Than Significant
Hotel	140-room hotel	Screen-out	Less than Significant
Local Retail	Strip retail plaza, casual dining, drive-thru restaurant, bowling/entertainment venue	Screen-out	Less than Significant
Regional Retail	120-bay Topgolf facility	Off-Model Analysis	Significant Impact
Park/Recreation	0.8- and 1.7-acre park and green space	Screen-out	Less than Significant

Residential (Market rate)

Consistent with City *TIA Guidelines,* the City of Dublin Travel Demand Model was used as the principal tool to determine VMT impacts for the project's market-rate residential land uses. The City of Dublin Travel Demand Model is an area specific version of the Alameda County Transportation Commission (ACTC) Travel Demand Model which has a base year of 2020 and a future year of 2040. The base year of the model was used to determine existing residential households and population, as well as residential associated VMT. This was used to calculate the average VMT per capita for Planning Area 4, to establish the threshold of significance defined at 15 percent below the average. Table 17-2: Dublin Travel Demand Model Residential VMT Threshold shows the results of this analysis including the target residential per capita VMT threshold of 24.7.

Table 17-2: Dublin Travel Demand Model Residential VMT Threshold

Location	Total Population	Total Household VMT	VMT/Capita
Regional Average (Planning Area 4)	238,459	6,931,247	29.1
Significance Threshold (15% Below average)			**24.7**

Project residential VMT was calculated using the City Travel Demand Model for both 2020 and 2040 model years. Project land uses were converted into household, employment, and population data to be included in the model. Project traffic analysis zones (TAZs) within the model were updated with this household, employment, and population data per guidelines provided in the Draft City of Dublin Citywide Travel Model Update (2021). These TAZs included 1016, 1021, and 1041. Assumptions regarding conversion from dwelling units to household population were based on existing ratios for adjacent model TAZs present in the model. Splits between service and retail employees were calculated at the following rates:

- **Hotel:** 1 service employee per 5 rooms
- **Commercial**: 1 retail employee per 500 square feet

Model outputs including the total VMT per population were aggregated for the three TAZs from the model associated with the project and were used to calculate average VMT per capita for the project in the 2020 and 2040 model scenarios. Table 17-3: Dublin Travel Demand Model Residential Project VMT shows that the project residential VMT per capita in 2020 and 2040 is anticipated to be below the established threshold of 24.7. Therefore, the impact on VMT from the residential component of the project is considered to be less than significant.

Table 17-3: Dublin Travel Demand Model Residential Project VMT

Location	Total Population	Total Household VMT	VMT/Capita
Regional Average (Planning Area 4)	238,459	6,931,247	29.1
Significance Threshold (15% Below average)			**24.7**
2020 Project Residential VMT	1,779	43,536	24.5
2040 Project Residential VMT	1,779	40,264	22.6

Affordable Housing

Per City of Dublin TIA Guidelines section 4.2.2, if a project contains less than 100 percent affordable housing, the portion that is affordable housing should be screened out of needing a detailed VMT analysis. Therefore, the impact on VMT from the affordable housing component of the project is less than significant.

Hotel

Per City of Dublin *TIA Guidelines* section 4.3.4, a hotel land use should be assessed using the same thresholds as retail land uses. Therefore, the hotel portion of the project would have a significant impact if it caused a net increase in total VMT. Since this hotel would not be a destination hotel, its level of VMT impact can be determined without a detailed VMT analysis.

Similar to retail and grocery stores, typical hotels such as the proposed project hotel most often serve pre-existing needs when their client-base is staying at the hotel not because of the amenities, but because of the area surrounding the hotel. Alternatively, destination hotels do not serve pre-existing needs as they offer special amenities that are not offered elsewhere, and guests typically spend the majority of their time on the destination hotel property.

The hotel component of the proposed project will be a typical hotel and it is likely that guests are choosing the hotel because they are traveling to Dublin for a variety of reasons such as business in the area, visiting family and friends, or visiting other local attractions.

Typical hotels most often can be presumed to reduce trip lengths when a new hotel is introduced within a cluster of existing hotels located near a local destination or attraction. Essentially, a trip to a hotel is expected to occur due to someone planning to travel to Dublin, or the immediate area, but the proximity of the hotel to the surrounding attractions would drive the length of that trip and the resultant impact to the overall transportation system. Most often this means that the impact to the transportation system would be negligible or reduced by the introduction of a new hotel to an area, where people are already traveling and planning on staying unless the hotel significantly affects the local supply of rooms or introduces a significant new attraction.

While a specific market study for the hotel component of the proposed project is not being provided, a map showing the proximity of other similar hotels is provided in Figure 17-4: Proximity of Project Hotel to Existing Hotels**.** Both a quarter- and half-mile buffers were placed around the existing hotels in the area, as well as the proposed project, to visually represent the service area between the proposed project and the existing hotels. As shown in Figure 17-4: Proximity of Project Hotel to Existing Hotels, "adding hotel opportunities into the local area, further improving hotel destination proximity. Accordingly, it is appropriate that the proposed project development be presumed, in accordance with OPR's *Technical Advisory*, that it would not result in a net increase in VMT and support the goals of SB 743. Therefore, the impact on VMT from the hotel component of the project is less than significant.

Local Retail

OPR's Technical Advisory on Evaluating Transportation Impacts in CEQA specifically addresses some of the key issues surrounding how a local-serving retail store should be evaluated in terms of its VMT impact. As described, the threshold for significance for retail uses is "a net increase." This means that if a proposed retail use results in additional VMT, it would result in a finding of significance. Note that this threshold is only applicable should the retail components of the project not be screened out for being local serving.

Local-serving retail primarily serves preexisting needs (i.e., it does not generate new trips because it meets existing demand). Because of this, local-serving retail uses can be presumed to reduce trip lengths when a new store is proposed. Essentially, the assumption is that someone would travel to a newly constructed local-serving store because of its proximity, rather than that the proposed retail store is fulfilling an unmet need (i.e., the person had an existing need that was met by the retail located farther away and is now traveling to the new retail use because it is closer to the person's origin location). This results in a trip on the roadway network becoming shorter, rather than adding a new trip to the roadway network, which would result in an impact on the overall transportation system. Conversely, residential and office land uses often drive new trips, given that they introduce new participants to the transportation system.

The proposed commercial and recreational uses (excluding Topgolf) are all destinations within Dublin that have comparable alternatives in the form of other competing commercial and recreational uses. Therefore, the additional retail uses provided by the Project would most

likely provide shorter trip options to pre-existing and on-site Project induced needs for these goods and services. Therefore, the impact on VMT from the local retail component of the project would be less than significant.

Regional Retail/Recreation

The project is proposing a 120-bay Topgolf recreational facility. Topgolf is a recreation/entertainment destination that provides a gamified driving range experience coupled with HDTVs, climate-controlled hitting bays, a sports bar, and restaurant. Because of the limited number of these large Topgolf locations in the greater Bay Area, they draw from a regional and multi-regional network of users.

The City of Dublin TIA Guidelines state that a significant impact occurs for a regional retail project if the project were to cause a net increase in total VMT for the region. For land uses included in the City of Dublin travel demand model, the total VMT for Planning Area 4 can be calculated in the model with and without the regional retail project to determine the net effect of the regional retail project on total VMT. However, the City of Dublin transportation demand model cannot model unique land uses such as the proposed Topgolf, and therefore an "off-model" approach was used to determine the potential impact.

Per City TIA Guidelines Section 4.3.2, for development projects that use total VMT to determine impacts, the total VMT may be calculated using an off-model method that is backed by substantial evidence:

- Smaller projects may use the total daily vehicle trip generation multiplied by an average trip length determined from the travel demand model or a market research analysis.

Average Trip Length

Market research analysis was conducted to determine the average trip length for Topgolf facilities located in the cities of San Jose, Roseville, and Ontario in California; and Scottsdale, Arizona.

Data from the data company Replica was aggregated for user trips to each Topgolf location for a typical weekday in Fall 2019 in order to use pre-COVID-19 data. Replica data uses an aggregate of cell phone, credit card, transaction, vehicle, census, and built environment data to create mega regional travel demand models that provide metrics of trips categorized by trip purpose, length, time, and other trip attributes. For the purpose of this analysis, only recreation trips to the census blocks containing the four Topgolf locations were considered. The average lengths for these trips were aggregated and are shown in Table 17-4: Average Topgolf Destination Trip Length.

Table 17-4: Average Topgolf Destination Trip Length

Location	Average Trip Length (miles)
San Jose, CA	14.6
Roseville, CA	17.7
Scottsdale, AZ	16.1
Ontario, CA	14.3
Average	***15.7***

Source: Kimley-Horn & Associates and Replica, 2022.

Daily Trips

The estimated daily trips for the proposed Topgolf Facility were calculated based on the Transportation Impact Study Report for North Central Roseville Specific Plan dated January 2015. That study identified a rate of 18 daily trips per hitting bay. The proposed 120-bay facility would then be expected to generate 2,160 daily trips (18 daily trips per bay * 120 bays = 2,160 daily trips).

However, not all trips to the new Topgolf facility would be new trips. A portion of the trips would be existing recreation trips in the region that would select Topgolf instead of their existing planned trip to other recreational facilities. These are considered existing trips, and thus existing VMT, on the regional roadway network that are being changed as a result of the project. The remaining Topgolf trips would then be expected to be new trips to the regional roadway network and introduce an increase (net delta) in VMT.

Topgolf user data showing the split between existing trips and new trips was not available. Therefore, two scenarios (i.e. 100 percent new trips and 100 percent existing trips) were analyzed to determine the potential range of net change in VMT as a result of the project.

100 Percent New Trips

This scenario assumes 100 percent of the Topgolf daily trips are new trips in the region. This would occur if there were a very large latent demand for entertainment and recreation venues that is not being served in the region. Thus, potential customers to the new Topgolf facility currently do not make recreation trips as there is not a viable option for them to do so. Assuming this is the case, Topgolf would be adding the full length of a customer trip to the network and increasing the overall regional VMT. Using the methodology outlined in the City TIA guidelines, the estimated VMT production for the proposed Topgolf facility would be 33,912 daily VMT (2,160 daily trips * 15.7 miles per trip).

100 Percent Existing Trips

This scenario assumes 100 percent of the Topgolf daily trips are existing recreation trips in the region. These trips represent households that are already budgeting and spending recreation

dollars in the region elsewhere. With the introduction of a new Topgolf, it is assumed that these households now select to travel to Topgolf instead of a different recreational venue (movie theater, park, event venue, etc.). Therefore, Topgolf would only be altering an existing trip in the region and would only be responsible for the VMT associated with the net change in length of recreation trips to their facility.

To analyze this comparison, market data from Replica was aggregated for Planning Area 4 of the Alameda County Transportation Commission Countywide Transportation Plan to determine the average recreation trip length in the region. This was compared to the average Topgolf trip length in Table 17-5: Regional Recreation Trip Length Comparison, which shows that the regionwide average trip length is currently lower than the average Topgolf trip length. This means that on average, an existing recreation trip in the region is 1.9 miles shorter than a trip to Topgolf. Using the methodology outlined in the City of Dublin TIA guidelines, the estimated VMT production for the proposed Topgolf facility under this scenario would be 4,104 daily VMT (2,160 daily trips * 1.9 miles per trip).

Table 17-5: Regional Recreation Trip Length Comparison

Use	Average Trip Length (mi)
Recreation Trip Ends in Planning Area 4 (Dublin, Livermore, Pleasanton, Sunol)	13.8
Topgolf	15.7
Net Change in Trip Length	***1.9***

Source: Kimley-Horn & Associates, 2022.

Topgolf Daily VMT

These two scenarios represent the minimum and maximum potential of VMT production for the Topgolf portion of the project depending on the percent of the trips to the venue that are existing versus new trips. This analysis provides a bounding range for the daily VMT of the Topgolf, which is calculated to be between 4,104 to 33,912 increased daily VMT for the region, depending on if the Topgolf trips are either all new trips or all existing recreation trips. This is shown in Table 17 6: VMT Range for Topgolf.

Table 17-6: VMT Range for Topgolf

Scenario	% New Trips	Daily Trips	Trip Length (miles)	Daily VMT
Topgolf (low range)	0%	2,160	1.9	4,104
Topgolf (high range)	100%	2,160	15.7	33,912

Source: Kimley-Horn & Associates, 2022.

Using either method, the proposed Topgolf would result in a net increase in VMT to the planning area. Per City TIA Guidelines significance criteria, any net increase in VMT to the planning area would constitute a significant impact.

Mitigation for Impact TRANS-2

AQ 2.5: Vehicle Trip Reduction requires the development of a qualifying Commute Trip Reduction (CTR)/ Transportation Demand Management (TDM) plan to reduce mobile emissions for all uses, including the Topgolf development. The TDM plan shall be approved by the City of Dublin prior to the issuance of building permits and incorporated into the project's Codes Covenants and Restrictions (CC&Rs). The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking through TDM measures, incentives, strategies and policies.

TDM plans are typically most effective when implemented in the employment setting, specifically with large employers who can take advantage of the collective interests of a large group. For the Topgolf use, the majority of the VMT generated by this use would be VMT from the customer trips and not the employment trips and therefore, a TDM plan would have a minimal effect on reducing the VMT and would not reduce the regional VMT to result in a net decrease. However, even with a minimal effect on VMT, the Topgolf project should still implement a TDM program for its own employees. In addition, the Topgolf could encourage local trips instead of regional trips to their locations by providing promotions or discounts to residents of Dublin or the nearby cities to help reduce the overall VMT by customers being produced by the project.

In addition, the City of Dublin does not yet have a VMT banking fee program or exchange program for the project to potentially fund off-site multimodal improvements within the region that would help to reduce the net overall VMT. In the absence of such a program, the additional VMT for the Topgolf component of the project would result in a significant and unavoidable impact.

Additionally, implementation of MM TRANS 2-1: Implement Bicycle and Pedestrian Improvements, would help to further reduce VMT impacts. However, despite the implementation MM AQ 2.5: Vehicle Trip Reduction and MM TRANS 2-1: Implement Bicycle and Pedestrian Improvements, impacts would remain significant and unavoidable (Class I).

MM TRANS 2-1 Implement Bicycle and Pedestrian Improvements

To encourage mode shift and reduce VMT, prior to approval of the Site Development Review Permit, the project applicant shall work with the Community Development and Public Works Departments to identify and design construct bicycle and pedestrian improvements in the vicinity of the project site (generally within a quarter mile from the project site boundary) as identified in the City's most recently adopted Bicycle & Pedestrian Master Plan.

Perform a complete streets study to identify the appropriate bicycle and pedestrian improvements along Tassajara Road and Dublin Boulevard in the vicinity of the project as identified in the City's most recently adopted Bicycle and Pedestrian Master Plan. The completed street study will include but not be limited to development of street cross-sections to implement Class I or Class IV bike lanes along Tassajara Road between Gleason Drive and I-580.

In addition, prior to issuance of the first building permit for Planning Area 1, the project applicant shall contribute its pro-rata share of the planned improvements to the I-580 interchange pedestrian and bicycle improvements through the City of Dublin's Traffic Impact Fee or by other means. The Project Developer shall enter into an agreement with the City to contribute the Project's pro-rata share of the planned improvements.

Parks and Recreation

Per City of Dublin TIA Guidelines section 4.2.3 public services (e.g., police, fire stations, public utilities, neighborhood parks, and public schools) generally do not increase VMT. Instead, these land uses are often built-in response to developments from other land uses (e.g., office and residential). Therefore, these land uses can be presumed to have a less than significant impact on VMT. Therefore, the impact on VMT from the public parks component of the project which are designed to be neighborhood-serving is less than significant.

TRANS 3 – Increase hazards due to a geometric feature or incompatible uses (Class II).

Project plans were reviewed to determine if there could be any geometric design features that would substantially increase hazards for residents, employees, and patrons accessing the site.

Pedestrian Facilities

Mid-Block Crosswalk Across Central Parkway Between Tassajara Road and Brannigan Street

The project is proposing a mid-block crosswalk across Central Parkway between Tassajara Road and Brannigan Street, connecting Planning Areas 2 and 3. Residents in Planning Area 3 are expected to use this crosswalk to access the retail shops and restaurants in Planning Area 2 and increase pedestrian activity across Central Parkway. Since this mid-block crossing is uncontrolled, there is potential for an increase in pedestrian and vehicle conflicts. A mid-block pedestrian crosswalk is also proposed along Finnian Way within Planning Area 2. Residents north of Finnian Way would use the mid-block crossing to access the retail shops and restaurants located south of Finnian Way.

Due to the limited full access driveways in this planning area, many vehicles are expected to use Finnian Way at Tassajara Road and at Brannigan Street to access the site as these intersections allow for full access (i.e., left turns into and out of the project site). With high pedestrian volumes at the mid-block crossing and high vehicular volumes along Finnian Way, there is

potential for an increase in pedestrian and vehicle conflicts. Therefore, the project would result in a potentially significant impact at these pedestrian crossings.

Implementation of MM TRANS 3-1: Pedestrian & Bicycle Safety Improvements would reduce impacts to less than significant (Class III).

Mid-Block of Dublin Boulevard

The project's residential units are located north of Dublin Boulevard while retail shops, restaurants, the bowling alley, and Topgolf are located south of Dublin Boulevard. The location of these uses would increase pedestrian activity across Dublin Boulevard.

North of Dublin Boulevard, there are pedestrian facilities that encourage north/south pedestrian movement down the middle or "spine" of the project. The conceptual design shows these pedestrian and bicycle facilities terminating at Dublin Boulevard between Tassajara Road and Brannigan Street, which may encourage pedestrians to illegally jaywalk across Dublin Boulevard mid-block. Therefore, the project may increase vehicular and pedestrian conflicts and result in a potentially significant impact.

Implementation of MM TRANS 3-1: Pedestrian & Bicycle Safety Plan would reduce impacts to less than significant (Class III).

Mitigation for Impact TRANS 3-1

MM TRANS 3-1: Pedestrian & Bicycle Safety Improvements

To increase pedestrian and bicycle safety and reduce vehicle conflicts at the mid-block crossings along Central Parkway and Finnian Way between Tassajara Road and Brannigan Street, as well as along Dublin Boulevard; the applicant shall submit pedestrian and bicycle safety improvements as part of the Site Development Review Permit. These improvements shall include detailed plans and associated information that identify the recommended appropriate pedestrian crossing treatments. Specific recommended improvements include but are not limited to:

- **Mid-Block Crosswalk Across Central Parkway Between Tassajara Road and Brannigan Street:** Applicant shall work with the City to provide an uncontrolled crosswalk study per California MUTCD and FHWA guidance to determine the appropriate improvements that should be installed at this location. Improvements shall include Rectangular Rapid Flashing Beacon (RRFB), High Intensity Activated Crosswalk (HAWK), or similar device that would increase pedestrian and bicycle safety and reduce vehicle conflicts.
- **Dublin Boulevard:** The design of the pedestrian and bicycle facilities in Planning Area 2 shall consider the potential pedestrian and bicycle safety conflicts and discourage a mid-block crossing. Design solutions may include, but not limited to:

- Placement and layout of pedestrian and bicycle facilities so as not to lead pedestrians and/or bicyclists to cross at an uncontrolled mid-block crossing.
- Formal and informal barriers integrated into the design to deter pedestrians and bicyclists from crossing a roadway mid-block.
- Wayfinding and signage directing pedestrians and bicycles where to safely cross Dublin Boulevard.

Vehicle Access

Project driveways are proposed midblock along the major arterials of Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard. Many of these driveways are unsignalized and limited to a right-in and right-out movement to reduce vehicle conflicts and delays that would arise from vehicles making a left-turn onto the major arterial with high volumes and speeds over multiple travel lanes. Internal to the project site, multiple drive aisles and access points are provided to allow several points of ingress and egress to the different land uses and to limit potential vehicle queuing from the internal drive aisles onto the major arterials. Further evaluation will be completed in the Site Development Review Permit process to confirm that vehicle queuing will not be a safety issue. The project would result in a less than significant impact as it relates to vehicular safety.

TRANS 4: Result in inadequate emergency access (Class III).

Emergency vehicles can access the project site using all project driveways. However, since many driveways are limited to a right-in right-out movement as there are raised medians along Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard, full access is only provided at four locations with one location in Planning Area 1 (Brannigan Street/Lowe's Driveway), two locations in Planning Area 2 (Finnian Way/Tassajara Road and Finnian Way/Brannigan Street) and one location in Planning Area 3 (Brannigan Street/Project Driveway). In addition, the adjacent raised medians consist of landscaping and are not mountable by emergency vehicles. The project would not provide direct access for emergency vehicles to many uses within each Planning Area and would result in a potentially significant impact.

Section 5.08.020 of the City's Fire Code, regulates permit processes, including emergency access. As part of subsequent Site Development Review Permit process, all plans would be reviewed by the City of Dublin Fire Prevention Bureau to ensure there is adequate emergency access consistent with Section 5.08.020. This requirement would reduce potential emergency access impacts to less than significant (Class III).

17.5.4 Level of Significance After Mitigation

Table 17-7: Summary of Impacts and Mitigation Measures – Transportation summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to transportation.

Table 17-7: Summary of Impacts and Mitigation Measures – Transportation

Impact	Impact Significance	Mitigation
TRANS-1: Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities (Class III).	Less than Significant	None required.
TRANS-2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) regarding Vehicle Miles Traveled (Class I).	Significant and Unavoidable with Mitigation	MM AQ 2-5: Vehicle Trip Reduction MM TRANS 2-1: Implement Bicycle and Pedestrian Improvements
TRANS 3:Increase hazards due to a geometric feature or incompatible uses (Class II).	Less than Significant with Mitigation	MM TRANS 3-1: Pedestrian & Bicycle Safety Improvements
TRANS 4: Result in inadequate emergency access (Class III).	Less than Significant	None required.

17.6 References

Alameda County Transportation Commission, *Congestion Management Program*, October 2021.

Caltrans, *Guide for the Preparation of Traffic Impact Studies*, December 2002.

Caltrans, *Vehicle Miles Traveled-Focused Transportation Impact Study Guide*, May 20, 2020.

Caltrans, *Highway Design Manual*, 7th Edition, updated 2020.

City of Dublin, *Bicycle and Pedestrian Master Plan*, October 7, 2014.

City of Dublin, *Eastern Dublin Specific Plan* 1985; updated2022.

City of Dublin, *General Plan*, 1985 amended 2022.

City of Dublin, Impact Fees FY 2021-22, 2021.

City of Dublin, Resolution No. 199-12 Adopting a Complete Streets Policy, December 4, 2012.

City of Dublin, *Transportation Impact Analysis Guidelines*, July 15, 2021.

City of Livermore, General Plan, 2004 amended July 2021.

City of Pleasanton, General Plan, July 21, 2009 amended 2019.

City of Pleasanton, Bicycle and Pedestrian Master Plan, 2018.

Fehr and Peers, *Transportation Impact Study Report for North Central Roseville Specific Plan – Parcel 49*, January 23, 2015.

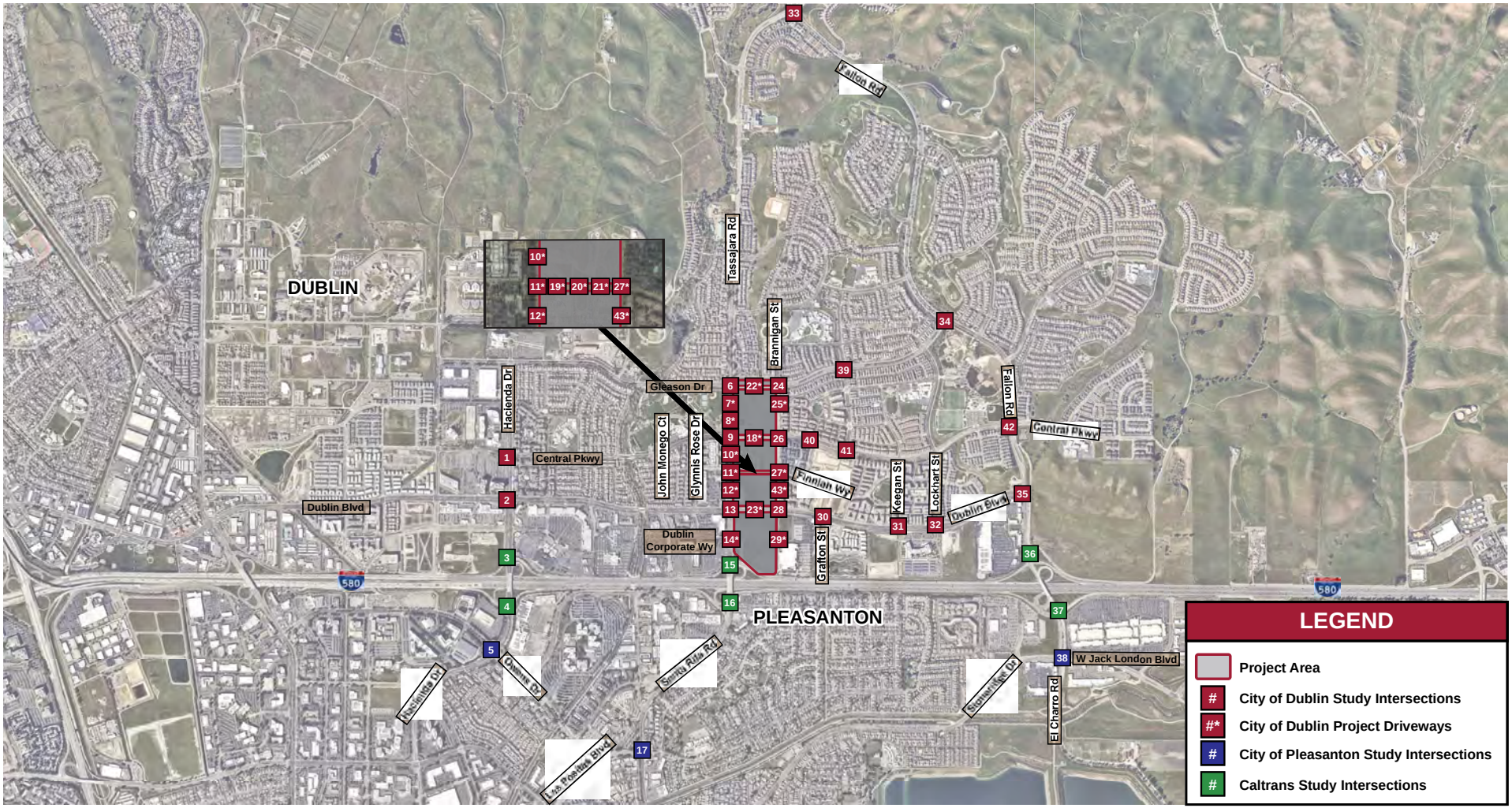
Governor's Office of Planning and Research State of California, *Technical Advisory on Evaluating Transportation Impacts in CEQA*, December 2018.

Kittelson & Associates, *Draft City of Dublin Citywide Travel Model Update, 2021 Model Update*, July 2021.

Replica. 2022. *Replica.* Retrieved May 12, 2022 from http://www.my.replicahq.com

Transportation Research Board, *HCM Highway Capacity Manual 6th Edition*, October 2016.

Tri-Valley Transportation Council, Final Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance, September 2017.

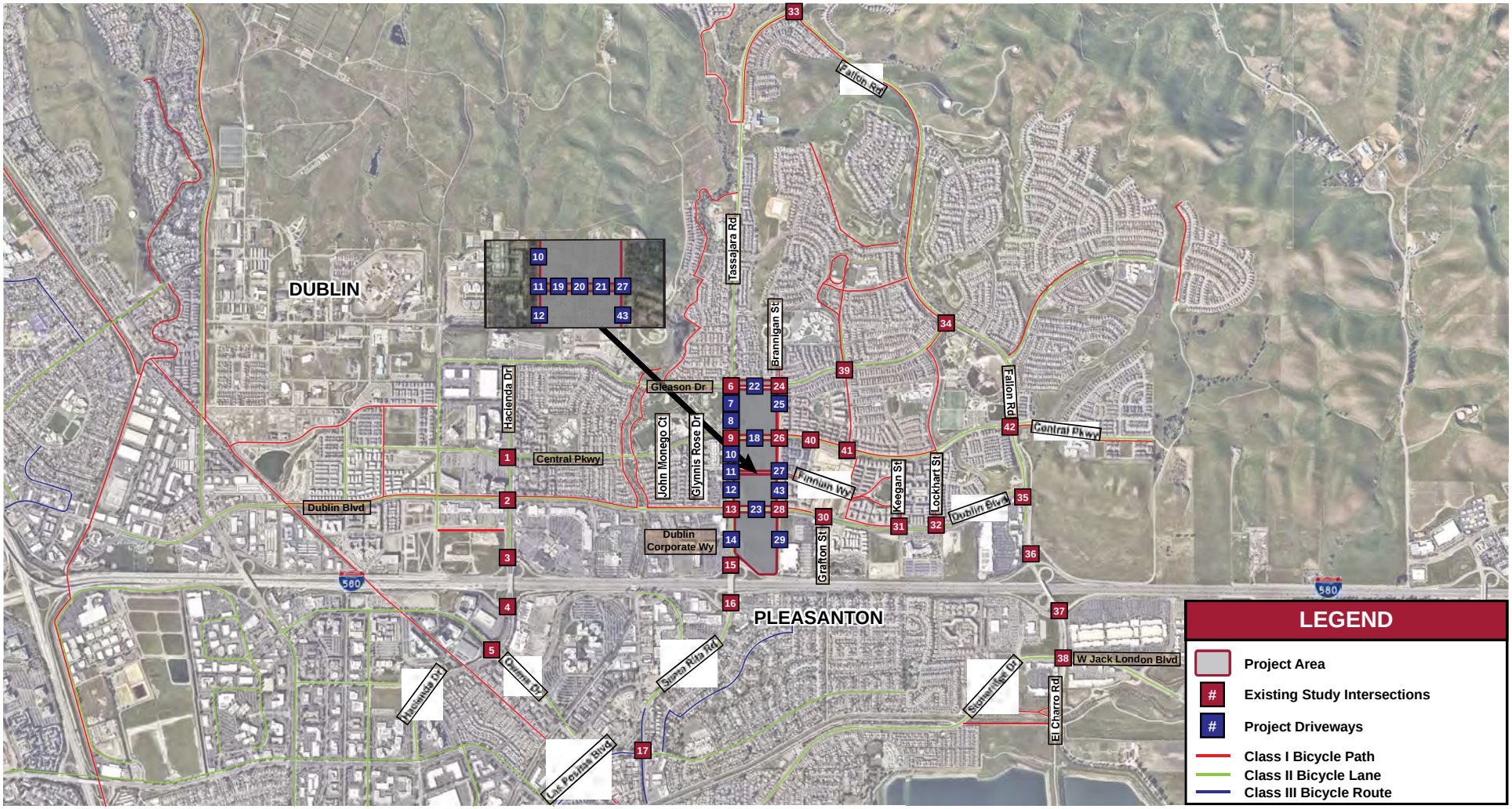


Source: Kimley-Horn, 2022

Figure 17-1: Study Intersections
SCS Dublin Project
Environmental Impact Report

Not to scale

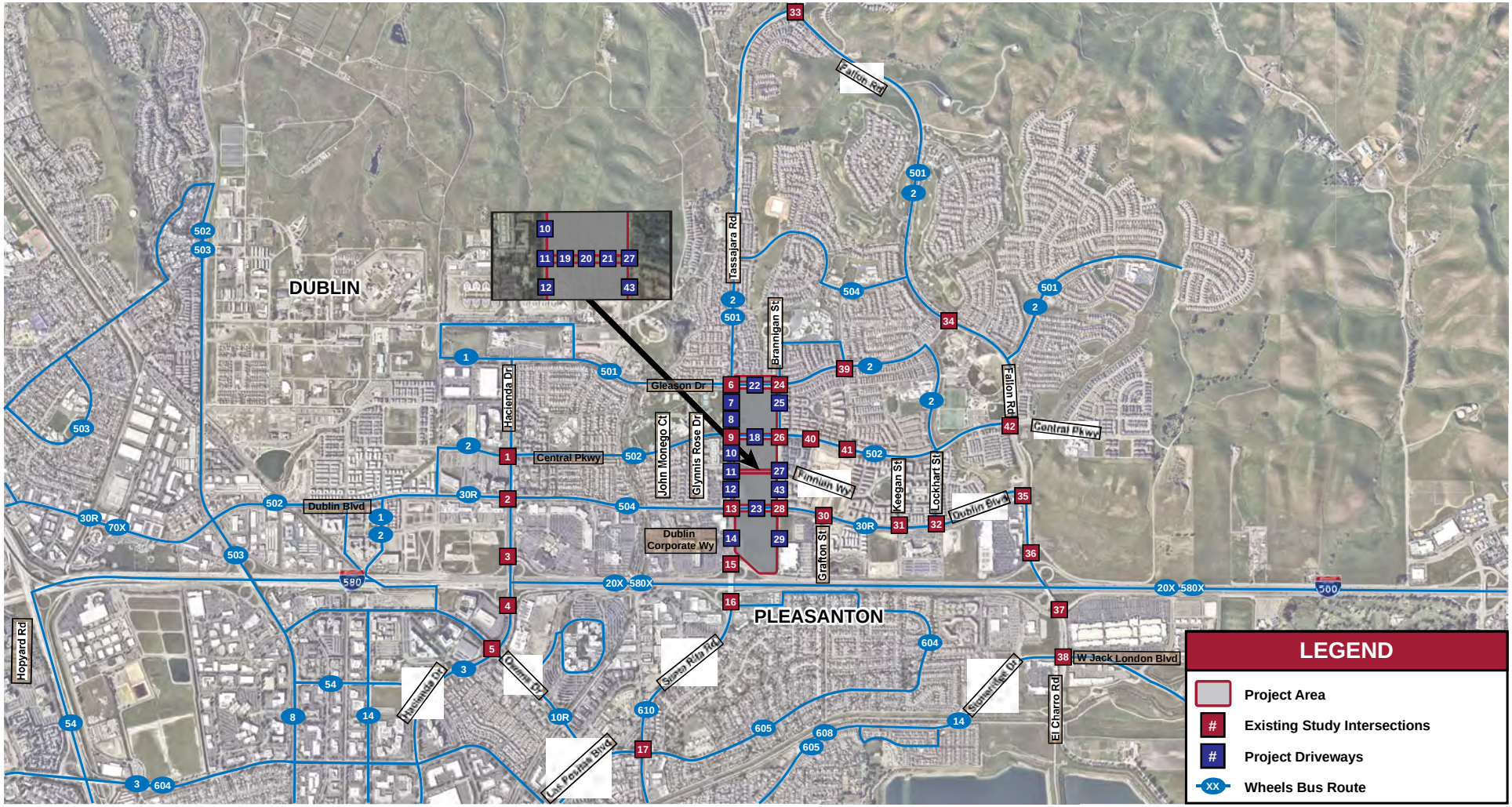
Kimley»Horn
Expect More. Experience B



Source: Kimley-Horn, 2022

Figure 17-2: Existing Bicycle Facilities
SCS Dublin Project
Environmental Impact Report

Not to scale



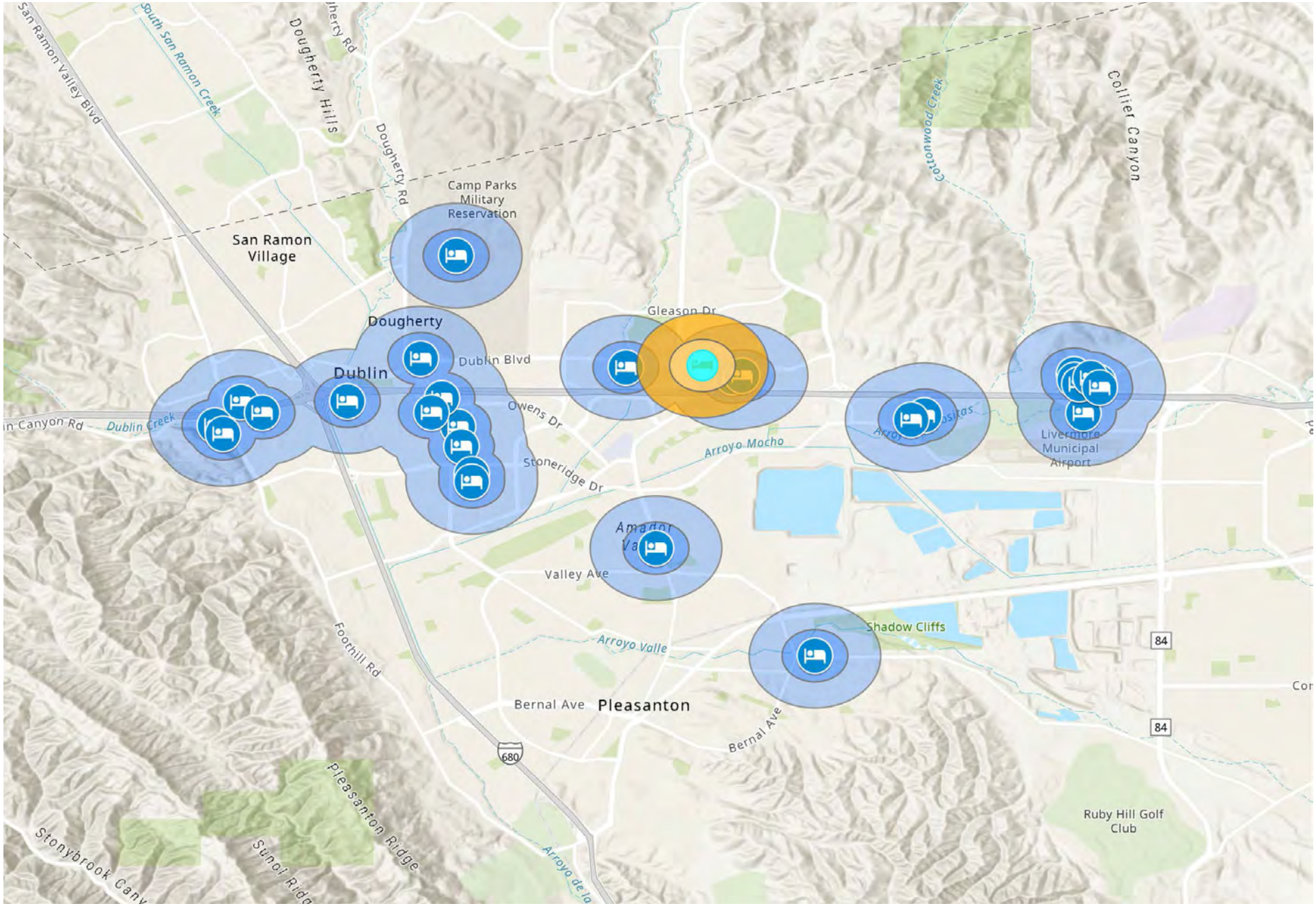
Source: Kimley-Horn, 2022

Figure 17-3: Existing Transit Facilities

SCS Dublin Project

Environmental Impact Report

Not to scale



Source: Kimley-Horn, 2022

Figure 17-4: Proximity of Project Hotel to Existing Hotels
SCS Dublin Project
Environmental Impact Report

Not to scale

18 Energy Conservation

18.1 Introduction

According to Appendix F of the State CEQA Guidelines, the goal of conserving energy implies the wise and efficient use of energy including decreasing reliance on natural gas and oil and increasing reliance on renewable energy sources. The project would be constructed to Title 24 standards, which would reduce energy demand as compared to traditional development. Therefore, the project would not result in substantial or wasteful consumption of energy.

This section describes the existing setting of the project site as it relates to energy conservation; identifies associated regulatory conditions and requirements; presents the criteria used to evaluate potential impacts related to use of fuel and energy upon implementation of the project; and identifies mitigation measures to reduce or avoid each significant impact. The significance of each impact after the incorporation of identified mitigation measures is included at the end of this section. Information used to prepare this section is referenced from the following resources:

- Kimley-Horn, Energy Conservation Technical Data, 2022.

18.2 Scoping Issues Addressed

During the public comment scoping period for the project, no comments regarding energy conservation were received.

18.3 Environmental Setting

This section presents information on the existing energy consumption in the region and project vicinity. This information serves as the baseline for assessing the project's impacts related to energy conservation.

18.3.1 California's Energy Use and Supply

Californians consumed 279,510 gigawatt hours (GWh)[20] of electricity in 2020, which is the most recent year for which data is available. Of this total, Alameda County consumed 10,247 GWh (CEC, 2020a). In 2020, the California electricity mix included natural gas (48.35 percent), coal

[20] A watt hour is a unit of energy equivalent to one watt of power expended for one hour. For example, a typical light bulb is 60 watts, meaning that if it is left on for one hour, 60-watt hours have been used. One kilowatt equals 1,000 watts. The consumption of electrical energy by homes and businesses is usually measured in kilowatt hours (kWh). Some large businesses and institutions also use megawatt hours (MWh), where one MWh equals 1,000 kWh. One gigawatt equals 1,000 megawatts, or 1,000,000 kilowatts. The energy output of large power plants over long periods of time, or the energy consumption of jurisdictions, can be expressed in gigawatt hours (GWh).

(0.17 percent), large hydroelectric plants (9.40 percent), and nuclear (8.53 percent). The remaining 33.55 percent was supplied from renewable resources, such as wind, solar, geothermal, biomass, and small hydroelectric facilities (CEC, 2020b). In 2015, the state consumed 2 trillion cubic feet[21] of natural gas (EIA, 2022).

Energy usage is typically quantified using the British Thermal Unit (BTU). Total energy usage in California was 7,802 trillion BTU in 2019 (the most recent year for which this specific data is available), which equates to an average of 198 million BTU per capita. Of California's total energy usage, the breakdown by sector is 39 percent transportation, 23 percent industrial, 19 percent commercial, and 19 percent residential. Electricity and natural gas in California are generally consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum consumption is generally accounted for by transportation-related energy use.[22]

In 2002, California established its Renewable Portfolio Standard program[23] with the goal of increasing the annual percentage of renewable energy in the state's electricity mix by the equivalent of at least 1 percent of sales, with an aggregate total of 20 percent by 2017. The California Public Utilities Commission subsequently accelerated that goal to 2010 for retail sellers of electricity (*Public Utilities Code* Section 399.15(b)(1)). Then-Governor Schwarzenegger signed Executive Order S-14-08 in 2008, increasing the target to 33 percent renewable energy by 2020.

In September 2009, then-Governor Schwarzenegger continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the California Air Resources Board under its Assembly Bill (AB) 32 authority to enact regulations to help the State meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In September 2010, the California Air Resources Board adopted its Renewable Electricity Standard regulations, which require all of the state's load-serving entities to meet this target. In October 2015, Governor Jerry Brown signed into legislation Senate Bill 350, which requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from eligible renewable energy resources by 2030.

---

[21] 100 cubic feet (CCF) is approximately the energy equivalent to burning 100 cubic feet of natural gas. 100 CCF of natural gas equals 103,700 a British Thermal Unit (BTU). A BTU is the amount of energy needed to raise the temperature of one pound of water by one degree Fahrenheit. A kBTU is 1,000 BTUs. A therm is 100,000 BTUs.

22 EIA (US Energy Information Administration), California State Profile and Energy Estimates, updated May 19, 2022, http://www.eia.gov/state/data.cfm?sid=CA#ConsumptionExpenditures and https://www.eia.gov/state/seds/data.php?incfile=/state/seds/sep_fuel/html/fuel_te.html&sid=US&sid=CA, accessed May 2, 2022.

[23] The Renewable Portfolio Standard is a flexible, market-driven policy to ensure that the public benefits of wind, solar, biomass, and geothermal energy continue to be realized as electricity markets become more competitive. The policy ensures that a minimum amount of renewable energy is included in the portfolio of electricity resources serving a state or country.

Additional energy efficiency measures beyond the current regulations are needed to meet these goals as well as the AB 32 greenhouse gas (GHG) reduction goal of reducing statewide GHG emissions to 1990 levels by 2020 (see Chapter 6: Air Quality, and Chapter 10: Greenhouse Gases, for a discussion of AB 32). Part of the effort in meeting California's long-term reduction goals include reducing petroleum use in cars and trucks by 50 percent, increasing from one-third to one-half of California's electricity derived from renewable sources, doubling the efficiency savings achieved at existing buildings and making heating fuels cleaner; reducing the release of methane, black carbon, and other short-lived climate pollutants, and managing farm and rangelands, forests, and wetlands so they can store carbon (CEC, 2022a).

18.3.2 Current Energy Providers

Electricity

East Bay Community Energy and Pacific Gas & Electric

In 2018, Alameda County and the City of Dublin shifted to local Community Choice Energy (CCE) program East Bay Community Energy (EBCE). EBCE was formed as a Joint Power Authority (JPA) by Alameda County and 11 of its cities and operates as a not-for-profit public agency. In January 2022, standard residential accounts moved from an automatic default service "Bright Choice" which is 80 percent carbon free to EBCE's product "Renewable 100" which is sourced from California wind and solar facilities. Non-residential customers will default to Renewable 100 beginning in October 2022. The electric energy provided by EBCE is conveyed to customers through Pacific Gas and Electric's (PG&E) existing infrastructure. PG&E continues to maintain the grid, repair lines, and conduct customer billing within the EBCE service area.

Natural Gas

PG&E operates one of the largest natural gas distribution networks in the country, including 42,141 miles of natural gas transmission and distribution pipelines (PG&E, 2022). In all, PG&E delivers gas to approximately 4.5 million customer accounts in Northern and Central California, including in Alameda County.

As shown in Table 18-1: Electricity Consumption in Alameda County 2010-2020 and Table 18-2: Natural Gas Consumption in Alameda County 2010-2020, both electricity and natural gas consumption in Alameda County has remained relatively constant between 2010 and 2020.

Table 18-1: Electricity Consumption in Alameda County 2010-2020

Year	Electricity Consumption (in millions of kilowatt hours)
2010	10,722
2011	10,979
2012	11,593
2013	10,622
2014	10,305
2015	10,243
2016	10,791
2017	11,090
2018	10,573
2019	10,922
2020	10,247

Source: CEC, 2020a. https://ecdms.energy.ca.gov/elecbycounty.aspx

Table 18-2: Natural Gas Consumption in Alameda County 2010-2020

Year	Natural Gas Consumption (in millions of therms)
2010	422
2011	423
2012	411
2013	423
2014	362
2015	359
2016	362
2017	379
2018	377
2019	384
2020	366

Source: CEC, 2020a. https://ecdms.energy.ca.gov/gasbycounty.aspx

Transportation Fuel

California's transportation sector uses roughly 39 percent of the energy consumed in the state. In 2016, Californians consumed approximately 13.6 billion gallons of gasoline and 3.5 billion gallons of diesel fuel (EMFAC2021, 2022).

Fuel Consumption

As shown in Table 18-3: Automotive Fuel Consumption in Alameda County 2010-2020, on-road automotive fuel and heavy-duty diesel fuel consumption in Alameda County has remained steady since 2010.

Table 18-3: Automotive Fuel Consumption in Alameda County 2010-2020

Year	On-Road Automotive Fuel Consumption (Gallons)	Heavy-Duty Vehicle/Diesel Fuel Consumption (Gallons)
2010	546,108,000	122,139,000
2011	534,708,000	127,202,000
2012	532,188,000	127,749,000
2013	534,200,000	130,467,000
2014	544,124,000	125,911,000
2015	559,640,000	126,586,000
2016	573,529,000	134,589,000
2017	562,071,000	135,711,000
2018	551,105,000	136,591,000
2019	539,782,000	137,597,000
2020	493,721,300	151,955,624

Source: California Air Resources Board, EMFAC2021.

18.4 Applicable Regulations, Plans, and Standards

This section presents legislation and regulations specifically related to energy conservation. See also Chapter 6: Air Quality, Chapter 11: Greenhouse Gas Emissions, and Chapter 17: Transportation & Circulation, for other policies related to energy use. See Chapter 16: Public Services, Utilities, and Service Systems for policies related to water consumption.

18.4.1 Federal

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for Federal energy management goals and requirements. Signed into law in 1978, it has been regularly

updated and amended by subsequent laws and regulations. This act is the foundation of most Federal energy requirements.

Energy Policy Act of 2005

The Energy Policy Act of 2005 sets equipment energy efficiency standards and seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can attain Federal tax credits for purchasing fuel-efficient appliances and products, including hybrid vehicles; constructing energy-efficient buildings; and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary micro-turbine power plants, and solar power equipment.

Executive Order 13693 (Planning for Federal Sustainability in the Next Decade), signed in 2015, seeks to maintain Federal leadership in sustainability and GHG emission reductions. Its goal is to reduce agency Scope 1 and 2 GHG emissions[24] by at least 40 percent by 2025, foster innovation, reduce spending, and strengthen communities through increased efficiency and improved environmental performance. Sustainability goals are set for building efficiency and management, energy portfolio, water use efficiency, fleet efficiency, sustainable acquisition and supply chain GHG management, pollution prevention, and electronic stewardship.

Energy and Independence Security Act of 2007

The Energy and Independence Security Act of 2007 sets Federal energy management requirements in several areas, including energy reduction goals for Federal buildings, facility management and benchmarking, performance standards for new buildings and major renovations, high-performance buildings, energy savings performance contracts, metering, energy-efficient product procurement, and reduction in petroleum use and increase in alternative fuel use. This act also amends portions of the National Energy Policy Conservation Act.

18.4.2 State

Assembly Bill 32

California's major initiative for reducing GHG emissions is outlined in Assembly Bill 32 (AB 32), the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In

[24] In GHG inventories, direction emissions are Scope 1; indirect emissions from consumption of purchased electricity, heat or steam are Scope 2; and other indirect emissions (such as extraction and production of purchases materials and fuels, transport in vehicles not controlled by the reporting entity, outsourced activities) are Scope 3.

addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions. See Chapter 10 (Greenhouse Gas Emissions) for a further discussion of AB 32.

2008 California Energy Action Plan Update

The *2008 Energy Action Plan Update* provides a status update to the *2005 Energy Action Plan II,* which is the State's principal energy planning and policy document (CPUC and CEC, 2008). The plan continues the goals of the original *Energy Action Plan*, describes a coordinated implementation plan for State energy policies, and identifies specific action areas to ensure that California's energy is adequate, affordable, technologically advanced, and environmentally sound. First-priority actions to address California's increasing energy demands are energy efficiency, demand response (i.e., reduction of customer energy usage during peak periods in order to address system reliability and support the best use of energy infrastructure), and the use of renewable sources of power. If these actions are unable to satisfy the increasing energy and capacity needs, the plan supports clean and efficient fossil-fired generation.

California Green Building Standards Code

The 2019 *California Green Building Standards Code*, as specified in Title 24, Part 11 of the California Code of Regulations, specifies building standards to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices in five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and environmental quality. The provisions of this code apply to the planning, design, operation, construction, replacement, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such building structures throughout California. The latest California Green Building Standards Code will take effect on January 1, 2023.

Building Energy Efficiency Standards

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6, of the California Code of Regulations, were established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. The California Energy Commission (CEC) adopted a new update in 2022, and these new standards became effective on January 1, 2023.

2006 Appliance Efficiency Regulations

The California Energy Commission adopted Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both Federally regulated appliances and non-Federally regulated appliances.

While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and SB 2X

SB 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the state's Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued California's commitment to the Renewable Portfolio Standard by signing Executive Order S-21-09, which directs the CARB under its AB 32 authority to enact regulations to help the state meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In April 2011, Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

Executive Order B-30-15 and Senate Bill 350

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the California Public Utilities Commission (CPUC) to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal.

Senate Bill 32

In September 2016, the Governor signed into legislation SB 32, which builds on AB 32 and requires the state to cut GHG emissions to 40 percent below 1990 levels by 2030. With SB 32, the Legislature also passed AB 197, which provides additional direction for updating the Scoping Plan to meet the 2030 GHG reduction target codified in SB 32. CARB has published a draft update to the Scoping Plan and has received public comments on this draft, but has not released the final version.

Recent CEQA Litigation

In California, *Clean Energy Committee v. City of Woodland* (2014) 225 Cal.App.4th 173 ("CCEC"), the Court observed that *CEQA Guidelines* Appendix F lists environmental impacts and mitigation measures that an EIR may include. Potential issues that may require EIR discussion include:

- The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance, and/or removal. If appropriate, the energy intensiveness of materials may be discussed.

- The effects of the project on local and regional energy supplies and on requirements for additional capacity.
- The degree to which the project complies with existing energy standards.
- The effects of the project on energy resources.
- The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

The *Save Lake Tahoe Mountain Area Preservation Foundation v. County of Placer* case found an EIR should address the project's potential to increase its use of renewable energy sources for at least two purposes. First, when the EIR analyzes the project's energy use to determine if it creates significant effects, it should discuss whether any renewable energy features could be incorporated into the project. The EIR's determination of whether the potential impact is significant is to be based on this discussion. Second, if the EIR concludes the project's impact on energy resources is significant, it should consider mitigating the impact by requiring uses of alternate fuels, particularly renewable ones, if applicable.

18.4.3 Local

City of Dublin General Plan

The City of Dublin General Plan includes goals, policies, and actions that encourage the conservation of energy in the Community Design and Sustainability Element and the Energy Conservation Element. The following are goals, policies and implementation measures specifically related to energy that are relevant to the project.

Goal 10.9.2: Encourage Sustainability to provide a high quality of life and to preserve resources and opportunities.

Policy 10.9.3(C): Consider environmentally sensitive and energy-efficient building siting, which minimize impacts from wind, provides shade, reduces stormwater runoff, and maximizes opportunities for passive solar design, where feasible.

Policy 10.9.3(F): Encourage alternative modes of transportation by providing priority parking for carpool and alternative energy vehicles, bicycle racks/lockers, showers for employees, and easy access to adjacent regional trails and transit stops.

Implementation Measure 10.9.4(A): Facilitate environmental and energy-efficient design guidelines that promote good design for new construction.

Implementation Measure 10.9.4(H): Investigate modifications to the Building Code to require integrated, comprehensive, and well-designed sustainable building practices (i.e. water and energy efficiency, resource allocations, and site planning).

Guiding Policy 13.3.2(A)(1): Encourage the installation of alternative energy technology in new residential and commercial development.

Guiding Policy 13.3.2(A)(2): Encourage designing for solar access.

Guiding Policy 13.3.2(A)(3): Encourage energy efficient improvements be made on residential and commercial properties.

Implementing Policy 13.3.2(B)(1): New development proposals shall be reviewed to ensure lighting levels needed for a safe and secure environment are provided—utilizing the most energy-efficient fixtures (in most cases, LED lights)—while avoiding over-lighting of sites. Smart lighting technology (e.g. sensors and/or timers) shall also be employed in interior and exterior lighting applications where appropriate.

Implementing Policy 13.3.2(B)(2): New development projects shall install LED streetlights in compliance with the City's LED light standard.

Implementing Policy 13.3.2(B)(3): In new commercial and residential parking lots, require the installation of conduit to serve electric vehicle parking spaces to enable the easier installation of future charging stations.

Implementing Policy 13.3.2(B)(4): Encourage the installation of charging stations for commercial projects over a certain size and any new residential project that has open parking (i.e. not individual, enclosed garages).

Implementing Policy 13.3.2(B)(5): Encourage buildings (and more substantially, whole neighborhoods) to be designed along an east-west axis to maximize solar exposure. Where feasible, require new development projects to take advantage of shade, prevailing winds, landscaping and sun screens to reduce energy use; and to use regenerative energy heating and cooling source alternatives to fossil fuels.

Implementing Policy 13.3.2(B)(6): Continue to implement parking lot tree planting standards that would substantially cool parking areas and help cool the surrounding environment. Encourage landscaping conducive to solar panels in areas where appropriate.

Implementing Policy 13.3.2(B)(7): Promote and encourage photovoltaic demonstration projects in association with new development.

Implementing Policy 13.3.2(B)(8): Consider creating a recognition program for commercial or residential projects that install large-scale solar or wind energy systems and to publicly commend and acknowledge businesses or individuals that construct or remodel buildings that save more energy than required by Title 24 or by the Cal Green Building Code.

Eastern Dublin Specific Plan

The Specific Plan features a comprehensive multi-modal transportation and circulation system. The intent is to achieve important environmental benefits, such as reduced air and noise pollution, and increased energy conservation, through the reduction in the number and length of daily vehicle trips associated with new development.

Additionally, through the recycling of organic and man-made materials the total amount of solid waste that needs to be disposed of in landfills can be greatly reduced, saving not only land but also energy and natural resources.

The City of Dublin's Eastern Dublin Specific Plan establishes the following policies associated with transportation and building energy conservation that are relevant to the project:

Policy 4.1: Maintain a reasonable balance in residential and employment-generating land uses by adhering to the distribution of land uses depicted in Figure 4-1, Land Use Map.

Policy 4-13: Locate community-oriented commercial development in the "Town Center" within walking distance or a short ride from most residents, and conveniently served by transit.

Policy 4-14: Encourage the development of neighbor-hood serving retail and service uses in the "Village Centers" in order to reduce daily vehicle trips, and contribute to the identity and character of the outlying residential areas.

Policy 4-17: Avoid dispersion of commercial uses along major collectors and arterials in a linear (i.e., "strip") development pattern that is oriented solely to vehicular traffic.

Policy 4-18: Encourage the creation of a pedestrian-oriented shopping environment in the Town and Village Centers, while still accommodating the safe movement of vehicular traffic.

Policy 4-19: Encourage mixed-use development in the commercial areas of the Town and Village Centers that contributes to the social, cultural, and economic vitality of the commercial districts.

Policy 5-2: Require all development to provide a balanced orientation toward pedestrian, bicycle, and automobile circulation.

Policy 5-17: Establish a bicycle circulation system which helps to serve the need for non-motorized transportation and recreation in eastern Dublin that is consistent with the Dublin Bicycle and Pedestrian Master Plan.

Policy 8-7: Support ACWMA efforts to develop alternate disposal facilities for organic waste in the Tri-Valley area, particularly for composting and reuse of organic material.

Policy 8-8: Encourage the separation of recyclable materials from the general waste stream by supporting the development of a recycling collection system and facilities.

18.5 Environmental Impacts and Mitigation Measures

The analysis below generally follows Appendix F of the State CEQA Guidelines, which states that the goal of conserving energy implies the wise and efficient use of energy, including decreasing overall per capita energy consumption, decreasing reliance on fossil fuels, and increasing reliance on renewable energy sources.

According to Appendix F, the analysis should include a description of energy conservation measures included as part of the project and should consider whether a project would result in inefficient, wasteful, and unnecessary consumption of energy.

18.5.1 Significance Criteria

Based upon the criteria derived from Appendix F of the State CEQA Guidelines, the project would result in a significant impact related to energy conservation if it would:

- Result in the inefficient, wasteful or unnecessary consumption of energy during project construction or operation.

18.5.2 Summary of No and/or Beneficial Impact

There are no "no" impacts nor "beneficial" impacts.

18.5.3 Impact Assessment Methodology

In determining whether implementation of the project would result in the inefficient, wasteful or unnecessary consumption of fuel or energy, this analysis considers the recommendations of Appendix F (as described above), which states that environmental impact analyses of energy conservation may include:

1. The project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials maybe discussed.

2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.

3. The degree to which the project complies with existing energy standards.

4. The effects of the project on energy resources.

5. The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives.

This section analyzes energy consumption on three sources of energy that are relevant to the project: electricity, natural gas, and transportation fuel for vehicle trips associated with new development, as well as the fuel necessary for project construction. The analysis of project electricity/natural gas usage is based on California Emissions Estimator Model (CalEEMod) modeling, which quantifies energy use for occupancy. The results of the CalEEMod modeling are included in Appendix B: Air Quality and Greenhouse Gas Emissions Analysis of this Draft EIR. Modeling related to project energy consumption was based primarily on the default settings in

the computer program for Alameda County. The amount of operational fuel use was estimated using CalEEMod outputs for the project and the California Air Resources Board's Emissions Factor 2021 (EMFAC2021) computer program for typical daily fuel usage in Alameda County. Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

Energy consumption impacts are analyzed below according to topic. Mitigation measures directly correspond with an identified impact.

Impact ER-1: Would implementation of the project result in the inefficient, wasteful or unnecessary consumption of energy during project construction or operation. (Class III)

Construction (Short-Term)

The energy consumption associated with buildout of the project includes electricity usage associated with water usage for dust control, diesel fuel consumption from on-road hauling trips and off-road construction diesel equipment, and gasoline consumption from on-road worker commute and vendor trips. The methodology for each category is discussed below. This analysis relies on the construction equipment list and operational characteristics, as stated in Chapter 6 (Air Quality) and Chapter 10 (Greenhouse Gas Emissions), as well as Appendix B: Air Quality and Greenhouse Gas Emissions Analysis. Quantifications of construction energy consumption are provided for the project.

Electricity Usage

Water Consumption for Construction Dust Control

Electricity usage associated with water consumption for construction dust control is calculated based on total water consumption and the energy intensity for supply, distribution, and treatment of water.

The total number of gallons of water usage is calculated based on acreage disturbed during grading and site preparation, as well as the daily water consumption rate per acre disturbed.

- The total acres disturbed are calculated using the methodology described in Chapter 4.2 of Appendix A of the CalEEMod® User's Guide (Grading Equipment Passes).
- The water application rate of 3,020 gallons per acre per day is from Air and Waste Management Association's Air Pollution Engineering Manual.

The energy intensity value is based on the CalEEMod® default energy intensity per gallon of water for Alameda County.

As summarized in Table 18-4: Project Energy Consumption During Construction, the total electricity consumption associated with water consumption for construction dust control would be approximately 72,487,475 kWh (72,487.5 megawatt hours [MWh]) over the duration of buildout of the project.

Table 18-4: Project Energy Consumption During Construction

Source	Project Construction Usage	Alameda County Annual Energy Consumption	Percentage Increase Countywide
Electricity Use	**Megawatt Hours (MWh)**		
Water Consumption	72,487	10,247,410	0.7074%
Diesel Use	**Gallons**		
On-Road Construction Trips [1]	687,192	155,890,839	0.4408%
Off-Road Construction Equipment [2]	1,272,611		0.8163%
Construction Diesel Total	***1,959,803***		***1.2572%***
Gasoline	**Gallons**		
On-Road Construction Trips [1]	913,700	553,890,645	0.1650%

1. On-road mobile source fuel use based on vehicle miles traveled (VMT) from CalEEMod and fleet-average fuel consumption in gallons per mile from EMFAC2021 in Alameda County for construction year 2023 through 2028.
2. Off-road mobile source fuel usage based on a fuel usage rate of 0.05 gallons of diesel per horsepower (hp)-hour from USEPA.
Abbreviations:
CalEEMod: California Emission Estimation Model; EMFAC: Emission Factor Model 2021;
Sources: Appendix B: Air Quality and Greenhouse Gas Emissions Analysis

Diesel Usage

On-Road Construction Trips

The diesel usage associated with on-road construction mobile trips is calculated based on vehicle miles traveled (VMT) from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default diesel fleet percentage, and vehicle fuel efficiency in miles per gallon. VMT for the entire construction period is calculated based on the total (See Chapter 6: Air Quality and Chapter 10: Greenhouse Gas Emissions). Construction fuel consumption was calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry.

As summarized in Table 18-4: Project Energy Consumption During Construction, the total diesel consumption associated with on-road construction trips would be approximately 687,192 gallons over the duration of buildout of the project.

Off-Road Construction Equipment

The construction diesel usage associated with the off-road construction equipment is calculated based on CalEEMod emissions outputs and conversion ratios from the Climate Registry. As summarized in Table 18-4: Project Energy Consumption During Construction, the total diesel consumption associated with off-road construction equipment is approximately 1,272,611 gallons for duration of buildout the project.

Gasoline Usage

On-Road Construction Trips

The gasoline usage associated with on-road construction mobile trips is calculated based on VMT from vehicle trips (i.e., worker, vendor, and hauling), the CalEEMod default gasoline fleet percentage, and vehicle fuel efficiency in miles per gallon using the same methodology as the construction on-road trip diesel usage calculation discussed above. As summarized in Table 18-4: Project Energy Consumption During Construction, the total gasoline consumption associated with on-road construction trips would be approximately 913,700 gallons over the duration of buildout the project.

Analysis

In total, construction of the project would consume approximately 72,487,475 kWh (72,487 MWh) of electricity, 1,959,803 gallons of diesel, and 913,700 gallons of gasoline.

As indicated in the environmental setting above, Californians consumed 279,510 GWh of electricity in 2020, of which Alameda County consumed 10,247 GWh. Therefore, construction electricity consumption would represent approximately 0.03 percent of the electricity consumption in the state, and 0.7 percent of the electricity consumption in Alameda County.

In 2023, Californians are estimated to consume approximately 15,355,377,116 gallons of gasoline and approximately 3,683,414,417 gallons of diesel fuel. Alameda County annual diesel consumption was 155,890,839 gallons and gasoline consumption was 553,890,645 gallons. Project construction gasoline consumption would represent 0.2 percent of gasoline consumption in the County, and construction diesel consumption would represent 1.3 percent of diesel consumption in the County over the approximately six-year construction period.

Therefore, based on the project's relatively low construction fuel use proportional to State and County consumption, the project would not substantially affect existing energy or fuel supplies or resources. New capacity/additional sources of construction fuel are not anticipated to be required.

Furthermore, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or state. In addition, some incidental energy conservation would occur during construction through compliance with State requirements that equipment not in use for more than five minutes be turned off. Project construction equipment would also be required to comply with the latest EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel consumption.

The project would entail construction activities that would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity. MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures requires that engine idling for construction equipment is to be limited and that all equipment is properly tuned and maintained to the

manufacturer's specifications. Additionally, the City's Construction and Demolition Debris Ordinance requires that 100 percent of asphalt and concrete be recycled and a minimum of 50 percent of all other materials be recycled. Recycling construction and demolition waste not only keeps it from being transported to the landfill, but also reduces the "upstream" energy consumption from the manufacturing of virgin material in the first place. The project would be required to comply with this ordinance.

Construction activities would be required to monitor air quality emissions using applicable regulatory guidance such as the BAAQMD CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced as a result of monitoring and the efficient use of equipment and materials, this results in reduced energy consumption. There are no aspects of the project that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities.

As described above, project construction would represent 0.2 percent of gasoline consumption and 1.3 percent of diesel consumption in the County over a six-year period. It should be noted that the CEQA Guideline Appendix F criteria requires the project's effects on local and regional energy supplies and on the requirements for additional capacity to be addressed. A 0.2 percent increase in gasoline and a 1.3 percent increase in diesel for construction fuel demand is not anticipated to trigger the need for additional capacity. Additionally, use of construction fuel would be temporary and would cease once the project is fully developed. As such, project construction would have a nominal effect on the local and regional energy supplies. It is noted that construction fuel use is temporary and would cease upon completion of construction activities.

As stated above, there are no unusual project characteristics that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in the region or state. Therefore, it is expected that construction fuel consumption associated with the project would not be any more inefficient, wasteful, or unnecessary than other similar development projects of this nature. Therefore, potential impacts are considered less than significant.

Operations (Long-Term)

The energy consumption associated with operation of uses pursuant to the project would include building electricity, water, and natural gas usage, as well as fuel usage from on-road vehicles. The methodology for each category is discussed below. Note that this energy resources analysis is consistent with the analysis presented in Chapter 6 Air Quality and Chapter 10 Greenhouse Gas Emissions. Quantifications of operational energy consumption are provided for the project.

Transportation Energy Demand

The gasoline and diesel usage associated with on-road vehicular trips is calculated based on total VMT from the Chapter 6 and Chapter 10 analyses, as well as the average fuel efficiency

from EMFAC2021 model. The EMFAC2021 fuel efficiency data incorporate the Pavley Clean Car Standards and the Advanced Clean Cars Program.[25] As summarized in Table 18-5: Project Annual Energy Consumption During Operations, the total gasoline and diesel consumption associated with on-road trips would be approximately 813,737 gallons per year and 1,514,686 gallons per year, respectively.

The EMFAC2021 model includes the fraction of electric vehicles projected to be in the on-road fleet during the assumed first year of operation; however, the fraction of the fleet that is electric is assumed to continue to increase, allowing a decrease in gasoline and diesel consumption. The electricity consumption related to electric vehicle traffic during operation was estimated based on the EMFAC2021 fleet mix and the model year 2028 average kWh/mile for current model electric vehicles. Total electricity usage from the on-road transportation during operation is approximately 15,496,300 kWh per year (15,496 MWh per year).

Table 18-5: Project Annual Energy Consumption During Operations

Source	Project Operational Usage	Alameda County Annual Energy Consumption	Percentage Increase Countywide
Electricity Use	**Megawatt Hour/Year (MWh/year)**		
Area [1]	14,490	10,247,410	0.1414%
Water [1]	414.4		0.0040%
Mobile	591.9		0.0058%
Operational Electricity Total	***15,496.3***		***0.1512%***
Natural Gas Use	**Therms/year**		
Area [1]	0	366,465,038	0%
Diesel Use	**Gallons/Year**		
Mobile [2]	1,514,686	152,160,799	0.9955%
Gasoline Use	**Gallons/Year**		
Mobile [2]	813,737	510,772,956	0.1593%

Notes:
1. The electricity, natural gas, and water usage are based on project-specific estimates and CalEEMod defaults.
2. Calculated based on the mobile source fuel use based on vehicle miles traveled (VMT) and fleet-average fuel consumption (in gallons per mile) from EMFAC2021. For electric vehicles, model year 2028 electric vehicle fuel economy is used from the DOE Fuel Economy Guide.
Abbreviations: CalEEMod: California Emission Estimation Model; EMFAC2014: California Air Resources Board Emission Factor Model; kBTU: thousand British Thermal Units; kWh: kilowatt-hour; MWh: Megawatt-hour.

25 The California Air Resources Board EMFAC 2017 Technical Documentation (March 2018) notes that emissions are estimated with all current controls active, except Low Carbon Fuel Standards (LCFS). The reason for excluding LCFS is that most of the emissions benefits due to the LCFS come from the production cycle (upstream emissions) of the fuel rather than the combustion cycle (tailpipe). As a result, LCFS is assumed to not have a significant impact on CO_2 emissions from EMFAC's tailpipe emission estimates.

Source	Project Operational Usage	Alameda County Annual Energy Consumption	Percentage Increase Countywide

Sources: DOE 2016; USEPA 1996.

Analysis

Operation of uses implemented pursuant to the project would consume approximately 15,496.3 MWh per year of electricity, 1,514,686 gallons of diesel, and 813,737 gallons of gasoline.

Californians consumed 279,510 GWh of electricity in 2020, of which Alameda County consumed 10,247 GWh. The project's operational electricity consumption would represent 0.0055 percent of the electricity consumption in the state, and 0.1512 percent of the energy consumption in Alameda County.

In 2023, Californians are estimated to consume approximately 15,355,377,116 gallons of gasoline and approximately 3,683,414,417 gallons of diesel fuel. Alameda County 2028 annual diesel consumption was 152,160,799 gallons and gasoline consumption was 510,772,956 gallons. Project operational consumption of gasoline and diesel would represent 0.01 percent of gasoline and 0.04 percent of diesel consumption statewide. Project operational consumption of gasoline and diesel would represent 0.2 percent of gasoline and 0.99 percent of diesel consumption in the County.

Therefore, operation of uses under the project would not substantially affect existing energy or fuel supplies or resources. The project would comply with applicable energy standards and new capacity would not be required. Impacts would be less than significant in this regard.

Energy Efficiency and Renewable Energy Measures

As discussed above, California's Energy Efficiency Standards for Residential and Non-residential Buildings create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings. These standards are incorporated within the California Building Code and are expected to substantially reduce the growth in electricity and natural gas use. For example, requirements for energy efficient lighting, heating and cooling systems, and green building materials are expected to save additional electricity and natural gas. These savings are cumulative, doubling as years go by.

The project would include additional energy efficiency measures per City's Climate Action Plan 2030 and Beyond. For example, the project would install LED streetlights where streetlights are needed. The project also would include energy-efficient outdoor lighting for community and publicly accessible outdoor spaces where feasible. Full cut-off lights and automated outdoor lights on commercial buildings and in publicly accessible places, including open space and parking lots, that adjust for time and seasons would also be utilized.

Photovoltaic solar systems and on-demand water heating systems would be included as an option for home buyers. Photovoltaic systems would be installed on the rooftops of

commercial buildings. On-demand water heating systems would also be included where applicable. Additionally, all structures that do not include solar photovoltaic panels will be "solar ready," as required by City Municipal Code sections 7.94.060 and 7.94.070. Energy Star appliances and low-flow toilets would be installed for the residential units and low-flow toilets and "smart" control systems would be installed for commercial uses. Light-colored cool roofs would be used for the apartments and commercial buildings and pavement and would be light-colored throughout the project.

Regarding water energy conservation, the project would incorporate drought-tolerant landscaping in commonly-owned areas in the residential and commercial portions of the site. Water-efficient irrigation controls would also be used in the landscape areas. A comprehensive water conservation strategy would be developed as applicable to each respective land use as part of the project plan development. Buildings would also incorporate water-efficient fixtures and appliances, in compliance with Title 24.

The project also reduces transportation energy usage by applying "smart growth" principles as an urban in-fill development with a mix of retail, entertainment, and residential uses adjacent to transit/multi-modal corridors and within two miles of a BART station. The project facilitates the use of existing bus routes with stops adjacent to the project site. The Livermore Amador Valley Transit Authority (LAVTA) runs bus service from the project site (Dublin Boulevard and Tassajara Road) to the BART station with 30-minute headways.

Additionally, the project would improve and complete pedestrian and bicycle connections around its perimeter and through the project site. Bicycle storage would be provided in the multifamily, as required and bicycle racks would be provided near the commercial uses. The project would also improve and complete bicycle lanes and facilities along the perimeter and through the project site that connect with existing bicycle routes.

The project includes landscaped paseos and pedestrian pathways that would directly connect residents and retail patrons with adjacent open space, surrounding neighborhoods and nearby Emerald Glen Park. Sidewalks on the streets surrounding the project site would be improved and a 10-foot public multi-use trail would be constructed on the north side of Central Parkway and an on-street bicycle lane along Dublin Boulevard, Tassajara Road, Central Parkway, and Gleason Drive.

Recent case law (*League to Save Lake Tahoe, Mountain Area Preservation, et al./California Clean Energy Committee v. County of Placer, et al.* (Sierra Pacific Industries, et al., Real Parties in Interest)) (2022) has indicated that an EIR's analysis of a project's impacts on energy resources must include a discussion of whether the project would increase its reliance on renewable energy sources to meet its energy demand as part of determining whether the project's energy impacts are significant. The project would be designed in accordance with the applicable Title 24 Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations [CCR], Title 24, Part 6). These standards are updated, nominally every three years, to incorporate improved energy efficiency technologies and methods. The Building Official, or

designee shall ensure compliance prior to the issuance of each building permit. The Title 24 Energy Efficiency Standards (Section 110.10) require buildings to be designed to have 15 percent of the roof area "solar ready" that will structurally accommodate later installation of rooftop solar panels. If future building operators pursue providing rooftop solar panels, they would submit plans for solar panels prior to occupancy. As discussed above, the project includes several design features and mitigation measures that would minimize energy consumption. As the Project is required to minimize its energy consumption, its impacts in this regard would be less than significant.

Furthermore, both electricity providers in Alameda County, EBCE and PG&E, are subject to California's Renewables Portfolio Standard (RPS). The RPS requires investor-owned utilities, electric service providers, and community choice aggregators to increase procurement to 50 percent of total procurement by 2030. Renewable energy is generally defined as energy that comes from resources which are naturally replenished within a human timescale such as sunlight, wind, tides, waves, and geothermal heat.

The project would be required to adhere to all Federal, State, and local requirements for energy efficiency, including the latest Title 24 standards. Considering these requirements in addition to the project design features described above, the project would not result in the inefficient, wasteful, or unnecessary consumption of building energy. Therefore, potential impacts are considered less than significant.

The project would generate less-than-significant impacts related to energy use. Additionally, the project would incorporate various building and transportation energy saving design features (described above) and comply with the latest State Building Code (Title 24, Part 6 of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On May 9, 2018, the CEC adopted the 2019 Building Energy Efficiency Standards, which took effect on January 1, 2020.

The 2019 Standards improve upon the 2016 Standards. Under the 2019 Title 24 standards, residential buildings are expected to be about 7 percent more energy efficient, and when the required rooftop solar is factored in for low-rise residential construction, residential buildings that meet 2019 Title 24 standards would use about 53 percent less energy than those built to meet the 2016 standards. Nonresidential buildings use about 30 percent less energy than those built to meet the 2016 standards. Additionally, the updated 2022 Building Energy Efficiency Standards take effect on January 1, 2023.

The California Green Building Standards Code (California Code of Regulations, Title 24, Part 11), commonly referred to as the CALGreen Code, is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical

areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary measures (CALGreen Tier 1 and Tier 2) that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2019 and went into effect on January 1, 2020 and the updated 2022 CALGreen Code takes effect on January 1, 2023.

18.5.4 Cumulative Impacts

Construction and operations associated with implementation of the project would result in the consumption of fuel and energy, but it would not do so in a wasteful manner. The consumption of fuel and energy would not be substantial in comparison to statewide electricity, natural gas, gasoline, and diesel demand; refer to Table 18-4 and Table 18-5. New capacity or supplies of energy resources would not be required. Additionally, the project would be subject to compliance with all Federal, State, and local requirements for energy efficiency.

The anticipated project impacts, in conjunction with cumulative development in the site vicinity, would increase urbanization and result in increased energy consumption. Potential land use impacts are site-specific and require evaluation on a case-by-case basis. Each cumulative project would require separate discretionary approval and CEQA assessment, which would address potential energy consumption impacts and identify necessary mitigation measures, where appropriate.

As noted above, the project would not result in significant energy consumption impacts. The project would not be considered inefficient, wasteful, or unnecessary with regard to energy. Thus, the project and identified cumulative projects are not anticipated to result in a significant cumulative impact. Therefore, potential impacts are considered less than significant.

18.5.5 Level of Significance After Mitigation

Table 18-6: Summary of Impacts and Mitigation Measures – Energy Conservation summarizes the environmental impacts, significance determinations, and mitigation measures for the project with regard to energy conservation.

Table 18-6: Summary of Impacts and Mitigation Measures – Energy Conservation

Impact	Impact Significance	Mitigation
Impact ER-1: Encourage activities that result in the use of large amounts of fuel or energy, or use these resources in a wasteful manner (Class III)	Less than Significant	None required

18.6 References

California Air Resources Board Emission Factor Model (EMFAC). 2021, 2022. Emissions Inventory. Available at: https://arb.ca.gov/emfac/. Accessed May 2, 2022.

California State Board of Equalization (BOE.) 2022. *Net Taxable Gasoline Gallons*. Available at: https://www.cdtfa.ca.gov/taxes-and-fees/MVF-10-Year-Report.pdf. Accessed May 2, 2022.

California State Board of Equalization (BOE). 2018. *Taxable Diesel Gallons 10-year Report.* Available at: http://www.cdtfa.ca.gov/taxes-and-fees/Diesel-10-Year-Report.pdf. Accessed May 2, 2022.

California Emissions Estimator Model (CalEEMod). 2022. *CalEEMod User's Guide*. Available at: http://www.caleemod.com/.

California Energy Commission (CEC). 2022a. *Integrated Energy Policy Report Update*. Available at: https://www.energy.ca.gov/data-reports/reports/integrated-energy-policy-report/2022-integrated-energy-policy-report-update. Accessed May 2, 2022.

California Energy Commission (CEC). 2020a. *Electricity Consumption by County.* Available at: htpp://www.ecdms.energy.ca.gov. Accessed May 2, 2022.

California Energy Commission (CEC). 2020b. *Energy Almanac, California's Electricity Data*. Available at: http://www.energy.ca.gov/almanac/electricity_data/total_system_power.html. Accessed May 2, 2022.

California Energy Commission (CEC). 2019. *California's Energy Efficiency Standards for Residential and Nonresidential Buildings.* Available at: http://www.energy.ca.gov/title24/2016standards/. Accessed May 2, 2022.

California Public Utilities Commission and California Energy Commission (CPUC and CEC). 2008. *2008 Update, Energy Action Plan*. Available at: http://www.energy.ca.gov/2008publications/CEC-100-2008-001/CEC-100-2008-001.PDF.

Pacific Gas & Electric (PG&E). 2022. *Company Profile.* Available at: https://www.pge.com/en_US/about-pge/company-information/profile/profile.page. Accessed May 2, 2022.

United States Energy Information Administration (EIA). 2022. *California Natural Gas Total Consumption*. Available at: https://www.eia.gov/dnav/ng/hist/na1490_sca_2a.htm Accessed May 2, 2022.

19 Alternatives

This section describes the CEQA requirements related to alternatives and describes the process used to define alternatives to the project. It describes three alternatives to the project and provides a comparative analysis for each of these alternatives to the project. It includes the evaluation of the No Project Alternative, as required by CEQA, and a comparison of alternatives. Finally, it identifies the environmentally superior alternative.

19.1 CEQA Requirements for Alternatives

CEQA requires that an EIR "…describe a reasonable range of alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation." (CEQA Guidelines §15126.6(a)).

To comply with this requirement, the City of Dublin evaluated possible alternatives based on the following factors:

- Does the alternative accomplish most of the basic project objectives?
- Is the alternative potentially feasible (from economic, environmental, legal, social, technological standpoints)?
- Does the alternative avoid or substantially lessen any significant effects of the project? Alternatives need to be environmentally superior to the project in only some, not all, respects.
- Is the alternative reasonable and realistic? An EIR need not consider an alternative whose effect cannot reasonably be ascertained or whose implementation is remote and speculative, because unrealistic alternatives do not contribute to a useful analysis.

19.2 Consistency with Project Objectives

The basic purpose of an EIR's discussion of alternatives is to suggest ways project objectives might be achieved at less environmental cost. Accordingly, alternatives must be able to meet most project objectives, but they need not have to meet all of them. As stated in the CEQA Guidelines, the EIR's alternatives analysis should focus on alternatives that can eliminate or reduce significant environmental impacts even if they would impede attainment of project objectives to some degree or be more costly (14 CCR §15126.6(b)). The alternatives discussed must, however, be able to attain most of the basic objectives of the project (14 CCR §15126.6(a)).

The determination of whether to eliminate or retain alternatives in this EIR was based on each alternative's ability to meet most or all of the project objectives (see Chapter 3: Project Description), even if the alternative may be more costly than the project.

19.3 Alternatives Eliminated from Further Consideration

19.3.1 Alternative Location

CEQA Guidelines Section 15126.6(f)(2) sets forth considerations to be used in evaluating an alternative location. The section states that the "key question" is whether any of the significant effects of the project would be avoided or substantially lessened by relocating the project. The CEQA Guidelines identify the following factors that may be taken into account when addressing the feasibility of an alternative location:

- Site suitability
- Economic viability
- Availability of infrastructure
- General Plan consistency
- Other plans or regulatory limitations
- Jurisdictional boundaries
- Whether the project applicant can reasonably acquire, control, or otherwise have access to the alternative site

The CEQA Guidelines establish that only locations that would avoid or substantially lessen the project's environmental effects are feasible and would meet most of the project objectives should be considered as alternative locations for the project.

Because of Alameda County Measure D, which effectively prohibits new urban development outside of city limits in eastern Alameda County, only sites located within the current Dublin city limits are considered feasible.

Given the size of the project and the broad mix of uses proposed, it was determined that there are no other suitable undeveloped parcels that do not already have a pending application nor have existing entitlements in the City of Dublin that could accommodate the land uses envisioned for the project. Additionally, the project applicant does not own or otherwise control property of a similar size.

For these reasons, this alternative was eliminated from further consideration.

19.3.2 Commercial Only Project

This alternative would preclude the development of a mixed-use commercial and residential project as contemplated in the City's General Plan and Eastern Dublin Specific Plan. However, it

would fail to meet most of the basic project objectives as they relate to the development of a mixed use residential and commercial project with a range of types and densities of housing in a Priority Development Area residential uses. For these reasons, this alternative was eliminated from further consideration.

19.4 Alternative 1 – No Project Alternative

19.4.1 Description

In addition to studying a reasonable range of alternatives based on the criteria set forth above, CEQA requires the EIR to analyze a "no-project" alternative. Consideration of the No Project Alternative is required by Section 15126.6(e) of the CEQA Guidelines. The analysis of the No Project Alternative must discuss the existing conditions at the time the Notice of Preparation was published (March 25, 2015), as well as: "what would be reasonably expected to occur in the foreseeable future if the project were not approved, based on current plans and consistent with available infrastructure and community services" (CEQA Guidelines Section 15126.6 (e)(2)). The requirements also specify that: "If disapproval of the project under consideration would result in predictable actions by others, such as the proposal of some other project, this 'no project' consequence should be discussed" (CEQA Guidelines Section 15126.6 (e)(3)(B)). The No Project Alternative considers the Project site remaining in its current undeveloped state.

19.4.2 Impact Analysis

The No Project Alternative would not advance any of the project objectives and the project site would remain undeveloped for the foreseeable future. No disturbance or new development would occur, thereby eliminating the potential for impacts on any of the environmental resources analyzed in this EIR. Accordingly, this alternative would avoid all of the project's significant impacts (including significant and unavoidable impacts), as well as the need to implement any mitigation measures.

19.5 Alternative 2 – Existing General Plan and Eastern Dublin Specific Plan

19.5.1 Description

Alternative 2 – Existing General Plan and Eastern Dublin Specific Plan would allow development consistent with existing land use designations and development densities as described in the General Plan and Eastern Dublin Specific Plan. As shown in Figure 3-3: Existing General Plan Land Use Designations, this includes designations of Neighborhood Commercial, General Commercial, Medium High Density Residential, High Density Residential, and Public/Semi-Public. Most the site is designated General Commercial. As shown in Table 3-1: Eastern Dublin Specific Plan Anticipated Project Site Development, the Eastern Dublin Specific Plan assumed a mid-density level of development of 261 residential units and 902,563 square feet of commercial.

As shown in Table 19-1: Alternative 2 Land Use Summary & Comparison, this alternative would have 389 fewer residential units and 637,563 more square feet of commercial uses in comparison to the project.

Table 19-1: Alternative 2 Land Use Summary & Comparison

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	60.3	--	--	.4	846,153
Neighborhood Commercial	3.7	--	--	.35	56,140
Medium Density Residential	4.3	43	10	--	--
Medium-High Density Residential	5.3	106	20	--	--
High Density Residential	3.2	112	109	--	--
Public / Semi-Public	3.3	--	--	--	--
Total		**261**			**902,563**
Proposed Project	**76.9**	**650**	**--**	**--**	**265,000**
Difference		**(389)**			**637,563**

19.5.2 Impact Analysis

Because the entirety of the project site is assumed to be disturbed, impacts to Cultural & Tribal Resources, Geology & Soils, Hazards & Hazardous Materials, Hydrology & Water Quality, and construction related Air Quality/GHG Emissions and Noise would be similar to the project. Also, because the types of land uses would be similar and subject to the site and architectural design review, impacts to aesthetics would also be similar.

Impacts to Public Services, Utilities, & Service Systems and Energy Conservation, would generally be similar as this alternative would be developing urban uses, similar to that proposed; with both needing infrastructure to service the site, as well as police, fire, and emergency services.

Because the number people living on the project site would be less, impacts to population and housing would be reduced; however, impacts would not be significant for this alternative, similar to the project.

As shown in Table 19-2: Alternative 2 Trip Generation Comparison, Alternative 2 would generate considerably more trips as compared to the project.

Table 19-2: Alternative 2 Trip Generation Comparison

Scenario	Trip Generation			
	Daily	AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Alternative 2 – Existing General Plan and Eastern Dublin Specific Plan	27,721	740	2,387	3,486
Proposed Project	10,983	644	777	1,307
Difference	**16,738**	**96**	**1,610**	**+2,179**

Source: Kimley-Horn & Associates, 2022.

Because Alternative 2 would result in more traffic trips, operational impacts to air quality would be greater. The greater number of traffic trips would correspond to more operational noise impacts as well.

With respect to vehicle miles traveled (VMT), Alternative 2 would include 846,153 sf of General Commercial and 56,140 of Neighborhood Commercial, but would not include a Topgolf recreation center. As such, there would be no significant unavoidable impact associated with VMT.

19.6 Alternative 3 – Commercial Development Task Force Land Plan

19.6.1 Background & Context

This alternative is derived from recommendations made by the City of Dublin Commercial Development Task Force (CDTF), as documented in their *Final Summary of Key Recommendations Report*, July 2014. The CDTF was created by the Dublin City Council in March 2014 to examine the potential for additional commercial development throughout Dublin. City staff identified five "opportunity sites" that were the key focus of the CDTF, namely: 1) Downtown Dublin; 2) The Green at Park Place; 3) Dublin Land Company (the project site); 4) The Promenade/Grafton Plaza; and 5) the Chen property.

The purpose of the CDTF was to engage residents and seek their input regarding the remaining undeveloped commercial properties in Dublin. The CDTF was charged with the following three tasks:

1. Classify the desirability of existing commercial sites for future development
2. Define desirable design principles to shape the vision of future commercial development
3. Identify additional economic development incentives to attract and retain commercial uses

The project site was identified as Dublin Land Company (DLC) – Parcel 1 (I-580 to Dublin Boulevard), Parcel 2 (Dublin Boulevard to Central Parkway, and Parcels 3 & 4 (Center Park to the northern boundary, north of Gleason Drive). The CDTF made following land use recommendations:

DCL Parcel 1

A4-1. There is support for the existing land use of General Commercial which allows both office and retail commercial.

A4-2. There is strong support for office uses at this site which should be a priority over retail.

A4-3. Office development should and would complement Dublin Corporate Center and Gateway Medical to the west across Tassajara Road.

A4-4. Do not consider an auto dealership at this location.

DCL Parcel 2

A4-5. Create a "main street" lifestyle experience which incorporates a sense of place, walkable, with gathering areas.

A4-6. Provide opportunities for retail, restaurant and neighborhood serving uses.

A4-7. This site provides a prime location for retail uses since it is on the "going home" side of Tassajara Road.

A4-8. Uses should complement, but not necessarily duplicate, those uses already located at The Shops at Waterford.

A4-9. Develop this parcel as a neighborhood commercial/lifestyle oriented walkable shopping center.

A4-10. A mixed-use residential development, similar in orientation to The Shops at Waterford, is supported here if it includes a strong retail component.

A4-11. The construction timing for the residential portion of a mixed-use development should be tied to the construction of any retail component.

DLC - Parcels 3 & 4

A4-12. These parcels are best suited for medium-density residential.

A4-13. Residential uses should be considered based on existing adjacent uses and the proximity to Emerald Glen Park.

A4-14. Residential development is supported on Parcels 3 and 4 if there is a strong commercial component on Parcel 2.

19.6.2 Description

Based on the recommendations above, particularly recommendation A4-3, this alternative assumes the development of office use south of Dublin Boulevard. This 23-acre area would be developed at a 0.3 floor-area-ratio (FAR) for a total of 300,564 square feet. The land uses north of Dublin Boulevard would remain the same as the project. As shown in Table 19-3: Alternative 3 Land Use Summary & Comparison, this alternative would result in a reduction of 35,564 sf. of commercial land use.

Table 19-3: Alternative 3 Land Use Summary & Comparison

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	29.4	40	--	.30	300,564
Medium Density Residential	17	150	8.8	--	
Medium-High Density Residential	21.1	360	17.1	--	--
Public/Semi-Public	3.8	100	26.3	--	--
Parks/Public Recreation	2.5	--	--	--	--
Total	--	**650**	--	--	**300,564**
Proposed Project	**73.8**	**650**	**--**	**--**	**265,000**
Difference	**--**	**0**	**--**	**--**	**(35,564)**

19.6.3 Impact Analysis

Because the entirety of the project site is assumed to be disturbed, impacts to Cultural & Tribal Resources, Geology & Soils, Hazards & Hazardous Materials, Hydrology & Water Quality, and construction related Air Quality/GHG Emissions and Noise would be similar to the project. Also, because the types of land uses would be similar and subject to the site and architectural design review, impacts to aesthetics would also be similar.

Impacts to Public Services, Utilities, & Service Systems and Energy, would generally be similar as this alternative would be developing urban uses, similar to that proposed; with both needing infrastructure to service the project site, as well as police, fire, and emergency services.

Because there would be no change in the number of residential units on the project site, impacts to population and housing would be similar to the project.

As shown in Table 19-4: Trip Generation for Alternative 3, Alternative 3 would generate considerably less trips as compared to the project.

Table 19-4: Alternative 3 Trip Generation Comparison

Scenario	Trip Generation			
	Daily	AM Peak Hour	PM Peak Hour	Saturday Peak Hour
Alternative 3 – Commercial	12,765	764	1,027	909
Proposed Project	19,327	748	1,545	1,928
Difference	**-6,562**	**+16**	**-518**	**-1,019**

Source: Kimley-Horn & Associates, 2022.

Because Alternative 3 would result in fewer traffic trips, operational impacts to air quality would be less, but would remain significant and unavoidable. The reduced number of traffic trips would correspond to less operational noise impacts as well.

19.7 Environmentally Superior Alternative

The qualitative environmental effect of each alternative in relation to the project are summarized in Table 19-5: Comparison of Alternatives.

Table 19-5: Comparison of Alternatives

Topic	Alternative 1 No Project	Alternative 2 Existing General Plan and Eastern Dublin Specific Plan	Alternative 3 Commercial Development Task Force Land Plan
Aesthetics	Less impact	Similar impact	Similar impact
Air Quality	Less impact	Similar Impact	Less impact
Biological Resources	Less impact	Similar impact	Similar impact
Cultural & Tribal Cultural Resources	Less impact	Similar impact	Similar impact
Geology & Soils	Less impact	Similar impact	Similar impact
Greenhouse Gas Emissions	Less impact	Greater impact	Less impact
Hazards & Hazardous Materials	Less impact	Similar impact	Similar impact
Hydrology & Water Quality	Less impact	Similar impact	Similar impact
Land Use & Planning	Less impact	Similar impact	Similar impact
Noise & Vibration	Less impact	Similar Impact	Less impact
Population & Housing	Less impact	Similar impact	Similar impact
Public Services, Utilities & Service Systems	Less impact	Similar impact	Similar impact

Topic	Alternative 1 No Project	Alternative 2 Existing General Plan and Eastern Dublin Specific Plan	Alternative 3 Commercial Development Task Force Land Plan
Transportation	Less impact	Less impact	Less impact
Energy	Less impact	Similar Impact	Similar impact

CEQA Guidelines Section 15126(e)(2) requires an EIR to identify an environmentally superior alternative. If the No Project Alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives.

In this case, the No Project Alternative has less impact on all topical subjects. Therefore, of the three remaining alternatives, Alternative 3 – Commercial Development Task Force Land Plan would be environmentally superior because it would not result in less impacts to Air Quality, Greenhouse Gas Emissions, Noise, and Transportation. This would result in the greatest reductions in the severity of the significant unavoidable transportation impacts, and a corresponding reduction in air quality and noise impacts. Therefore, Alternative 3 – Commercial Development Task Force Land Plan is the Environmentally Superior Alternative.

19.8 References

City of Dublin, *Eastern Dublin Specific Plan* 1985; updated2022.

City of Dublin, *General Plan*, 1985 amended 2022.

City of Dublin Commercial Development Task Force, *Final Summary of Key Recommendations Report*, 2014

20 Other CEQA Considerations

20.1 Growth-Inducing Effects

Section 15126.2(d) of the State CEQA Guidelines provides the following guidance on growth-inducing impacts: a project is identified as growth inducing if it "could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment."

A project can have direct and/or indirect growth-inducement potential. Direct growth inducement would result if a project involves construction of new housing. A project can have indirect growth-inducement potential if it would establish substantial new permanent employment opportunities (e.g., commercial, industrial or governmental enterprises) or if it would involve a substantial construction effort, which would relate to labor requirements for construction, with substantial short-term employment opportunities and indirectly stimulate the need for additional housing and services to support the new employment demand. However, as the project site is located within the City of Dublin, this growth has been planned as anticipated in the City's General Plan.

Similarly, under CEQA, a project would indirectly induce growth if it would remove an obstacle to additional growth and development, such as removing a constraint on a required public service. Increases in population could tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. The CEQA Guidelines also require analysis of the characteristics of projects that may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

The project's 650 residential units would directly result in a population increase of 1,944 persons, based on the General Plan Public Review Draft Housing Element average of 2.99 persons per household. This population increase would not represent a substantial increase in housing and/or residents. Furthermore, this amount of growth would be within existing growth projections for the City. Equally, the increase in population would not represent a substantial indirect growth inducement factor. Residential development on the project site would not propose new infrastructure that would induce substantial growth in the project site vicinity that was not previously considered for development. Residential development on the project site, like other development in the project site vicinity, would connect to existing utilities and occur within an urbanized area adequately served by transportation systems and infrastructure.

The project would develop up to 265,000 sf. of new commercial uses. Using a standard employment estimate of one job per 500 sf., the project would employ an estimated 530 workers. This number of jobs is not large enough to induce significant population growth in the area. In addition, the California Employment Development Department indicates that the Alameda County labor force totaled 827,700 persons as of February 2022. Of this figure, 31,300 persons were unemployed. This indicates that there is a large enough pool of labor in Alameda

County to fill the project's employment opportunities such that it would be unlikely that substantial numbers of people would relocate to the East Bay. Similarly, short-term construction jobs would likely be filled by existing residents of the City of Dublin and the region.

Based on the foregoing analysis, growth-inducing impacts would be less than significant.

20.2 Significant Irreversible Commitment of Resources

Section 15126.2(c) of the State CEQA Guidelines states that irreversible commitments of resources should be evaluated to assure that such consumption is justified. Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible because a large commitment of such resources makes removal or nonuse thereafter unlikely, and certain types of impacts may commit future generations to similar uses.

Changes that Commit Future Generations to Similar Uses

The project would change the current land use designation and zoning of the project site and commit future generations to similar land uses. Depending on market demand, the commercial uses could change or be replaced in the future. However, residential development, once constructed, is rarely replaced by new uses within the first few generations after construction.

Use of Nonrenewable Resources

Construction of the project would consume natural resources (gasoline, sand and gravel, asphalt, oil, etc.) during construction activities. During operation of both the commercial and the residential uses, energy would be consumed for lighting, heating/cooling, and transportation. Neither the construction nor operation would consume nonrenewable resources in amounts substantially different from or greater than typical urban development or similar land uses. The project would not affect agricultural resources or mineral resources or access to such resources. Therefore, the project would not involve a large commitment of nonrenewable resources.

Irreversible Damage from Environmental Accidents

The project may include storage of hazardous materials, such as cleaning products and other products, which would not be regarded as sufficient to create a significant hazard to the public. All hazardous materials would be subject to existing storage, handling, and disposal regulations that limit the potential exposure to workers and the public.

20.3 Significant Unavoidable Impacts

The project would result in the following significant unavoidable impacts:

- **Air Quality.** The project would cause construction impacts associated with the release of nitrogen oxides (NOx) that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment, construction-related NOx emissions would remain significant and unavoidable. The project would also cause operational impacts associated with the release of reactive

organic gases (ROG) and NOx that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.4: Wood Burning Fireplaces, operational emissions from ROG and NOx would remain significant and unavoidable. These impacts would occur through cumulative conditions.

- **Transportation**. Using either VMT scenario as described in Section 17.5.3, regional Retail/Recreation, including the proposed Topgolf, would result in a net increase in VMT to the planning area. Per City significance criteria, any net increase in VMT to the planning area would constitute a significant impact. Despite implementation of MM AQ-2.5: Vehicle Trip Reduction which requires the development of a qualifying Commute Trip Reduction (CTR)/ Transportation Demand Management (TDM) plan to reduce mobile GHG emissions as well as VMT for all uses (including the Topgolf development), VMT impacts would remain significant and unavoidable.

The EDSP EIR also included the impacts identified above as significant and unavoidable as follows:

- Air Quality. Project development as a result of dust deposition, construction equipment emissions, mobile source emissions of ROg and NOx, and stationary source emissions. (Impacts 3.11/A, B, C, E)
- Traffic and Circulation. I-580 (Impact 3.3/B, E), intersection of Santa Rita Road and I-580 EB Ramps (Impact 3.3/I), and the intersections of Dublin Boulevard and Hacienda Drive and Dublin Boulevard and Tassajara Road (Impact 3.3/M)

21 EIR Preparers

21.1 City of Dublin

- Amy Million, Principal Planner
- Kristie Wheeler, Assistant Community Development Director
- Pratyush Bhatia, Traffic Engineer

21.2 EIR Preparers

Kimley-Horn and Associates

- Bill Wiseman, Planning Practice Leader
- Sophia Lai, Environmental Planner
- Noemi Wyss, Environmental Planner
- Taylor Blanford, Environmental Planner
- Ben Huie, Transportation Practice Leader
- Connie Leung, Transportation Planner

WRA, Inc.

- Justin Simon, Senior Biologist
- Scott Batiuk, Associate Wetland Biologist



SCS Dublin

Final EIR | October 2022



Kimley»Horn

DUBLIN
CALIFORNIA

SCS Dublin

Final EIR | October 2022

State Clearinghouse No. 2022040022

Kimley»Horn
Expect More. Experience Better.

Table of Contents

1 Introduction 1

2 Response to Comments on the Draft EIR 2-1

3 Changes and Clarifications to the Draft EIR 3-1

List of Tables

Table 2-1: List of Written Comments Received on the Draft EIR 2-1

1 Introduction

Upon completion of the SCS Dublin Draft Environmental Impact Report (Draft EIR), the City of Dublin filed a Notice of Completion (NOC) with the State Office of Planning and Research to begin the 45-day public review period from July 22, 2022, to September 6, 2022 (Public Resources Code, Section 21161). Concurrent with the NOC, the Draft EIR was distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with Public Resources Code 21092(b)(3). During the public review period, the Draft EIR, including the technical appendices, was available for review on the City's Development Activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com/.

This SCS Dublin Final Environmental Impact Report (Final EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) and state and local CEQA Guidelines and represents the independent judgment of the City, as CEQA lead agency. The Draft EIR, technical appendices, and other written documentation prepared during the EIR process, as those documents may be modified by the City Council at the time of certification, together with comments and associated responses, and changes and clarifications to the Draft EIR will constitute the Final EIR, as defined in the CEQA Guidelines Section 15132, and the City of Dublin CEQA Guidelines and Procedures.

1.1 Document Organization and Framework

This FEIR is organized as follows: Section 1 provides a brief introduction to this report. Section 2 provides a list of agencies and interested persons commenting on the Draft EIR. This section also contains individual comments followed thereafter by responses. To facilitate review of the responses, an index number (e.g., 1-1, 1-2, 2-1) has been assigned to each comment and to its corresponding responses. Section 3 contains changes and clarifications to the Draft EIR as a result of the comments by agencies and interested persons as well as staff-initiated changes.

City staff has reviewed the comment letters, draft responses and information generated in the course of preparing the responses and determined that none of this material constitutes significant new information that requires a recirculation period for further public comment under CEQA Guideline Section 15088.5. None of this new material indicates that the project will result in a significant new environmental impact not previously disclosed in the Draft EIR. Additionally, none of this material indicates that there would be a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation as described in Section 15088.5.

1.2 CEQA Requirements Regarding Comments and Responses

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be, "on

the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR."

2 Response to Comments on the Draft EIR

2.1 Agency, Organization, and Individual Comments on the Draft EIR

This section includes all written comments received on the Draft EIR and the City's responses to each comment. Comment letters and specific comments are given letters and numbers for reference purposes.

The following is a list of agencies and persons that submitted comments on the Draft EIR during the public review period:

Table 2-1: List of Written Comments Received on the Draft EIR

Comment Letter No.	Commenting Agency / Individual	Date
Agencies		
1	California Department of Transportation, District 4	September 6, 2022
2	San Francisco Bay Regional Water Quality Control Board	August 30, 2022
3	Alameda County Transportation Commission [1]	September 7, 2022
4	Dublin San Ramon Services District	August 26, 2022
5	Dublin Unified School District	September 1, 2022
6	Zone 7 Water Agency	September 2, 2022
Individuals		
7	Jeanine Gillengerten	September 6, 2022
8	Tom Evans	September 1, 2022

Notes:
(1) This letter was received after the deadline but was still included with a written response.

California Department of Transportation

DISTRICT 4
OFFICE OF REGIONAL AND COMMUNITY PLANNING
P.O. BOX 23660, MS–10D | OAKLAND, CA 94623-0660
www.dot.ca.gov

Comment Letter # 1

September 06, 2022

SCH #: 2022040022
GTS #: 04-ALA-2022-00670
GTS ID: 26040
Co/Rt/Pm: ALA/580/17.855

Amy Million, Principal Planner
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Re: SCS Dublin – Draft Environmental Impact report (DEIR)

Dear Amy Million:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the SCS Dublin project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the July 2022 DEIR.

Project Understanding

The proposed mixed-use project consists of up to 265,000 square feet of commercial uses and 650 residential units. This 76.2-acre project site is located directly adjacent to the I-580/Tassajara Rd interchange.

Transportation Safety Analysis

Per the Interim Local Development Intergovernmental Review (LDR) Safety Review Practitioners Guidance (*link*), Caltrans has analyzed the existing data to conduct a safety review for this project area. The Lead Agency and/or applicant may use this information to identify and recommend appropriate safety mitigation measures for potential project-related impact in vehicular, pedestrian and bicycle use. Please see detailed information in the attached report. 1-1

Please provide the Transportation Impact Analysis for Caltrans to review when available.

Lead Agency

Caltrans recognizes that the project applicant would contribute its pro-rata share of the planned improvements to the I-580 interchange pedestrian and bicycle improvements through the City of Dublin's Traffic Impact Fee or by other means. Caltrans looks forward to working with the applicant and lead agency on such improvements.

1-2

As the Lead Agency, the City of Dublin is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Construction-Related Impacts

Project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. To apply, visit: https://dot.ca.gov/programs/traffic-operations/transportation-permits.

1-3

Prior to construction, coordination may be required with Caltrans to develop a Transportation Management Plan (TMP) to reduce construction traffic impacts to the STN.

Equitable Access

If any Caltrans facilities are impacted by the project, those facilities must meet American Disabilities Act (ADA) Standards after project completion. As well, the project must maintain bicycle and pedestrian access during construction. These access considerations support Caltrans' equity mission to provide a safe, sustainable, and equitable transportation network for all users.

1-4

Encroachment Permit

Please be advised that any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (ROW) requires a Caltrans-issued encroachment permit. As part of the encroachment permit submittal process, you may be asked by the Office of Encroachment Permits to submit a completed encroachment permit application package, digital set of plans clearly delineating Caltrans' ROW, digital copy of signed, dated and stamped (include stamp expiration date) traffic control plans, this comment letter, your response to the comment letter, and where applicable, the following items: new or amended Maintenance Agreement (MA), approved Design Standard Decision Document (DSDD), approved encroachment exception request, and/or airspace lease agreement. Your application package may be emailed to D4Permits@dot.ca.gov.

1-5

Please note that Caltrans is in the process of implementing an online, automated, and milestone-based Caltrans Encroachment Permit System (CEPS) to replace the current permit application submittal process with a fully electronic system, including online payments. The new system is expected to be available during 2022. To obtain information about the most current encroachment permit process and to download the permit application, please visit https://dot.ca.gov/programs/traffic-operations/ep/applications. 1-5

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please email LDR-D4@dot.ca.gov.

Sincerely,

MARK LEONG
District Branch Chief
Local Development Review

c: State Clearinghouse

04-ALA-2022-00670
SCS Dublin Project
ALA-580

Location: The approximate 76.2-acre project site is int the city of Dublin, Alameda County, north of Interstate 580 and between Tassajara Road and Brannigan Street, extending just north of Gleason Drive. The project site is located on the Livermore, California, United States Geological Survey 7.5-minute topographic quadrangle map Township 2S, Range 1E, and Section 33 (northern portion) and Township 3S, Range 1E, and Section 4 (southern portion).

Traffic Accident Surveillance and Analysis System (TASAS)
Collision Data Form

The contents of these reports shall be considered confidential and may be privileged pursuant to 23 U.S.C. Section 409 and are for the sole use of the intended recipient(s). Any unauthorized review, use, disclosure, or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message. Do not print, copy or forward.

The Table B report identified in Table 1 below was generated on 08/15/2022, and it depicts collision rates per million vehicle miles for the most recent 36-month period from 1/1/2019 to 12/31/2021 from Caltrans' Traffic Accident Surveillance and Analysis System (TASAS).

Table 1
TASAS Table B Collision Rates (1/1/2019 – 12/31/2021)

Location	Number of Collision				Actual Rates (per million vehicle miles)			Average Rates (per million vehicle miles)		
	Total	Fatal	Injury	PDO	Fatal Collision	Fatal + Inj Collision	Total [1]	Fatal Collision	Fatal + Inj Collision	Total [1]
EB On Fr NB Tassajara PM 17.738	2	0	0	2	0.0	0.00	0.24	0.004	0.23	0.70
WB Off to Tassajara Rd PM 17.756	7	0	3	4	0.0	0.26	0.60	0.003	0.38	1.04
EB On Fr SB Tassajara PM 17.940	0	0	0	0	0.0	0.00	0.00	0.002	0.23	0.77
WB On Fr NB Tassajara Rd PM 17.944	2	0	1	1	0.0	0.13	0.25	0.002	0.23	0.77
WB On Fr SB Tassajara Rd PM 18.070	2	0	0	2	0.0	0.00	0.20	0.004	0.23	0.70
EB Off to Tassajara Rd PM 18.130	8	0	2	6	0.0	0.20	0.79	0.003	0.38	1.04

[1] All reported collisions, including Property Damage Only (PDO) collisions

Table 1 summarizes and compares the actual collision rates to the average rates for similar facilities throughout the State. The Total Collision Rates include all reported collisions: Fatal, Injury, and Property Damage Only.

Protected by USC Section 409

Detailed analysis per the TASAS Selective Accident Retrieval (TSAR) generated on August 15, 2022, shows that the primary collision factors in the segment per Table 1 were:

EB On Fr NB Tassajara Road (PM 17.738)

- 1 Speeding (50%)
- 1 Other Violations (50%)

The types of collision included:
- 1 Rear End (50%)
- 1 Sideswipe (50%)

WB Off Fr to Tassajara Road (PM 17.756)

- 3 Speeding (42.9%)
- 2 Improper Turn (28.6%)
- 1 Other Violations (14.3%)
- 1 Influence of Alcohol (14.3)

The types of collision included:
- 1 Broadside (14.3%)
- 2 Rear End (28.6%)
- 1 Sideswipe (14.3%)
- 3 Hit Object (42.9%)

EB On Fr SB Tassajara Road (PM 17.940)

Analysis of the TASAS Table B and TSAR record shows zero collision during the latest available three years

WB On Fr NB Tassajara Road (PM 17.944)

- 1 Speeding (50%)
- 1 Unknown (50%)

The types of collision included:
- 2 Rear End (100%)

WB On Fr SB Tassajara Road (PM 18.070)

- 1 Speeding (50%)
- 1 Improper Turn (50%)

The types of collision included:
- 1 Rear End (50%)
- 1 Hit Object (50%)

Protected by USC Section 409

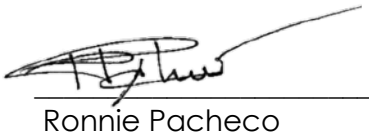
EB Off to Tassajara Road (PM 18.130)

- 5 Speeding (62.5%)
- 1 Improper Turn (11.1%)
- 1 Other Violations (11.1%)
- 1 Influence of Alcohol (11.1%)

The types of collision included:

- 1 Broadside (12.5%)
- 5 Rear End (62.5%)
- 2 Hit Object (25.0%)

Prepared By:



Ronnie Pacheco — 8/16/22 Date

Approved for Release

VIET NGUYEN

Viet Nguyen — 08/16/22 Date
Sr. Transportation Engineer
Traffic Safety Investigation

Protected by USC Section 409

Response to Comment Letter #1: California Department of Transportation, District 4

Response to Comment 1-1: Transportation - Transportation Safety Analysis

Data from the safety review for the project area conducted by Caltrans was reviewed as part of this Final EIR. The data provides useful reference information regarding collision rates and factors associated with such collisions. The Draft EIR addressed issues associated safety and the potential for increased hazards due to roadway design, and emergency access. Implementation of Mitigation Measure TRANS 3-1: Pedestrian & Bicycle Safety Improvements will increase pedestrian and bicycle safety and reduce vehicle conflicts at the mid-block crossings along Central Parkway and Finnian Way between Tassajara Road and Brannigan Street, as well as along Dublin Boulevard.

The request for the project Transportation Impact Analysis is acknowledged and the report will be provided to Caltrans.

Response to Comment 1-2: Transportation - Transportation Impact Fees

The project will comply with all applicable legal requirements for the issuance of any transportation permit from Caltrans.

Response to Comment 1-3: Transportation - Construction Related Impacts

See Response to Comment 1-2.

Response to Comment 1-4: Transportation - Equitable Access

The project will comply with all applicable legal requirements of Americans with Disabilities Act (ADA) standards and pedestrian and cyclist access standards regarding Caltrans facilities.

Response to Comment 1-5: Transportation - Encroachment Permit

The project will comply with all applicable legal requirements for the issuance of any encroachment permit from Caltrans.

California Water Boards

Gavin Newsom
Governor

Jared Blumenfeld
Secretary for
Environmental Protection

San Francisco Bay Regional Water Quality Control Board

August 30, 2022

Sent via electronic mail: No hardcopy to follow

City of Dublin, Community Development Department
ATTN: Amy Million, Principal Planner (amy.million@dublin.ca.gov)
100 Civic Plaza
Dublin, CA 94568

Subject: San Francisco Bay Regional Water Quality Control Board Comments on the Draft Environmental Impact Report for the SCS Dublin Development Project, City of Dublin, Alameda County, California
SCH No. 2022040022

Dear Ms. Million:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Draft Environmental Impact Report for the SCS Dublin Development Project* (DEIR). The DEIR evaluates the potential environmental impacts associated with implementing the At Dublin Development Project (Project). The 76.2-acre Project site is generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive. The project site is located in the Eastern Dublin Specific Plan (EDSP) area and has Planned Development Zoning adopted with the EDSP. The Project site is surrounded by commercial uses to the west, southwest and southeast, a public park to the northwest, and residential uses to the north, northwest and east. The Project applicant (SCS Development Company) is proposing to amend the General Plan and Eastern Dublin Specific Plan to accommodate a mixed-use development that would allow up to 454,500 square feet of commercial uses and up to 680 residential units. The Project is a revision of the previously proposed At Dublin Project. A DEIR for the At Dublin Project was prepared and circulated for public review in 2018.

Summary

As is discussed below, the DEIR does not provide an adequate discussion of potential mitigation measures for Project impacts to wetlands. The DEIR also requires additional detail with respect to hydromodification management associated with the Project's new impervious surfaces in portions of the Project that will drain to the water quality/detention basin that was constructed as part of the Dublin Ranch Drainage Master Plan Improvements. Also, the proposed fill of 0.66 acres of seasonal wetlands is a relatively large impact to waters of the State for a single project, and the Project

applicant should not assume that the Water Board will issue a permit for the fill of all of the wetlands present at the Project site.

Comment 1. The DEIR does not describe concrete mitigation measures for the fill of wetlands at the Project site or provide sufficient detail on measures to mitigate the Project's impacts on Hydromodification.

The current Project is a revision of the previously proposed At Dublin Project. On July 25, 2018, Water Board staff provided comments on the DEIR for At Dublin (See Attachment). In that comment letter, we noted deficiencies in the discussion of mitigation for the Project's proposed impacts to wetlands and deficiencies in the discussion of measures to be implemented to mitigate hydromodification impacts associated with the Project's new impervious surfaces. In the four years since the circulation of the Draft EIR for the At Dublin Project, these deficiencies have not been addressed. Please review the comments in the attached July 25, 2018, comment letter and provide full responses to them prior to adopting a Final EIR for the SCS Dublin Project. 2-1

Comment 2. The Project applicant should not assume that the Water Board will approve the fill of all 0.66 acres of wetlands at the Project site.

The Project site contains 0.66 acres of seasonal wetlands and proposes to fill all of these wetlands. This is a large amount of fill for a single project.

When the Water Board receives an application for certification and/or WDRs, staff reviews the project to verify that the project proponent has taken all feasible measures to avoid impacts to waters of the State (these impacts usually consist of the placement of fill in waters of the State). Where impacts to waters of the State cannot be avoided, projects are required to minimize impacts to waters of the State to the maximum extent practicable (i.e., the footprint of the project in waters of the state is reduced as much as possible). Compensatory mitigation is then required for those impacts to waters of the state that cannot be avoided or minimized. Avoidance and minimization of impacts is a prerequisite to developing an acceptable project and identifying appropriate compensatory mitigation for an approved project's impacts. Avoidance and minimization cannot be used as compensatory mitigation. After avoidance and minimization of direct impacts to waters of the State have been maximized for the proposed project, the necessary type and quantity of compensatory mitigation for the remaining impacts to waters of the State are assessed on a case-by-case basis. 2-2

Under both the Clean Water Act and the *San Francisco Bay Basin Water Quality Control Plan* (Basin Plan), projects are required to avoid impacts to waters of the U.S. and waters of the State, in conformance with U.S. Environmental Protection Agency's CWA 404(b)(1) Guidelines (Guidelines). The Guidelines provide guidance in evaluating the circumstances under which the fill of jurisdictional waters may be permitted. Projects must first exhaust all opportunities, to the maximum extent practicable, to avoid, and then to minimize impacts to jurisdictional waters. Only after all options for avoidance and minimization of impacts have been exhausted, is it appropriate to develop mitigation for adverse impacts to waters of State. Since mixed use

development is not a water dependent project, it is assumed that impacts to waters of the State can be avoided.

The Water Boards only allow compensatory mitigation to be implemented for those impacts to waters of the State that cannot be avoided and/or minimized; "avoidance and minimization" in the context of reviewing applications for WDRs refers to minimizing the proposed project's footprint in waters of the State. The current Project proposes to fill all waters of the State that are present at the Project site. It is unusual for the Water Board to issue permits for projects that include no avoidance or minimization of impacts to waters of the State. The Project applicant is encouraged to revise the DEIR to explore an alternative that avoids complete fill of waters of the State incorporates some preserved wetlands into the Project's landscaping and open space. 2-2

Conclusion

The DEIR does not provide sufficient detail with respect to mitigation for Project impacts to wetlands. The DEIR should be revised to provide specific mitigation measures for all impacts to waters of the State. These mitigation measures should be in-kind and on-site mitigation measures to the maximum extent possible. The amount of proposed mitigation should include mitigation for temporal losses of any impacted waters of the State. If mitigation is out-of-kind and/or off-site, then the amount of the proposed mitigation should be increased. Proposed mitigation measures should include designs with sufficient detail to show that any created wetlands will have sufficient hydrology to sustain wetland hydrology and vegetation without human intervention. A proposed program for monitoring the success of the mitigation features should also be included with the mitigation proposal(s). In addition, before the Water Board issues a permit that authorizes the fill of all 0.66 acres of wetlands, we must be provided with an alternatives analysis that demonstrates that avoidance of some or all of the wetlands at the Project site is infeasible. Finally, the DEIR should include a discussion of compliance with HM requirements in Parcels PA-2 and PA-3.

If the DEIR is adopted without providing concrete mitigation proposals for impacts to wetlands, it is likely that the DEIR will not be adequate to support the issuance of Waste Discharge Requirements for the Project.

If you have any questions, please contact me at (510) 622-5680, or via e-mail at brian.wines@waterboards.ca.gov.

Sincerely,

Brian K. Wines

Brian Wines
Water Resources Control Engineer
South and East Bay Watershed Section

Attachment: July 25, 2018, Comment Letter on the DEIR for the At Dublin Project

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFW, Attn: Marcia Grefsrud (marcia.grefsrud@wildlife.ca.gov)

July 25, 2018

Sent via electronic mail: No hardcopy to follow

City of Dublin, Community Development Department
ATTN: Amy Million, Principal Planner (amy.million@dublin.ca.gov)
100 Civic Plaza
Dublin, CA 94568

Subject: San Francisco Bay Regional Water Quality Control Board Comments on the Draft Environmental Impact Report for the At Dublin Development Project, City of Dublin, Alameda County, California
SCH No. 2018012027

Dear Ms. Million:

San Francisco Bay Regional Water Quality Control Board (Water Board) staff appreciates the opportunity to review the *Draft Environmental Impact Report for the At Dublin Development Project* (DEIR). The DEIR evaluates the potential environmental impacts associated with implementing the At Dublin Development Project (Project). The 76.2-acre Project site is generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive. The project site is located in the Eastern Dublin Specific Plan (EDSP) area and has Planned Development Zoning adopted with the EDSP. The Project site is surrounded by commercial uses to the west, southwest and southeast, a public park to the northwest, and residential uses to the north, northwest and east. The Project applicant (Shea Properties, in partnership with SCS Development Company) is proposing to amend the General Plan and Eastern Dublin Specific Plan to accommodate a mixed-use development that would allow up to 454,500 square feet of commercial uses and up to 680 residential units.

Summary

As is discussed below, the DEIR does not provide an adequate discussion of potential mitigation measures for Project impacts to wetlands. The DEIR also requires additional detail with respect to hydromodification management associated with the Project's new impervious surfaces in portions of the Project that will drain to the water quality/detention basin that was constructed as part of the Dublin Ranch Drainage Master Plan Improvements.

Comment 1. The DEIR does not describe concrete mitigation measures for the fill of wetlands at the Project site.

The discussion of biological communities in Section 7.3.3 of the DEIR notes that 0.66 acres of seasonal wetlands occur as five separate topographic depressions and one flat-to-sloping area

where seasonal inundation and/or saturation occurs during the rainy season. The proposed mitigation for impacts to those wetlands is presented in MM BIO-3.1 Wetland Mitigation Plan.

> Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: The project applicant shall the acquire the appropriate applicable permit(s) (e.g. Section 404, Section 401, Porter-Cologne) from the respective regulating agency(s) (i.e. USACE and/or RWQCB). A wetland mitigation plan shall be prepared that will establish suitable compensatory mitigation based on the concept of no net loss of wetland habitat values or acreages, to the satisfaction of the regulatory agencies. This may include the creation, restoration, and/or enhancement of off-site wetlands prior to project ground disturbance. Mitigation areas shall be established in perpetuity through dedication of a conservation easement (or similar mechanism) to an approved environmental organization and payment of an endowment for the long-term management of the site. The wetland mitigation plan shall be subject to the approval of the applicable regulatory agency (USACE and/or RWQCB) and the City.

Mitigation Measure MM BIO-3.1, Wetland Mitigation Plan, does not actually include a wetland mitigation plan; it only requires the future development of a wetland mitigation plan. Developing a wetland mitigation plan for impacts to 0.66 acres of wetlands is not a simple process. It is necessary to find sufficient land with the proper hydrology to sustain a minimum of 0.66 acres of mitigation wetlands. Another project in the Dublin area, with a similar quantity of wetland impacts, has been working for about two years to develop an acceptable wetland mitigation plan, and is still several months away from securing all necessary approvals for the mitigation site.

Please note that the required amount of wetland mitigation will depend on the similarity of the impacted wetlands to the mitigation proposal, the uncertainty associated with successful implementation of the mitigation project, and the distance between the site of the impact and the site of the mitigation wetland. In-kind mitigation for the fill of wetlands consists of the creation of new wetlands. If the mitigation consists of restoration or enhancement of wetlands, the amount of mitigation will be greater than if the mitigation consists of wetland creation. If there are uncertainties with respect to the availability of sufficient water to support seasonal wetlands or sufficiently impermeable soils to sustain saturation, then the amount of mitigation would also have to be greater. Finally, the amount of required mitigation increases as the distance between the impact site and the mitigation site increases.

In a CEQA document, a project's potential impacts and proposed mitigation measures should be presented in sufficient detail for readers of the CEQA document to evaluate the likelihood that the proposed remedy will actually reduce impacts to a less than significant level. CEQA requires that mitigation measures for each significant environmental effect be adequate, timely, and resolved by the lead agency. In an adequate CEQA document, mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4). Mitigation measures to be identified at some future time are not acceptable. It has been determined by court ruling that such mitigation measures would be improperly exempted from the process of public and governmental scrutiny which is required under the California Environmental Quality Act. The current text of the DEIR does not demonstrate that it is feasible to mitigate all potentially significant impacts to wetlands

that may result from project implementation to a less than significant level. Impacts to the jurisdictional waters at the project site, as well as proposed mitigation measures or such impacts, will require review under CEQA before the Water Board can issue permits for those proposed impacts.

Comment 2. The Project applicant is encouraged to make use of the Eastern Alameda Conservation Strategy in developing avoidance and minimization measures for potential impacts to special status plants and animals, and in developing mitigation for unavoidable impacts to special status species at the Project site.

The discussion of Impact BIO-5 in Section 7.5.3 of the DEIR notes that the Eastern Alameda County Conservation Strategy (EACCS) is a guidance document that is used by the City for public projects, but compliance is not mandated for private development. The EACCS was developed by representatives of the cities in eastern Alameda County, Alameda County, Zone 7 Water Agency, the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service (USFWS), the California Department of Fish and Wildlife (CDFW), and the Water Board. While the EACCS is not an adopted Habitat Conservation Plan, following the mitigation guidance in EACCS for impacts to special status species has streamlined the permitting of impacts to special status species by USFWS and CDFW. The Project applicant is encouraged to make use of EACCS in developing mitigation for unavoidable impacts to special status plant and animal species.

Comment 3. The discussion of post-construction stormwater management in the discussion of Hydrology and Water Quality does not address the need to mitigate for hydrograph modification resulting from new or replaced impervious surfaces that drain to the Dublin Ranch Drainage Master Plan water quality/detention basin.

The discussion of potential Project impacts in Section 12.5.3 includes Impact HYD-2: Increase stormwater runoff due to an increase in impervious surfaces. This discussion notes that:

> As a part of the Dublin Ranch Drainage Master Plan improvements, a water quality/detention basin was constructed at the downstream end of the Dublin Ranch Development Watershed adjacent to Interstate 580. This water quality/detention basin treats stormwater runoff for the properties that were included in the Dublin Ranch Development Watershed, including parcels PA-2 and PA-3. The stormwater quality/detention pond was constructed to meet the mandates in California Regional Water Quality Control Board San Francisco Bay Region Order No. R2-2003-0031, Waste Discharge Requirements and Water Quality Certification for Dublin Ranch Project, Dublin and Livermore, Alameda County.

Subsequent to the adoption of Order No. R2-2003-0031 in 2003, the Water Board developed the Municipal Regional Stormwater NPDES Permit (MRP). The most recent version of the MRP (Order No. R2-2015-0049) was adopted by the Water Board in November of 2015. As is noted in Section 12.4.1 of the DEIR, Provision C.3.g of the MRP requires that projects that create or recreate an acre or more of impervious surfaces are required to provide mitigation for hydromodification (HM) associated with impervious surfaces. In Alameda County, HM controls shall be designed such that post-project stormwater discharge rates and durations match pre-

project discharge rates and durations from 10 percent of the pre-project 2-year peak flow up to the pre-project 10-year peak flow. Please review HM that would be associated with development in parcels PA-2 and PA-3 to determine whether or not HM mitigation measures will be necessary for runoff from parcels PA-2 and PA-3 to comply with Provision C.3.g of the MRP.

Conclusion

The DEIR does not provide sufficient detail with respect to mitigation for Project impacts to wetlands. The DEIR should be revised to provide specific mitigation measures for all impacts to waters of the State. These mitigation measures should be in-kind and on-site mitigation measures to the maximum extent possible. The amount of proposed mitigation should include mitigation for temporal losses of any impacted waters of the State. If mitigation is out-of-kind and/or off-site, then the amount of the proposed mitigation should be increased. Proposed mitigation measures should include designs with sufficient detail to show that any created wetlands will have sufficient hydrology to sustain wetland hydrology and vegetation without human intervention. A proposed program for monitoring the success of the mitigation features should also be included with the mitigation proposal(s). In addition, the DEIR should include a discussion of compliance with HM requirements in Parcels PA-2 and PA-3.

If the DEIR is adopted without providing concrete mitigation proposals for impacts to wetlands, it is likely that the DEIR will not be adequate to support the issuance of CWA Section 401 certification for the Project.

If you have any questions, please contact me at (510) 622-5680, or via e-mail at brian.wines@waterboards.ca.gov.

Sincerely,

Brian Wines
Water Resources Control Engineer
South and East Bay Watershed Section

cc: State Clearinghouse (state.clearinghouse@opr.ca.gov)
CDFW, Attn: Marcia Grefsrud (marcia.grefsrud@wildlife.ca.gov)

Response to Comment Letter #2: San Francisco Bay Regional Water Quality Control Board

Response to Comment 2-1: Biological Resources - Responses to 2018 At Dublin Project Comments

The comment requests a response to the comment letter sent in July 2018 (attached to the current comment letter for reference) regarding the At Dublin project. Responses to the July 2018 letter were included in the Final EIR for the At Dublin project dated October 2018. It should be noted that the At Dublin Final EIR was never certified as the project was denied. The responses below are based on the responses provided in the Final EIR and modified within the context with the SCS Dublin project. The SCS Dublin project is different from the At Dublin project analyzed in 2018 EIR and the City is not required to respond to the 2018 comment letter as part of this EIR.

Wetland Mitigation Plan

CEQA requires that a project's potential impacts and proposed mitigation measures should be presented in sufficient detail for readers of the CEQA document to evaluate the likelihood that the proposed mitigation will actually reduce impacts to a less than significant level. Mitigation measures must be feasible and fully enforceable through permit conditions, agreements, or other legally binding instruments (CEQA Guidelines Section 15126.4).

Mitigation Measure BIO-3.1: Wetland Mitigation Plan requires that prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: The project applicant shall acquire the appropriate applicable permit(s) (e.g., Section 404, Section 401, Porter-Cologne) from the respective regulating agency(s) (i.e., USACE and/or RWQCB).

Furthermore, the mitigation identifies specific performance criteria that the project applicant will need to adhere to when preparing the wetland mitigation plan. This includes establishing suitable compensatory mitigation based on the concept of no net loss of wetland habitat values or acreages, to the satisfaction of the regulatory agencies. The mitigation also has specific requirements for monitoring, implementation and legal protection of preserved wetlands to ensure the mitigation plan meets requirements.

Since the mitigation measure sets forth all the standards the wetlands mitigation plan must meet, the preparation of a detailed wetland mitigation plan for analysis in the EIR is not required under CEQA.

Use of the Eastern Alameda County Conservation Strategy

The East Alameda County Conservation Strategy (EACCS) is a guidance document intended to provide a framework to protect, enhance, and restore natural resources in eastern Alameda County, while improving and streamlining the environmental permitting process for impacts resulting from infrastructure and development studies. The City of Dublin adopted the EACCS

as its guidance document for public projects and uses the document to provide input for managing biological resources and conservation priorities during project-level planning and environmental planning. For privately sponsored development projects such as this project, proponents are encouraged to consult the EACCS for guidance, but compliance with the document is not mandatory.

Post-construction Stormwater Management

The Revised Stormwater Management Plan for Dublin Ranch, City of Dublin, CA prepared by Balance Hydrologics, Inc. in collaboration with MacKay & Somps, dated March 2003, included disconnected roof downspouts as a specific site design feature that can reduce the impacts of impervious surfaces on peak flows. As part of subsequent Site Development Review Permit processes, the project will be required to include disconnected roof downspouts as well as incorporate additional site design measures such as creating self-retaining areas in larger landscape spaces, using landscape as a drainage feature, and planting interceptor trees to slow and disperse stormwater flow prior to entering the City's storm drain system. On-site treatment will include bioretention areas with raised subdrains allowing for infiltration into the subsoil. These low impact development practices will help mitigate peak flows that contribute to creek hydromodification, prior to discharging flows into the Dublin Ranch Regional Stormwater Pond.

Response to Comment 2-2: Biological Resources - Regional Water Quality Control Board Approval

The commenter states that the project applicant should not assume that the Water Board will approve the fill of all 0.66 acres of wetlands on the project site and recommends exploring an alternative that avoids complete fill of the wetlands. The comment further describes the process and standards for the regulatory agency permitting process. The mitigation requires the applicant to obtain the applicable permit from the respective regulatory agency(s). Comment is noted and the project applicant has been informed of the recommendation.

Comment Letter # 3

ALAMEDA County Transportation Commission
1111 Broadway, Suite 800, Oakland, CA 94607 • 510.208.7400 • www.AlamedaCTC.org

September 6, 2022

Amy Million, Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA, 94568

SUBJECT: Response to the Draft Environmental Impact Report (DEIR) for the SCS Dublin Project

Dear Amy,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the SCS Dublin Project. The 76.2-acre project site is located within the City of Dublin, and extends north from I-580 to Gleason Drive between Tassajara Road and Brannigan Street. The parcel is currently vacant and primarily zoned for a mix of commercial and medium density residential use. The proposed project would amend the City of Dublin's General Plan and Eastern Dublin Specific Plan to accommodate a mixed-use development that would include a pedestrian-focused commercial district and town square, open green space, and housing of various types and densities. These zoning changes would allow a maximum of 650 residential units, 265,000 square feet of commercial space and 108,900 square feet of park space.

Since the proposed project would appear to generate at least 100 pm-peak trips and is therefore subject to review under the Land Use Analysis Program (LUAP) of the Congestion Management Program (CMP), the Alameda County Transportation Commission (Alameda CTC) respectfully submits the following comments:

Congestion Management Program (CMP) Review

- On page 17-2, the DEIR references a separate transportation impact analysis document that will evaluate project impacts on traffic and LOS, including on regionally significant roadways. This analysis is required by the 2022 CMP to satisfy a state legislative requirement. The document is not directly linked in the DEIR, included within the Appendices, or shown on the project website. The 2022 CMP does not require this analysis to be published as part of the CEQA process, and instead allows for it to be sent directly to Alameda CTC. Please make this document available to Alameda CTC as soon as possible. 3-1

Use of Countywide Travel Demand Model

- Alameda CTC appreciates the use of the City of Dublin area-specific version of the Alameda CTC Travel Demand Model to determine project's residential VMT impacts. If applicable, please disclose any modifications made to the model's underlying data and standard assumptions. 3-2

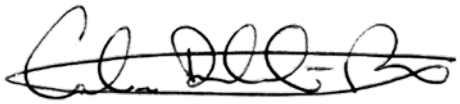
Transportation Impacts & Mitigation Measures

- On page 17-17, the DEIR discusses potential coordination with the Livermore-Amador Valley Transit Authority (LAVTA) on future bus stop expansions to serve the project frontage area, which could encourage mode shift as well as offer first-mile last-mile connections to BART. 3-3
- Alameda CTC appreciates the proposed bike infrastructure improvements intended to mitigate the impact of an additional 2,160 daily trips in the study area, as well as the planned study of bicycle and pedestrian improvements discussed on page 17-26, which is expected to include, but not be limited to, the development of cross-sections of Class I or Class IV lanes on Tassajara

between Gleason Drive and I-580. Given the speed and volume of traffic on Gleason Drive, Alameda CTC encourages the consideration of Class I or Class IV facilities over the proposed Class II lanes between Tassajara Road and Brannigan Street, as discussed on page 17-18. Additionally, the DEIR does not include any potential facilities on Dublin Boulevard. Both Tassajara and Dublin Boulevard are on the Countywide Bikeways Network and represent corridors of countywide significance. 3-3

Thank you for the opportunity to comment on this DEIR. Please contact me at (510) 208-7400 or Shannon McCarthy at (510) 208-7489 if you have any questions.

Sincerely,



Colin Dentel-Post
Principal Planner

cc: Shannon McCarthy, Associate Transportation Planner
Chris G. Marks, Senior Transportation Planner

Response to Comment Letter #3: Alameda County Transportation Commission

Response to Comment 3-1: Transportation – Availability of Transportation Impact Analysis

The request for the project Transportation Impact Analysis is acknowledged and the report will be provided to the Alameda County Transportation Commission.

Response to Comment 3-2: Transportation - Use of Countywide Travel Demand Model

Details of project's use of the City of Dublin area-specific version of the Alameda CTC Travel Demand Model are provided in the discussion of impact TRANS-2 in the Draft EIR. No modifications were made to the model's underlying data and standard assumptions.

Response to Comment 3-3: Transportation - Impacts and Mitigation Measures

Comment noted that the discussed bus stops along the project frontage could encourage mode shift and offer last mile-connections to the Bay Area Rapid Transit (BART) station(s). Mode shift and last-mile connections offered by the project would contribute to a positive project impact through reduced demand for single occupancy vehicle trips.

Comment noted regarding a preference for Class I or Class IV bike facilities on Gleason Drive between Tassajara Road and Brannigan Street, as well as the inclusion of such facilities on Dublin Boulevard (which currently has or are planned for Class II bike facilities). As part of future Site Development Review Permits, the project will be required to be consistent with the City of Dublin Bicycle and Pedestrian Plan and construct the planned facilities.

Dublin San Ramon Services District
Water, wastewater, recycled water

7051 Dublin Boulevard
Dublin, CA 94568-3018

phone (925) 828-0515
fax (925) 829-1180
www.dsrsd.com

Comment Letter # 4

8/26/2022

Amy Million, Principal Planner
City of Dublin
100 Civic Plaza
Dublin, CA 94568

SUBJECT: Comments on Draft Environmental Impact Report
SCS Dublin, PLPA-2022-00005

Dear Ms. Million:

Thank you for providing Dublin San Ramon Services District (DSRSD) the opportunity to review and comment on the Draft Environmental Impact Report for the SCS Dublin.

Appendix G of this report contains the Draft Report of the SCS Dublin Development Project Water Supply Assessment and Water Supply Verification. This draft document should be replaced with the finalized version of the aforementioned report, which was approved by DSRSD's Board of Directors on August 16, 2022, when preparing the Final Environmental Impact Report. DSRSD is available to coordinate with the City and/or Kimley Horn to ensure that the document is accurately shown in the finalized Environmental Impact Report. 4-1

Section 16.3.2 Utilities and Service Systems (pages 16-6 to 16-9), pertaining specifically to potable water, recycled water, and sanitary sewer collection system and treatment facility, accurately reflects the current status of those respective services, and DSRSD concurs with the statements made within that section, aside from one statement on page 16-9. The document states that connection on Brannigan Street will be to a 10-inch diameter sanitary sewer main. DSRSD's record drawings indicate that pipe is actually an 8-inch diameter pipe. 4-2

Questions regarding these comments should be directed to me at (925) 875-2242 or pendergraft@dsrsd.com.

Sincerely,

Ryan Pendergraft
Assistant Engineer

RP/ST

cc: Jackie Yee, Senior Engineer
Irene Suroso, Senior Engineer
Robert Thompson, Engineering Tech/GIS Spec I

Response to Comment Letter #4: Dublin San Ramon Services District

Response to Comment 4-1: Provide Final SCS Dublin Development Project Water Supply Assessment and Water Supply Verification

The Final SCS Dublin Development Project Water Supply Assessment has been included as part of this Final EIR as shown in Chapter 3: Changes and Clarifications to the Draft EIR. It is also available on the City's Development Activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com/.

Response to Comment 4-2: Utilities & Service Systems - Brannigan Street Sewer Main

Comment noted and revisions to the Draft EIR have been made as recommended and are shown in Chapter 3: Changes and Clarifications to the Draft EIR.

Given the minor technical corrections, no new or significant impacts would result from this revision.

Comment Letter # 5

DUBLIN SCHOOLS

DUBLIN UNIFIED SCHOOL DISTRICT

7471 Larkdale Avenue, Dublin, CA 94568-1599◆925-828-2551◆FAX 925-829-6532

Education That Inspires Lifelong Learning

SUPERINTENDENT
Chris D. Funk
(925) 828-2551

BOARD OF TRUSTEES
Dan Cherrier
President

Kristin Pelham
Vice President

Megan Rouse
Area 2 Trustee

William Kuo
Area 3 Trustee

Gabi Blackman
Area 4 Trustee

Katherine Cheng
Student Board Member

September 1, 2022

By U.S Mail & E-Mail: amy.million@dublin.ca.gov

Amy Million, Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568

Re: Draft Environmental Impact Report for SCS Dublin Project

Dear Ms. Million:

Dublin Unified School District ("District") hereby submits comments regarding the Draft Environmental Impact Report ("Draft EIR") prepared by the City of Dublin ("City") for the SCS Dublin project. According to the Draft EIR, the proposed project, sponsored by the SCS Development Company ("Developer"), proposes to develop 76.2 acres with a combination of commercial/retail residential uses, including two types of retail experiences ("the Project").

The District is always mindful of new development, especially large scale development and its potential impacts on the District's facilities and educational services. In the process of the Developer's planning this Project, the Developer and District participated in a meaningful dialogue about solutions to potential impacts on the District. That dialogue resulted in a December 17, 2019, agreement between the District and the Developer, under which the Developer will provide funding to the District as another method of financing a portion of the cost of school facilities that would serve the Project ("Agreement"). The Agreement is attached to this letter. 5-1

In relation to prior development projects in the City, the District has expressed concerns about impacts on the District related to students generated by new development, the adequacy of school facilities for students generated by the development, the impacts of development on air quality, traffic, and noise in the vicinity of District schools, safety issues, and more. In approving the Agreement, the District's Board of Trustees found that the Developer adequately addressed all of the District's concerns related to the Project's impacts on District schools. A letter addressing the ongoing effectiveness of the Agreement is also attached to this letter.

The District is grateful for the Developer's support and its commitment through the Agreement to ensuring adequate facilities for the students who will live in the development. Without the Agreement in place, the District would again have been forced to expend resources on extensive comments regarding impacts on the District.

5-1

It is the District's position that the Agreement adequately and completely addresses the District's concerns related to the Project's potential impacts related to schools. As such, the District offers no further comment on the Draft EIR or the Project at this time.

Sincerely,

Chris D. Funk
Superintendent

Encls: Agreement Between Dublin Unified School District and SCS Development Company, Inc.
1/25/2022 Letter from H. Freiman to S. Schott

cc: DUSD Board of Trustees
Stephen E. Schott, Vice President
SCS Development Company, Inc.

AGREEMENT BETWEEN DUBLIN UNIFIED SCHOOL DISTRICT AND SCS DEVELOPMENT COMPANY, INC.

This Agreement ("Agreement"), dated for reference purposes as of December 17, 2019, is entered into by and between Dublin Unified School District, a California school district located in the County of Alameda ("District"), and SCS Development Company, Inc., a California corporation ("Developer"). District and Developer may hereafter be referred to individually as "Party" or collectively as "Parties."

RECITALS

A. Developer is the owner of a 76.1-acre site generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive ("Property"), which is more particularly described and depicted on Exhibit "A" attached hereto and incorporated by this reference.

B. Developer is seeking entitlement from the City of Dublin ("City") for the development of a mixed-use project referred to as "At Dublin" ("Project"). The Project is proposed with the Planned Development and Site Development ("PD/SDR") to include multiple uses, including but not limited to single family detached residential, multifamily apartments (collectively the "Residential Project") and hotel and commercial (collectively the "Commercial Project").

C. The Project is further proposed to include senior citizen housing ("Senior Citizen Housing Project"). The Senior Citizen Housing Project shall consist only of those residential housing units complying with California Civil Code Section 51.3, and "housing for older persons," as described in the federal Fair Housing Amendments Act of 1988 (Title 42 U.S.C. Section 3601, *et seq.*), the exemptions under Title 42 U.S.C. Section 3607(b)(2) and Title 24 C.F.R. Sections 100.300 through 100.307, and the Fair Employment and Housing Act (California Government Code Section 12900, *et seq.*) all as amended, and will otherwise comply with Civil Code section 51.3, subdivision (b)(4). Developer further represents that, at the time and in the manner specified in Section 3.2 below and provided that Approval of the Project has occurred (as defined in Section 3.1(a) below), Developer will record a declaration of restrictions against the Property in a form substantially similar to the form attached hereto as Exhibit "D" (the "Restriction"). For purposes of this Agreement, "School-Age Children" is defined as persons who are eligible for enrollment in the District's grade K-12 educational programs.

D. For purposes of this Agreement, "Project," "Commercial Project," "Residential Project" and "Senior Citizen Housing Project" shall include any development Approved (as defined in Section 3.1) on the Property.

E. For the purposes of this Agreement, Developer and the District agree to apply the following projected Student Generation Rates ("Residential SGR") to the Residential Project:

Housing Type	**Residential SGR**
Single Family Detached	0.724 School-Age Children per unit
Condos/Townhomes	0.525 School-Age Children per unit
Multifamily Apartments	0.344 School-Age Children per unit

F. As of the Effective Date of the Agreement (as defined in Section 2.1), the District is authorized to impose school impact fees pursuant to Education Code sections 17620, *et seq.,* and Government Code sections 65995, *et seq.*, at a rate of Eight Dollars and Fifty-Five Cents ($8.55) per square foot of residential development ("Level II Fees") and Sixty One Cents ($0.61) per square foot of commercial/industrial development ("Commercial Fee"). School impact fees for qualified senior citizen housing are imposed at the Commercial Fee rate, per Education Code section 65995.1.

G. Developer supports District's ongoing efforts to provide adequate school facilities for students generated by new development in the District. Developer desires voluntarily to establish terms for the timely provision of financing to provide school facilities to serve new development, including the Project. Developer is committed to funding such facilities under the terms and conditions set forth in this Agreement.

NOW THEREFORE, in consideration of the promises, covenants and provisions set forth herein, the receipt and adequacy of which the Parties hereby acknowledge, the District and Developer agree as follows:

TERMS AND CONDITIONS

1. RECITALS AND EXHIBITS INCORPORATED

1.1. Incorporation of Recitals. The foregoing recitals are true and correct and incorporated into the "Terms and Conditions" of this Agreement as though set forth fully herein.

1.2. Incorporation of Exhibits. Exhibits "A," "B," "C" and "D" attached to this Agreement are hereby incorporated in this Agreement by reference.

2. EFFECTIVE DATE AND TERMINATION

2.1. Effective Date. This "Effective Date" of this Agreement shall be upon the later of the following dates: (i) the date upon which the governing board of the District approves this Agreement, or (ii) the date upon which this Agreement is executed by Developer.

2.2. Termination and Tolling.

a. Termination Upon Payment. This Agreement shall terminate (i) with respect to the Senior Citizen Housing Project, upon payment of the Senior Housing

Citizen Housing Fee (as defined in Section 3.1(a)(ii) below); (ii) with respect to the Commercial Project, upon payment of the Commercial Project Fee (as defined in Section 3.1(a)(iii) below); and (iii) with respect to the Residential Project, upon the date when certificates of occupancy have been issued for all of the dwellings constructed upon the Property in connection with the Residential Project and all Parties' obligations under this Agreement have been fully performed. The District's obligations pursuant to Section 3.4 shall survive until termination of the Agreement for all purposes.

b. Tolling. In the event that Developer, in its sole and absolute discretion, decides not to proceed with the construction of the Residential Project, Developer shall have the right to toll this Agreement upon written notice to the District no later than sixty (60) days prior to the date that the Contribution (as defined in Section 3.1 below) is due (the "Tolling Date"). In the event that, after the Tolling Date, Developer or its successors-in-interest subsequently (i) provides written notice to the District of the intent to resume the Residential Project, or (ii) obtains building permits for any part of the Residential Project from City (collectively, "Project Resumption"), then the tolling shall terminate and the Contribution shall be increased by the greater of (A) a three percent (3%) interest increase per annum or (B) the then-current State Allocation Board's approved construction cost index increase annualized ("Interest Rate") calculated from the Tolling Date to the date of Project Resumption. Notwithstanding the foregoing, if the Project Resumption has not occurred by the later of the date of expiration of the development agreement between the City and Developer regarding the Project (the "Development Agreement") or the date of expiration of any amendment to the Development Agreement, then this Agreement shall terminate upon notice by Developer to District of said expiration. If, however, Approval remains in place for the Residential Project such that its development can proceed without a development agreement, termination shall not be allowed under this Section 2.2(b).

c. Notice of Termination. (i) Upon termination pursuant to this Section 2.2 with respect to the Senior Citizen Housing Project, and upon Developer's request, the District agrees to deliver to Developer a written notice of such termination and the Developer's obligations in relation thereto in a recordable form (including a quitclaim deed as to the Senior Citizen Housing Project) reasonably acceptable to Developer; (ii) upon termination pursuant to this Section 2.2 with respect to the Commercial Project, and upon Developer's request, the District agrees to deliver to Developer a written notice of such termination and the Developer's obligations in relation thereto in a recordable form (including a quitclaim deed as to the Commercial Project) reasonably acceptable to Developer; and (iii) upon termination pursuant to this Section 2.2 with respect to the Residential Project, District agrees to deliver to Developer a written notice of such termination and the Developer's

obligations in relation thereto in a recordable form (including a quitclaim deed as to the Residential Project) reasonably acceptable to Developer.

3. DEVELOPER CONTRIBUTION

The purpose of this Agreement is to set forth Developer's obligation both to pay school impact fees statutorily required under Education Code sections 17620, *et seq.*, and Government Code sections 65995, *et seq.*, and to provide additional voluntary funding to District as another method of financing a portion of the cost of school facilities within the District that will serve students from the Project and elsewhere in the District. Developer acknowledges that this Agreement, and each of its terms and conditions hereunder, are fully enforceable as a binding contract on Developer and its successors-in-interest or assignees and Developer will not assert in any manner that District is acting in excess of its powers in entering into this Agreement.

3.1 Applicable Fees.

a. Provided that the Project is Approved and there is no uncured District Event of Default (as defined in Section 5.1 below), Developer agrees to pay to District the sum total of each of the following:

i. **Residential Fee**: Eighty Thousand Dollars ($80,000) per student projected to be generated by the entire Residential Project, according to the SGR set forth in Recital E above. By way of illustration, if a single family detached residence is constructed as a part of the Residential Project, the Developer's contribution to the District for that unit will be calculated by multiplying the applicable SGR of .724 by Eighty Thousand Dollars ($80,000), for a total of Fifty-Seven Thousand Nine Hundred and Twenty dollars ($57,920). The total Residential Fee as applied to all residences included in the Residential Project shall constitute the "Contribution".

ii. **Senior Citizen Housing Fee**: The greater of (a) the statutory school impact fee applicable to Senior Citizen Housing in the amount in effect when building permits are issued for such housing or (b) the applicable Commercial Fee in the amount in effect when building permits are issued for such housing, per square foot of the Senior Citizen Housing Project; plus

iii. **Commercial Project Fee:** The applicable Commercial Fee amount in effect when building permits are issued for such development per square foot of the Commercial Project.

b. Payment of the Contribution related to the entirety of the Residential Project shall be made no later than the earlier of: (a) (18) eighteen months after Approval of the Project, or (b) issuance by the City of the first residential building permit (excluding permits solely for grading or site improvements) for development of the Project on the Property. For purposes of this Agreement, "Approval" shall be defined to mean that all necessary

entitlements, permits, certifications, and approvals from the City and any other governmental or quasi-governmental agency with jurisdiction over the Project required for Developer's intended development of the Project have been obtained, and (i) all applicable administrative and judicial appeal, rehearing, and challenge periods and all referendum periods for such approvals, including without limitation, challenges under the California Environmental Quality Act (Pub. Res. Code §§ 21000, *et seq*.) ("CEQA"), shall have expired without such an appeal, request for rehearing, challenge, or referendum having been filed, or (ii) in the event of a timely filing of such an appeal, request for rehearing, challenge, or referendum, such matters shall have been fully and finally resolved in a manner that allows the Project to proceed. If Approval has occurred, the Project thus approved shall be referred to for purposes of this Agreement as an "Approved" Project. Developer shall provide the District with immediate written notice upon occurrence of the Approval of the Project. Promptly upon Developer's payment of the Contribution, District shall certify such payment in writing to the City.

c. Payment of the statutory fee amount for the Commercial Project and the Senior Citizen Housing Project shall be made no later than the date on which such fees are statutorily due to the District.

d. Developer's commitment to pay the Contribution shall be in lieu of any and all other fees, assessments, taxes, charges, impositions, dedications, exactions, liens, or payment, of any type, amount, or value whatsoever, established, levied, or imposed at any time by District on Developer in relation to the Residential Project.

e. District and Developer acknowledge and agree that (i) the Commercial Project shall have no obligations under this Agreement other than payment of the statutory fee amount applicable to the Commercial Project; and (ii) Developer's payment of the Contribution shall satisfy in full the Developer's obligations for the Commercial Project.

f. District and Developer acknowledge and agree that (i) the Senior Citizen Housing Project shall have no obligations under this Agreement other than the greater of payment of the statutory fee amount applicable to the Senior Citizen Housing Project or the then-applicable commercial fee amount; and (ii) Developer's payment of the applicable amount shall satisfy in full the Developer's obligations for the Senior Citizen Housing Project.

g. District and developer further acknowledge and agree that:

   i. This Agreement shall not prevent the levy and collection of property taxes applicable to the Property, for any reason, including the levy of taxes in connection with the District's existing or future bonded indebtedness. This Agreement shall further not prevent the District from seeking to gain

and/or actually receiving voter approval of any District-wide general obligation bonds, or any other voter approved State authorized financing programs, including but not limited to, parcel taxes, School Facilities Improvement District bonds, applicable property taxes, and any other State authorized financing programs that may then be in effect (collectively the "Financing Measures"). Notwithstanding the foregoing, District shall not seek to gain and/or actually gain voter approval for any Financing Measure that is applicable solely to the Property or to the Property and less than the entirety of the District until and unless such approval is received from the future occupants of the Project, and District shall not seek any such Financing Measure applicable solely to the Property or to the Property and less than the entirety of the District from Developer or the current or future owner(s) of the Property prior to occupancy of the Project.

ii. This Agreement shall not prevent the District from charging future property owners within the Project for expansion or replacement of then-existing square footage pursuant to then-applicable law.

iii. Nothing herein shall be construed so as to limit Developer from exercising whatever rights it may otherwise have in connection with protesting or otherwise objecting to the imposition of taxes, bonds, or assessments on the Property.

3.2 Restrictive Covenant.

a. Developer represents and covenants that Developer shall not obtain any building permits for development of the Residential Project on the Property or commence construction of the Residential Project on the Property, other than permits and construction work related to grading and site improvements for the Residential Project, until the Contribution has been made.

b. Restrictive Residency Covenant – Senior Citizen Housing Project Developer represents and covenants that Developer shall not alter the Senior Citizen Housing residency requirements on the Property as provided in the Restriction so as to allow for the residency of School-Age Children (except as provided in the Restriction). In accordance with this Section 3.2(b), Developer shall cause the Restriction to be recorded prior to the issuance of any building permits for the Project, and Developer shall not apply for any such building permits absent the recording of said Restriction. If the Restriction is not in the form attached to this Agreement (other than insertion of dates and completion of other similar blanks), then prior to recording the Restriction, Developer shall present the Restriction to the District for the District's review and approval, which approval shall not be unreasonably withheld. If, upon review of the Restriction, the District reasonably determines that the Restriction to be recorded does not substantially conform to the Restriction presented as

Exhibit D hereto, then Developer may not record the Restriction; provided, however, that the District shall be deemed to have approved the Restriction if the District does not deliver written notice to Developer reasonably disapproving the Restriction within fifteen (15) days after District's receipt of the Restriction. Developer shall not record any Restriction that has not been approved (or deemed approved) by the District.

i. If Developer or any subsequent owner of the Property (in each case, the "then-current owner of the Project") enacts, alters, or eliminates the Senior Citizen Housing residency requirements within any portion of the Property to allow for residency of School-Age Children in any unit or units in the Project other than as permitted in the Restriction (each such unit is a "School-Age Residential Unit"), the then-current owner of the Project (or, in the case of a homeowner vote to revise the Restriction or the CC&R's, the homeowners' association) shall be obligated to: (a) notify the District in writing of such fact, and (b) within 60 days of the applicable enactment or change of residency requirements, pay the then-applicable school facility impact mitigation fees that the District is permitted to impose on residential construction within the Project for the number of residential units then allowed to house School-Age Children pursuant to Education Code section 17620, *et seq*., and Government Code section 65995, *et seq*. In such event, no credit shall be given to the owner of the unit or units in question for the Contribution already paid.

3.3 Certificate of Compliance/Deferral of Payment of Fees. Except as otherwise stated below, prior to the City's issuance of a building permit (excluding permits for grading or site improvements) for any residential or commercial structure to be constructed in the Project, Developer shall first obtain from the District a Certificate of Compliance evidencing that the Developer has complied with the provisions of this Agreement. District shall not be obligated to provide a Certificate of Compliance in the event that there is an uncured Developer Event of Default (as defined in Section 5.1 below), and such Certificate of Compliance shall not be issued until such Event of Default has been cured in accordance with Section 5.1 below.

3.4. Joint Statement; Non-Opposition. In acknowledgment of Developer's contributions as set forth in this Agreement, and the effect of those contributions in financing school facilities to serve the Project, District: (a) shall, with Developer, issue the Joint Statement attached hereto as Exhibit C no later than five (5) days after Developer's request; (b) shall, within five (5) days after any Developer request, transmit correspondence substantially conforming to Exhibit C to the City; (c) shall not retract the Joint Statement or issue communications disclaiming or conflicting with the Joint Statement; and (d) shall not oppose Developer's efforts to obtain Approval of the Project. District's obligations under this Section 3.4 shall be conditioned on there then being no uncured Developer Event of Default (as defined in Section 5.1 below). District's obligations under this Section 3.4 shall further be conditional upon this Agreement becoming effective, and may cease upon termination of this Agreement. District hereby covenants that, except as authorized by this Agreement, it will not under any

circumstances or at any time assert or take any of the actions described below against Developer, or any successor-in-interest or assignee:

a. Oppose, object, or otherwise impede the processing of applications for any Approvals with respect to the Project, including without limitation site plan amendments, general plan amendments, zoning or rezoning, conditional use permit applications, environmental evaluations, tentative tract map applications, final map processing and approvals, building permits, certificates of occupancy or utility releases for completed structures, annexations, or other local government processing related to the Property.

b. Oppose the Project on the basis of compliance with CEQA or any regulations implemented with respect thereto on the basis of inadequate school facilities to serve the Project or otherwise.

c. Advise or request any other public or private entity to advise anyone that school facilities are inadequate to serve the students generated by the Project.

d. Refuse to issue a Certificate of Compliance when requested by Developer, or other builder or contractor constructing the Project.

e. Except as expressly provided in this Agreement, pursue additional funding for school facilities from Developer, including without limitation any fees, assessments, taxes, charges, impositions, dedications, exactions, liens, or payment, of any type, amount, or value whatsoever, and notwithstanding any subsequent change in applicable law to the extent such change may authorize the District to do so.

Nothing herein shall prohibit or limit the District from opposing or commenting on project applications for developments other than the Project as described herein. Notwithstanding the foregoing, the requirement of this Section 3.4 shall not apply in the event of an uncured Developer Event of Default (as defined in Section 5.1 below).

4. JOINT USE GYMNASIUM

The Parties acknowledge that effective May 1, 2018, District and City entered into an Agreement for Ground Lease and Property Option – Dublin Crossing, whereby City has committed to lease twelve (12) acres of land to District, with an option for the District to purchase, for a future school site commonly referred to as the "Dublin Crossing" school site, subject to the conditions set forth in that agreement. That agreement also commits the District to include in its future plans for the Dublin Crossing school site the design for a joint use gymnasium, with the funding for such gymnasium subject to negotiations between the City and District. Developer agrees to make commercially reasonable, good faith efforts to request that the City direct at least Five Million Dollars ($5,000,000) of public facility or community benefit fees generated by the Project toward the construction of a joint use gymnasium to be constructed on the future Dublin Crossing school site, or such other site that is mutually agreed to by District and City. Developer

shall make commercially reasonable, good faith efforts to include this obligation in a legally binding development agreement with the City related to the Project so as to bind the City to such a direction of funds. If, despite Developer's commercially reasonable, good faith efforts, this obligation is not secured in a legally binding development agreement, Developer shall promptly so notify District and shall provide reasonable evidence of Developer's commercially reasonable, good faith efforts made to secure such an obligation**.**

5. DEFAULT, REMEDIES, AND TERMINATION

5.1. Events of Default. Subject to any extensions of time by mutual consent of the Parties in writing, any failure by either Party to perform any material term or provision of this Agreement shall constitute an "Event of Default" upon occurrence of the circumstances set forth in subsections 5.1(a) and 5.1(b) below.

a. Developer Event of Default. A Developer Event of Default shall occur if Developer does not cure such failure to perform as follows: (i) in the event of Developer's failure to pay the Contribution as defined above in Section 3.1(a)(i) above or any portion thereof ("Residential Contribution Default"), within thirty (30) days following written notice of default from District; and (ii) in the event of any other default related to the Residential Project ("Other Residential Default"), or related to the Senior Citizen Housing Project ("Senior Citizen Housing Default"), or related to the Commercial Project ("Commercial Default"), (A) within sixty (60) days following written notice of default from the District, where such failure is of a nature that can be cured within such sixty (60) day period, or (B) if such failure is not of a nature which can be cured within such sixty (60) day period, Developer does not commence substantial efforts to cure such failure within sixty (60) days, or thereafter does not within a reasonable time prosecute to completion with diligence and continually the curing of such failure. Late payments of the Contribution, the Senior Citizen Housing Fee, or the Commercial Fee, or any portion thereof, beyond such thirty (30) day cure period shall bear a late payment penalty at the Interest Rate, calculated on a monthly basis.

b. District Event of Default. A District Event of Default shall occur if District does not cure such failure to perform (i) in the event of a default in District's obligations pursuant to Section 3.4 herein, within five (5) business days following written notice of default from Developer; and (ii) in the event of any other default, (A) within sixty (60) days following written notice of default from the Developer, where such failure is of a nature that can be cured within such sixty (60) day period, or (B) if such failure is not of a nature which can be cured within such sixty (60) day period, District does not commence substantial efforts to cure such failure within sixty (60) days, or thereafter does not within a reasonable time prosecute to completion with diligence and continually the curing of such failure.

c. Notice of Default. Any notice of default given hereunder by either Party shall specify in detail the nature of the failures in performance that the noticing Party claims constitutes the Event of Default, sufficient facts constituting substantial evidence of such failure, which type of default has occurred as set forth in Section 5.1(a) above, and the manner in which such failure may be satisfactorily cured in accordance with the terms and conditions of this Agreement ("Notice of Default"). During the time periods herein specified for cure of a failure of performance, the Party charged therewith shall not be considered to be in default for purposes of (i) termination of this Agreement, (ii) institution of legal proceedings with respect thereto, or (iii) issuance of any approval with respect to the Project. The waiver by either Party of any default under this Agreement shall not operate as a waiver of any subsequent breach of the same or any other provision of this Agreement.

5.2. Meet and Confer. During the time periods specified in Section 5.1 for cure of an alleged Event of Default, the Parties shall meet and confer in a timely and responsive manner, to attempt to resolve any matters prior to litigation or other action being taken, including without limitation any action in law or equity; provided, however, that nothing herein shall be construed to extend the time period for this meet and confer obligation beyond the applicable cure period referred to in Section 5.1 (even if the applicable cure period itself is extended pursuant to Section 5.1.a(ii)(B) or 5.1.b(ii)(B)) unless the Parties agree otherwise in writing. The Parties may agree in writing to toll any applicable statutes of limitation for such period as may reasonably be necessary to complete the meet and confer process outlined in this section.

5.3. Remedies and Termination.

a. Residential Contribution Default or Other Residential Default. If, after notice and expiration of the cure periods and procedures set forth in Sections 5.1 and 5.2, as applicable, the alleged Event of Default related to a Residential Contribution Default or Other Residential Default is not cured, the non-defaulting Party, at its option, may institute legal proceedings pursuant to Section 5.4 of this Agreement and/or terminate this Agreement. In the event that this Agreement is terminated and litigation is instituted that results in a final decision that such termination was improper, then this Agreement shall immediately be reinstated as though it had never been terminated. Notwithstanding the foregoing, termination for an uncured Residential Contribution Default or Other Residential Default shall apply only as to the Parties' obligations under this Agreement in relation to the Residential Project, and shall not apply to the Senior Citizen Housing Project or the Commercial Project, and the Agreement's terms shall continue to apply as to the Senior Citizen Housing Project and the Commercial Project.

b. Senior Citizen Housing Default. If, after notice and expiration of the cure periods and procedures set forth in Sections 5.1 and 5.2, as applicable, the alleged Event of Default related to a Senior Citizen Housing Default is not cured, the non-defaulting Party, at its option, may institute legal proceedings

pursuant to Section 5.4 of this Agreement and/or terminate this Agreement. In the event that this Agreement is terminated and litigation is instituted that results in a final decision that such termination was improper, then this Agreement shall immediately be reinstated as though it had never been terminated. Notwithstanding the foregoing, termination for an uncured Senior Citizen Housing Default shall apply only as to the Parties' obligations under this Agreement in relation to the Senior Citizen Housing Project, and shall not apply to the Residential Project or the Commercial Project, and the Agreement's terms shall continue to apply as to the Residential Project and the Commercial Project.

c. Commercial Default. If, after notice and expiration of the cure periods and procedures set forth in Sections 5.1 and 5.2, as applicable, the alleged Event of Default related to a Commercial Default is not cured, the non-defaulting Party, at its option, may institute legal proceedings pursuant to Section 5.4 of this Agreement and/or terminate this Agreement. In the event that this Agreement is terminated and litigation is instituted that results in a final decision that such termination was improper, then this Agreement shall immediately be reinstated as though it had never been terminated. Notwithstanding the foregoing, termination for an uncured Commercial Default shall apply only as to the Parties' obligations under this Agreement in relation to the Commercial Project, and shall not apply to the Residential Project or the Senior Citizen Housing Project, and the Agreement's terms shall continue to apply as to the Residential Project and the Senior Citizen Housing Project.

5.4. Remedies. Either Party may, in addition to any other rights or remedies, institute legal action to cure, correct or remedy any default, enforce any covenant or agreement herein, enjoin any threatened or attempted violation thereof, enforce by specific performance the obligations and rights of the Parties hereto or to obtain any remedies consistent with the purpose of this Agreement, subject to compliance with Sections 5.1 and 5.2. All remedies shall be cumulative and not exclusive of one another, and the exercise of any one or more of these remedies shall not constitute a waiver or election with respect to any other available remedy. Notwithstanding the foregoing, any remedy sought shall apply solely to the specific type of default identified in the Notice of Default. By way of illustration, if a Notice of Default sent by the District to Developer relates solely to a Residential Contribution Default, District may seek to enforce its rights under this Agreement only in relation to the Residential Project, and not in relation the Senior Citizen Housing Project or the Commercial Project.

6. MISCELLANEOUS

6.1. Agreement Runs With Land. This Agreement is created for the benefit of District, Developer and the Property. Subject to the limitations set forth herein, the covenants of this Agreement shall run with the land constituting the Property. Developer agrees for the benefit of District that the Property, as described in Exhibit "A" hereto, shall be held, transferred,

and encumbered subject to the provisions of this Agreement which are for the use and benefit of the District, the Developer, the Property, and of each and every person who now or in the future owns any portion or portions of the Property. Within thirty (30) days following execution of this Agreement, the Parties shall execute a Memorandum of Agreement in a form substantially conforming to Exhibit "B" hereto. Following notice of Approval as set forth in Section 3.1 hereof, either Party to this Agreement may cause the applicable Memorandum of Agreement to be recorded with the Recorder's Office of Alameda County. Both Parties shall reasonably cooperate to prepare or provide any further documents and signatures necessary for the recording of the terms of this Agreement.

6.2. Successors and Assignees. All terms and conditions of this Agreement shall be binding upon all successors-in-interest, including without limitation purchasers of all or any part of the Property. Developer shall have the right to assign in whole or in part its rights, duties and obligations under this Agreement in connection with a transfer of all or any portion of the Property without the consent of the District. In the event that Developer transfers title to all or a portion of the Property, then such successor or assign shall be required to fulfill Developer's obligations under this Agreement for that certain portion of the transferred Property. Developer shall be released from the obligations under this Agreement which apply to the transferred portion of the Property. For that portion of the Property that is not transferred, Developer's obligations under this Agreement shall remain in full force and effect. Prior to any such transfer or assignment, Developer shall also notify the District in writing of the name of the successor or assign and all appropriate contact information for the District's records. In the event of transfer of any portion of the Property, (a) any Event of Default by any assignee with respect to the transferred Property shall not be considered an Event of Default by Developer or any other assignee with respect to the portion of the Property retained by Developer or such other assignee, and (b) any Event of Default by Developer with respect to the Property retained by Developer shall not be considered an Event of Default by any assignee with respect to the portion of the Property transferred to such assignee.

6.3. Headings. The headings of this Agreement are for convenience purposes only and shall not limit or define the meaning of the provisions of this Agreement.

6.4. Governing Law and Venue. This Agreement shall be construed in accordance with, and governed by, the laws of the State of California applicable to contracts to be performed wholly within this State. Any dispute arising from the terms and conditions of this Agreement shall be heard by a court of competent jurisdiction located within Alameda County.

6.5. Attorneys' Fees and Costs. In the event of any legal proceeding, including any lawsuit, action, or proceeding in law or equity, arising out of or relating to this Agreement, the prevailing Party shall be entitled to recover its reasonable attorneys' fees and costs arising from the proceeding, including expert witness fees. The prevailing Party on any appeal shall also be entitled to recover its reasonable attorneys' fees and costs arising out of any such appeal. In addition to the foregoing attorneys' fees and costs, the prevailing Party shall be entitled to its attorneys' fees and costs incurred in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.

6.6. Construction. The singular includes the plural, "shall" is mandatory, and "may" is permissive. The Parties acknowledge and agree that each of the Parties and each of the Parties' attorneys have participated fully in the negotiation and drafting of this Agreement. In cases of uncertainty as to the meaning, intent or interpretation of any provision of this Agreement, the Agreement shall be construed without regard to which of the Parties caused, or may have caused, the uncertainty to exist. No presumption shall arise from the fact that particular provisions were or may have been drafted by a specific Party, and prior versions or drafts of this Agreement may be used to interpret the meaning or intent of this Agreement or any provision thereof.

6.7. Notices. Any notice to be given hereunder to either Party shall be in writing and shall be given either by personal delivery (including express or courier service), by receipt-confirmed facsimile, or by registered or certified mail, with return receipt requested and postage prepaid (excluding electronic messaging) and addressed as follows:

6.7.1. To District:

Dublin Unified School District
ATTN: SUPERINTENDENT
7471 Larkdale Avenue
Dublin, CA 94568
Facsimile: 925-829-6532

With a copy to Legal Counsel: LOZANO SMITH
ATTN: Harold M. Freiman, Esq.
2001 North Main Street, Suite 500
Walnut Creek, CA 94596
Facsimile: 925-953-1625

6.7.2. To Developer:

SCS Development Company, Inc.
ATTN: Stephen E. Schott
404 Saratoga Avenue, Suite 100
Santa Clara, CA 95050
Facsimile: 408-985-6057

6.8. No Joint Venture. The relationship of the Parties to this Agreement is determined solely by the provisions of this Agreement. This Agreement does not create and shall not be construed to create any agency, partnership, joint venture, trust or other relationship with duties or incidents different from those of parties to an arm's-length contract.

6.9. No Further Assurances. Nothing in this Agreement, whether express or implied, is intended to or shall do any of the following: (a) confer any benefits, rights or remedies under or by reason of this Agreement on any persons or entities other than the express Parties to this

Agreement; (b) relieve or discharge the obligation or liability of any person not an express party to this Agreement; or (c) give any person not an express party to this Agreement any right of subrogation or action against any Party to this Agreement.

6.10. Time is of the Essence. Time is of the essence in the performance of each Party's respective obligations under this Agreement.

6.11. Amendments and Waivers. No amendment of, supplement to, or waiver of any obligations under this Agreement shall be enforceable or admissible unless set forth in writing signed by the Party against which enforcement or admission is sought. No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted shall apply solely to the specific instance expressly stated in a writing signed by the Parties.

6.12. Entire Agreement. This Agreement sets forth the entire understanding of the Parties relating to the transactions it contemplates, and supersedes all prior understandings relating to them, whether written or oral. There are no obligations, commitments, representations, or warranties relating to them except those expressly set forth in this Agreement.

6.13. Severability. If any provision of this Agreement is held invalid, void or unenforceable by a court of competent jurisdiction, but the remainder of the Agreement can be enforced without failure of material consideration to any Party, then this Agreement shall not be affected and it shall remain in full force and effect, unless amended or modified by mutual consent of the Parties; provided, however, that if the invalidity or unenforceability of any provision of this Agreement results in a material failure of consideration, then the Party adversely affected thereby shall have the right in its sole discretion to terminate this Agreement upon providing written notice of such termination to the other Party.

6.14. Execution in Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and counterpart signature pages may be assembled to form a single document which shall be deemed an original document. Consolidated signature pages shall be compiled by District and forwarded to Developer to constitute the Developer's executed copy of the Agreement.

6.15. Signatures. By signing below, each of the signatories represents and warrants that he or she has been duly authorized to execute this Agreement on behalf of the Party on whose behalf he or she is signing. The Superintendent for the District further represents and warrants, by his/her signature, that this Agreement has been duly ratified and approved by the Board of Trustees of the District.

[Continued on next page]

6.16. Represented by Counsel. Each Party hereto acknowledges that it has been represented by legal counsel, or had the opportunity to obtain legal counsel and consciously chose not to obtain it, in the negotiation, drafting, and execution of this Agreement.

IN WITNESS WHEREOF, this Agreement has been entered into by and between the District and Developer as of the last date set forth below.

DUBLIN UNIFIED SCHOOL DISTRICT

By: Amy Miller

Name: Amy Miller

Its: Board President

Date: Jan. 18, ~~201~~2020

By: Dave Marken

Name: Dave Marken

Its: Superintendent

Date: Jan 18, ~~201~~2020

SCS DEVELOPMENT COMPANY, INC.
a California corporation

By: _____

Name: _____

Its: _____

Date: _____, 201__

6.16. Represented by Counsel. Each Party hereto acknowledges that it has been represented by legal counsel, or had the opportunity to obtain legal counsel and consciously chose not to obtain it, in the negotiation, drafting, and execution of this Agreement.

IN WITNESS WHEREOF, this Agreement has been entered into by and between the District and Developer as of the last date set forth below.

DUBLIN UNIFIED SCHOOL DISTRICT

By: _____

Name: _____

Its: Board President

Date: _____, 201__

By: _____

Name: _____

Its: Superintendent

Date: _____, 201__

SCS DEVELOPMENT COMPANY, INC.
a California corporation

By: _____

Name: Stephen E. Schott

Its: Vice President

Date: January 9, 2020

EXHIBIT A
LEGAL DESCRIPTION AND DEPICTION OF THE PROPERTY



Shea Properties

0 60 120 240 360 FEET

N

SHEET 0.4

AUGUST 7, 2018

STAGE 1: LANDSCAPE MASTER PLAN

AT DUBLIN

EXHIBIT A
LEGAL DESCRIPTION AND DEPICTION OF THE PROPERTY

Legal Description

Real property in the City of Dublin , County of Alameda, State of California, described as follows:

PARCEL ONE:

PARCEL A OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, ALL THOSE CERTAIN PIECES OR PARCELS OF LAND DESCRIBED UNDER EXHIBIT "C" OF THE AMENDED FINAL ORDER OF CONDEMNATION, BEING DUBLIN BOULEVARD, CENTRAL PARKWAY, GLEASON DRIVE AND WIDENING OF TASSAJARA ROAD. SAID ORDER RECORDED FEBRUARY 04, 2004, SERIES NO. 2004050348, ALAMEDA COUNTY RECORDS.

PARCEL TWO:

PARCEL 3 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL THREE:

PARCEL 4 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FOUR:

PARCEL 1 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FIVE:

PARCEL 2 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

APN: 985-0051-004 (Affects Parcel One), 985-0052-024 (Affects Parcel Two), 985-0052-025 (Affects Parcel Three), 985-0051-005 (Affects Parcel Four) and 985-0051-006 (Affects Parcel Five)

EXHIBIT B

MEMORANDUM OF AGREEMENT

RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:

Dublin Unified School District
7471 Larkdale Avenue
Dublin, California 94568
Attn: Superintendent

(Space Above for Recorder's Use)

MEMORANDUM OF AGREEMENT BETWEEN DUBLIN UNIFIED SCHOOL DISTRICT AND SCS DEVELOPMENT COMPANY, INC.

This Memorandum is entered into as of _____, 20___, by and between DUBLIN UNIFIED SCHOOL DISTRICT, a California public school district ("**DISTRICT**"), and **SCS DEVELOPMENT COMPANY, INC.** ("**DEVELOPER**"). The DISTRICT and DEVELOPER are sometimes referred to herein collectively as the "**Parties**," or each individually as a "**Party**."

WHEREAS, Developer is the owner/developer of certain real property located within the District's boundaries, consisting of a 76.1 acre site generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive, in the City of Dublin, County of Alameda, State of California, as more particularly described in Exhibit 1, attached hereto (hereinafter "**Property**") on which Developer is seeking or has received entitlements to construct residential units, commercial space, and other public improvements ("**Project**").

WHEREAS, DISTRICT and DEVELOPER are Parties to that certain Agreement Between Dublin Unified School District dated _____ ___, 2019 ("**Agreement**"), by which DEVELOPER has agreed to provide various benefits to DISTRICT to satisfy DEVELOPER's statutory obligations to pay State mandated fees to DISTRICT as required by Government Code sections 65995, *et seq.*, and Education Code section 17620, *et seq.*, and to provide additional contributions to the DISTRICT.

WHEREAS, the Parties intend to bind the successors in interest in the Property, as that Property is more particularly described in Exhibit 1 hereto, to the obligations of DEVELOPER as set forth in the Agreement, and subject to the exceptions therein, until such obligations to DISTRICT are fully satisfied; and

WHEREAS, the purpose of this Memorandum is to give notice of the existence of the Agreement, together with this Memorandum, which constitute the agreement between the DISTRICT and DEVELOPER, to each successor in interest to any portion of the Property.

NOW, THEREFORE, DISTRICT and DEVELOPER hereby agree that the Agreement creates a covenant running with the land and that either Party may record this Memorandum following notice of Approval (as defined in the Agreement) of the Project. Any interested person may obtain a copy of the Agreement at the Dublin Unified School District office located at 7471 Larkdale Avenue, Dublin, California 94568. The terms and conditions of the Agreement are hereby incorporated by reference with the same force and effect as though set forth herein.

In the event of any conflict between the terms of the Agreement and the terms of this Memorandum, the terms of the Agreement shall control.

This Memorandum may be executed in counterparts, each of which shall be deemed an original for all purposes and which together shall be considered one document.

IN WITNESS WHEREOF, this Memorandum has been executed by the Parties on the date and year first written above.

DISTRICT:

By: _____
Name: _____
Its: _____
Dated: _____

DEVELOPER:

By: _____
Name: _____
Its: _____
Dated: _____

Exhibit "1" to Memorandum

Property Description/Map



Shea Properties

0 60 120 240 360 FEET

N

SHEET 0.4

AUGUST 7, 2018

STAGE 1: LANDSCAPE MASTER PLAN

AT DUBLIN

Exhibit "1" to Memorandum

Property Description/Map

Legal Description

Real property in the City of Dublin, County of Alameda, State of California, described as follows:

PARCEL ONE:

PARCEL A OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, ALL THOSE CERTAIN PIECES OR PARCELS OF LAND DESCRIBED UNDER EXHIBIT "C" OF THE AMENDED FINAL ORDER OF CONDEMNATION, BEING DUBLIN BOULEVARD, CENTRAL PARKWAY, GLEASON DRIVE AND WIDENING OF TASSAJARA ROAD. SAID ORDER RECORDED FEBRUARY 04, 2004, SERIES NO. 2004050348, ALAMEDA COUNTY RECORDS.

PARCEL TWO:

PARCEL 3 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL THREE:

PARCEL 4 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FOUR:

PARCEL 1 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FIVE:

PARCEL 2 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

A.P.N.: 985-0051-004 and 985-0051-005 and 985-0051-006 and 985-0051-024 and 985-0051-025

NOTARY ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF ALAMEDA

On _____, 2019, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity, and that by his/her/their signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

EXHIBIT C
JOINT USE STATEMENT

DUBLIN UNIFIED SCHOOL DISTRICT REACHES AGREEMENT WITH DEVELOPER OF ATDUBLIN FOR SCHOOL FEES

The Dublin Unified School District (DUSD) has reached an agreement with SCS Development—the owner of the AT Dublin project—for the accelerated payment of development fees plus an additional contribution. SCS will pay $80,000 per student projected to be generated by the Project, in addition to statutory fees for senior housing and commercial development. This will be by far the highest contribution paid to DUSD by a developer. This agreement is conditional on the City of Dublin's exercise of its discretion whether to approve the development.

The District takes no position as to whether the development should or should not be approved, as that is a matter entirely within the City's sole jurisdiction. However, the District must take all steps necessary to ensure the availability of adequate school facilities in the event that the City does approve development. The agreement reached with AT Dublin gives assurance that adequate school facilities will be available for students who would reside in the project if approved. The agreement does so by providing for funding equal to the *full* mitigation of the school facilities impact of the project, at a level previously unprecedented in the District. The effect on the District is therefore neutral with or without project approval.

The up-front mitigation payment provided for by the agreement is more than twice the statutory amount SCS is legally required to pay. The payment is being offered by SCS to help DUSD with its facilities needs, including the purchase of land and development of a new high school. The District has selected and is moving forward with the Promenade site as the best

option for the location of a Dublin high school. The high school will be designed for an ultimate capacity for 2,500 students, with the first phase to be built including capacity for 1,300 students.

AT Dublin is a 76-acre, mixed-use, infill project planned on Tassajara Road between Gleason and I-580. It is located near the Promenade site—a centrally located property that is situated in a high-density, residential and commercial neighborhood. If approved by the City, the AT Dublin development and the new high school would complete a significant portion of the remaining undeveloped lands of the Eastern Dublin Specific Plan, and together would encourage increased pedestrian walking and biking as originally envisioned. The new East Dublin school site provides the opportunity to integrate a high quality, state of the art, high school into a walkable master plan community.

The AT Dublin project as now proposed will include a significant portion of restricted senior citizen housing. Inclusion of senior citizen housing substantially reduces the impacts of the project on DUSD. To help ensure that there are no impacts on schools from those senior citizen homes, SCS has agreed to record a declaration of restrictions imposing limits on the ability to have students residing in those homes. SCS has further agreed to an additional restriction whereby if these homes are ever converted from senior housing in the future, any residential fee that is justified at that time will be paid to DUSD for the homes.

SCS Development understands the importance of building a new high school for the community and has been working with DUSD to help make this a reality. Enrollment at Dublin High is over 3,000 students, and is estimated to grow by almost 1,000 students within the next five years. The developer's contribution to the District would be paid on a schedule that will bring in the funds well in advance of when statutory fees would have been due. This will give

the District greater funding choices as it moves forward with its school planning and construction, particularly for the needed new high school.

"We appreciate the initiative of SCS to sit down with the District early on and work with us in reaching this agreement," says Amy Miller, Board President of DUSD. "Clearly, SCS understands the needs of our District, particularly our limited ability to access new funding sources, especially at the state level. This level of mitigation from SCS, unprecedented in our District, provides critical additional funds which will be instrumental to our facilities program, including our new high school should the AT Dublin project be approved. The agreement is critical to achieve the District's goal that the impact of development will be at least neutral on the District, with the developer fully funding the cost for any new facilities needed to house students from that development. This development will not directly impact the school district in any way as a result of this agreement"

"One of the District's priorities is to continue with our acquisition of the Promenade site and the planning and contribution of a new high school," says Dr. Dave Marken, Superintendent. "SCS's contribution to DUSD would help the District towards completion of this vital project." Students who would live in the AT Dublin community are not expected to begin enrolling in Dublin schools until at least 2022. AT Dublin is planned to be fully built-out by 2025 and is projected to contribute a total of 177 students, at all grade levels, 44 of whom would be expected at the high school grade levels.

# # #

EXHIBIT D
DECLARATION OF RESTRICTIONS

RECORDING REQUESTED BY:

WHEN RECORDED, MAIL TO:

Dublin Unified School District
ATTN: SUPERINTENDENT
7471 Larkdale Avenue
Dublin, California 94568

(Space Above for Recorder's Use)

DECLARATION OF RESTRICTIONS
****[INSERT PROPERTY IDENTIFIER]****

DECLARATION OF RESTRICTIONS
****[INSERT PROPERTY IDENTIFIER]****

THIS DECLARATION OF RESTRICTIONS (***"Declaration"***) is made by SCS DEVELOPMENT COMPANY, INC., a California corporation (***"Declarant"***).

PREAMBLE:

A. Declarant is the owner of certain real property (the ***"Property"***) in the City of Dublin, County of Alameda, State of California, described as follows:

[INSERT LEGAL DESCRIPTION]

B. Declarant has received all necessary approvals and entitlements from the City of Dublin to construct an age-restricted senior housing development project (the ***"Project"***) on the Property in accordance with the Age and Occupancy Restriction Laws, as defined below.

C. The Declarant and the Dublin Unified School District (the ***"District"***) have entered into an Agreement (the ***"Agreement"***), binding on Declarant and Declarant's assignees and successors-in-interest, whereby Declarant and the District have agreed that Declarant will provide the District with funding in excess of that otherwise required by Education Code sections 17620, *et seq*., and Government Code sections 65995, *et seq*.

D. The Agreement further requires that Declarant impose restrictions on occupancy as well as reporting requirements.

THEREFORE, DECLARANT HEREBY DECLARES AS FOLLOWS:

1. **Definitions**.

(a) "Age Restrictions" means, collectively, the provisions of this Section 1 and Section 2 below.

(b) "Age and Occupancy Restrictions and Laws" means, collectively, California Civil Code Sections 51.2 to 51.4; the federal Fair Housing Amendments Act of 1988 (Title 42 U.S.C. Section 3601, et seq.); Title 42 U.S.C. Section 3607(b)(2) and Title 24 C.F.R. Sections 100.300 through 100.307; the Fair Employment and Housing Act (California Government Code Section 12900, et seq.); the Planning and Zoning Law at Section 65008(a)(1)(B) of the California Government Code; and all other applicable state and federal regulations governing age-restricted senior housing, all as amended from time to time.

(c) "Association" means an "association" as defined in California Civil Code Section 4080 that is established by Declarant for the purpose of managing the Property and enforcing the Age Restrictions. Until the establishment of the Association, the Declarant shall be responsible for enforcing the Age Restrictions.

(d) "Permitted Health Care Resident" means either a natural person hired to provide live-in, long-term or terminal or hospice care to a Qualifying Resident for compensation, or a family member of the Qualifying Resident providing that care. The care provided must be substantial in nature and must provide either assistance with necessary daily activities or medical treatment, or both. The provision of lodging and food in exchange for providing such services shall be deemed to be receiving compensation for purposes of compliance with California Civil Code Section 51.3(i).

(e) "Qualified Permanent Resident" means a natural person who was residing with the Qualifying Resident prior to the death, hospitalization, or other prolonged absence of, or the dissolution of marriage with, the Qualifying Resident, and meets at least one of the following:

(i) was forty-five (45) years of age or older; or

(ii) was a spouse or cohabitant of the Qualifying Resident; or

(iii) was a person providing primary physical or economic support to the Qualifying Resident; or

(iv) a disabled person or person with a disabling illness or injury who is a child or grandchild of the Qualifying Resident or a Qualified Permanent Resident, who needs to live with the Qualifying Resident or Qualified Permanent Resident because of the disabling condition, illness or injury.

For purposes of this Section 1(d), "primary physical support" means support services which are substantial in nature (including without limitation daily chores, assistance with hygiene, errands and other tasks which the Qualifying Resident cannot perform on their own). "Primary economic support" is financial support that exceeds the income and other financial support received by the Qualifying Resident. "Cohabitant" means persons who live together as husband and wife, or persons who are domestic partners within the meaning of California Family Code Section 297. "Disabled" means a person who has a disability as defined in California Civil Code Section 54(b), and "disabling injury or illness" means an illness or injury which results in a condition meeting the definition of disability set forth in California Civil Code Section 54(b).

(f) "Qualifying Resident" means a natural person who is fifty-five (55) years of age or older.

2. **Restrictions**. Each occupied residence in the Property shall be occupied subject to the following restrictions, which shall be interpreted in accordance with the Age and Occupancy Restrictions and Laws then in effect:

(a) Permitted Residents. Subject to the limited exceptions described in this Section 2 and the Age and Occupancy Restrictions and Laws, each of the occupied residences in the Property shall be permanently occupied by one or more Qualifying Residents. Each other permanent resident in the same residence must be a Qualifying Resident, a Qualified Permanent Resident or a Permitted Healthcare Resident. For purposes of remaining in compliance with state and federal law permitting age-restricted senior housing, "permanent occupancy" shall mean that the Qualifying Resident considers the residence to be his or her primary legal residence and the

Qualifying Resident either resides in it continuously or returns to occupy the residence during every calendar year. Furthermore, except as allowed under Section 2(b) below, a Permitted Health Care Resident may occupy a residence only while actually providing live-in, long-term or terminal or hospice care to a Qualifying Resident for compensation. In accordance with Civil Code Section 51.3(i), the phrase "for compensation" shall include provisions of lodging and food in exchange for such care.

(b) Death or Prolonged Absence of Qualifying Resident.

(i) *Continued Occupancy by Qualified Permanent Residents*. Notwithstanding Section 2(a) above, upon the death, dissolution of marriage, or upon hospitalization or other prolonged absence of the Qualifying Resident, any Qualified Permanent Resident who is not yet fifty-five (55) years of age, but who was residing with such Qualifying Resident at the time of the death or dissolution, or on the date of commencement of hospitalization or prolonged absence of the Qualifying Resident, shall be entitled to continue to occupy the residence. However, in no event may such Qualified Permanent Resident continue to occupy a residence in the absence of a Qualifying Resident if such occupancy would cause the total number of residences occupied solely by persons under fifty-five (55) years of age to exceed twenty percent (20%) of the total number of occupied residences in the Property, as determined by the board of directors of the Association in accordance with the Age and Occupancy Restrictions and Laws.

(ii) *Continued Occupancy by Permitted Healthcare Residents*. A Permitted Healthcare Resident shall be entitled to continue his or her occupancy as a permitted resident in the absence of the Qualifying Resident only if both of the following are applicable:

(1) The Qualifying Resident became absent from the Community due to hospitalization or other necessary medical treatment and expects to return to his or her residence within ninety (90) days from the date the absence began; and

(2) The absent Qualifying Resident or an authorized person acting for the Qualifying Resident submits a written request to the board of directors of the Association stating that the Qualifying Resident desires that the Permitted Healthcare Resident be allowed to remain in order to be present when the Qualifying Resident returns to reside in the Property.

Upon written request by the Qualifying Resident or an authorized person acting for the Qualifying Resident, the board of directors of the Association shall have the discretion to allow a Permitted Healthcare Resident to remain for a time period longer than ninety (90) days from the date that the Qualifying Resident's absence began, if it appears that the Qualifying

Resident will return within a period of time not to exceed an additional ninety (90) days.

(c) Occupancy by Certain Disabled Persons. A person who does not otherwise qualify for permanent residence under this Section 2 may nevertheless permanently occupy the residence if they have a disability that meets the criteria for occupancy as a Qualified Permanent Resident. Such person may remain in the residence unless or until the board of directors of the Association determines that there are special circumstances to disallow such person as a Qualified Permanent Resident. Special circumstances means a condition where such person is or may be harmful to himself or herself or others as determined in Section 2(c)(ii) below.

(i) For any disabled person residing as a Qualified Permanent Resident under this Section 2(c) whose disabling condition ends, the board of directors of the Association may require the formerly disabled resident to cease residing in the Property within six months of receipt of written notice from the board of directors of the Association; provided, however, that notwithstanding Section 2(a) above, the board of directors of the Association may allow the person to remain a resident for up to one year after the disabling condition ends.

(ii) The board of directors of the Association may take action to prohibit or terminate occupancy by a person who is a Qualified Permanent Resident by virtue of a disability if the board of directors of the Association finds, based on credible and objective evidence, that the person is likely to pose a significant threat to the health or safety of others that cannot be ameliorated by means of a reasonable accommodation; provided, however, that action to prohibit or terminate the occupancy may be taken only after doing both of the following:

(1) Providing reasonable notice to and an opportunity to be heard for the disabled person whose occupancy is being challenged, and reasonable notice to the co-resident parent or grandparent of that person.

(2) Giving due consideration to the relevant, credible, and objective information provided in hearing. The evidence shall be taken and held in a confidential manner, pursuant to a closed session, by the Board of Directors in order to preserve the privacy of the affected persons. The affected persons shall be entitled to have present at the hearing an attorney or any other person authorized by them to speak on their behalf or to assist them in the matter.

(d) Resale or Lease. Each resale or lease of a residence in the Property is subject to the requirement that such residence be occupied after resale or during the term of the lease in accordance with this Section 2. Each lease or rental agreement and each purchase agreement for resale of a residence in the Property shall contain a statement above the signature line for lessee or purchaser (as applicable) asserting that at least one (1) permanent occupant of the residence shall be fifty-five (55) years of age or older and each other permanent occupant shall

meet the age and occupancy qualifications of this Declaration and the Age and Occupancy Restrictions and Laws.

(e) Permanent Occupancy Definition for Qualified Permanent Residents and Permitted Health Care Residents. Persons less than fifty-five (55) years of age who do not qualify as Qualified Permanent Residents or Permitted Health Care Residents shall not be entitled to occupy, visit or reside in any residence for more than sixty (60) calendar days (whether consecutive or non-consecutive) in any calendar year, pursuant to California Civil Code Section 51.3(d).

(f) Compliance with Reporting Requirements.

(i) *Obligations of Owners*. By accepting and recording a deed to a residence in the Property, each owner of such residence covenants and agrees as follows:

(1) To fully and truthfully respond to all requests by the Association for age and occupancy information concerning each occupant of the owner's residence, and to cause all occupants of the owner's residence to cooperate by providing such information. Owners understand and acknowledge that age and occupancy information shall be requested by the Association as part of its obligation to conduct regular age and occupancy surveys of the Property and that such surveys are required to maintain the Property's eligibility to continue operating as an age- and occupancy-restricted project under senior housing exemptions available under state and federal law;

(2) In the event of the change of occupancy of any residence in the Property by one or more permanent residents, the owner of the residence shall immediately inform the board of directors of the Association in writing and shall provide to the board of directors of the Association the names and ages of all current occupants of the residence, and such other information as the board of directors of the Association reasonably requests to verify the ages and qualifications of all persons occupying the residence as Qualified Permanent Residents or Permitted Health Care Residents;

(3) To ensure that all occupants of the owner's residence comply at all times with all provisions of this Declaration and any rules and regulations of the Association, including restrictions on age and other qualifications of permanent occupants and limiting the duration of visits by temporary occupants or those who do not meet the age and occupancy restrictions of this Declaration or the Age and Occupancy Restrictions and Laws; and

(4) To indemnify, defend and hold harmless the Association and Declarant from any and all claims, losses, damages and causes of action which may arise from such owner's failure to so comply. This obligation

also creates in each owner the responsibility to monitor and enforce the actions of their tenants or lessees.

(g) Association Monitoring and Enforcement of Compliance with Age and Occupancy Restrictions and Applicable State and Federal Laws and Regulations. The Association has the power and the duty to ensure that the Property complies with the age and occupancy restrictions in this Declaration and the Age and Occupancy Restrictions and Laws. The Association, acting through its board or directors, shall monitor and enforce Property compliance with the age and occupancy restrictions set forth in this Declaration and the Age and Occupancy Restrictions and Laws. The Association shall have at its disposal all legal and equitable enforcement remedies available, including the imposition of penalties for ongoing violations, and the right, following notice and hearing and all procedures required under state law, to cause the removal of residents whose presence causes the Property to fall out of compliance with the Age and Occupancy Restrictions and Laws. The board of directors of the Association shall regularly evaluate the results of its age and occupancy surveys and other compliance monitoring efforts and commence enforcement actions as it deems necessary to ensure ongoing compliance with the age and occupancy restrictions in this Declaration and the Age and Occupancy Restrictions and Laws.

(i) *Association Obligation to Conduct Age and Occupancy Surveys*. In discharging its obligation to monitor and enforce the age and occupancy restrictions set forth in this Declaration and the Age and Occupancy Restrictions and Laws, the board of directors of the Association shall conduct regular, confidential age and occupancy surveys of the occupied residences in the Property in order to determine the numbers and ages of all persons who are then permanently occupying residences in the Property.

(ii) *Information to be Gathered*. The Association's survey shall be designed with due regard for individual privacy while permitting the Association to make a reasonable determination that all persons permanently occupying residences in the Property comply with the age and occupancy restrictions set forth in this Declaration and the Age and Occupancy Restrictions and Laws. Ages of residents shall be determined to the extent possible from objective documentary sources, such as birth certificates, driver's licenses, government identification cards, passports, baptismal records, immigration papers, affidavits, prior surveys or other documentary proof of age deemed reliable by the board of directors of the Association, and which in the judgment of the board of directors of the Association, is reasonably necessary to establish a record that the Property complies with Age and Occupancy Restrictions and Laws. If a resident is unable or unwilling to provide such documentary proof of age, then the Association may in its discretion rely on an affidavit from another resident or a family member of the resident.

(iii) *Frequency of Survey*. The Association shall collect age and occupancy information on a particular residence at the time of its initial sale by Declarant and at the time of its re-sale, lease or re-lease by any owner.

In addition, the Association shall update all occupancy survey information no less frequently than once every two (2) years; provided that the board of directors of the Association shall have the power and duty to supplement the occupancy survey information in its records to reflect re-sales and changes in tenancy under leases or rental agreements, and it shall update its records on a particular residence any time it reasonably appears to the board of directors of the Association that there has been a change in the number or identity of permanent occupants in the residence. The Association shall have the power to carry out its duties under this Section by any legal means available, as the board of directors of the Association deems appropriate.

(iv) *Summary of Survey*. The Association shall keep in its records a written summary of the latest occupancy survey (stating at least the number of occupied residences and the percentage of occupied residences then in compliance with the age and occupancy restrictions set forth in this Declaration and the Age and Occupancy Restrictions and Laws, but not including any personal information about any resident). The summary shall be made available for inspection upon reasonable notice and request by any person, including members of the public. Individual surveys, supporting documentation, and affidavits shall be kept in a separate file with limited access, and such file is to be created and maintained for the purposes of evidencing compliance with the age and occupancy restrictions set forth in this Declaration and the Age and Occupancy Restrictions and Laws and for use in enforcement proceedings. Such information shall be kept securely segregated from the Association's general operating records and files whether in physical or electronic format. The segregated documents and electronic files shall be considered confidential but shall be made available for review at the request of governmental agencies, including but not limited to the District, investigating compliance with the Age and Occupancy Restrictions and Laws or by court order. Confidential information gathered in a particular survey or update shall be retained by the Association until the board of directors of the Association is advised by the Association's independent legal counsel that all applicable statutes of limitation or repose for the filing of a complaint or suit or other legal remedies against the Association under the Age and Occupancy Restrictions and Laws (including tolling periods) with respect to such information have expired. The retained documents and electronic files shall be destroyed in a manner appropriate to preserve their confidentiality.

(v) *Additional Policies*. The Association may develop additional policies and procedures to supplement its regular surveys as reasonably necessary to ensure that its records remain current and ensure compliance with the age and occupancy restrictions in this Declaration and the Age and Occupancy Restrictions and Laws.

(vi) *Posted Notice of Intent to Operate Age- and Occupancy-Restricted Community*. The Association shall maintain in the Property permanent signage with written statements of its age and occupancy policies, including a description of the Property as a residential development for occupancy by persons fifty-five (55) years of age or older and other residents who qualify for permanent occupancy under another occupancy category. The Association shall periodically distribute a written copy of its age and occupancy policies to the owners of residences in the Property and shall make additional copies available to owners and tenants on reasonable request.

3. **Restatement of Applicable Law**. Section 2 above is intended to be a restatement of the authority that may be granted to the Association under the Age and Occupancy Restrictions and Laws. All amendments, restatements and interpretations of the Age and Occupancy Restrictions and Laws, and any other applicable law or regulation governing "senior citizen housing developments," and "housing for older persons," as these terms are defined under state and federal law, are deemed to amend, restate and interpret Section 2.

4. **Severability**. If any clause, sentence or other portion of this Declaration shall become illegal, null or void for any reason, or shall be held by any court of competent jurisdiction to be so, the remaining portion shall remain full force and effect.

5. **Nature and Purpose of Covenants**. The covenants and restrictions set forth in this Declaration constitute a general scheme for the development, protection and maintenance of the Property for the benefit of all owners. Said covenants and restrictions are for the benefit of the Property and shall bind all owners thereof. Such covenants and restrictions shall be a burden upon, and a benefit to, not only the Declarant but also its successors and assigns, including the Association. All of such covenants and restrictions are intended to be and are hereby declared to be covenants running with the land or equitable servitudes upon the land, as the case may be.

6. **Covenants Running With the Land**. Each covenant contained in this Declaration is a covenant running with the land, binding upon and inuring to the benefit of each heir, assignee and successor-in-interest of Declarant as the owner of all or any portion of the Property, and the term "Declarant," as used herein, shall be deemed to include such heirs, assigns and successors-in-interest. Each deed, lease or conveyance of all or any portion of the Property, or any interest therein, shall expressly reference and be subject to all the provisions of this Declaration.

7. **Duration**. Termination of this Declaration or amendment of any provision herein shall require the express approval of the District; provided, however, that this Declaration, including each covenant, condition and restriction contained herein, shall automatically terminate with respect to a portion of the Property upon recordation of a separate declaration of covenants, conditions, restrictions and reservation of easements meeting the definition of "declaration" in California Civil Code Sections 4135 and 4250 ("CC&Rs") against such portion of the Property which incorporates the Age Restrictions set forth herein (in substantially similar form and in accordance with then applicable Age and Occupancy Restrictions and Laws) and provides for the establishment of an Association which assumes responsibility for the Age Restrictions. The CC&Rs shall be reviewed and approved by the District prior to execution and recordation in the

official records of the County Recorder of the County of Alameda. As an additional condition for termination of this Declaration with respect to all or any portion of the Property, the CC&Rs shall provide (a) for the District's right to enforce the Age Restrictions, in substantially similar form as Section 9 below; and (b) provide that termination of the CC&Rs or amendment of any provision which may negate or materially and adversely affect or impact performance of the Age Restrictions shall require the prior written approval of the District as follows: "No later than the date that is sixty (60) calendar days after its receipt of a proposed amendment, the District shall deliver written notice of its approval or disapproval of the proposed amendment to the party who delivered the proposed amendment to the District. If the District fails to deliver such written notice within such 60-calendar day period, the District shall be deemed to have approved the proposed amendment. If the District delivers written notice of disapproval of the proposed amendment within such 60-calendar day period, the proposed amendment shall be deemed null and void and shall have no legal effect on the Property or any residence therein."

8. **Construction**. This Declaration shall be construed in accordance with the laws of the State of California. The headings used in this Declaration are for convenience only and are not to be used to interpret the meaning of any of the provisions of this Declaration. If any term, provision or condition contained in this Declaration (or the application of any such term, provision or condition) shall to any extent be invalid or unenforceable, the remainder of this Declaration shall be valid and enforceable to the fullest extent permitted by law. In this Declaration, whenever the context requires, the singular number includes the plural and vice versa, and the masculine and neuter gender shall be mutually inclusive.

9. **District's Enforcement Rights**. The District is deemed to be an intended beneficiary of this Declaration, and has the right, but not the obligation, to enforce the provisions of this Declaration by any legal or equitable means (including injunctive relief) against such person or persons in actual possession of the Property or any who directly or through any agent violate(s) the terms hereof. In the event any legal action is instituted by the District in connection with this Declaration, the District shall be entitled to reasonable attorneys' fees and all fees, costs, and expenses incurred on any appeal or in collection or enforcement of any judgment.

[Signature on following page]

[Signature Page to Declaration of Restrictions]

Declarant has executed this Declaration of Restrictions as of _____ _____, 201__.

SCS DEVELOPMENT COMPANY, INC.,
a California corporation,

By: _____

Its: _____

Name: _____

"***Declarant***"

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF _____

On _____, _____, before me, _____

(here insert name and title of the officer)

personally appeared

_____
_____
_____
_____
,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(Seal)

_____
Signature

Lozano Smith
ATTORNEYS AT LAW

Harold M. Freiman

E-mail: hfreiman@lozanosmith.com

January 25, 2022

By U.S. Mail & Facsimile to: 408-985-6057

Stephen E. Schott
Vice President
SCS Development Company, Inc.
404 Saratoga Avenue, Suite 100
Santa Clara, CA 95050

Re: Agreement Between Dublin Unified School District and SCS Development Company

Dear Mr. Schott:

I am writing to you on behalf of Dublin Unified School District ("District') regarding the Agreement Between Dublin Unified School District and SCS Development Company, Inc. ("SCS"), with a reference date of December 17, 2019, and an effective date of January 18, 2020 ("Agreement"). The District appreciated the collaborative process with SCS and its representatives that led to the Agreement. As expressed in that Agreement, SCS committed to payments to the District that equated to what was then the full cost of providing school facilities for the students expected to be generated by the development that is governed by the Agreement. That development is commonly referred to as the "At Dublin" project (the "Project"). The District has relied on the Agreement as it plans the facilities needed to house the students that the Project will generate.

We understand that SCS continues to move forward with development plans for the Project on the 76.1-acre site generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive ("Property"). That Property is the subject of the Agreement. While we understand that the Dublin City Council denied the Project on August 18, 2020, it did so "without prejudice," directing staff to leave the General Plan Amendment study open and continue to work with SCS in relation to the Project. We understand that SCS and the City have since been seeking community input on the planned development of the Property.

During this further community input process, the District has honored section 3.4 of the Agreement, and has avoided taking any actions or speaking at community meetings in any way

that could be viewed as in opposition to the Project. However, this limits the District from speaking freely about the Project, at the community meetings and to the City. The District therefore wishes to take this opportunity to ensure that the City and SCS are aware of the Agreement and are taking the Agreement into account in relation to their plans for the Project. We therefore write to remind SCS of some of the key terms of the Agreement, which include:

- For residential development, payment by SCS of $80,000 per student projected to be generated by the Project, based on agreed upon student generation rates. (Agreement Section 3.1(a)(i) & Recital E.) Such payment is to be made the earlier of 18 months after the Project is approved, as defined in the Agreement, or issuance by the City of the first residential building permit for development of the Project (excluding permits solely for grading or site improvements). (Section 3.1(b).)

- For senior citizen housing, if any, payment by SCS of the greater of the statutory school impact fee applicable to such housing at the time that the building permits are issued or the applicable commercial school impact fee in place when the permits are issued. (Section 3.1(a)(ii).)

- For commercial development, if any, payment by SCS of the commercial school impact fee in place when building permits are issued. (Section 3.1(a)(iii).)

- SCS may not obtain building permits on the Property or commence construction of residential units on the Property, other than permits and construction for grading and site improvements, until the residential payment as described above is made to the District. (Section 3.2(a).)

- Upon SCS's payment of the residential payment described above, the District must provide written certification to the City of such payment. (Section 3.1(b).)

- SCS will make commercially reasonable efforts to request that the City direct at least $5 million of public facility/community benefit fees generated by the Project toward the construction of a joint use gym at a District school site. (Section 4.)

While we understand that the plans for the Project may still be evolving, the Agreement provided for flexibility, regardless of the ultimate size and nature of the Project. The Agreement defines the "Project" as "development of a mixed use project referred to as 'At Dublin'." We note that this was in contrast to an earlier 2018 agreement between the District and SCS in relation to the Property that was replaced by the current Agreement; that 2018 agreement was tied to very specific descriptions and types of development and square footage ranges. The current Agreement is not similarly tethered to a specific or static definition of the Project.

We also note that the Agreement provided in various ways that it would remain in effect and binding on the Property regardless of changed circumstances, even including the possibility of an ownership change. (See Sections 3 ("Developer acknowledges that this Agreement, and each of its terms and conditions hereunder, are fully enforceable as a binding contract on Developer and its successors-in-interest or assignees") & 6.1 ("the covenants of this Agreement shall run with

the land constituting the Property" and "shall be held, transferred, and encumbered subject to the provisions of this Agreement which are for the use and benefit of the District, the Developer, the Property, and each and every person who now or in the future owns any portion or portions of the Property").

The Agreement would terminate upon the following events: (1) for senior housing units, upon payment of the fee applicable to such units; (2) for commercial square footage, upon payment of the fee applicable to commercial projects; and (3) for residential units, the date when the certificates of occupancy have been issued for all of the units and all of the Parties' obligations under the Agreement have been fully performed. (Section 2.2(a).) The Agreement also addressed the possibility that SCS might decide "not to proceed with the construction of the Residential Project," in which case SCS would have the right to toll the Agreement until the SCS or its successor(s) chose to resume the residential portion of the project, at which point the amounts owing to the District would be increased. (Section 2.2(b).) If the residential project had not resumed by the expiration of the separate development agreement between the City and SCS regarding the Project, then the Agreement with the District would terminate, subject to limitations set forth in the Agreement. (Id.) Termination of the Agreement could also occur as a remedy in the event of a Party's default under the Agreement. (Section 5.3.)

At this time, none of the occurrences allowing for termination per the provisions described above, nor any other provision for termination of the Agreement, have occurred. The Agreement therefore remains in effect.

Thank you for this opportunity to revisit the terms of the Agreement. We would be happy to coordinate with you further regarding the implementation of the Agreement as your Project moves forward through the City approval process.

Sincerely,

LOZANO SMITH

Harold M. Freiman

HMF/sws

cc: Kevin Fryer (by email)
Chris Funk, Superintendent, Dublin Unified School District

Response to Comment Letter #5: Dublin Unified School District

Response to Comment 5-1: Public Services - Acknowledgement of Agreement

Comment noted. As the Draft EIR found that the project would result in a less than significant impact to schools with payment of school impact fees, additional discussion of the 2019 agreement would not change the significance of school impacts. Dublin Unified School District's comments on the Agreement with Developer are noted.

Comment Letter # 6

ZONE 7 WATER AGENCY
Delivering Quality, Reliability and Safety

100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000

September 2, 2022

City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568
Attn.: Amy Million, Principal Planner

Sent by e-mail to: amy.million@dublin.ca.gov

Re: Draft EIR for the SCS Dublin Project

Zone 7 Water Agency (Zone 7, or Zone 7 of the Alameda County Flood Control and Water Conservation District) has reviewed the referenced document in the context of Zone 7's mission to "Deliver safe, reliable, efficient, and sustainable water and flood protection services" within the Livermore-Amador Valley. Below are our comments for your consideration.

Groundwater

1. **Wells -** Our records indicate that there is one destroyed well in the project area (Figure 1). Please immediately notify Zone 7 if any other wells exist in the project area. All well locations should be field verified and noted on the plans. Also, please be advised that a Zone 7 drilling permit is needed for any water well or soil boring work that may be planned for this project. The drilling permit application and permit fee schedule can be downloaded from our website: https://www.zone7water.com/post/well-drilling-and-soil-boring-permits. For additional information please email wellpermits@zone7water.com. 6-1

2. **Livermore Valley Groundwater Basin -** The project area lies over the Fringe of the Livermore Valley Groundwater Basin; as such, the underlying groundwater is subject to the management provisions of the basin's Alternative Groundwater Sustainability Plan (GSP), which was prepared by Zone 7 Water Agency and approved by the State Department of Water Resources. As the designated Groundwater Sustainability Agency (GSA), Zone 7 Water Agency strives to maintain sufficient groundwater supplies and good groundwater quality within the groundwater basin. To support these goals, the project should be consistent with the GSP and Zone 7's Sustainable Groundwater Management Ordinance, as well as the State's Water Recycling Policy (and associated orders), the State's storm water protection measures, and the County's Water Wells 6-2

Ordinance. Many of these documents can be found on Zone 7's website; https://www.zone7water.com. 6-2

Hydrology Section Updates

3. The hydrology section of the DEIR contains some outdated data and/or data from unknown sources; ideally these should be updated, in particular with information available in our 2021 Alternative Groundwater Sustainability Plan (https://www.zone7water.com/alternative-groundwater-sustainability-plan-and-updates) or with information from staff. Examples:

    - DEIR states that the total storage capacity of the basin is estimated at about 500,000 acre-feet (af) (Page 12-2). The source and accuracy of this data is unclear. We recommend the following replacement language focusing on the Main Basin: Zone 7 operates the Main Basin such that groundwater storage remains between 254 thousand acre-feet (TAF; full Basin volume) and 128 TAF (historic low volume) – that range is considered the Operational Storage. The 2021 Alternative GSP noted above contains the most current information.
    - DEIR states that under average hydrologic conditions, the groundwater budget is essentially in balance, and follows with some specific values (Pages 12-2 and -3). Source and accuracy of this data is unclear. The 2021 Alternative GSP noted above contains the most current information.

6-3

Water Supply

4. As stated in the SCS Dublin Development Project Water Supply Assessment (WSA) and Water Supply Verification, the projected potable water demand for the project has been reflected in DSRSD's 2020 Urban Water Management Plan and associated demand forecast. Zone 7's 2020 UWMP similarly reflects the demand associated with this project, and Zone 7 has plans in place to acquire the water supplies required to serve this project. 6-4

5. Note that the WSA's Table 7-1 is mistakenly using the total supply and demand instead of the potable supply and demand to be served by Zone 7. 6-5

Flood Protection

6. Developments creating new impervious areas within the Livermore-Amador Valley are subject to the assessment of the Development Impact Fee for Flood Protection and Storm Water Drainage. These fees are collected for Zone 7 by the local governing agency: 1) upon approval of final map for public improvements creating new impervious areas; and/or 2) upon issuance of a building or use permit required for site improvements creating new impervious areas. Fees are dependent on whether post-project impervious area conditions are greater than pre-project conditions. 6-6

We appreciate the opportunity to comment on this project. If you have any questions on this letter, please feel free to contact me at (925) 454-5005 or via email at erank@zone7water.com.

Sincerely,

Elke Rank

Elke Rank
cc: Carol Mahoney, Amparo Flores, Ken Minn, file

Attachments

Response to Comment Letter #6: Zone 7 Water Agency

Response to Comment 6-1: Hydrology and Water Quality - Wells

The project will comply with all applicable legal requirements for the issuance of any drilling permit from the Zone 7 Water Agency.

Response to Comment 6-2: Hydrology and Water Quality - Livermore Valley Groundwater Basin

Comment noted. The project will be consistent with the Zone 7 Water Agency Groundwater Sustainability Plan (GSP) and Sustainable Groundwater Management Ordinance, as well as the State's Water Recycling Policy (and associated orders), the State's storm water protection measures, and the County's Water Wells Ordinance.

Response to Comment 6-3: Hydrology and Water Quality - Data Updates

Comment noted. Revisions to the Draft EIR have been made as recommended and are shown in Chapter 3: Changes and Clarifications to the Draft EIR.

Given the minor technical corrections, no new or significant impacts would result from this revision.

Response to Comment 6-4: Hydrology and Water Quality - WSA Concurrence

Comment noted that the Zone 7 Water Agency 2020 Urban Water Management Plan concurs with DSRSD's 2020 Urban Water Management Plan on the estimated demand for the project and that Zone 7 has plans to acquire water sufficient to support the project.

Response to Comment 6-5: Hydrology and Water Quality - Potable Water Supply and Demand

Comment noted regarding corrections to Table 7-1 of the SCS Dublin Water Supply Assessment and Water Supply Verification. Table 7-1 was changed to Table 7-2 in the corrected Water Supply Assessment approved by the DSRSD Board on September 20, 2022, as shown in Section 3: Changes and Clarifications to the Draft EIR and is available in electronic format and posted on the City of Dublin website at https://dublin-development.icitywork.com/. The Final WSA addresses clerical errors and does not change any of the impact conclusions in Draft EIR with regard to water supply or infrastructure.

Response to Comment 6-6: Hydrology and Water Quality - Flood Protection

Comment noted. The project applicant will be responsible for complying with the Development Impact Fee for Flood Protection and Storm Water Drainage per Zone 7 Water Agency requirements.

Comment Letter # 7

Amy Million

From: J Gillengerten [redacted]
Sent: Tuesday, September 6, 2022 7:21 PM
To: Amy Million
Cc: tom Evans
Subject: Public Comment on SCS draft EIR

September 6, 2022

Amy Million, Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568

Re:
Comments on SCS Draft EIR comments

Dear Ms. Million:

Thank you for this opportunity to review and comment on the Draft EIR for the SCS property. I have attached comment from Mr Tom Evans that concisely mirror my concerns. I would also like to state for the record that I attended the April Scoping meeting and it was presented to us as an overview of the SCOPE of the EIR, not as an opportunity to give comments on content of the report. It is inaccurate to present the lack of feedback of the participants as a lack of comments or concerns.

16 Public Services, Utilities & Service Systems

Schools

Educating students requires more than just classrooms. A school needs to have physical components that allow stuents to also eat, play and gather together as a community. Schools require facilities that are geared toward all the requirements to serve the needs of the students - gyms, cafeterias, playing fields, administration and staff offices. It is NEVER in the best interest of children, especially K to 8, to just pack in more classrooms or drop in portables as a way to meet enrollment needs. The larger the student population, the less desirable the student outcomes.

According to Hanover Research's Impacts of School and Class Size on Student Outcomes report dated January 2015:
Major Findings from Literature Related to School-Size
Academic Achievement
Academic achievement in small schools is at least equal- and often superior- to that of large schools.
Student attendance is better in small schools than in large ones.
A smaller percentage of students drop out of small schools than large ones.

Student's Feelings, Attitudes, and Behavior
Student attitudes toward school in general and toward particular school subjects are more positive in small schools.
Student social behavior- as measured by truancy, discipline problems, violence, theft, substance abuse, and gang participation- is more positive in small schools.
Levels of extracurricular participation are much higher and more varied in small schools than in large ones, and students in small schools receive greater satisfaction their extracurricular participation.
Students have a greater sense of belonging in small schools than in large ones.

7-1

Equity
Poor students and those of racial and ethnic minorities are more adversely affected- academically, attitudinally, and behaviorally- by attending large schools than are other students.

Teacher Attitudes
Interpersonal relations between and among students, teachers, and administrators are more positive in small schools than in large ones.
Teacher attitudes toward their work and their administrators are more positive in small schools than in large ones.
© 2015 Hanover Research | District Administration Practice 18

Cotton, K. "School Size, School Climate, and Student Performance: A Summary of Research by Kathleen Cotton."

These effects are incremental and I realize that there are limited mitigation measures that can be imposed on the developer but the impacts must be faced and reported in the EIR.

During the April, 2022 meeting regarding the scope of this EIR, it was requested that the impact to schools be included in the report. The draft describes the status of schools in Dublin from several perspectives. The draft also describes legal statues that limit the amount of mitigation that local government can impose on developers. Finally, on page 16-26 the draft declares that "The evaluation of school impacts is limited to those effects with the potential to result in the need for construction of new classrooms or placement of portable classrooms." Educating students requires more than just classrooms. A school It is not clear by this statement if the study restricted itself to only to the need for new classrooms, or if this draft feels that the only possible impact is on the need for new classrooms. In either case, the limited evaluation is insufficient. Although the need for new classrooms could be the most important, other possible considerations are:
The possibility of increased classroom size, which can affect the amount of attention given to individual students.
Further crowding on playgrounds, lunchrooms, etc. that have no ability to expand even if more portable classrooms are added.
Some existing students possibly getting moved to a further school location to make room for new students generated by the project.
The incremental increased aggravation in the traffic jams due to drop-off and pick-up of students.
The cost of new materials such as books, desks, lab equipment, etc

On page 16-29, the draft states that "…DUSD is experiencing school capacity constraints, to which the project would contribute." This statement is too general and insufficient. Overcrowded schools is one of the biggest controversies in Dublin. This one-liner doesn't do enough to describe the impact. The impacts need to be spelled out in this EIR so that the public can see what the impacts are. Mitigation is a separate matter.

7-1

On page 16-31, the draft makes an unsubstantiated claim that because school levied fees are considered by law to be full and complete mitigation that "Therefore, the demand on the DUSD as a result of the project is considered a less than significant impact (Class III) on school services, and no mitigation is required." This is a false statement for the following reasons:

Mitigation ***is*** required in the form of a fee per square foot of construction levied by the school district or by negotiation between DUSD and the applicant. Perhaps what the author of this draft meant to say is that there is no *further* mitigation that can legally be required other than the fee legally authorized and imposed on the developer.

Section 65995 of the Government Code does not describe the impact on schools. It only discusses the limits of mitigation. Specifically, the Section 65995 does not state the impacts are "less than significant" as the draft EIR does. The draft EIR offers a conclusion that is baseless.

This statement makes the argument that because mitigation has been artificially limited by law that the impact must be low. In other words, the claim is: if mitigation is limited, then the impact must also be limited. There is no such logical connection between the reduced legal limit to mitigation and the impact caused by the project. Specifically, impact is not dependent on mitigation.

Please remove this statement from the report. Please add the other impacts that can occur from more housing units. With those in place, it would make sense then to describe the limits on mitigation.

Table 16-7 shows the DUSD's projection for student generation due to this project is 494. This number is not a good representation of DUSD's projection. It is based on study areas that contain more acreage than SCS has so it is not accurate and DUSD has not made that specific claim. A better reference to DUSD's projection would be to use their student generation rates just like Kimley Horn did for their estimate of 353 students. The rates are available on the DUSD website. I recommend using these rates to describe DUSD's projection, and updating the reference documents to include this more recent demographic report.

1 Executive Summary

Section 1.3 Project Objectives

Item 1 – The EIR doesn't provide a measure for "balanced" when it comes to a mix of residential and commercial uses. Recommend striking the word "balanced."

Item 7 – "Provide a project that balances housing with job-creating uses." A good ratio of jobs to houses would be around 1.5. Therefore 650 housing units would be balanced if about 975 jobs were created. Just by observation it looks like Topgolf may take up about a third of the 265,000 square feet. Maybe they'll hire 40 employees. The remaining 180,000 square feet should therefore provide about 935 jobs. That's about 190 square feet per employee. Office spaces generally have 150-300 sq ft per employee while retail generally has 300-700 sq ft per employee. Even more space per employee is required for hotels.

7-2

Since the discussions for the commercial area have been mostly about retail and entertainment, then this area would at best accommodate (based on 250-600 sq ft per employee) about 350 to 750 jobs (instead of 975 jobs), making this project less-than-ideal. This project puts Dublin further from it's goal of 1.5 jobs:housing ratio instead of closer. Therefore, I recommend striking this statement. In addition, this project would likely provide mostly retail jobs which pay substantially less than the average income of people that live in Dublin.

Section 1.6 Areas of Controversy

Amongst the most controversial topics for this project are a) school overcrowding, b) too much housing development, c) affordable housing, and d) traffic.

Schools

Please see previous comments regarding 16 Public Services, Utilities & Service Systems

Too Much Housing Development

The current planned development on record for this property is for 261 housing units and 900,000 square feet of commercial space. The City hired a number of consultants to figure out what the residents wanted for this property. The first survey that was conducted showed the following respondents choices:
30% wanted no housing
31% wanted low density housing
26% wanted medium density housing
13% wanted high density housing
Even though "no housing" was not a practical option, it showed that 62% of the residents wanted low density housing or no housing at all. 39% wanted medium density or higher. After seeing the results, the consultant and developer sweetened the pot by promising some public benefit. (e.g. the vista looking toward Mt. Diablo and more retail located near Finnegan) A second survey was conducted. Roughly the same number of people. This time, the promised public benefits were enough so that more people were okay with medium density:
30% wanted current zoning (low housing count-261 housing units)
20% wanted low housing count (350 units)
36% wanted medium density housing (650 units + public benefit)
14% wanted high density housing (850 units + public benefit)
That was more of a 50-50 split for low density vs. higher density housing. Still controversial, but the project is moving ahead with the higher density (650 residential units) with the encouragement of the City Council.

7-3

Affordable Housing

I believe that there should be a recognition of the need to build housing that the employees of the planned commercial component of this development can afford. Housing, traffic, air quality are all impacted because the people who will work in the commercial component of this project will not be able to live locally.

No exact numbers have been announced for affordable housing. However, the developer appears to have agreed to the 12.5% inclusionary housing requirement, likely doing a buyout for 40% of that. The expectation is that there will be (550 units)(12.5%)(60%) = 41 affordable for-sale units dispersed throughout the development. In addition, a parcel may be dedicated for affordable rental housing which could bring the total units of affordable housing to 100 units. The inclusion of these affordable units should make this project less controversial in this subject area.

7-4

Increase Traffic

See Draft EIR

Section 1.9 Impact of the Project

CEQA Guidelines section 15126.2(c) requires the reporting of Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented. This section needs to be included in this EIR to reflect the impact on schools in Dublin. It may be true that limited mitigation can be found in the form of Level 2 fees levied by the school district, but those recovered fees are only a small portion of the cost to DUSD for housing students. This should be part of the discussion in this new section. This section needs to be added to report the impact on schools.

Table 1-2: Summary of Significant Impacts of the Proposed Project

Table 1-2: Land Use & Planning. The table shows "No significant impacts identified." This is a ridiculous notion. The number of houses has more than doubled the initial plan. This land used requires a change in zoning which is absolutely significant.

Table 1-2: Population & Housing. The table shows "No significant impacts identified." The number of housing units and population will more than double the initial plan. The population of Dublin will increase by 2.5% from this project alone. Please correct this section.

1.9.2 Growth-Inducing Effects

In the Draft, the last sentence in this section states that "the project site… has been planned for development as anticipated in the City's General Plan. This statement is false. "The project" described in this Draft EIR is **not** as anticipated in the current General Plan. It requires a zoning change and increases the anticipated housing count by 149%. It would be better to state that the property has been planned for development, and leave it at that.

7-5

3 Project Description

Section 3.3 Project Objectives

See previous comments about Section 1.3. Since most of the proposed commercial use will be retail and entertainment, the employment opportunities will be mostly for minimum-wage jobs. None of these minimum-wage workers will be able to afford a house in this new project.

7-6

5 Aesthetics

Section 5.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding aesthetics were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no one in attendance at the meeting had an opinion about aesthetics. However, the meeting was specifically about scope, not content. While the statement is true, it is misleading. It is also true that there were no comments on volcanos, NASCAR, or cake recipes because those items are not about the scope of the EIR.

7-7

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the aesthetics report were raised."

6 Air Quality

Section 6.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding air quality were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no in attendance at the meeting had an opinion about air quality. However, the meeting was specifically about scope, not content. While the statement is true, it is misleading.

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the air quality report were raised."

Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures

Items TR2 and TR8 claim to be consistent with applicable clean air plan control measures using "smart growth" without defining what smart growth means. Needs to reference where it is defined or define it. If the discussion afterward is the definition, then the draft should state so. The consistency discusses busses and bicycles – nothing about ridesharing, nothing about trip reductions. 7-8

Item TR10: Land Use Strategies. The draft states that it's within 1.5 miles of a BART station. That must mean that the strategy for Dublin residents living close to BART is to leave town on BART to their jobs instead of work in Dublin (because there are not enough good paying jobs in Dublin). Shorter commutes for work (i.e. good jobs in Dublin) would be a better strategy for air quality.

Item TR13: Parking Policies. Just because the project would meet Dublin's substandard parking requirements (less parking than neighbor cities), that does nothing for air quality. In fact, the less parking that is available the more fuel is burned looking for parking. The description of parking has no bearing on air quality and should be stricken.

10 Greenhouse Gas Emissions

Table 10-2: Dublin Community-wide 2015 GHG Emissions and Adjusted Forecast by Sector ($MTCO_2e$) Population assumptions are wrong in this table. Populations need to be updated/increased and the emission forecasts revised accordingly. All statements and statistics which use these values as a basis need to be re-evaluated. 7-9

14 Noise & Vibration

*"The City of Dublin promotes and supports a **high quality of life**, ensures a safe and secure environment, fosters new opportunities, provides equity across all programs, and champions a culture of diversity and inclusion."* This mission statement depicts a quality of life that is better than average, life experiences that are better than minimum standards. Noise is a quality of life issue that should be taken seriously and not be judged as acceptable if it meets the bare minimum standards.

Section 14.5.4 Operations

MM N-1.2 Noise Attenuation

This section discusses noise control at residential locations. Interior noise levels should be required to be no more than 45 dBA. This can partially be done by an acoustical study. However, these are not without flaws. Blocking noise in a structure is accomplished by a combination of mass, damping materials, and blocking air leaks. In particular, an acoustical study may reference an STC of 45 for an exterior wall, but that does not consider any air leaks or flanking which allow sound to permeate. In other words, the construction details, especially at joints, make a large difference as to how much noise enters the interior of a building. I recommend the following recommendations to this mitigation: 7-10

For all residences with an exterior noise level above 60 dBA, have an acoustical study done and follow recommendations to mitigate noise
For all residences with an exterior noise level above 63 dBA, include the following construction features:
Noise abating windows and sliding glass doors, following manufacturers recommendations
Acoustical caulking in all drywall joints
Use of drywall isolation clips on exterior walls only
Solid core front doors with acoustical stripping and an STC rating of at least 63.
Air ducts that have acoustic lining to absorb noise in order to keep outside noise from travelling along the duct and to reduce overall interior noise

15 Population & Housing

Section 15.3 Environmental Setting

The Draft refers to the population of Dublin as of January 1, 2021. It states that population as being 64,000 while the table below it shows the population in the year before of 72,000. Make no sense. They should be using the current population which is over 73,000. The year 2022 should be added to Table 15-1. 7-11

Section 15.4 Applicable Regulations, Plans, and Standards

The Draft states the buildout plan of the Eastern Dublin Specific Plan to include 29,424 jobs in a 20-to-30-year period. Well, it has been almost 30 years and the number of jobs in 2020 in Dublin was about 22,400 falling significantly short of the plan. This falls short of the City's goal of jobs:housing ratio of 1.5. If the City wishes to keep this section then, this latest 2020 statistic of jobs should be included as a point of reference. 7-11

18 Energy Conservation

Section 18.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding aesthetics were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no in attendance at the meeting had an opinion about aesthetics. However, the meeting was specifically about scope, not content. 7-12

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the Energy Conservation report were raised."

Please make these comments part of the public comments for this project.
Thank you,

Jeanine Gillengerten
Dublin

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Response to Comment Letter #7: Jeanine Gillengerten

Response to Comment 7-1: Public Services - Schools

CEQA requires analysis of project impacts related to, "substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives." Discussion of impact PSU-2 in the Draft EIR details the current and projected capacity for each school that would serve the project and finds that the project would contribute to the school capacity constraints that the Dublin Unified School District (DUSD) is experiencing. However, as stated in the Draft EIR, this impact would be mitigated by the payment of development fees per Section 65995(h) of the California legal code, which reads:

> The payment or satisfaction of a fee, charge, or other requirement levied or imposed pursuant to Section 17620 of the Education Code in the amount specified in Section 65995 and, if applicable, any amounts specified in Section 65995.5 or 65995.7 are hereby deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization as defined in Section 56021 or 56073, on the provision of adequate school facilities.

Thus, with the payment of development fees, the project impact would be less than significant.

Furthermore, DUSD submitted a comment letter on the Draft EIR indicating their position that the December 17, 2019 agreement between the project developer and the District adequately and completely addresses the District's concerns related to the project's potential impacts related to schools. See Response to Comment 5 and the attached copy of the agreement for more information.

Regarding the comment about the DUSD's generation projection of 494 students in Table 16-7 of the Draft EIR, these projections are based on DUSD's 7-Year Student Population Projections (DUSD, 2019) projected future student population by Study Area based on future anticipated residential development between 2019 and 2025. As noted in the Draft EIR, the project site comprises all of Study Areas 120A and 106 and part of Study Areas 102 and 127.

Response to Comment 7-2: Project Objectives

Comment noted regarding removing the word "balanced" in reference to the mix of residential and commercial uses. The word is used in general context and is considered appropriate and consistent with the City's General Plan and general market conditions in the City.

As described in Section 15124 of the CEQA Guidelines, the project objectives are used to help the lead agency develop a reasonable range of alternatives to evaluate in the EIR and aid the

decision makers in preparing findings or a statement of overriding considerations, if necessary. The statement of objectives may include the underlying purpose of the project and may discuss the project benefits.

Response to Comment 7-3: Population and Housing - Housing

Comment noted regarding prior surveys of City residents regarding their preference for development of the project site.

The proposed project is based on the Preferred Plan approved by City Council on February 15, 2022, which was preceded by an extensive community outreach process. More information can be found here: https://www.dublin.ca.gov/2297/SCS-Property-Community-Outreach

Response to Comment 7-4: Population and Housing - Affordable Housing

Comment noted regarding the inclusion of affordable housing in the project.

Response to Comment 7-5: Impact of the Project

Section 20.3, Significant and Unavoidable Impacts of the Draft EIR, discloses the significant and unavoidable impacts of the project. Regarding schools, see Response to Comment 7-1, above.

As shown in Figure 3-5: Proposed General Plan Land Use Designations of the Draft EIR, the project includes a General Plan/Specific Plan Amendment that would re-designate the project site from six to five land use designations. With City Council approval of the project and certification of the EIR, the project would be consistent with applicable land use plans, policies, and regulations, and environmental impacts would be less than significant and no mitigation is required.

While the project would increase the population projections for the City, by increasing the number of units allowed from 261 to 650, the project still represents a small fraction of the planned buildout for the Eastern Dublin Specific Plan area. Furthermore, the project would be consistent with the density of surrounding development and would be within the population growth estimated by the City's General Plan Housing Element. For these reasons, impacts associated with increased population growth and growth-inducing effects would be less than significant and no mitigation measures are required.

The sentence, "*However, the project site is located within the City of Dublin and has been planned for development as anticipated in the City's General Plan*", is referring to the project site itself (i.e., the 76.2-acre parcel), which has existing land use designations and, therefore, has been planned for development.

Response to Comment 7-6: Project Objectives

Comment noted regarding housing affordability. See also Response to Comment 7-2.

Response to Comment 7-7: Aesthetics – Scoping Issues Addressed

Comment noted. The scoping period referenced is in regard to the entire 30-day period from April 1, 2022, to May 2, 2022, which included the scoping meeting on April 13, 2022.

Response to Comment 7-8: Air Quality – Scoping Issues Addressed

Comment noted. See Response to Comment 7-7.

Comments regarding project consistency with applicable clean air plan control measures are noted as well. The Bay Area 2017 Clean Air Plan updates the Bay Area 2010 Clean Air Plan in accordance with the requirements of the California Clean Air Act to implement "all feasible measures" to reduce ozone; provides a control strategy to reduce ozone, PM, TACs, and greenhouse gases in a single, integrated plan; reviews progress in improving air quality in recent years; and establishes emission control measures to be adopted or implemented in both the short term and through 2050.

As discussed in Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures, the project would comply with city, state, and regional requirements. However, as discussed in Impacts AQ-2 and AQ-5, the project would exceed air quality thresholds even with MM AQ-2.1 through AQ-2.5, and impacts would be significant and unavoidable.

The comment regarding where Dublin residents work and how they commute to work (by BART or otherwise) is noted.

The comment regarding Dublin's "substandard" parking requirements and its effect on air quality is noted. The Bay Area Air Quality Management District (BAAQMD) 2017 Clean Air Plan TR13 encourages parking policies and programs in local plans that reduce minimum parking requirements; limit the supply of off-street parking in transit-oriented areas; unbundle the price of parking spaces; and support implementation of demand-based pricing (such as "SF Park") in high-traffic areas.

Response to Comment 7-9: Greenhouse Gas Emissions – Population

The data summarized in this table are from the City of Dublin Climate Action Plan adopted in September of 2020. The data are the latest available at the time of the Notice of Preparation, which establishes the baseline for which the analysis is completed. The Draft EIR is not required to be continuously updated with more current data after the Notice of Preparation.

Response to Comment 7-10: Noise and Vibration – Noise Attenuation

Mitigation Measure N-1.2 from the Draft EIR requires compliance with City noise requirements. With implementation of MM N-1.2: Noise Attenuation (which requires interior noise levels at all residential units at the project site meet the City's 45 dBA threshold) and adherence to Dublin Municipal Code requirements, the Draft EIR determined that noise impacts associated with traffic, mechanical equipment, deliveries, loading/unloading activities, and parking lot noise would be reduced to a less than significant level.

Response to Comment 7-11: Population and Housing – Population

Comment noted regarding the estimated 2020 population for the City of Dublin. Revisions to the Draft EIR have been made as recommended and are shown in Chapter 3: Changes and Clarifications to the Draft EIR. See also Response to Comment 7-5.

Given the minor technical corrections, no new or significant impacts would result from this revision.

Response to Comment 7-12: Energy Conservation – Scoping Issues Addressed

See the Response to Comment 7-7.

Comment Letter # 8

September 1, 2022

Amy Million, Principal Planner
City of Dublin, Community Development Department
100 Civic Plaza
Dublin, CA 94568

Re: SCS Draft EIR comments

Dear Ms. Million:
Thank you for opportunity to review and comment on the Draft EIR for the SCS property. My comments are as follows:

16 Public Services, Utilities & Service Systems

Schools

During the April, 2022 meeting regarding the scope of this EIR, it was requested that the impact to schools be included in the report. The draft describes the status of schools in Dublin from several perspectives. The draft also describes legal statues that limit the amount of mitigation that local government can impose on developers. Finally, on page 16-26 the draft declares that "The evaluation of school impacts is limited to those effects with the potential to result in the need for construction of new classrooms or placement of portable classrooms." It is not clear by this statement if the study restricted itself to only to the need for new classrooms, or if this draft feels that the only possible impact is on the need for new classrooms. In either case, the limited evaluation is insufficient. Although the need for new classrooms could be the most important, other possible considerations are:

- The possibility of increased classroom size, which can affect the amount of attention given to individual students.
- Further crowding on playgrounds, lunchrooms, etc. that have no ability to expand even if more portable classrooms are added.
- Some existing students possibly getting moved to a further school location to make room for new students generated by the project.
- The incremental increased aggravation in the traffic jams due to drop-off and pick-up of students.
- The cost of new materials such as books, desks, lab equipment, etc

8-1

On page 16-29, the draft states that "…DUSD is experiencing school capacity constraints, to which the project would contribute." **This statement is too general and insufficient.** Overcrowded schools is one of the biggest controversies in Dublin. This one-liner doesn't do enough to describe the impact. The impacts need to be spelled out in this EIR so that the public can see what the impacts are. Mitigation is a separate matter.

On page 16-31, the draft makes an unsubstantiated claim that because school levied fees are considered by law to be full and complete mitigation that "Therefore, the demand on the DUSD as a result of the project is considered a less than significant impact (Class III) on school services, and no mitigation is required." **This is a false statement for the following reasons:**

- Mitigation ***is*** required in the form of a fee per square foot of construction levied by the school district or by negotiation between DUSD and the applicant. Perhaps what the author of this draft meant to say is that there is no *further* mitigation that can legally be required other than the fee legally authorized and imposed on the developer.
- Section 65995 of the Government Code does not describe the impact on schools. It only discusses the limits of mitigation. Specifically, the Section 65995 does not state the impacts are "less than significant" as the draft EIR does. The draft EIR offers a conclusion that is baseless.
- This statement makes the argument that because mitigation has been artificially limited by law that the impact must be low. In other words, the claim is: if mitigation is limited, then the impact must also be limited. There is no such logical connection between the reduced legal limit to mitigation and the impact caused by the project. Specifically, impact is not dependent on mitigation.

8-1

Please remove this statement from the report. Please add the other impacts that can occur from more housing units. With those in place, it would make sense then to describe the limits on mitigation.

Table 16-7 shows the DUSD's projection for student generation due to this project is 494. This number is not a good representation of DUSD's projection. It is based on study areas that contain more acreage than SCS has so it is not accurate and DUSD has not made that specific claim. A better reference to DUSD's projection would be to use their student generation rates just like Kimley Horn did for their estimate of 353 students. The rates are available on the DUSD website. For example, here is one set of ratios that is fairly recent from the DUSD demographics study dated January 2022:

School Level	Housing Type		
	Single Family	Multi-Family	High Density
Elementary School (TK-5)	0.388	0.365	0.133
Middle School (6-8)	0.168	0.087	0.036
High School (9-12)	0.118	0.017	0.056

I recommend using these rates to describe DUSD's projection, and updating the reference documents to include this more recent demographic report.

1 Executive Summary

Section 1.3 Project Objectives

Item 1 – The EIR doesn't provide a measure for "balanced" when it comes to a mix of residential and commercial uses. Recommend striking the word "balanced."

Item 7 – "Provide a project that balances housing with job-creating uses." A good ratio of jobs to houses would be around 1.5. Therefore 650 housing units would be balanced if about 975 jobs were created. Just by observation it looks like Topgolf may take up about a third of the 265,000 square feet. Maybe they'll hire 40 employees. The remaining 180,000 square feet should therefore provide about 935 jobs. That's about 190 square feet per employee. Office spaces generally have 150-300 sq ft per employee while retail generally has 300-700 sq ft per employee. Even more space per employee is required for hotels.

Since the discussions for the commercial area have been mostly about retail and entertainment, then this area would at best accommodate (based on 250-600 sq ft per employee) about 350 to 750 jobs (instead of 975 jobs), making this project less-than-ideal. **This project puts Dublin further from it's goal of 1.5 jobs:housing ratio instead of closer.** Therefore, I recommend striking this statement. In addition, this project would likely provide mostly retail jobs which pay substantially less than the average income of people that live in Dublin.

8-2

Section 1.6 Areas of Controversy

Amongst the most controversial topics for this project are a) school overcrowding, b) too much housing development, c) affordable housing, and d) traffic.

Schools

Please see previous comments regarding 16 Public Services, Utilities & Service Systems

Too Much Housing Development

The current planned development on record for this property is for 261 housing units and 900,000 square feet of commercial space. The City hired a number of consultants to figure out what the residents wanted for this property. The **first survey** that was conducted showed the following respondents choices:

- 30% wanted no housing
- 31% wanted low density housing
- 26% wanted medium density housing
- 13% wanted high density housing

Even though "no housing" was not a practical option, it showed that 62% of the residents wanted low density housing or no housing at all. 39% wanted medium density or higher. After seeing the results, the consultant and developer sweetened the pot by promising some public benefit. (e.g. the vista looking toward Mt. Diablo and more retail located near Finnegan) A **second survey** was conducted. Roughly the same number of people. This time, the promised public benefits were enough so that more people were okay with medium density:

8-3

- 30% wanted current zoning (low housing count-261 housing units)
- 20% wanted low housing count (350 units)
- 36% wanted medium density housing (650 units + public benefit)
- 14% wanted high density housing (850 units + public benefit)

That was more of a 50-50 split for low density vs. higher density housing. Still controversial, but the project is moving ahead with the higher density (650 residential units) with the encouragement of the City Council. 8-3

Affordable Housing

No exact numbers have been announced for affordable housing. However, the developer appears to have agreed to the 12.5% inclusionary housing requirement, likely doing a buyout for 40% of that. The expectation is that there will be (550 units)(12.5%)(60%) = 41 affordable for-sale units dispersed throughout the development. In addition, a parcel may be dedicated for affordable rental housing which could bring the total units of affordable housing to 100 units. The inclusion of these affordable units should make this project less controversial in this subject area. 8-4

Increase Traffic

See Draft EIR

Section 1.9 Impact of the Project

CEQA Guidelines section 15126.2(c) requires the reporting of Significant Environmental Effects Which Cannot be Avoided if the Proposed Project is Implemented. This section needs to be included in this EIR to reflect the impact on schools in Dublin. It may be true that limited mitigation can be found in the form of Level 2 fees levied by the school district, but those recovered fees are only a small portion of the cost to DUSD for housing students. This should be part of the discussion in this new section. This section needs to be added to report the impact on schools.

Table 1-2: Summary of Significant Impacts of the Proposed Project

Table 1-2: Land Use & Planning. The table shows "No significant impacts identified." This is a ridiculous notion. The number of houses has more than doubled the initial plan. This land used requires a change in zoning which is absolutely significant. 8-5

Table 1-2: Population & Housing. The table shows "No significant impacts identified." The number of housing units and population will more than double the initial plan. The population of Dublin will increase by 2.5% from this project alone. Please correct this section.

1.9.2 Growth-Inducing Effects

In the Draft, the last sentence in this section states that "the project site… has been planned for development as anticipated in the City's General Plan. **This statement is false.** "The project" described in this Draft EIR is **not** as anticipated in the current General Plan. It requires a zoning change and increases the anticipated housing count by 149%. It would be better to state that the property has been planned for development, and leave it at that.

3 Project Description

Section 3.3 Project Objectives

See previous comments about Section 1.3. Since most of the proposed commercial use will be retail and entertainment, the employment opportunities will be mostly for minimum-wage jobs. None of these minimum-wage workers will be able to afford a house in this new project. 8-6

5 Aesthetics

Section 5.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding aesthetics were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no one in attendance at the meeting had an opinion about aesthetics. However, the meeting was specifically about scope, not content. While the statement is true, it is misleading. It is also true that there were no comments on volcanos, NASCAR, or cake recipes because those items are not about the scope of the EIR. 8-7

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the aesthetics report were raised."

6 Air Quality

Section 6.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding air quality were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no in attendance at the meeting had an opinion about air quality. However, the meeting was specifically about scope, not content. While the statement is true, it is misleading.

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the air quality report were raised."

Table 6-7: Project Consistency with Applicable Clean Air Plan Control Measures
Items **TR2** and **TR8** claim to be consistent with applicable clean air plan control measures using "smart growth" without defining what smart growth means. Needs to reference where it is defined or define it. If the discussion afterward is the definition, then the draft should state so. The consistency discusses busses and bicycles – nothing about ridesharing, nothing about trip reductions. 8-8

Item TR10: Land Use Strategies. The draft states that it's within 1.5 miles of a BART station. That must mean that the strategy for Dublin residents living close to BART is to leave town on BART to their jobs instead of work in Dublin (because there are not enough good paying jobs in Dublin). Shorter commutes for work (i.e. good jobs in Dublin) would be a better strategy for air quality.

Item TR13: Parking Policies. Just because the project would meet Dublin's substandard parking requirements (less parking than neighbor cities), that does nothing for air quality. In fact, the less parking that is available the more fuel is burned looking for parking. The description of parking has no bearing on air quality and should be stricken.

10 Greenhouse Gas Emissions

Table 10-2: Dublin Community-wide 2015 GHG Emissions and Adjusted Forecast by Sector ($MTCO_2e$) Population assumptions are wrong in this table. Populations need to be updated/increased and the emission forecasts revised accordingly. All statements and statistics which use these values as a basis need to be re-evaluated. 8-9

14 Noise & Vibration

*"The City of Dublin promotes and supports a **high quality of life**, ensures a safe and secure environment, fosters new opportunities, provides equity across all programs, and champions a culture of diversity and inclusion."* This mission statement depicts a quality of life that is better than average, life experiences that are better than minimum standards. Noise is a quality of life issue that should be taken seriously and not be judged as acceptable if it meets the bare minimum standards.

Section 14.5.4 Operations

MM N-1.2 Noise Attenuation

This section discusses noise control at residential locations. Interior noise levels should be required to be no more than 45 dBA. This can partially be done by an acoustical study. However, these are not without flaws. Blocking noise in a structure is accomplished by a combination of mass, damping materials, and blocking air leaks. In particular, an acoustical study may reference an STC of 45 for an exterior wall, but that does not consider any air leaks or flanking which allow sound to permeate. In other words, the construction details, especially at joints, make a large difference as to how much noise enters the interior of a building. I recommend the following recommendations to this mitigation: 8-10

- For all residences with an exterior noise level above 60 dBA, have an acoustical study done and follow recommendations to mitigate noise
- For all residences with an exterior noise level above 63 dBA, include the following construction features:
    - Noise abating windows and sliding glass doors, following manufacturers recommendations
    - Acoustical caulking in all drywall joints
    - Use of drywall isolation clips on exterior walls only
    - Solid core front doors with acoustical stripping and an STC rating of at least 63.
    - Air ducts that have acoustic lining to absorb noise in order to keep outside noise from travelling along the duct and to reduce overall interior noise

15 Population & Housing

Section 15.3 Environmental Setting

The Draft refers to the population of Dublin as of January 1, 2021. It states that population as being 64,000 while the table below it shows the population in the year before of 72,000. Make no sense. They should be using the current population which is over 73,000. The year 2022 should be added to Table 15-1.

Section 15.4 Applicable Regulations, Plans, and Standards 8-11

The Draft states the buildout plan of the Eastern Dublin Specific Plan to include 29,424 jobs in a 20-to-30-year period. Well, it has been almost 30 years and the number of jobs in 2020 in Dublin was about 22,400 falling significantly short of the plan. This falls short of the City's goal of jobs:housing ratio of 1.5. If the City wishes to keep this section then, this latest 2020 statistic of jobs should be included as a point of reference.

18 Energy Conservation

Section 18.2 Scoping Issues Addressed.

The Draft states that "During the public comment scoping period for the project, no comments regarding aesthetics were raised." This statement needs to be stricken. Reason: the current statement makes it sound like no in attendance at the meeting had an opinion about aesthetics. However, the meeting was specifically about scope, not content. 8-12

A more appropriate and accurate statement could be something like, "During the public scoping meeting, no comments about the scope of the Energy Conservation report were raised."

Please make these comments part of the public comments for this project. I am happy to discuss any of these items.

Regards,

Tom Evans

Tom Evans
Dublin, CA
[redacted]

Response to Comment Letter #8: Tom Evans

Response to Comment 8-1: Public Services – Schools

See Response to Comment 7-1.

Response to Comment 8-2: Project Objectives

See Response to Comment 7-2.

Response to Comment 8-3: Population and Housing – Housing

See Response to Comment 7-3.

Response to Comment 8-4: Population and Housing – Affordable Housing

See Response to Comment 7-4.

Response to Comment 8-5: Impact of the Project

See Response to Comment 7-5.

Response to Comment 8-6: Project Objectives

See Response to Comment 7-6.

Response to Comment 8-7: Aesthetics – Scoping Issues Addressed

See Response to Comment 7-7.

Response to Comment 8-8: Air Quality – Scoping Issues Addressed

See Response to Comment 7-7.

Response to Comment 8-9: Greenhouse Gas Emissions - Population

See Response to Comment 7-9.

Response to Comment 8-10: Noise and Vibration – Noise Attenuation

See Response to Comment 7-10.

Response to Comment 8-11: Population and Housing – Population and Jobs

See Response to Comment 7-11.

Response to Comment 8-12: Energy Conservation – Scoping Issues Addressed

See Response to Comment 7-7.

3 Changes and Clarifications to the Draft EIR

Subsequent to the public release of the Draft EIR, revisions have been made as a result of public comments received and/or staff-initiated changes. Those pages with revisions are identified below and follow this list of pages. Changes to the Draft EIR are shown with new text in underline, and removed text in ~~strikethrough~~. These text changes do not constitute substantial new information and do not result in significant new impacts or the increase in severity of impacts already disclosed.

3.1 List of Errata Pages

Page 12-1, 12-2,12-3 and 12-16	Text revised to add reference to Zone 7 Water Agency, *Alternative Groundwater Sustainability Plan for the Livermore Valley Groundwater Basin* and incorporate recommended language on the Main Basin.
Page 15-1	Text revised to update population numbers.
Page 16-9	Text revised to correct sewer line size in Brannigan Street.
Appendix F	Noise Analysis Technical Data Revisions to *FHWA Highway Noise Prediction Model (FHWA-RD-77-108) with California Vehicle Noise (CALVENO) Emission Levels* tables page 3 (Opening Year) and page 4 (Opening Year Plus Project) to correct assumption regarding the timing of construction of the Dublin Boulevard Extension Project, as described below.
Appendix G	Final Water Supply Assessment and Water Supply Verification The Draft EIR included the Draft Water Supply Assessment dated July 2022 as Appendix G. On August 16, 2022, the DSRSD Board of Directors approved, by Resolution No. 48-22, the Water Supply Assessment and Water Supply Verification for the project. Following the adoption, DSRSD staff noted two clerical errors and on September 20, 2022, the DSRSD Board of Directors approved the corrected Water Supply Assessment and Water Supply Verification for the project. Appendix G has been updated with the corrected Water Supply Assessment and Water Supply Verification approved on September 20, 2022.

3.2 Clarification to Traffic and Noise Assumptions

In the Draft EIR, the noise assessment was based on traffic volumes for Existing, Near-Term, and Cumulative conditions. In the Near-Term condition, it was initially assumed that the Dublin Boulevard Extension Project would be completed by the opening year for the project (2025) when in fact it is not anticipated to be completed until the Winter of 2027. This change in assumptions has potential implications on the noise analysis which relies on average daily traffic volumes for roadway segments, as presented in Appendix F. The following describes the implications of this change in assumptions and potential effects on the Noise analysis as presented in the Draft EIR.

As shown in the graphic below, the Dublin Boulevard Extension Project is planned for the 1.5-mile extension of Dublin Boulevard from Fallon Road to North Canyons Parkway in Livermore. The Final Design phase began in May 2021 and is anticipated to be complete in approximately 24 months (May 2023). Construction of the Dublin Boulevard Extension Project is anticipated to be completed by Winter2027.

Dublin Boulevard – North Canyons Parkway Extension Project



To correct this assumption, the average daily traffic volumes for the Near-Term condition were revised to remove the Extension Project. For the noise analysis, Kimley-Horn reviewed these revised traffic volumes for the Existing, Near-Term, and Cumulative conditions and determined that, consistent with Draft EIR, the "Near Term With Project" traffic noise levels would not exceed the 3.0 dBA increase significance threshold along any of the surrounding roadways. This assessment is based on the professional judgement that traffic volumes on a particular roadway segment would need to approximately double to cause a significant impact.

As a result, the project would not result in a perceptible increase in traffic noise levels and impacts would be less than significant. Additionally, because the revision only relates to the timing of completion of the Dublin Boulevard Extension Project there would be no change in vehicle miles traveled (VMT). Because there would be no new or substantial increase in the severity of noise or transportation impacts, recirculation of the Draft EIR is not required, consistent with Section 15088.5 (b) of the CEQA Guidelines. [1]

1 Section 15088.5 (b) of the CEQA Guidelines states: "Recirculation is not required where new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR."

12 Hydrology & Water Quality

12.1 Introduction

This chapter describes effects on water resources (hydrology and water quality) that would be caused by implementation of the project. Information used to prepare this chapter came from the following resources:

- Aerial/satellite photography
- Project application and related materials
- Dublin-San Ramon Services District, *2020 Urban Water Management Plan*, 2021
- Zone 7 Water Agency, *Alternative Groundwater Sustainability Plan for the Livermore Valley Groundwater Basin*, 2021

12.2 Scoping Issues Addressed

During the public comment scoping period for the project, one comment letter was received requesting analysis of planned potable water supply, wastewater connection, irrigation water supply, and hydrology and water quality in general.

12.3 Environmental Setting

This section presents information on the existing conditions of the project site and vicinity for hydrology and water quality.

12.3.1 Surface Water

Watershed

The project site is located within the Livermore Drainage Unit which is one of two major drainage basins in the Alameda Creek Watershed, and east of Tassajara Creek, which runs in a north-south direction. Tassajara Creek is a natural watercourse north of Interstate 580; but is channelized south of Interstate 580, prior to its convergence with Arroyo Mocho. Arroyo Mocho flows south to Arroyo De La Laguna, which empties into the San Francisco Bay.

The project site is located in the service area of the Dublin-San Ramon Services District (DSRSD), which serves the City of Dublin with potable water and non-potable recycled water. Alameda County Flood Control and Water Conservation District, known as Zone 7, supplies wholesale water to DSRSD.

Flooding

Flood Insurance Rate maps partition flood areas into three zones: Zone A for areas of 100-year flood; Zone B for areas of 500-year flood; and Zone C for areas of minimal flooding. The National Flood Insurance Program 100-year floodplain is considered the base flood condition.

This is defined as a flood event of a magnitude that would be equaled or exceeded an average of once during a 100-year period. Floodways are defined as stream channels plus adjacent floodplains that must be kept free of encroachment as much as possible so that the 100-year floods can be carried without substantial increases (no more than one foot) in flood elevations.

According to the Federal Emergency Management Agency (FEMA) mapped Flood Insurance Rate Map (FIRM), the majority of the project site is within Zone X (areas of the 0.2% annual chance flood; areas of one percent annual chance flood with average depth of less than one foot or with drainage areas less than one square mile; and areas protected by levees from 1% annual chance flood), except the southerly portion of PA-1, which lies within zone AH (flood depth of one to three feet) with a base flood elevation of 349.0. (FEMA, 2009). As shown in Figure 12-1: Flood Hazard Areas, the southerly portion of the project site is located within the 100-year floodplain.

12.3.2 Groundwater

The project is within the Livermore Valley Groundwater Basin which extends about 14 miles from the Pleasanton Ridge east to the Altamont Hills and about three miles from the Livermore Upland north to the Orinda Upland. Principal streams providing surface drainage include Arroyo Valle, Arroyo Mocho, and Arroyo Las Positas, with Alamo Creek, South San Ramon Creek, and Tassajara Creek as minor streams. All streams converge on the west side of the basin to form Arroyo de la Laguna, which flows south and joins Alameda Creek in Sunol Valley.

Some geologic structures restrict the lateral movement of groundwater, but the general groundwater gradient is to the west, then south towards Arroyo de la Laguna. Elevations within the basin range from about 600 feet in the east, near the Altamont Hills, to about 280 feet in the southwest, where Arroyo de la Laguna flows into Sunol Groundwater Basin. Average annual precipitation ranges from 16 inches on the valley floor to more than 20 inches along the southeast and northwest basin margins.

The floor of the Livermore Valley and portions of the upland areas on all sides of the valley overlie groundwater-bearing materials. The materials are continental deposits from alluvial fans, outwash plains, and lakes. They include valley-fill materials, the Livermore Formation, and the Tassajara Formation. Under most conditions, the valley-fill and Livermore sediments yield adequate to large quantities of groundwater to all types of wells. The quality of water produced from these rocks ranges from poor to excellent, with most waters in the good to excellent range.

Zone 7 operates the Main Basin such that groundwater storage remains between 254 thousand acre-feet (TAF; full Basin volume) and 128 TAF (historic low volume) – that range is considered the Operational Storage. Groundwater below this minimum threshold is regarded as Reserve Storage that intended for use only during emergency conditions. ~~Total storage capacity of the basin is estimated at about 500,000 acre-feet (af). Groundwater storage was estimated at 219,000 af in 1999.~~

Zone 7 has maintained an annual hydrologic inventory of supply and demand since 1974. ~~The inventory describes the balance between groundwater supply and demand. Under average hydrologic conditions, the groundwater budget is essentially in balance. Groundwater budget inflow components include natural recharge of 10,000 acre-feet, artificial recharge of 10,900 af, applied water recharge of 1,740 acre-feet, and subsurface inflow of 1,000 af. Groundwater budget outflow components include urban extraction of 10,290 af, agricultural extraction of 190 af, other extraction and evaporation associated with gravel mining operations of 12,620 af, and subsurface outflow of 540 af.~~As described in the *Alternative Groundwater Sustainability Plan* (2021), Zone 7 has continued to sustainably manage groundwater storage in the Basin to avoid "undesirable results" for decades, including over three major droughts. As of the end of the 2020 water year, the total groundwater storage was estimated to be 239.5 thousand acre-feet.

Zone 7 extracts groundwater from the Livermore Valley Main Groundwater Basin (Main Basin) which contains high-yielding aquifers and good quality groundwater. The Main Basin has an estimated storage capacity of approximately 254,000 af. California Department of Water Resources (DWR) has not identified the Main Basin as a basin in overdraft or a basin expected to be in overdraft. The Main Basin is considered a storage facility and not a long-term source of water supply because Zone 7 only pumps groundwater it has artificially recharged using its surface water supplies.

DSRSD, the City of Pleasanton, the City of Livermore, and California Water Service Company have agreements with Zone 7 limiting their extraction of the long-term sustainable yield of the Main Basin. This agreement, along with Zone 7's other groundwater management activities, keeps the groundwater budget in balance under average hydraulic conditions. Each of these entities, known as retailers, has a groundwater pumping quota (GPQ) and are responsible for a fee if they pump in excess of their GPQ.

DSRSD groundwater supply is pumped by Zone 7 from Mocho well No. 4, a Zone 7 installed well located in the Mocho well field. Groundwater from Mocho No.4 is blended with water from other Zone 7 water supplies and is delivered to DSRSD to meet its total water demand. Zone 7 conducts a program of groundwater replenishment by recharging imported surface water via its streams ("in-stream recharge") for storage in the Main Basin. Zone 7's operational policy is to maintain the balance between the combination of natural and artificial recharge and withdrawal, ensuring that groundwater levels do not drop below the historic low level of 128,000 af. Zone 7 plans to recharge 9,200 afy on average, which means that Zone 7 can pump an equivalent 9,200 afy on average from the Main Basin.

DWR (California Department of Water Resources). 2021. California's Groundwater Update 2020 (Bulletin 118). Available at https://data.cnra.ca.gov/dataset/calgw_update2020. Accessed April 4, 2022.

EKI, Zone 7 Water Agency, *Alternative Groundwater Sustainability Plan for the Livermore Valley Groundwater Basin, 2021*

Federal Emergency Management Agency. 2009. Flood Insurance Rate Map Number 06001C0328G. Available at https://msc.fema.gov/portal/home. Accessed April 4, 2022.

Mackay & Somps. 2006. Dublin Ranch Drainage Master Plan.

USACE (U.S. Army Corps of Engineers). 2008. A Field Guide to the Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the Western United States: A Delineation Manual. Available at: https://www.spk.usace.army.mil/Portals/12/documents/regulatory/pdf/Ordinary_High_Watermark_Manual_Aug_2008.pdf. Accessed April 4, 2022.

15 Population & Housing

15.1 Introduction

This section describes effects on population and housing that would be caused by implementation of the project. Information used to prepare this section came from the following resources:

- City of Dublin, *General Plan*, 1985 amended 2022
- City of Dublin, *Eastern Dublin Specific Plan*, 1994, updated 2022
- City of Dublin, *6th Cycle Public Review Draft Housing Element*, 2022
- Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC), *Plan Bay Area 2050*, 2021

15.2 Scoping Issues Addressed

During the public comment scoping period for the project, comments requesting analysis of the number of school children generated were received.

15.3 Environmental Setting

This section presents information on population and housing conditions in the project area.

15.3.1 Population Characteristics

Alameda County

Alameda County has a current population of approximately 1,656,591 persons (DOF, 2021a). The 6th Cycle Public Review Draft Housing Element estimates that the population of Alameda County will increase to 2,092,370 (an increase of 42 percent compared to population in 2010) by 2040 (City of Dublin, 2022a). Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population shows population numbers for the County as determined by the City as determined by the City General Plan Housing Element.

City of Dublin

As of ~~January 1,~~ 2021~~1~~, the City of Dublin has a population of ~~64,695~~72,589 persons representing approximately four percent of Alameda County's population ~~(DOF, 2021a)~~. As shown in Table 15-1: City of Dublin and Alameda County Existing and Forecasted Population, the population in Dublin is expected to increase to 83,595 by 2040 (a 82 percent increase compared to population in 2010).

gravity to the WWTP. Generally, wastewater flows by gravity from the northwest to the south and from the east to the west and then to the south within the wastewater collection service area. The collection system consists of approximately 207 miles of gravity mains, 26 feet of force main, one permanent lift station, and one temporary lift station (DSRSD, 2017).

The project would connect to existing underground DSRSD sewer lines located within the right-of-way of the adjacent roadways. Major sanitary sewer facilities include a 30-inch pipe on Dublin Boulevard, a 15-inch pipe on Tassajara Road, ~~and~~ a 10-inch pipe~~s~~ on ~~both Brannigan Street and~~ Gleason Drive, and an 8-inch pipe on Brannigan Street.

Treatment Facility

DSRSD owns and operates the Regional Wastewater Treatment Plant in the City of Pleasanton, which treats wastewater from the cities of Dublin, South San Ramon, and Pleasanton. The WWTP includes conventional secondary treatment facilities, as well as tertiary and advanced recycled water treatment facilities.

The WWTP includes conventional secondary treatment facilities, as well as tertiary and advanced recycled water treatment facilities. The conventional secondary wastewater treatment facilities include primary sedimentation, activated sludge secondary treatment, secondary sedimentation, chlorine disinfection, and effluent pumping. The secondary treatment facilities currently have an average dry weather flow (ADWF) capacity of 17.0 MGD.

A portion of the secondary effluent from the WWTP is treated further to produce Title 22 disinfected tertiary recycled water ("recycled water"). Recycled water is produced using sand filtration and ultraviolet disinfection facilities (SFUV) during the dry season when demands are high. The sand filtration tertiary treatment facility capacity is approved by RWQCB for 16.2 MGD, and the ultraviolet disinfection system has been approved to be operated at up to 17.6 MGD. The WWTP also includes microfiltration and ultraviolet disinfection facilities (MFUV) with a treatment capacity of 3.0 MGD. These facilities currently act as backup facilities for the SFUV facilities and are used during times of low and high demand.

Wastewater that is not recycled is discharged into the San Francisco Bay through a pipeline owned by the Livermore Amador Valley Water Management Agency (LAVWMA), a joint powers agency created in 1974 by DSRSD, Livermore, and Pleasanton. Operations began in September 1979, with an expansion in 2005, for a current design capacity of 41.2 MGD. The wastewater effluent from the Livermore and DSRSD wastewater treatment facilities are conveyed to the LAVWMA pump station in Pleasanton. The wastewater effluent is then pumped out of the Livermore-Amador Valley via a 16-mile pipeline from Pleasanton to San Leandro and enters the East Bay Regional Discharge Authority system for de-chlorination and discharge through a deep-water outfall to the San Francisco Bay (DSRSD, 2021).

Storm Drainage

The City of Dublin maintains storm drain pipes and inlets that are on public streets or that carry water which originates on a public street. Drainage facilities that are located on private

FHWA Highway Noise Prediction Model (FHWA-RD-77-108) with California Vehicle Noise (CALVENO) Emission Levels
Project Name: SCS Dublin
Project Number: 097059316
Scenario: Opening Year
Ldn/CNEL: CNEL

Assumed 24-Hour Traffic Distribution:	Day	Evening	Night
Total ADT Volumes	77.70%	12.70%	9.60%
Medium-Duty Trucks	87.43%	5.05%	7.52%
Heavy-Duty Trucks	89.10%	2.84%	8.06%

#	Roadway	Segment	Lanes	Median Width	ADT Volume	Speed (mph)	Alpha Factor	Vehicle Mix: Medium Trucks	Vehicle Mix: Heavy Trucks	CNEL at 100 Feet	Distance from Centerline of Roadway: Distance to Contour: 70 CNEL	65 CNEL	60 CNEL	55 CNEL	Calc Dist	Day	Eve	Night
1	Hacienda Drive	Central Parkway to Dublin Boulevard	5	25	14,200	35	0	2.0%	1.0%	62.5	-	-	177	559	100	11,033	1,803	1,363
2	Hacienda Drive	Dublin Boulevard to I-580 WB Off Ramp	7	25	38,760	35	0	2.0%	1.0%	67.1	-	163	514	1,625	100	30,117	4,923	3,721
3	Hacienda Drive	I-580 WB Off Ramp to I-580 EB Off Ramp	6	0	42,020	35	0	2.0%	1.0%	67.1	-	162	511	1,615	100	32,650	5,337	4,034
4	Hacienda Drive	I-580 EB Off Ramp to Owens Drive	6	20	47,040	40	0	2.0%	1.0%	69.0	80	253	799	2,526	100	36,550	5,974	4,516
5	Tassajara Road	Fallon Road to Gleason Drive	4	20	29,390	45	0	2.0%	1.0%	68.0	62	197	624	1,975	100	22,836	3,733	2,821
6	Tassajara Road	Gleason Drive to Aviano Way	4	25	27,120	45	0	2.0%	1.0%	67.6	58	184	581	1,837	100	21,072	3,444	2,604
7	Tassajara Road	Aviano Way to Project Driveway	4	25	27,120	45	0	2.0%	1.0%	67.6	58	184	581	1,837	100	21,072	3,444	2,604
8	Tassajara Road	Project Driveway to Central Parkway	4	25	27,120	45	0	2.0%	1.0%	67.6	58	184	581	1,837	100	21,072	3,444	2,604
9	Tassajara Road	Central Parkway to Project Driveway (South Entry Level Townhomes)	5	25	29,390	45	0	2.0%	1.0%	68.1	64	204	644	2,036	100	22,836	3,733	2,821
10	Tassajara Road	Project Driveway (South Entry Level Townhomes) to Finnian Way	5	25	29,960	45	0	2.0%	1.0%	68.2	66	208	656	2,076	100	23,279	3,805	2,876
11	Tassajara Road	Finnian Way to Project Driveway (Affordable Housing)	6	25	29,290	45	0	2.0%	1.0%	68.2	-	209	660	2,087	100	22,758	3,720	2,812
12	Tassajara Road	Project Driveway (Affordable Housing) to Dublin Boulevard	6	25	29,290	45	0	2.0%	1.0%	68.2	-	209	660	2,087	100	22,758	3,720	2,812
13	Tassajara Road	Dublin Boulevard to Northside Drive	6	5	45,660	45	0	2.0%	1.0%	69.9	98	311	985	3,114	100	35,478	5,799	4,383
14	Tassajara Road	Northside Drive to I-580 WB Off-Ramp	5	5	46,600	45	0	2.0%	1.0%	69.9	99	312	986	3,117	100	36,208	5,918	4,474
15	Tassajara Road	I-580 WB Off-Ramp to Pimlico Drive	4	8	53,860	45	0	2.0%	1.0%	70.5	113	356	1,126	3,561	100	41,849	6,840	5,171
16	Santa Rita Road	I-580 WB Off-Ramp to Pimlico Drive	4	8	39,910	45	0	2.0%	1.0%	69.2	83	264	834	2,639	100	31,010	5,069	3,831
17	Brannigan Street	Gleason Drive to Aviano Way	2	0	4,040	25	0	2.0%	1.0%	54.4	-	-	-	87	100	3,139	513	388
18	Brannigan Street	Aviano Way to Central Parkway	2	0	4,510	25	0	2.0%	1.0%	54.9	-	-	-	97	100	3,504	573	433
19	Brannigan Street	Central Parkway to Finnian Way	2	0	2,740	25	0	2.0%	1.0%	52.7	-	-	-	59	100	2,129	348	263
20	Brannigan Street	Finnian Way to Project Driveway (South Family Homes)	2	0	3,720	25	0	2.0%	1.0%	54.0	-	-	-	80	100	2,890	472	357
21	Brannigan Street	Project Driveway (South Family Homes) to Dublin Boulevard	2	0	3,720	25	0	2.0%	1.0%	54.0	-	-	-	80	100	2,890	472	357
22	Brannigan Street	Dublin Boulevard to Project Driveway (Commercial)	2	0	2,100	25	0	2.0%	1.0%	51.6	-	-	-	45	100	1,632	267	202
23	Fallon Road	Tassajara Road to Gleason Drive	4	25	16,010	40	0	2.0%	1.0%	64.2	-	83	262	827	100	12,440	2,033	1,537
24	Fallon Road	Gleason Drive to Central Parkway	4	25	27,160	40	0	2.0%	1.0%	66.5	-	140	444	1,404	100	21,103	3,449	2,607
25	Fallon Road	Central Parkway to Dublin Boulevard	5	25	29,280	45	0	2.0%	1.0%	68.1	64	203	641	2,029	100	22,751	3,719	2,811
26	Fallon Road	Dublin Boulevard to I-580 WB Off Ramp	4	25	33,760	45	0	2.0%	1.0%	68.6	72	229	723	2,286	100	26,232	4,288	3,241
27	Fallon Road	I-580 WB Off Ramp to I-580 EB Off Ramp	4	0	27,800	45	0	2.0%	1.0%	67.6	58	182	576	1,823	100	21,601	3,531	2,669
28	Fallon Road	I-580 EB Off Ramp to W Jack London Boulevard	4	25	27,410	40	0	2.0%	1.0%	66.5	-	142	448	1,417	100	21,298	3,481	2,631
29	Gleason Drive	Tassajara Road to Project Driveway	2	25	10,120	40	0	2.0%	1.0%	62.0	-	51	160	507	100	7,863	1,285	972
30	Gleason Drive	Project Driveway to Brannigan Street	2	25	10,120	40	0	2.0%	1.0%	62.0	-	51	160	507	100	7,863	1,285	972
31	Gleason Drive	Brannigan Street to Grafton Street	4	15	7,780	40	0	2.0%	1.0%	61.0	-	-	125	396	100	6,045	988	747
32	Gleason Drive	Grafton Street to Fallon Road	4	15	7,220	40	0	2.0%	1.0%	60.7	-	-	116	368	100	5,610	917	693
33	Central Parkway	Hacienda Drive to Tassajara Road	2	25	9,990	35	0	2.0%	1.0%	60.7	-	-	118	373	100	7,762	1,269	959
34	Central Parkway	Tassajara Road to Project Driveway (North Side)	2	25	12,900	35	0	2.0%	1.0%	61.8	-	48	152	481	100	10,023	1,638	1,238
35	Central Parkway	Project Driveway (North Side) to Brannigan Street	2	25	12,900	35	0	2.0%	1.0%	61.8	-	48	152	481	100	10,023	1,638	1,238
36	Central Parkway	Brannigan Street to Montalcino Street/Chancery Lane	2	25	12,240	35	0	2.0%	1.0%	61.6	-	46	144	457	100	9,510	1,554	1,175
37	Central Parkway	Montalcino Street/Chancery Lane to Grafton Street	2	15	13,480	35	0	2.0%	1.0%	62.0	-	50	158	499	100	10,474	1,712	1,294
38	Central Parkway	Grafton Street to Fallon Road	2	15	14,150	35	0	2.0%	1.0%	62.2	-	52	166	524	100	10,995	1,797	1,358
39	Dublin Boulevard	Hacienda Drive to Tassajara Road	6	25	51,040	45	0	2.0%	1.0%	70.6	115	364	1,150	3,637	100	39,658	6,482	4,900
40	Dublin Boulevard	Tassajara Road to Project Driveway (South Family Homes)	5	25	53,320	45	0	2.0%	1.0%	70.7	117	369	1,168	3,694	100	41,430	6,772	5,119
41	Dublin Boulevard	Project Driveway (South Family Homes) to Brannigan Street	5	25	53,320	45	0	2.0%	1.0%	70.7	117	369	1,168	3,694	100	41,430	6,772	5,119
42	Dublin Boulevard	Brannigan Street to Grafton Street	6	25	49,970	45	0	2.0%	1.0%	70.5	113	356	1,126	3,561	100	38,827	6,346	4,797
43	Dublin Boulevard	Grafton Street to Keegan Street	6	25	49,350	45	0	2.0%	1.0%	70.5	111	352	1,112	3,517	100	38,345	6,267	4,738
44	Dublin Boulevard	Keegan Street to Lockhart Street	6	25	43,120	45	0	2.0%	1.0%	69.9	97	307	972	3,073	100	33,504	5,476	4,140
45	Dublin Boulevard	Lockhart Street to Fallon Road	6	25	43,900	45	0	2.0%	1.0%	70.0	99	313	989	3,128	100	34,110	5,575	4,214
46	Dublin Boulevard	East of Fallon Road	6	25	29,730	45	0	2.0%	1.0%	68.3	-	212	670	2,119	100	23,100	3,776	2,854

[1] Distance is from the centerline of the roadway segment to the receptor location.
"-" = contour is located within the roadway right-of-way.

FHWA Highway Noise Prediction Model (FHWA-RD-77-108) with California Vehicle Noise (CALVENO) Emission Levels

Project Name: SCS Dublin
Project Number: 097059316
Scenario: Opening Year Plus Project
Ldn/CNEL: CNEL

Assumed 24-Hour Traffic Distribution:	Day	Evening	Night
Total ADT Volumes	77.70%	12.70%	9.60%
Medium-Duty Trucks	87.43%	5.05%	7.52%
Heavy-Duty Trucks	89.10%	2.84%	8.06%

#	Roadway	Segment	Lanes	Median Width	ADT Volume	Speed (mph)	Alpha Factor	Vehicle Mix: Medium Trucks	Vehicle Mix: Heavy Trucks	CNEL at 100 Feet	Distance from Centerline of Roadway to Contour: 70 CNEL	65 CNEL	60 CNEL	55 CNEL	Calc Dist	Day	Eve	Night
1	Hacienda Drive	Central Parkway to Dublin Boulevard	5	25	14,350	35	0	2.0%	1.0%	62.5	-	-	179	565	100	11,150	1,822	1,378
2	Hacienda Drive	Dublin Boulevard to I-580 WB Off Ramp	7	25	39,560	35	0	2.0%	1.0%	67.2	-	166	525	1,659	100	30,738	5,024	3,798
3	Hacienda Drive	I-580 WB Off Ramp to I-580 EB Off Ramp	6	0	42,700	35	0	2.0%	1.0%	67.2	-	164	519	1,641	100	33,178	5,423	4,099
4	Hacienda Drive	I-580 EB Off Ramp to Owens Drive	6	20	47,500	40	0	2.0%	1.0%	69.1	81	255	807	2,551	100	36,908	6,033	4,560
5	Tassajara Road	Fallon Road to Gleason Drive	4	20	29,650	45	0	2.0%	1.0%	68.0	63	199	630	1,992	100	23,038	3,766	2,846
6	Tassajara Road	Gleason Drive to Aviano Way	4	25	27,540	45	0	2.0%	1.0%	67.7	59	187	590	1,865	100	21,399	3,498	2,644
7	Tassajara Road	Aviano Way to Project Driveway	4	25	27,690	45	0	2.0%	1.0%	67.7	59	188	593	1,875	100	21,515	3,517	2,658
8	Tassajara Road	Project Driveway to Central Parkway	4	25	27,800	45	0	2.0%	1.0%	67.7	60	188	595	1,883	100	21,601	3,531	2,669
9	Tassajara Road	Central Parkway to Project Driveway (South Entry Level Townhomes)	5	25	30,540	45	0	2.0%	1.0%	68.3	67	212	669	2,116	100	23,730	3,879	2,932
10	Tassajara Road	Project Driveway (South Entry Level Townhomes) to Finnian Way	5	25	31,170	45	0	2.0%	1.0%	68.3	68	216	683	2,160	100	24,219	3,959	2,992
11	Tassajara Road	Finnian Way to Project Driveway (Affordable Housing)	6	25	32,150	45	0	2.0%	1.0%	68.6	72	229	724	2,291	100	24,981	4,083	3,086
12	Tassajara Road	Project Driveway (Affordable Housing) to Dublin Boulevard	6	25	32,170	45	0	2.0%	1.0%	68.6	72	229	725	2,292	100	24,996	4,086	3,088
13	Tassajara Road	Dublin Boulevard to Northside Drive	6	5	48,290	45	0	2.0%	1.0%	70.2	104	329	1,042	3,294	100	37,521	6,133	4,636
14	Tassajara Road	Northside Drive to I-580 WB Off-Ramp	5	5	49,850	45	0	2.0%	1.0%	70.2	105	333	1,054	3,335	100	38,733	6,331	4,786
15	Tassajara Road	I-580 WB Off-Ramp to Pimlico Drive	4	8	56,010	45	0	2.0%	1.0%	70.7	117	370	1,171	3,703	100	43,520	7,113	5,377
16	Santa Rita Road	I-580 WB Off-Ramp to Pimlico Drive	4	8	41,200	45	0	2.0%	1.0%	69.4	86	272	861	2,724	100	32,012	5,232	3,955
17	Brannigan Street	Gleason Drive to Aviano Way	2	0	4,280	25	0	2.0%	1.0%	54.6	-	-	-	92	100	3,326	544	411
18	Brannigan Street	Aviano Way to Central Parkway	2	0	5,040	25	0	2.0%	1.0%	55.4	-	-	34	109	100	3,916	640	484
19	Brannigan Street	Central Parkway to Finnian Way	2	0	3,460	25	0	2.0%	1.0%	53.7	-	-	-	74	100	2,688	439	332
20	Brannigan Street	Finnian Way to Project Driveway (South Family Homes)	2	0	4,860	25	0	2.0%	1.0%	55.2	-	-	33	105	100	3,776	617	467
21	Brannigan Street	Project Driveway (South Family Homes) to Dublin Boulevard	2	0	5,290	25	0	2.0%	1.0%	55.6	-	-	36	114	100	4,110	672	508
22	Brannigan Street	Dublin Boulevard to Project Driveway (Commercial)	2	0	4,040	25	0	2.0%	1.0%	54.4	-	-	-	87	100	3,139	513	388
23	Fallon Road	Tassajara Road to Gleason Drive	4	25	16,060	40	0	2.0%	1.0%	64.2	-	83	262	830	100	12,479	2,040	1,542
24	Fallon Road	Gleason Drive to Central Parkway	4	25	27,250	40	0	2.0%	1.0%	66.5	-	141	445	1,408	100	21,173	3,461	2,616
25	Fallon Road	Central Parkway to Dublin Boulevard	5	25	29,520	45	0	2.0%	1.0%	68.1	65	205	647	2,045	100	22,937	3,749	2,834
26	Fallon Road	Dublin Boulevard to I-580 WB Off Ramp	4	25	34,240	45	0	2.0%	1.0%	68.7	73	232	733	2,319	100	26,604	4,348	3,287
27	Fallon Road	I-580 WB Off Ramp to I-580 EB Off Ramp	4	0	28,170	45	0	2.0%	1.0%	67.7	58	185	584	1,847	100	21,888	3,578	2,704
28	Fallon Road	I-580 EB Off Ramp to W Jack London Boulevard	4	25	27,720	40	0	2.0%	1.0%	66.6	-	143	453	1,433	100	21,538	3,520	2,661
29	Gleason Drive	Tassajara Road to Project Driveway	2	25	10,240	40	0	2.0%	1.0%	62.1	-	51	162	513	100	7,956	1,300	983
30	Gleason Drive	Project Driveway to Brannigan Street	2	25	10,200	40	0	2.0%	1.0%	62.1	-	51	162	511	100	7,925	1,295	979
31	Gleason Drive	Brannigan Street to Grafton Street	4	15	7,940	40	0	2.0%	1.0%	61.1	-	-	128	404	100	6,169	1,008	762
32	Gleason Drive	Grafton Street to Fallon Road	4	15	7,260	40	0	2.0%	1.0%	60.7	-	-	117	370	100	5,641	922	697
33	Central Parkway	Hacienda Drive to Tassajara Road	2	25	10,370	35	0	2.0%	1.0%	60.9	-	-	122	387	100	8,057	1,317	996
34	Central Parkway	Tassajara Road to Project Driveway (North Side)	2	25	13,360	35	0	2.0%	1.0%	62.0	-	50	158	498	100	10,381	1,697	1,283
35	Central Parkway	Project Driveway (North Side) to Brannigan Street	2	25	13,130	35	0	2.0%	1.0%	61.9	-	49	155	490	100	10,202	1,668	1,260
36	Central Parkway	Brannigan Street to Montalcino Street/Chancery Lane	2	25	12,680	35	0	2.0%	1.0%	61.7	-	47	150	473	100	9,852	1,610	1,217
37	Central Parkway	Montalcino Street/Chancery Lane to Grafton Street	2	15	13,920	35	0	2.0%	1.0%	62.1	-	52	163	515	100	10,816	1,768	1,336
38	Central Parkway	Grafton Street to Fallon Road	2	15	14,580	35	0	2.0%	1.0%	62.3	-	54	171	540	100	11,329	1,852	1,400
39	Dublin Boulevard	Hacienda Drive to Tassajara Road	6	25	52,350	45	0	2.0%	1.0%	70.7	118	373	1,180	3,730	100	40,676	6,648	5,026
40	Dublin Boulevard	Tassajara Road to Project Driveway (South Family Homes)	5	25	55,050	45	0	2.0%	1.0%	70.8	121	381	1,206	3,814	100	42,774	6,991	5,285
41	Dublin Boulevard	Project Driveway (South Family Homes) to Brannigan Street	5	25	54,780	45	0	2.0%	1.0%	70.8	120	380	1,200	3,795	100	42,564	6,957	5,259
42	Dublin Boulevard	Brannigan Street to Grafton Street	6	25	50,810	45	0	2.0%	1.0%	70.6	114	362	1,145	3,621	100	39,479	6,453	4,878
43	Dublin Boulevard	Grafton Street to Keegan Street	6	25	50,150	45	0	2.0%	1.0%	70.5	113	357	1,130	3,574	100	38,967	6,369	4,814
44	Dublin Boulevard	Keegan Street to Lockhart Street	6	25	43,730	45	0	2.0%	1.0%	69.9	99	312	985	3,116	100	33,978	5,554	4,198
45	Dublin Boulevard	Lockhart Street to Fallon Road	6	25	44,490	45	0	2.0%	1.0%	70.0	100	317	1,003	3,170	100	34,569	5,650	4,271
46	Dublin Boulevard	East of Fallon Road	6	25	29,930	45	0	2.0%	1.0%	68.3	-	213	674	2,133	100	23,256	3,801	2,873

[1] Distance is from the centerline of the roadway segment to the receptor location.
"-" = contour is located within the roadway right-of-way.

EXHIBIT C

FINDINGS CONCERNING SIGNIFICANT IMPACTS AND MITIGATION MEASURES

Pursuant to Public Resources Code section 21081 and CEQA Guidelines sections 15091 and 15163(e), the City Council hereby makes the following findings with respect to the potential for significant environmental impacts from the SCS Dublin project (Project) and means for mitigating those impacts. Many of the impacts and mitigation measures in the following findings are summarized rather than set forth in full. The text of the Draft and Final Environmental Impacts Report (EIR) should be consulted for a complete description of the impacts and mitigations. Findings pursuant to section 21081(c) relating to Project Alternatives are made in Exhibit E.

These findings do not attempt to describe the full analysis of each environmental impact contained in the EIR. Instead, the findings provide a summary description of each impact, describe the applicable mitigation measures identified in the EIR and adopted by the City, and state the findings on the significance of each impact after imposition of the adopted mitigation measures. A full explanation of these environmental findings and conclusions can be found in the EIR, and these findings hereby incorporate by reference the discussion and analysis in those documents supporting the EIR's determinations regarding mitigation measures and the Project's impacts and mitigation measures designed to address those impacts. The facts supporting these findings are found in the record as a whole for the Project.

In making these findings, the City ratifies, adopts, and incorporates into these findings the analysis and explanation in the EIR, and ratifies, adopts, and incorporates in these findings the determinations and conclusions of the EIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

SECTION 5. AESTHETICS

Impact AES-4: Introduce new light and glare to the project site and project area

Mitigation Measure:

MM AES-4.1: Exterior Lighting Control Plan
To minimize the adverse impact associated with light and glare, the applicant shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction for building lighting or approval of the final landscape plan for all other site lighting.

The exterior lighting control plan shall address the design and installation of all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d)

illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances.

The exterior lighting control plan shall include the following:

- A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary;
- Identification of the location and direction of light fixtures that take the lighting control requirements into account;
- Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements;
- Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated;
- Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security;
- Lighting fixtures that have a minimum necessary brightness, consistent with operational safety and security; and
- Where lights in high illumination areas are not occupied on a continuous basis, utilize timer switches or motion detectors so that the lights operate only when the area is occupied.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM AES-4.1*, the impact will be less than significant.

Impact AES-5: Contribute to cumulatively considerable aesthetic impacts

Mitigation Measure:

Implement *MM AES-4.1: Exterior Lighting Control Plan*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM AES-4.1*, the impact will be less than significant.

SECTION 6. AIR QUALITY

Impact AQ-1: Conflict with implementation of San Francisco Bay Area 2017 Clean Air Plan

Mitigation Measures:

MM AQ-2.1 BAAQMD Basic Construction Mitigation Measures
During construction, the following BAAQMD Basic Construction Mitigation Measures air pollution control measures shall be implemented:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment
Prior to issuance of any grading permits, and/or building permits (whichever occurs earliest), the project applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the City

of Dublin. The plan shall be accompanied by a letter signed by an air quality specialist, verifying that the equipment included in the plan meets the standards set forth below.

- For all construction equipment larger than 25 horsepower operating on the site for more than two days continuously or 20 total hours, shall, at a minimum meet U.S. EPA Tier 4 Final emission standards.

The project applicant shall submit a construction operations plan prepared by the construction contractor that outlines how the contractor will achieve the measures outlined in this mitigation measure. The plan shall be submitted to the City of Dublin for review and approval prior to the issuance of any grading and/or building permits (whichever occurs earliest). The plan shall include, but not be limited to the following:

- List of activities and estimated timing.
- Equipment that would be used for each activity.
- Manufacturer's specifications for each equipment that provides the emissions level; or the manufacturer's specifications for devices that would be added to each piece of equipment to ensure the emissions level meet the thresholds in the mitigation measure.
- How the construction contractor will ensure that the measures listed are monitored.
- How the construction contractor will remedy any exceedance of the thresholds.
- How often and the method the construction contractor will use to report compliance with this mitigation measure.

MM AQ-2.3: Architectural Coating
The applicant shall require by contract specifications that the interior architectural coating (paint and primer) products used would have a volatile organic compound rating of 20 grams per liter or less while exterior architectural coating must be less than 100 grams per liter. Contract specifications shall be included in the construction documents for the project, which shall be reviewed and approved by the City of Dublin.

MM AQ-2.4: Prohibition of Wood-Burning Fireplaces
The installation of wood-burning devices shall be prohibited within the development per Bay Area Air Quality Management District Regulation 6, Rule 3. The purpose of this rule is to limit emissions of particulate matter and visible emissions from wood-burning devices used for primary heat, supplemental heat or ambiance. This prohibition shall be noted on the deed for future property owners to obey. Natural gas fireplaces are acceptable.

MM AQ-2.5: Vehicle Trip Reduction
Develop a qualifying Commute Trip Reduction (CTR)/Transportation Demand Management (TDM) plan to reduce mobile GHG emissions for all uses. The TDM plan shall be approved by the City of Dublin prior to the issuance of building permits and incorporated into the project's Codes Covenants and Restrictions (CC&Rs). The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of

transportation such as carpooling, taking transit, walking, and biking. The TDM Plan shall include and implement TDM Best Management Practices (BMPs) for non-residential uses. The TDM obligations shall apply for the lifetime of the project.

TDM Requirements for Non-Residential Uses:

- The Project Applicant shall consult with the local transit service provider on the need to provide infrastructure to connect the project with transit services. Evidence of compliance with this requirement may include correspondence from the local transit provider(s) regarding the potential need for installing bus turnouts, shelters, or bus stops at the site.
- BMPs that target retail employees and customers shall be described in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, tenants and employers). The following BMPs shall be considered for inclusion in the TDM Plan for some or all portions of the retail development, to the extent feasible and appropriate:
    - Bicycles: Infrastructure improvements; rider encouragement program; parking, repair facilities, showers and lockers; riders guide. Short-term and long-term bicycle parking spaces shall be provided in prominent and convenient locations in all buildings.
    - Vehicles: Preferential carpool parking; flexible work schedules for carpools; transportation coordinator(s); designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; pre-tax commuter incentives; rideshare matching services.
    - Transit: On-site shuttle services, shuttle bus stops with shelters, pedestrians path linking buildings and transit stops.
    - A website and marketing program to disseminate information on commute options; access to TMA management services.
    - Pedestrian-oriented site design.

TDM Requirements for Residential Units:

- **Owner-Occupied Units**. Upon a residential dwelling being sold or offered for sale, the applicant shall notify and offer to the buyer or prospective buyer, as soon as it may be done, materials describing public transit, ridesharing, and nonmotorized commuting opportunities available in the vicinity of the project. Such information shall be transmitted no later than the close of escrow. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy. The project's CC&Rs shall require this information to be disclosed no later than the close of escrow for initial and subsequent purchases.

- **Rental Units.** Upon a residential dwelling being rented or offered for rent, the applicant shall notify and offer to the tenant or prospective tenant, materials describing public transit, ridesharing, and nonmotorized commuting opportunities in the vicinity of the development. The materials shall be approved by the City of Dublin. The materials shall be provided no later than the time the rental agreement is executed. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy.

Resulting Significance: Significant and Unavoidable

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen some of the significant environmental effect identified in the EIR. The Project's cumulative impact would exceed the air quality thresholds established by the Bay Area Air Quality Management District for certain emissions. The Project would potentially conflict with the attainment of the Clean Air Plan. For the impacts determined to be significant and unavoidable, no additional feasible measures are available to further reduce these impacts. Therefore, a Statement of Overriding Considerations must be adopted upon approval of the Project.

Rationale for Finding: Despite implementation of *MM AQ-2.1, 2.2, 2.3, 2.4 and 2.5*, the Project's cumulative impact would exceed the air quality thresholds established by the Bay Area Air Quality Management District for certain emissions and potentially conflict with the attainment of the Clean Air Plan.

Impact AQ-2: Violates air quality standard or contributes substantially to an existing or projected air quality violation

Mitigation Measures:
Implement *MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures, MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment, MM AQ-2.3: Architectural Coating, MM AQ-2.4: Prohibition of Wood-Burning Fireplaces and MM AQ-2.5: Vehicle Trip Reduction*

Resulting Significance: Significant and Unavoidable.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen some of the significant environmental effect identified in the EIR. The Project's cumulative impact would exceed the air quality thresholds established by the Bay Area Air Quality Management District for certain emissions. For those impacts determined to be significant and unavoidable, no additional feasible measures are available to further reduce these impacts. Therefore, a Statement of Overriding Considerations must be adopted upon approval of the Project.

Rationale for Finding: Despite implementation of *MM AQ-2.1, 2.2, 2.3, 2.4 and 2.5*, the Project's impact would exceed the air quality thresholds established by the Bay Area Air Quality Management District for certain emissions.

Impact AQ – 5: Contribute to cumulatively considerable air quality impacts.

Mitigation Measures:
Implement *MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures, MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment, MM AQ-2.3: Architectural Coating, MM AQ-2.4: Prohibition of Wood-Burning Fireplaces and MM AQ-2.5: Vehicle Trip Reduction*

Resulting Significance: Significant and Unavoidable.

.
Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen some of the significant environmental effect identified in the EIR. The Project's cumulative impact would exceed the air quality thresholds established by the Bay Area Air Quality Management District for certain emissions. For those impacts determined to be significant and unavoidable, no additional feasible measures are available to further reduce these impacts. Therefore, a Statement of Overriding Considerations must be adopted upon approval of the Project.

Rationale for Finding: Despite implementation of *MM AQ-2.1, 2.2, 2.3, 2.4 and 2.5*, the Project would result in cumulatively considerable air quality impacts.

SECTION 7. BIOLOGICAL RESOURCES

Impact BIO-1: Have a substantial adverse effect on special-status plant and wildlife species

Mitigation Measures:

MM BIO-1.1: Special-Status Plant Surveys
Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of any special-status plant species with potential to occur within the project area. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. These guidelines require special-status plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, then the project will not have any impacts to the species and no additional mitigation measures are necessary. If any of the species are found on-site and cannot be avoided, implementation of MM BIO-1.2: Special-Status Plants Avoidance and Mitigation shall be required.

MM BIO-1.2: Special-Status Plants Avoidance and Mitigation
Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

1. If the survey determines that Congdon's tarplant, San Joaquin spearscale, or other special-status species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction-related disturbances would occur within 250 feet of the areas supporting rare plan species populations.
2. If exclusion zones and avoidance of impacts on Congdon's tarplant or other special-status species within the project area are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Before the implementation of compensation measures, the project's applicant shall provide detailed information to the CDFW and Lead Agency on the quality of preserved habitat, location of the preserved occurrences, provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates that the compensation. population will be property preserved and managed. A mitigation plan identifying appropriate mitigation ratios at a minimum ratio of 1:1 [one preserved acre for each impacted acre] to ensure no net loss of acreage shall be developed in consultation with CDFW and approved by the City prior to the commencement of any activities that would impact Congdon's tarplant or other species with potential to occur within the project area. A mitigation plan may include but is not limited to the following: the acquisition of off-site mitigation areas presently supporting the Congdon's tarplant or other special-status species, purchase of credits in a mitigation bank that is approved to sell credits for special-status plants, or payment of in-lieu fees to a public agency or conservation organization (e.g., a local land trust) for the preservation and management of existing populations of special-status plants.

MM BIO-1.3: Burrowing Owl Avoidance, Exclusion and Required Measures
Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

Mitigate for Loss of Burrowing Owl Habitat

The majority of project site, with the exception of delineated wetlands, developed areas, and areas with tree cover, has been determined to potentially provide habitat or foraging areas for burrowing owl. Therefore, the project applicant shall implement compensatory mitigation for loss of owl habitat in accordance with the standards set forth in the Required Mitigation Plan section below.

Additional measures below will avoid direct impacts to individuals that may occupy the site during construction and implementation of the project.

Conduct a Burrowing Owl Survey

Prior to the first ground-disturbing activities, the project applicant shall retain a qualified biologist to conduct two pre-construction surveys for the Western burrowing owl on the project site.

The first survey shall be conducted no more than 14 days prior to ground-disturbing activities and the second survey within 48 hours of initial ground disturbance. The surveys shall be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation. If the surveys determine owls are present, then the measures set forth below shall be followed.

Implement Avoidance Measures

If direct impacts to owls can be avoided, prior to the first ground-disturbing activities, the project applicant shall implement the following avoidance measures during all phases of construction to reduce or eliminate potential impacts to California burrowing owls.

- A pre-construction survey shall be performed prior to start of ground disturbance activities. This survey will occur regardless of the time of year, as burrowing owls may use the project site during the non-nesting season. The survey shall be performed according to the standards set forth by the Staff Report for Burrowing Owl Mitigation.
- The project site should be managed to prevent burrowing owl from occupying the site prior to any project activities
- All suitable burrows should be closed by hand once it has been determined that the burrow is unoccupied.
- Maintenance of the property to ensure burrows are not rebuilt will be necessary throughout the year to preclude the presence of burrowing owl and suitable burrowing owl habitat. Maintenance should occur approximately every 8 weeks, and burrows should be inspected prior to closure to ensure no burrowing owl are present. The frequency of burrow closure may be adjusted based upon ground squirrel and burrow reestablishment progress.
- The debris within the project site should be removed.

- If discing is chosen as a preferred method for burrow maintenance, it is recommended that any sensitive biological resources (populations of rare plants, wetland boundaries and any active bird nests, etc.) be flagged by a qualified biologist and avoided.

Conduct Burrow Exclusion

If avoidance of burrowing owl or their burrows is not possible, prior to the first ground-disturbing activities, the project applicant, in consultation with the CDFW, shall prepare a Burrowing Owl Relocation Plan as indicated and following the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Monitoring of the excluded owls shall be carried out as per the California Department of Fish and Wildlife 2012 Staff Report.

Required Mitigation Plan

The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW and in compliance with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Mitigation shall at minimum preserve similar quality habitat at a 1:1 ratio [one preserved acre for each impacted acre] within the boundaries of the East Alameda County Conservation Strategy. Mitigation areas shall be permanently preserved by a conservation easement held by a third party organization dedicated to ecological stewardship. The plan shall be reviewed and approved by CDFW and the City, and the conservation easement executed prior to the first ground-disturbing activities.

The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW to ensure no net loss of species. The mitigation plan shall comply with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation and the plan shall be reviewed and approved by CDFW and the City prior to the first ground-disturbing activities.

MM BIO-1.4: Nesting Bird Avoidance Measures

Prior to grading or development activities from February 1 to August 31, the applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

Pre-construction Breeding Bird Surveys

No more than 14 days prior to initial ground disturbance and vegetation removal during the nesting season (February 1 to August 31), the project applicant shall retain a qualified biologist to perform pre-construction breeding bird surveys. If any nests are found, they shall be flagged and protected with a suitable buffer, depending on the species. Buffer distance may vary based on species and conditions, but is typically at least 50 feet, and up to 250 feet for raptors. No construction shall occur within this buffer until the qualified biologist has confirmed that the young have fledged the nest.

As used in this measure, “suitable” means the distance a qualified biologist determines in necessary to ensure no disturbance to nesting. The buffer distance is measured as the

straight-line distance between an active nest and the activity, taking both horizontal and vertical distance into account. This mitigation measure does not apply to ground disturbance and vegetation removal activities that occur outside of the nesting season (September 1 to January 31).

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM BIO-1.1, 1.2, 1.3 and 1.4*, the impact will be less than significant.

Impact BIO-3: Have a substantial adverse effect on wetlands or jurisdictional features

Mitigation Measure:

MM BIO-3.1: Wetland Mitigation Plan
Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following:

The project applicant shall acquire the appropriate applicable permit(s) (e.g. Section 404, Section 401, Porter-Cologne) from the respective regulating agency(s) (i.e. USACE and/or RWQCB). A wetland mitigation plan shall be prepared that will establish suitable compensatory mitigation based on the concept of no net loss of wetland habitat values or acreages, to the satisfaction of the regulatory agencies.

The wetland mitigation plan shall include measures for avoidance, minimization and compensation for wetland impacts. Avoidance and minimization measures may include the designation of buffers around wetland features to be avoided or project design measures. Compensation measures shall include the preservation and/or creation of wetlands or other waters. The final mitigation ratio (the amount of wetlands and other water created or preserved compared to the amount impacted) shall be determined by the applicable resource agency(s) and result in no net loss of wetland habitat value or acreages. The wetland mitigation plan shall include the following:

1. Description of wetland types and their expected functions and values;
2. Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of time to be determined by the resource agencies;
3. Engineering plans showing the location, size and configuration of wetlands to be created or preserved;

4. An implementation schedule showing the construction or preservation of mitigation areas shall commence prior to or concurrently with the initiation of construction; and
5. A description of legal protection of the preserved wetlands (such as dedication of fee title, conservation easement and/or an endowment held by an approved conservation organization, government agency or mitigation bank).

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM BIO-3.1*, the impact will be less than significant.

Impact BIO-6: Contribute to cumulatively considerable impacts on biological resources

Mitigation Measures:

Implement *MM BIO-1.1: Special Status Plant Surveys, MM BIO-1.2: Special-Status Plants Avoidance and Mitigation, MM BIO-1.3: Burrowing Owl Avoidance and Exclusion Measures, MM BIO-1.4: Nesting Bird Avoidance Measures, and MM BIO-3.1: Wetland Mitigation Plan*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM BIO-1.1, 1.2, 1.3, 1.4 and 3.1*, the impact will be less than significant.

SECTION 8. CULTURAL & TRIBAL CULTURAL RESOURCES

Impact CR-1: Cause a substantial adverse change to a known historic, tribal cultural, or archeological resource

Mitigation Measure:

MM CR-1.1: Historic or Archaeological Discovery During Construction
If buried historic or archaeological resources are discovered during construction, operations shall stop within 50 feet of the find and a qualified archaeologist shall be

consulted to evaluate the resource in accordance with CEQA Guidelines 15064.5(f), which requires the Lead Agency to make provisions for historical or unique archaeological resource accidently discovered during construction.

The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the resource does not qualify as a significant resource, then no further protection or study is necessary. If the resource does qualify as a significant resource then the impacts shall be avoided by project activities. If the resource cannot be avoided, adverse impacts to the resource shall be addressed. The archaeologist shall make recommendations concerning appropriate mitigation measures that shall be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5(f) of the CEQA Guidelines. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM CR-1.1*, the impact will be less than significant.

Impact CR-2: Directly impact a paleontological resource or unique geologic feature

Mitigation Measure:

MM CR-2.1: Paleontological Resource Monitoring
In the event a fossil(s) is discovered during construction for the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards.

The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the paleontological resources are found to be significant, they shall be avoided by project construction activities and recovered by a qualified paleontologist. Upon completion of the recovery, a paleontological assessment shall be conducted by a qualified paleontologist to determine if further monitoring for paleontological resources is required. The assessment shall include (1) the results of any geotechnical investigation prepared for the project area, (2) specific details of the construction plans for the project area, (3) background research, and (4) limited subsurface investigation within the project area.

If a high potential to encounter paleontological resources is confirmed, a monitoring plan of further project subsurface construction shall be prepared in conjunction with this assessment. After project subsurface construction has ended, a report documenting monitoring, methods, findings, and further recommendations regarding paleontological resources shall be prepared and submitted to the Director of Community Development.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM CR-2.1*, the impact will be less than significant.

Impact CR-4: Contribute to cumulatively considerable effects on cultural resources

Mitigation Measures:

Implement *MM CR-1.1: Historic or Archaeological Discovery During Construction,* and *MM CR-2.1: Paleontological Resource Monitoring*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM CR-1.1 and 2.1*, the impact will be less than significant.

SECTION 9. GEOLOGY & SOILS

Impact GEO-1: Expose people or structures to potential risk of loss or injury associated with seismic hazards

Mitigation Measure:

MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations
The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the Preliminary Geotechnical Exploration. The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the City of Dublin. Recommendations from the design-level geotechnical

report shall be incorporated into the final project design and construction documents for each phase of the project.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM GEO-1.1*, the impact will be less than significant.

Impact GEO-2: Trigger or accelerate substantial soil erosion or loss of topsoil

Mitigation Measure:

Implement *MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM GEO-1.1*, the impact will be less than significant.

Impact GEO-3: Expose people or structures to substantial safety risks as a result of liquefaction

Mitigation Measure:

Implement *MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM GEO-1.1*, the impact will be less than significant.

Impact GEO-4: Contribute to cumulatively considerable effects on geology and soils

Mitigation Measure:

Implement *MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM GEO-1.1*, the impact will be less than significant.

SECTION 11. HAZARDS & HAZARDOUS MATERIALS

Impact HAZ-1: Exposure to known hazardous contaminants

Mitigation Measure:

MM HAZ- 1.1: Disposal of Deleterious Materials
Prior to any ground disturbance on the middle parcel (APN 985-52-24), the project applicant shall retain a qualified hazardous materials contractor to properly dispose of the observed deleterious materials, and any others discovered during remediation. Additionally, the applicant shall close the abandoned Zone 7 water supply well in accordance with applicable regulatory agency requirements.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM HAZ-1.1*, the impact will be less than significant.

Impact HAZ-4: Contribute to cumulatively considerable impacts to hazards and hazardous materials

Mitigation Measure:

Implement MM HAZ- 1.1: Disposal of Deleterious Materials

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM HAZ-1.1*, the impact will be less than significant.

SECTION 14. NOISE & VIBRATION

Impact N-1: Would the Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Mitigation Measures:

MM N-1.1: Construction Noise Reduction
To reduce the effects of construction noise, the City of Dublin shall ensure that the project applicants include the following on all construction contracts for the project:

- All construction operations shall comply with local noise standards and be limited to normal daylight hours. All stationary equipment shall be adequately muffled and located away from sensitive receptors. The construction contractor shall limit all on-site noise-producing construction activities, including deliveries and warming up of equipment, to the daytime hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, and non-City holidays.
- The construction contractor shall ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good condition and appropriate for the equipment.
- The construction contractor shall locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site.
- The construction contractor shall prohibit unnecessary idling of internal combustion engines.
- The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- The construction contractor shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaints (starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem, as deemed acceptable by the City of Dublin Community Development Department. The construction contractor shall conspicuously post the contact name and telephone number for the noise disturbance coordinator at the construction site.

MM N-1.2: Noise Attenuation
As part of the Site Development Review Permit process for Planning Areas 2, 3, and 4, a detailed acoustical study based on architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City of Dublin Community Development Department to demonstrate that all residential units would meet the City's 60 dBA exterior noise standard for all common outdoor living areas. In addition, the acoustical study shall demonstrate that interior noise levels at all residential units at the project site would meet the City's 45 dBA threshold. This mitigation measure complies with the applicable sections of the California Building Code (Title 24 of the *California Code of Regulations*) and Implementing Policy 9.2.1.B.6. The necessary noise reduction may be achieved by implementing noise control measures at the receiver locations. Where closed windows are required to achieve the interior 45 dBA CNEL limit, project plans and specifications shall include ventilation as required by the California Building Code. The final grading and building plans shall incorporate the required noise barriers (patio enclosure, wall, berm, or combination wall/berm), and the property owner/developer shall install these barriers and enclosures.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM N-1.1 and 1.2*, the impact will be less than significant.

Impact N-4: Contribute to cumulatively considerable impacts on noise.

Mitigation Measures:

Implement *MM N-1.1: Construction Noise Reduction and MM N-1.2: Noise Attenuation*

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM N-1.1 and 1.2*, the impact will be less than significant.

SECTION 17. TRANSPORTATION

Impact TRANS 2: Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) regarding Vehicle Miles Traveled

Mitigation Measure:

Implement MM AQ-2.5 Vehicle Trip Reduction

MM TRANS 2-1: Implement Bicycle and Pedestrian Improvements
To encourage mode shift and reduce VMT, prior to approval of the Site Development Review Permit, the project applicant shall work with the Community Development and Public Works Departments to identify and design construct bicycle and pedestrian improvements in the vicinity of the project site (generally within a quarter mile from the project site boundary) as identified in the City's most recently adopted Bicycle & Pedestrian Master Plan.

Perform a complete streets study to identify the appropriate bicycle and pedestrian improvements along Tassajara Road and Dublin Boulevard in the vicinity of the project as identified in the City's most recently adopted Bicycle and Pedestrian Master Plan. The completed street study will include but not be limited to development of street cross-sections to implement Class I or Class IV bike lanes along Tassajara Road between Gleason Drive and I-580.

In addition, prior to issuance of the first building permit for Planning Area 1, the project applicant shall contribute its pro-rata share of the planned improvements to the I-580 interchange pedestrian and bicycle improvements through the City of Dublin's Traffic Impact Fee or by other means. The Project Developer shall enter into an agreement with the City to contribute the Project's pro-rata share of the planned improvements.

Resulting Significance: Significant and Unavoidable.

Finding: Changes or alterations have been identified which lessen the significant environmental effect identified in the EIR; however, per City TIA Guidelines significance criteria, any net increase in VMT to the planning area would constitute a significant impact. For the impacts determined to be significant and unavoidable, no additional feasible measures are available to further reduce these impacts. Therefore, a Statement of Overriding Considerations must be adopted upon approval of the Project.

Rationale for Finding: Despite implementation of *MM AQ-2.5 and TRANS-2.1,* the Project would result in a net increase in VMT..

Impact TRANS-3: Increase hazards due to a geometric feature or incompatible uses

Mitigation Measures:

MM TR-3.1: Pedestrian & Bicycle Safety Improvements
To increase pedestrian and bicycle safety and reduce vehicle conflicts at the mid-block crossings along Central Parkway and Finnian Way between Tassajara Road and Brannigan Street, as well as along Dublin Boulevard; the applicant shall submit pedestrian and bicycle safety improvements as part of the Site Development Review Permit. These improvements shall include detailed plans and associated information that identify the recommended appropriate pedestrian crossing treatments. Specific recommended improvements include but are not limited to:

- **Mid-Block Crosswalk Across Central Parkway Between Tassajara Road and Brannigan Street:** Applicant shall work with the City to provide an uncontrolled crosswalk study per California MUTCD and FHWA guidance to determine the appropriate improvements that should be installed at this location. Improvements shall include Rectangular Rapid Flashing Beacon (RRFB), High Intensity Activated Crosswalk (HAWK), or similar device that would increase pedestrian and bicycle safety and reduce vehicle conflicts.
- **Dublin Boulevard:** The design of the pedestrian and bicycle facilities in Planning Area 2 shall consider the potential pedestrian and bicycle safety conflicts and discourage a mid-block crossing. Design solutions may include, but not limited to:
    - Placement and layout of pedestrian and bicycle facilities so as not to lead pedestrians and/or bicyclists to cross at an uncontrolled mid-block crossing.
    - Formal and informal barriers integrated into the design to deter pedestrians and bicyclists from crossing a roadway mid-block.
    - Wayfinding and signage directing pedestrians and bicycles where to safely cross Dublin Boulevard.
- **Vehicle Access:** Project driveways are proposed midblock along the major arterials of Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard. Many of these driveways are unsignalized and limited to a right-in and right-out movement to reduce vehicle conflicts and delays that would arise from vehicles making a left-turn onto the major arterial with high volumes and speeds over multiple travel lanes. Internal to the project site, multiple drive aisles and access points are provided to allow several points of ingress and egress to the different land uses and to limit potential vehicle queuing from the internal drive aisles onto the major arterials. Further evaluation will be completed in the Site Development Review Permit process to confirm that vehicle queuing will not be a safety issue. The project would result in a less than significant impact as it relates to vehicular safety.

Resulting Significance: Less than significant impact.

Finding: Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding: With the implementation of *MM TR-3.1*, the impact will be less than significant.

EXHIBIT D

FINDINGS CONCERNING INFEASIBILITY OF ALTERNATIVES AND POTENTIAL ADDITIONAL MITIGATION MEASURES

The California Environmental Quality Act (CEQA) provides that decision makers should not approve a project as proposed if there are feasible alternatives or feasible mitigation measures that would substantially lessen the significant impacts of the project (CEQA section 21002). The Draft and Final Environmental Impact Report (EIR) prepared for the SCS Dublin project (Project) identified feasible mitigation measures that would reduce most of the potentially significant impacts to less than significant, as set forth in Exhibit C (Findings Concerning Significant Impacts and Mitigation Measures). However, the following impacts in the EIR either remained significant after mitigation or no feasible mitigation was identified:

- **Air Quality.** The project would cause construction impacts associated with the release of nitrogen oxides (NOx) that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.1, 2.2 and 2.3, construction-related NOx emissions would remain significant and unavoidable. The project would also cause operational impacts associated with the release of reactive organic gases (ROG) and NOx that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.4 and 2.5, operational emissions from ROG and NOx would remain significant and unavoidable. These impacts would occur through cumulative conditions.

- **Vehicle Miles Traveled.** The Topgolf component of the project is categorized as regional retail/recreation and would result in an increase in VMT to the planning area resulting in a significant impact. Despite the implementation of MM AQ 2.5 and TRANS 2.1 to reduce vehicle trips and improve bicycle and pedestrian connectively, the mitigations would not reduce the regional VMT to result in a net decrease and therefore, could not be reduced to less than significant.

As required by CEQA, the following findings address whether there are any feasible alternatives or any additional feasible mitigation measures available that would reduce any of these impacts to less than significant.

FINDINGS CONCERNING ALTERNATIVES

CEQA requires that an EIR "describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project…" (CEQA Guidelines section 15126.6(a)). If a project alternative will substantially lessen the significant environmental effects of a proposed project, the decision maker should not approve the proposed project unless it determines that specific economic, legal, social, technological, or other considerations… make the project alternative infeasible" (CEQA sections 21002 and 21081(a)(3), and CEQA Guidelines section 15091(a)(3)).

Alternatives are identified and analyzed in Section 19 of the EIR and include the required

No Project Alternative, Existing General Plan and Eastern Dublin Specific Plan Alternative, and Commercial Development Task Force Land Plan Alternative. Each of the alternatives was assessed for each resource topic and compared to potential Project impacts. As further set forth below, the City Council considered the alternatives identified and analyzed in Section 19 of the EIR and finds them to be infeasible for specific economic, social, or other considerations pursuant to CEQA sections 21002 and 21081(a)(3), and CEQA Guidelines section 15091(a)(3). For CEQA purposes, "feasible" means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors. (CEQA section 21061.1, CEQA Guidelines section 15364.)

In addition to the Project Alternatives described below, the EIR considered and rejected an alternative location and a commercial only project. The EIR found that given the size of the Project and the broad mix of uses proposed, it was determined that there are no other suitable undeveloped parcels that do not already have a pending application nor have existing entitlements in the City of Dublin that could accommodate the land uses envisioned for the Project. Additionally, the applicant does not own or otherwise control property of a similar size.

The EIR found that the use of the Project site as a commercial only would require a significant change in City policy to change the land use of the entire project to commercial only use. This alternative would preclude the development of a mixed-use commercial and residential project as contemplated in the City's General Plan and Eastern Dublin Specific Plan. It would also fail to meet most of the basic Project objectives as they relate to the development of residential uses. For these reasons, this alternative was eliminated from further consideration.

The Project objectives are set forth in Section 3.3 of the EIR.

Alternative 1: No Project Alternative – EIR Section 19.4

CEQA Guidelines section 15126.6(e)(3) requires that a No-Project Alternative be evaluated as part of an EIR, proceeding under one of two scenarios: 1) the project area remaining in its current state; or 2) development of the project area under its current General Plan land use and zoning designations. Because the Project site does not have the necessary Planned Development zoning approvals for a specific project, the No Project Alternative consists of the Project site remaining undeveloped for the foreseeable future.

The No Project Alternative would not advance any of the Project objectives and the Project site would remain undeveloped for the foreseeable future. No disturbance or new development would occur, thereby eliminating the potential for impacts on any of the environmental resources analyzed in this EIR. Accordingly, this alternative would avoid all of the Project's significant impacts (including significant and unavoidable impacts), as well as the need to implement any mitigation measures.

The City finds this alternative infeasible because it would not be consistent with any of the Project's objectives. The No Project Alternative would not achieve any of the following Project objectives:

Mix of Uses/Quality of Product

1. Provide a balanced mix of residential and commercial uses in the Eastern Extended Planning Area that integrate into the existing urban systems and provide a safe and attractive environment for living and working as encouraged by General Plan Policy 2.6.4.A.1.
2. Provide uses that meet the Eastern Dublin Specific Plan's objective to have higher-density housing, adjacent to commercial and employment opportunities.
3. Provide land uses and high-quality architecture that complement existing, adjacent land uses and development.

Economic Growth

4. Have a positive contribution to the local economy through new capital investment, the creation of new jobs, and the expansion of the tax base.
5. Add commercial, entertainment, and hotel uses that will have a synergy with existing retail uses in the City.
6. Provide a mix of residential and commercial uses that achieves a financially feasible project.
7. Provide a project that balances housing with job-creating uses.
8. Develop a project that supports the success of the commercial uses through careful site planning and infrastructure design.

Housing

9. Add to the City's housing diversity in compliance with Housing Element Program 10 and General Plan Policy 2.6.1.A.1 through a variety of housing including entry-level housing, affordable housing, and family housing, all of which may accommodate senior residents. Housing products range from single-family homes, courtyard homes, townhomes, and affordable apartments.
10. Expand and improve the City's housing supply by developing high-quality housing in a portion of a City-designated Priority Development Area, which is a location planned for growth under the Sustainable Communities Strategy for the Bay Area.
11. Increase housing on the project site beyond what was initially studied under the Eastern Dublin General Plan Amendment and Specific Plan EIR, which will help in state-wide efforts to alleviate California's housing crisis.
12. Dedicate a parcel at the prominent corner of Tassajara Road and Dublin Boulevard, large enough to permit a variety of affordable housing solutions, allowing the design and amount of affordable housing to be tailored to the community's needs.

Responsible Growth

13. Develop vacant and underutilized land in an urban area.
14. Locate commercial and residential uses where such uses can take advantage of existing infrastructure and utilities.

15. Provide attractive, well-landscaped commercial uses close to Interstate 580 as a buffer between the highway and residential uses and to further General Plan Policy 10.5.3.E.
16. Enhance the intersection of Tassajara Road and Dublin Boulevard consistent with General Plan Goal 10.6.2.

Connectivity

17. Complete existing infrastructure to support General Plan buildout conditions consistent with the Eastern Dublin Specific Plan.
18. Implement the City's Bicycle and Pedestrian Master Plan and enhance bicycle and pedestrian safety by providing on-site and off-site pedestrian and bicycle facilities that link with existing facilities along Tassajara Road, Gleason Drive, Central Parkway and Dublin Boulevard.
19. Reconfigure block size and provide publicly accessible parkways, park corridors and paths to improve pedestrian connectivity between residential and commercial uses including the extensions of Finnian Way and Aviano Way.
20. Provide and improve multimodal connections within the project and across adjacent arterial streets to facilitate pedestrian and bicycle activity between neighborhoods and within the development.

Finding: The City Council considered the No Project Alternative and declines to adopt it because it will not achieve any of the Project's objectives and is infeasible for the specific economic, social, or other considerations described above, as supported by the administrative record for the Project.

Alternative 2: Existing General Plan and Eastern Dublin Specific Plan Alternative – EIR Section 19.5

The Existing General Plan and Eastern Dublin Specific Plan Alternative would allow development consistent with existing land use designations and development densities as described in the General Plan and Eastern Dublin Specific Plan. As shown in Figure 3-3: Existing General Plan and Land Use Designations, this includes designations of Neighborhood Commercial, General Commercial, Medium-Density Residential, Medium High-Density Residential, High-Density Residential, and Public/Semi-Public. Most the site is designated General Commercial. As shown in Table 3-1: Eastern Dublin Specific Plan Anticipated Project Site Development, the Eastern Dublin Specific Plan assumed a mid-density development of 261 residential units and 902,563 square feet of commercial for the Project site.

Because the entirety of the Project site is assumed to be disturbed, impacts to Cultural and Tribal Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and construction related Air Quality/GHG Emissions and Noise would be similar to the Project. Also, because the types of land uses would be similar and subject to approval of a Site Development Review Permit, impacts to aesthetics would also be similar.

Impacts to Public Services, Utilities, and Service Systems, would generally be similar as this alternative would be developing urban uses, similar to that proposed; with both needing infrastructure to service the site, as well as police, fire, and emergency services.

Because the number people living on the Project site would be less, impacts to population and housing would be reduced, however, impacts would not be significant for this alternative, similar to the Project. This alternative would generate more AM peak hour vehicle trips and considerably more daily, Saturday peak hour and PM peak hour vehicle trips than the Project. These vehicle trips would lead to greater operational impacts on air quality from this alternative than the Project. The increase in the number of vehicle trips would also result in greater operational noise impacts. With respect to vehicle miles traveled (VMT), this Alternative assumes no Topgolf recreation center. As such, there would be no significant and unavoidable impact associated with VMT.

Finding: The City Council considered the Existing General Plan and Eastern Dublin Specific Plan Alternative and declines to adopt it because it will not avoid or substantially lessen the Project's significant impacts, including its significant and unavoidable impacts related to transportation and air quality, as supported by the administrative record for the Project. The Project would attain most of the basic Project objectives; however, this alternative is not consistent with the Preferred Plan adopted by the City Council in February 2022, which did not support the existing land uses and densities. Therefore, this alternative is unable to achieve the Project objective to provide a mix of residential and commercial uses that achieves a financially feasible project.

Alternative 3: Commercial Development Task Force Alternative – EIR Section 19.6
The Commercial Development Task Force Alternative is derived from recommendations made by the City of Dublin Commercial Development Task Force (CDTF), as documented in their *Final Summary of Key Recommendations Report*, July 2014. The CDTF was created by the Dublin City Council in March 2014 to examine the potential for additional commercial development throughout Dublin. City staff identified five "opportunity sites" that were the key focus of the CDTF, namely: 1) Downtown Dublin; 2) the Green at Park Place; 3) Dublin Land Company (the Project site); 4) the Promenade/Grafton Plaza; and 5) the Chen property.

This alternative assumes the development of office use south of Dublin Boulevard. This 23-acre area would be developed at a 0.3 floor area ratio (FAR) for a total of 300,564 square feet. The land uses north of Dublin Boulevard would remain the same as the Project. This alternative would result in a reduction of 35,564 square feet of commercial land use. The number of residential units (650) would be the same as the proposed Project. The mix of dwelling units and residential density of this alternative would be the same as the Project.

Because the entirety of the Project site is assumed to be disturbed, impacts to Cultural and Tribal Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, and construction related Air Quality/GHG Emissions and Noise would be similar to the Project. Also, because the types of land uses would be similar and subject to approval of a Site Development Review Permit, impacts to aesthetics would also be similar.

Impacts to Public Services, Utilities, and Service Systems and Energy, would generally be similar as this alternative would be developing urban uses, similar to that proposed; with both needing infrastructure to service the site, as well as police, fire, and emergency services.

Because there would be no change in the number people living on the Project site, impacts to population and housing would be similar to the Project.

This alternative would generate considerably less vehicle trips compared to the Project. Because this alternative would result in fewer vehicle trips, operational impacts to air quality would be less, but would remain significant and unavoidable. The reduced number of vehicle trips would also result in less operational noise impacts. With respect to vehicle miles traveled (VMT), this Alternative assumes no Topgolf recreation center. As such, there would be no significant and unavoidable impact associated with VMT.

Finding: The City Council considered the Commercial Task Force Alternative and declines to adopt it because it will not avoid or substantially lessen the Project's significant impacts, including its significant and unavoidable impacts related to transportation and air quality, as supported by the administrative record for the Project. This alternative would attain most of the basic Project objectives to the same degree as the proposed Project, but it is economically infeasible as described below. With the use of PA-1 as office, this alternative would not fully attain the Project objective regarding the addition of commercial, entertainment, and hotel uses that will have a synergy with existing retail in the City. In addition, the SCS Dublin Community Outreach process, which resulted in the Preferred Plan adopted by City Council in February 2022, focuses on PA-1 as an entertainment district. The Preferred Plan, which also stemmed from market research and an Urban Land Institute Technical Advisory Panel, found that as a result of current market conditions, new office development in the Tri-Valley is limited to build-to-suite developments. In addition, the office space absorption in Dublin has been relatively low, which does not support the construction of new speculative office development in the City.

FINDINGS REGARDING INFEASIBILITY OF ADDITIONAL MITIGATION MEASURES

Not Applicable: The EIR did not identify any additional mitigation measures and/or modifications to the measures beyond those identified in the EIR as set forth in Exhibit C.

EXHIBIT E

STATEMENT OF OVERRIDING CONSIDERATIONS

1. General. Pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines section 15093, the City Council of the City of Dublin makes the following Statement of Overriding Considerations.

The City Council has balanced the benefits of the SCS Dublin project (Project) to the City of Dublin against the significant adverse impacts identified in the Draft and Final Environmental Impact Report (EIR) that cannot be reduced to less than significant through feasible mitigations or alternatives and would remain significant and unavoidable. Pursuant to CEQA Guidelines section 15093, the City Council hereby determines that the benefits of the Project outweigh the adverse impacts and the Project should be approved.

The City Council has carefully considered each impact in reaching its decision to approve the Project. Even with mitigation, the City Council recognizes that implementation of the Project carries with it unavoidable significant adverse environmental effects as identified in the EIR. The City Council specifically finds that to the extent the identified significant adverse impacts for the Project have not been reduced to acceptable levels through feasible mitigation or alternatives, there are specific economic, social, land use and other considerations that support approval of the Project.

2. Significant and Unavoidable Adverse Impacts. The following significant and unavoidable environmental impacts are associated with the Project as identified in the EIR:

- **Air Quality.** The Project would cause construction impacts associated with the release of nitrogen oxides (NOx) that would exceed Bay Area Air Quality Management District (BAAQMD) significance thresholds. Despite implementation of MM AQ-2.1, 2.2 and 2.3, construction-related NOx emissions would remain significant and unavoidable. The Project would also cause operational impacts associated with the release of reactive organic gases (ROG) and NOx that would exceed BAAQMD significance thresholds. Despite implementation of MM AQ-2.4 and 2.5, operational emissions from ROG and NOx would remain significant and unavoidable. These impacts would occur through cumulative conditions.

- **Vehicle Miles Traveled.** The Topgolf component of the Project is categorized as regional retail/recreation use and would result in an increase in vehicle miles traveled (VMT) to the planning area resulting in a significant impact. Despite the implementation of MM AQ 2-5 and TRANS 2-1 to reduce vehicle miles and improve bicycle and pedestrian connectively, the mitigation measures would not reduce the regional VMT to result in a net decrease and, therefore, could not be reduced to less than significant.

The EDSP EIR also included the impact to air quality identified above as significant and unavoidable as follows:

- **Air Quality.** Project development as a result of dust deposition, construction equipment emissions, mobile source emissions of ROg and NOx, and stationary source emissions. (Impacts 3.11/A, B, C, E)

3. <u>Overriding Considerations</u>.

The City Council has carefully considered each impact in reaching its decision to approve the SCS Dublin project. The City Council now balances those significant and unavoidable impacts against the Project's benefits, and hereby determines that the significant and unavoidable impacts are outweighed by the benefits of the Project as further set forth below. Any one of these benefits is sufficient to justify approval of the Project. The substantial evidence supporting the various benefits can be found in the record as a whole.

- The Project will result in economic and community benefits to the City. The Development Agreement terms provide revenue to the City through its provisions on the phasing of the Project to require the development of the commercial areas before the residential areas. The development of the commercial site will generate sales and property tax revenue to the City as described in the Keyser Marston Fiscal Analysis dated October 2022. In addition, the Development Agreement requires the developer to contribute a minimum sum of $1,500,000 to the City as a community benefit that can be spent at the City Council's discretion. Additional contributions are contingent on creation of a Community Facilities District.

- The Project will further the goals of the Parks and Recreation Master Plan by providing a 2.5- acre public park. The 2.5-acre public park adds to the City's park network as a "Neighborhood Square" as defined in the Parks and Recreation Master Plan. The project includes a community event space along Finnian Way of approximately 1,800 square feet. The community event space, as specified in the Development Agreement, shall serve as event space and for City programming and will contribute to the City's effort to add additional community space as defined in the Parks and Recreation Master Plan.

- The Project will further the goals and policies of the Housing Element of the General Plan by providing a wide range of affordable housing. The Development Agreement provides for an "alternative method of compliance" with the City's inclusionary housing requirement. The compliance is met though the construction of approximately 100 deed-restricted accessory dwelling units (ADUs) and not less than 85 ADUs with half in the moderate-income category and half in the low-income category, completion of an affordable housing project on the 3.8-acre Public/Semi-Public site or the dedication of the Public/Semi-Public site to the City or the City's designee, and either construction five moderate income units or contribution of $2,000,000 towards a first-time homebuyer program specifically used within the SCS Dublin project.

- The Project will further the General Plan objective of providing a broad range of non-residential uses, including retail commercial, in Eastern Dublin. The Project is consistent with Guiding Policy 2.2.4, which encourages "development of a full

range of commercial and employment-generating uses in the Eastern Extended Planning Area that will meet the needs of the City and the surrounding Tri-Valley area." This Project provides a much-needed retail center convenient to existing and planned future residential uses.

- The Project furthers the Eastern Dublin Specific Plan goal to provide for a balanced mixed-use community by establishing “an attractive and vital community that provides a balanced and fully integrated range of residential, commercial, employment, recreational, and social opportunities." (Section 4.3.2, p. 32). The Project also furthers the Specific Plan goal for commercial land use, to serve "the shopping, entertainment and service needs of Dublin and the surrounding area." (Section 4.5, p. 36). The Project helps the City achieve these goals by providing a variety of commercial, employment, residential and social opportunities in a mixed-use setting. The Project also meets Specific Plan Policy 4-12 to "concentrate regionally oriented commercial uses south of Dublin Boulevard and near freeway interchanges where convenient vehicular access will limit traffic impacts on the rest of eastern Dublin."

- The proximity of the Project site to the Interstate 580 and Tassajara Road interchange is consistent with the General Plan and Eastern Dublin Specific Plan goals and policies and facilitates efficient transportation. The Project will provide two types of retail experiences on a visually prominent site accessible from major regional transit and traffic corridors. The site will be developed in a landscaped and "pedestrian-friendly" fashion, with a mix of residential, restaurants retail services and entertainment uses connected through the grand paseo which will accommodate both bicycles and pedestrians. The variety of housing types, commercial uses and public spaces provide a new mixed-use and social retail experience with a range of retail and restaurant opportunities available to current and future residents of Dublin.

- The proposed Project implements the Preferred Vision for the SCS Property approved by City Council on February 15, 2022, which stemmed from an extensive City-led Community Outreach process to engage the community on appropriate land uses for the property.

For all of the above reasons, the benefits of the SCS Dublin project outweigh its significant and unavoidable environmental impacts.

5230637.1



SCS Dublin

Mitigation Monitoring or Reporting Program | October 2022



SCS Dublin

Mitigation Monitoring or Reporting Program

Date	October 2022
Project Name	**SCS Dublin**
Project Location	The 76.2-acre project site is generally bound by Tassajara Road, Interstate 580, Brannigan Street and Gleason Drive, in the City of Dublin, CA.
Project Applicant	SCS Development
State Clearinghouse Number	2022040022
Contact	Amy Million Principal Planner City of Dublin Community Development Department 100 Civic Plaza Dublin, CA 94568 Phone: 925/833-6610 amy.million@dublin.ca.gov

Mitigation Monitoring or Reporting Program

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures (MMs) adopted as part of the project approval to mitigate or avoid significant project impacts.

This Mitigation Monitoring or Reporting Program (MMRP) identifies the following for each MM:

***Timing*.** In each case, a timeframe for performance of the mitigation measure, or review of evidence that mitigation has taken place, is provided. The measures are designed to ensure that impact-related components of Project implementation do not proceed without establishing that the mitigation is implemented or assured. All activities are subject to the approval of all required permits from local, State, and federal agencies with permitting authority over the specific activity.

***Responsible Party or Designated Representative*.** In each case, unless otherwise indicated, the applicant is the Responsible Party for implementing the mitigation. The City or a Designated Representative will also monitor the performance and implementation of the mitigation measures. To guarantee that the mitigation measure will not be inadvertently overlooked, a supervising public official acting as the Designated Representative is the official who grants the permit or authorization called for in the performance. Where more than one official is identified, permits or authorization from all officials shall be required.

The numbering system corresponds with the numbering system used in the Final EIR. The last column of the MMRP table will be used by the parties responsible for documenting when implementation of the MM has been completed. The ongoing documentation and monitoring of mitigation compliance will be completed by the City of Dublin. The completed MMRP will be kept on file at the City of Dublin Community Development Department.

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Aesthetics				
Prior to issuance of building permit	**MM AES-4.1: Exterior Lighting Control Plan** To minimize the adverse impact associated with light and glare, the applicant shall submit an exterior lighting control plan for review and approval by the Community Development Director prior to issuance of a building permit for vertical construction for building lighting or approval of the final landscape plan for all other site lighting. The exterior lighting control plan shall address the design and installation of all permanent exterior lighting and all temporary construction lighting such that: (a) lamps and reflectors are not directly visible from beyond the project site, as feasible; (b) lighting does not cause excessive reflected glare; (c) direct lighting does not illuminate the nighttime sky; (d) illumination of the project and its immediate vicinity is minimized; and (e) the lighting mitigation plan complies with all relevant local policies and ordinances. The exterior lighting control plan shall include the following: ▪ A photometric study that demonstrates spillover horizontal foot-candle (fc) levels do not exceed 1.0 fc at the project site boundary; ▪ Identification of the location and direction of light fixtures that take the lighting control requirements into account; ▪ Lighting design that considers setbacks of project features from the site boundary to aid in satisfying the lighting control requirements;	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	▪ Lighting design that incorporates fixture hoods/shielding, with light directed downward or toward the area to be illuminated; ▪ Light fixtures that are visible from beyond the project boundary shall have cutoff angles that are sufficient to prevent lamps and reflectors from being visible beyond the project boundary, except where necessary for security; ▪ Lighting fixtures that have a minimum necessary brightness, consistent with operational safety and security; and ▪ Where lights in high illumination areas are not occupied on a continuous basis, utilize timer switches or motion detectors so that the lights operate only when the area is occupied.			
Air Quality				
During construction	**MM AQ-2.1: BAAQMD Basic Construction Mitigation Measures** During construction, the following BAAQMD Basic Construction Mitigation Measures air pollution control measures shall be implemented: ▪ All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. ▪ All haul trucks transporting soil, sand, or other loose material off-site shall be covered.	▪ City of Dublin ▪ Bay Area Air Quality Management District		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	▪ All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited. ▪ All vehicle speeds on unpaved roads shall be limited to 15 mph. ▪ All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. ▪ Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. ▪ All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. ▪ Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.			

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Prior to issuance of grading permit	**MM AQ-2.2: Off-Road Diesel-Powered Construction Equipment** Prior to issuance of any grading permits, and/or building permits (whichever occurs earliest), the project applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the City of Dublin. The plan shall be accompanied by a letter signed by an air quality specialist, verifying that the equipment included in the plan meets the standards set forth below. ▪ For all construction equipment larger than 25 horsepower operating on the site for more than two days continuously or 20 total hours, shall, at a minimum meet U.S. EPA Tier 4 Final emission standards. The project applicant shall submit a construction operations plan prepared by the construction contractor that outlines how the contractor will achieve the measures outlined in this mitigation measure. The plan shall be submitted to the City of Dublin for review and approval prior to the issuance of any grading and/or building permits (whichever occurs earliest). The plan shall include, but not be limited to the following: ▪ List of activities and estimated timing. ▪ Equipment that would be used for each activity. ▪ Manufacturer's specifications for each equipment that provides the emissions level; or the manufacturer's specifications for devices that would be added to each piece of equipment to ensure the emissions level meet the thresholds in the mitigation measure.	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	▪ How the construction contractor will ensure that the measures listed are monitored. ▪ How the construction contractor will remedy any exceedance of the thresholds. ▪ How often and the method the construction contractor will use to report compliance with this mitigation measure.			
Prior to issuance of building permit	**MM AQ-2.3: Architectural Coating** The applicant shall require by contract specifications that the interior architectural coating (paint and primer) products used would have a volatile organic compound rating of 20 grams per liter or less while exterior architectural coating must be less than 100 grams per liter. Contract specifications shall be included in the construction documents for the project, which shall be reviewed and approved by the City of Dublin.	▪ City of Dublin		
Prior to issuance of building permit	**MM AQ-2.4: Prohibition of Wood-Burning Fireplaces** The installation of wood-burning devices shall be prohibited within the development per Bay Area Air Quality Management District Regulation 6, Rule 3. The purpose of this rule is to limit emissions of particulate matter and visible emissions from wood-burning devices used for primary heat, supplemental heat or ambiance. This prohibition shall be noted on the deed for future property owners to obey. Natural gas fireplaces are acceptable.	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Prior to issuance of building permit	**MM AQ-2.5: Vehicle Trip Reduction** Develop a qualifying Commute Trip Reduction (CTR)/ Transportation Demand Management (TDM) plan to reduce mobile GHG emissions for all uses. The TDM plan shall be approved by the City of Dublin prior to the issuance of building permits and incorporated into the project's Codes Covenants and Restrictions (CC&Rs). The TDM plan shall discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. The TDM Plan shall include and implement TDM Best Management Practices (BMPs) for non-residential uses. The TDM obligations shall apply for the lifetime of the project. TDM Requirements for Non-Residential Uses: ▪ The Project Applicant shall consult with the local transit service provider on the need to provide infrastructure to connect the project with transit services. Evidence of compliance with this requirement may include correspondence from the local transit provider(s) regarding the potential need for installing bus turnouts, shelters, or bus stops at the site. ▪ BMPs that target retail employees and customers shall be described in the TDM Plan, including information regarding the direct implementing party (e.g., Project Developer, TMA, City, tenants and employers). The following BMPs shall be considered for inclusion in the TDM Plan for some or all portions of the retail development, to the extent feasible and appropriate: ○ Bicycles: Infrastructure improvements; rider encouragement program; parking, repair facilities, showers and lockers; riders guide.	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	Short-term and long-term bicycle parking spaces shall be provided in prominent and convenient locations in all buildings. ○ Vehicles: Preferential carpool parking; flexible work schedules for carpools; transportation coordinator(s); designating adequate passenger loading and unloading and waiting areas for ride-sharing vehicles; pre-tax commuter incentives; rideshare matching services. ○ Transit: On-site shuttle services, shuttle bus stops with shelters, pedestrians path linking buildings and transit stops. ○ A website and marketing program to disseminate information on commute options; access to TMA management services. ○ Pedestrian-oriented site design. TDM Requirements for Residential Units: ▪ **Owner-Occupied Units**. Upon a residential dwelling being sold or offered for sale, the applicant shall notify and offer to the buyer or prospective buyer, as soon as it may be done, materials describing public transit, ridesharing, and nonmotorized commuting opportunities available in the vicinity of the project. Such information shall be transmitted no later than the close of escrow. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy. The project's CC&Rs shall require this information to be disclosed no later than the close of escrow for initial and subsequent purchases.			

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	Rental Units. Upon a residential dwelling being rented or offered for rent, the applicant shall notify and offer to the tenant or prospective tenant, materials describing public transit, ridesharing, and nonmotorized commuting opportunities in the vicinity of the development. The materials shall be approved by the City of Dublin. The materials shall be provided no later than the time the rental agreement is executed. This information shall be submitted to the City of Dublin Planning Division for review and approval, prior to the issuance of the first certificate of occupancy.			
Biological Resources				
Prior to any vegetation removal or ground-disturbing activities	**MM BIO-1.1: Special Status Plant Surveys** Prior to any vegetation removal or ground-disturbing activities, a focused survey shall be conducted to determine the presence of any special-status plant species with potential to occur within the project area. Surveys shall be conducted in accordance with the Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. These guidelines require special-status plant surveys to be conducted at the proper time of year when rare or endangered species are both "evident" and identifiable. Field surveys shall be scheduled to coincide with known blooming periods, and/or during periods of physiological development that are necessary to identify the plant species of concern. If no special-status plant species are found, then the project will not have any impacts to the species and no additional mitigation measures are necessary. If any of the species are found on-site and cannot be avoided, implementation of MM BIO-1.2: Special-Status Plants Avoidance and Mitigation shall be required.	▪ City of Dublin ▪ CA Dept. of Fish & Wildlife		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Prior to any vegetation removal or ground-disturbing activities	**MM BIO-1.2: Special-Status Plants Avoidance and Mitigation** Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: 1. If the survey determines that Congdon's tarplant, San Joaquin spearscale, or other special-status species are present within or adjacent to the project site, direct and indirect impacts of the project on the species shall be avoided where feasible through the establishment of activity exclusion zones, where no ground-disturbing activities shall take place, including construction of new facilities, construction staging, or other temporary work areas. Activity exclusion zones for special-status plant species shall be established prior to construction activities around each occupied habitat site, the boundaries of which shall be clearly marked with standard orange plastic construction exclusion fencing or its equivalent. The establishment of activity exclusion zones shall not be required if no construction-related disturbances would occur within 250 feet of the areas supporting rare plan species populations. 2. If exclusion zones and avoidance of impacts on Congdon's tarplant or other special-status species within the project area are not feasible, then the loss of individuals or occupied habitat of special-status plants shall be compensated for through the acquisition, protection, and subsequent management of other existing occurrences. Before the implementation of compensation measures, the project's applicant shall provide detailed information to the CDFW and Lead Agency on the quality of preserved habitat, location of the preserved occurrences,	▪ City of Dublin ▪ CA Dept. of Fish & Wildlife		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	provisions for protecting and managing the areas, the responsible parties involved, and other pertinent information that demonstrates that the compensation. population will be property preserved and managed. A mitigation plan identifying appropriate mitigation ratios at a minimum ratio of 1:1 [one preserved acre for each impacted acre] to ensure no net loss of acreage shall be developed in consultation with CDFW and approved by the City prior to the commencement of any activities that would impact Congdon's tarplant or other species with potential to occur within the project area. A mitigation plan may include but is not limited to the following: the acquisition of off-site mitigation areas presently supporting the Congdon's tarplant or other special-status species, purchase of credits in a mitigation bank that is approved to sell credits for special-status plants, or payment of in-lieu fees to a public agency or conservation organization (e.g., a local land trust) for the preservation and management of existing populations of special-status plants.			
Prior to issuance of grading, building or other development permit	**MM BIO-1.3: Burrowing Owl Avoidance, Exclusion and Required Measures** Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: Mitigate for Loss of Burrowing Owl Habitat The majority of project site, with the exception of delineated wetlands, developed areas, and areas with tree cover, has been determined to potentially provide habitat or foraging areas for burrowing owl. Therefore, the project	▪ City of Dublin ▪ CA Dept. of Fish & Wildlife		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	applicant shall implement compensatory mitigation for loss of owl habitat in accordance with the standards set forth in the Required Mitigation Plan section below. Additional measures below will avoid direct impacts to individuals that may occupy the site during construction and implementation of the project. Conduct a Burrowing Owl Survey Prior to the first ground-disturbing activities, the project applicant shall retain a qualified biologist to conduct two pre-construction surveys for the Western burrowing owl on the project site. The first survey shall be conducted no more than 14 days prior to ground-disturbing activities and the second survey within 48 hours of initial ground disturbance. The surveys shall be conducted in accordance with the 2012 CDFW Staff Report on Burrowing Owl Mitigation. If the surveys determine owls are present, then the measures set forth below shall be followed. Implement Avoidance Measures If direct impacts to owls can be avoided, prior to the first ground-disturbing activities, the project applicant shall implement the following avoidance measures during all phases of construction to reduce or eliminate potential impacts to California burrowing owls. ▪ A pre-construction survey shall be performed prior to start of ground disturbance activities. This survey will occur regardless of the time of year, as burrowing owls may use the project site during the non-nesting			

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	season. The survey shall be performed according to the standards set forth by the Staff Report for Burrowing Owl Mitigation. ▪ The project site should be managed to prevent burrowing owl from occupying the site prior to any project activities ▪ All suitable burrows should be closed by hand once it has been determined that the burrow is unoccupied. ▪ Maintenance of the property to ensure burrows are not rebuilt will be necessary throughout the year to preclude the presence of burrowing owl and suitable burrowing owl habitat. Maintenance should occur approximately every 8 weeks, and burrows should be inspected prior to closure to ensure no burrowing owl are present. The frequency of burrow closure may be adjusted based upon ground squirrel and burrow reestablishment progress. ▪ The debris within the project site should be removed. ▪ If discing is chosen as a preferred method for burrow maintenance, it is recommended that any sensitive biological resources (populations of rare plants, wetland boundaries and any active bird nests, etc.) be flagged by a qualified biologist and avoided. Conduct Burrow Exclusion If avoidance of burrowing owl or their burrows is not possible, prior to the first ground-disturbing activities, the project applicant, in consultation with the CDFW, shall prepare a Burrowing Owl Relocation Plan as indicated and following the CDFW 2012 Staff Report on Burrowing Owl Mitigation.			

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	Monitoring of the excluded owls shall be carried out as per the California Department of Fish and Wildlife 2012 Staff Report. Required Mitigation Plan The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW and in compliance with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation. Mitigation shall at minimum preserve similar quality habitat at a 1:1 ratio [one preserved acre for each impacted acre] within the boundaries of the East Alameda County Conservation Strategy. Mitigation areas shall be permanently preserved by a conservation easement held by a third party organization dedicated to ecological stewardship. The plan shall be reviewed and approved by CDFW and the City, and the conservation easement executed prior to the first ground-disturbing activities. The project applicant shall consult with the CDFW and develop a detailed mitigation plan that shall include replacement of impacted habitat, number of burrows, and burrowing owl at a ratio approved by CDFW to ensure no net loss of species. The mitigation plan shall comply with the requirements set forth in Appendix A of the CDFW 2012 Staff Report on Burrowing Owl Mitigation and the plan shall be reviewed and approved by CDFW and the City prior to the first ground-disturbing activities.			

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Prior to issuance of grading, building or other development permit	**MM BIO-1.4: Nesting Bird Avoidance Measures** Prior to grading or development activities from February 1 to August 31, the applicant shall prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: Pre-construction Breeding Bird Surveys No more than 14 days prior to initial ground disturbance and vegetation removal during the nesting season (February 1 to August 31), the project applicant shall retain a qualified biologist to perform pre-construction breeding bird surveys. If any nests are found, they shall be flagged and protected with a suitable buffer, depending on the species. Buffer distance may vary based on species and conditions, but is typically at least 50 feet, and up to 250 feet for raptors. No construction shall occur within this buffer until the qualified biologist has confirmed that the young have fledged the nest. As used in this measure, "suitable" means the distance a qualified biologist determines in necessary to ensure no disturbance to nesting. The buffer distance is measured as the straight-line distance between an active nest and the activity, taking both horizontal and vertical distance into account. This mitigation measure does not apply to ground disturbance and vegetation removal activities that occur outside of the nesting season (September 1 to January 31).	▪ City of Dublin		
Prior to issuance of grading, building or other	**MM BIO-3.1: Wetland Mitigation Plan** Prior to obtaining the first site grading, building or other permit for development activities involving ground disturbance, the project applicant shall	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
development permit	prepare the documentation acceptable to the Community Development Department that demonstrates compliance with the following: The project applicant shall acquire the appropriate applicable permit(s) (e.g. Section 404, Section 401, Porter-Cologne) from the respective regulating agency(s) (i.e. USACE and/or RWQCB). A wetland mitigation plan shall be prepared that will establish suitable compensatory mitigation based on the concept of no net loss of wetland habitat values or acreages, to the satisfaction of the regulatory agencies. The wetland mitigation plan shall include measures for avoidance, minimization and compensation for wetland impacts. Avoidance and minimization measures may include the designation of buffers around wetland features to be avoided or project design measures. Compensation measures shall include the preservation and/or creation of wetlands or other waters. The final mitigation ratio (the amount of wetlands and other water created or preserved compared to the amount impacted) shall be determined by the applicable resource agency(s) and result in no net loss of wetland habitat value or acreages. The wetland mitigation plan shall include the following: 1. Description of wetland types and their expected functions and values; 2. Performance standards and monitoring protocol to ensure the success of the mitigation wetlands over a period of time to be determined by the resource agencies; 3. Engineering plans showing the location, size and configuration of wetlands to be created or preserved;	▪ US Army Corps of Engineers ▪ Regional Water Quality Control Board		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	4. An implementation schedule showing the construction or preservation of mitigation areas shall commence prior to or concurrently with the initiation of construction; and 5. A description of legal protection of the preserved wetlands (such as dedication of fee title, conservation easement and/or an endowment held by an approved conservation organization, government agency or mitigation bank).			
Cultural & Tribal Cultural Resources				
During construction	**MM CR-1.1: Historic or Archaeological Discovery During Construction** If buried historic or archaeological resources are discovered during construction, operations shall stop within 50 feet of the find and a qualified archaeologist shall be consulted to evaluate the resource in accordance with CEQA Guidelines 15064.5(f), which requires the Lead Agency to make provisions for historical or unique archaeological resource accidently discovered during construction. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the resource does not qualify as a significant resource, then no further protection or study is necessary. If the resource does qualify as a significant resource then the impacts shall be avoided by project activities. If the resource cannot be avoided, adverse impacts to the resource shall be addressed. The archaeologist shall make recommendations concerning appropriate mitigation measures that shall be implemented to protect the resources, including but not limited to excavation and evaluation of the finds in accordance with Section 15064.5(f) of	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	the CEQA Guidelines. Any previously undiscovered resources found during construction within the project area should be recorded on appropriate Department of Parks and Recreation (DPR) 523 forms and evaluated for significance in terms of CEQA criteria.			
During construction	**MM CR-2.1: Paleontological Resource Monitoring** In the event a fossil(s) is discovered during construction for the project, excavations within 50 feet of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the paleontological resources are found to be significant, they shall be avoided by project construction activities and recovered by a qualified paleontologist. Upon completion of the recovery, a paleontological assessment shall be conducted by a qualified paleontologist to determine if further monitoring for paleontological resources is required. The assessment shall include (1) the results of any geotechnical investigation prepared for the project area, (2) specific details of the construction plans for the project area, (3) background research, and (4) limited subsurface investigation within the project area. If a high potential to encounter paleontological resources is confirmed, a monitoring plan of further project subsurface construction shall be prepared in conjunction with this assessment. After project subsurface construction has ended, a report documenting monitoring, methods, findings, and further	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	recommendations regarding paleontological resources shall be prepared and submitted to the Director of Community Development.			
Geology and Soils				
Prior to issuance of building permit	**MM GEO-1.1: Implement Preliminary Geotechnical Exploration Recommendations** The project applicant shall consult with a registered geotechnical engineer to prepare a design-level geotechnical investigation that incorporates the recommendations in the Preliminary Geotechnical Exploration. The design-level geotechnical report shall address, but not be limited to, site preparation and grading, building foundations, and CBC seismic design parameters. A design-level geotechnical report shall be prepared and submitted in conjunction with Building Permit application(s) and reviewed and approved by the City of Dublin. Recommendations from the design-level geotechnical report shall be incorporated into the final project design and construction documents for each phase of the project.	▪ City of Dublin		
Hazards and Hazardous Materials				
Prior to issuance of grading, building or any other development permit for Planning Area 3	**MM HAZ-1.1: Disposal of Deleterious Materials** Prior to any ground disturbance on the middle parcel (APN 985-52-24), the project applicant shall retain a qualified hazardous materials contractor to properly dispose of the observed deleterious materials, and any others discovered during remediation. Additionally, the applicant shall close the abandoned Zone 7 water supply well in accordance with applicable regulatory agency requirements.	▪ City of Dublin ▪ Dublin San Ramon Services District		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
Noise and Vibration				
Prior to issuance of grading, building or any other development permit	**MM N-1.1: Construction Noise Reduction** To reduce the effects of construction noise, the City of Dublin shall ensure that the project applicants include the following on all construction contracts for the project: ▪ All construction operations shall comply with local noise standards and be limited to normal daylight hours. All stationary equipment shall be adequately muffled and located away from sensitive receptors. The construction contractor shall limit all on-site noise-producing construction activities, including deliveries and warming up of equipment, to the daytime hours of 7:00 a.m. to 7:00 p.m., Monday through Saturday, and non-City holidays. ▪ The construction contractor shall ensure that all internal combustion engine-driven equipment is equipped with mufflers that are in good condition and appropriate for the equipment. ▪ The construction contractor shall locate stationary noise-generating equipment as far as possible from sensitive receptors when sensitive receptors adjoin or are near a construction project area. In addition, the project contractor shall place such stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the project site. ▪ The construction contractor shall prohibit unnecessary idling of internal combustion engines.	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	▪ The construction contractor shall, to the maximum extent practical, locate on-site equipment staging areas so as to maximize the distance between construction- related noise sources and noise-sensitive receptors nearest the project site during all project construction. ▪ The construction contractor shall designate a noise disturbance coordinator who would be responsible for responding to any local complaints about construction noise. When a complaint is received, the disturbance coordinator shall notify the City within 24 hours of the complaint and determine the cause of the noise complaints (starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the problem, as deemed acceptable by the City of Dublin Community Development Department. The construction contractor shall conspicuously post the contact name and telephone number for the noise disturbance coordinator at the construction site.			
Prior to issuance of building permit for Planning Areas 2, 3 and 4	**MM N-1.2: Noise Attenuation** As part of the Site Development Review Permit process for Planning Areas 2, 3, and 4, a detailed acoustical study based on architectural plans shall be prepared by a qualified acoustical consultant and submitted to the City of Dublin Community Development Department to demonstrate that all residential units would meet the City's 60 dBA exterior noise standard for all common outdoor living areas. In addition, the acoustical study shall demonstrate that interior noise levels at all residential units at the project site would meet the City's 45 dBA threshold. This mitigation measure complies with the applicable sections of the California Building Code (Title 24 of the *California Code of Regulations*) and Implementing Policy 9.2.1.B.6. The necessary noise reduction may be	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	achieved by implementing noise control measures at the receiver locations. Where closed windows are required to achieve the interior 45 dBA CNEL limit, project plans and specifications shall include ventilation as required by the California Building Code. The final grading and building plans shall incorporate the required noise barriers (patio enclosure, wall, berm, or combination wall/berm), and the property owner/developer shall install these barriers and enclosures.			
Transportation and Traffic				
Prior to issuance of building permit	**MM AQ-2.5: Vehicle Trip Reduction** See Air Quality, above.	▪ City of Dublin		
Prior to approval of the Site Development Review Permit	**MM TRANS 2-1: Implement Bicycle and Pedestrian Improvements** To encourage mode shift and reduce VMT, prior to approval of the Site Development Review Permit, the project applicant shall work with the Community Development and Public Works Departments to identify and design construct bicycle and pedestrian improvements in the vicinity of the project site (generally within a quarter mile from the project site boundary) as identified in the City's most recently adopted Bicycle & Pedestrian Master Plan. Perform a complete streets study to identify the appropriate bicycle and pedestrian improvements along Tassajara Road and Dublin Boulevard in the vicinity of the project as identified in the City's most recently adopted Bicycle and Pedestrian Master Plan. The completed street study will include but not be limited to development of street cross-sections to implement Class I or Class IV bike lanes along Tassajara Road between Gleason Drive and I-580.	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	In addition, prior to issuance of the first building permit for Planning Area 1, the project applicant shall contribute its pro-rata share of the planned improvements to the I-580 interchange pedestrian and bicycle improvements through the City of Dublin's Traffic Impact Fee or by other means. The Project Developer shall enter into an agreement with the City to contribute the Project's pro-rata share of the planned improvements.			
Prior to approval of the Site Development Review Permit	**MM TRANS 3-1: Pedestrian & Bicycle Safety Improvements** To increase pedestrian and bicycle safety and reduce vehicle conflicts at the mid-block crossings along Central Parkway and Finnian Way between Tassajara Road and Brannigan Street, as well as along Dublin Boulevard; the applicant shall submit pedestrian and bicycle safety improvements as part of the Site Development Review Permit. These improvements shall include detailed plans and associated information that identify the recommended appropriate pedestrian crossing treatments. Specific recommended improvements include but are not limited to: ▪ **Mid-Block Crosswalk Across Central Parkway Between Tassajara Road and Brannigan Street:** Applicant shall work with the City to provide an uncontrolled crosswalk study per California MUTCD and FHWA guidance to determine the appropriate improvements that should be installed at this location. Improvements shall include Rectangular Rapid Flashing Beacon (RRFB), High Intensity Activated Crosswalk (HAWK), or similar device that would increase pedestrian and bicycle safety and reduce vehicle conflicts. ▪ **Dublin Boulevard:** The design of the pedestrian and bicycle facilities in Planning Area 2 shall consider the potential pedestrian and bicycle safety	▪ City of Dublin		

Timing	Mitigation Measure	Responsible for Approval / Monitoring / Implementation	Completion	
			Date	Initials
	conflicts and discourage a mid-block crossing. Design solutions may include, but not limited to: ○ Placement and layout of pedestrian and bicycle facilities so as not to lead pedestrians and/or bicyclists to cross at an uncontrolled mid-block crossing. ○ Formal and informal barriers integrated into the design to deter pedestrians and bicyclists from crossing a roadway mid-block. ○ Wayfinding and signage directing pedestrians and bicycles where to safely cross Dublin Boulevard. **Vehicle Access** Project driveways are proposed midblock along the major arterials of Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard. Many of these driveways are unsignalized and limited to a right-in and right-out movement to reduce vehicle conflicts and delays that would arise from vehicles making a left-turn onto the major arterial with high volumes and speeds over multiple travel lanes. Internal to the project site, multiple drive aisles and access points are provided to allow several points of ingress and egress to the different land uses and to limit potential vehicle queuing from the internal drive aisles onto the major arterials. Further evaluation will be completed in the Site Development Review Permit process to confirm that vehicle queuing will not be a safety issue. The project would result in a less than significant impact as it relates to vehicular safety.			

RESOLUTION NO. xx-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AMENDING THE GENERAL PLAN AND THE EASTERN DUBLIN SPECIFIC PLAN RELATED TO THE SCS DUBLIN PROJECT (PLPA 2022-00005) (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025)

WHEREAS, the Property Owner, SCS Development Company, is requesting approval of the SCS Dublin Project including up to 550 market rate residential units and up to 100 affordable units, up to 265,000 square feet of retail commercial development, and related infrastructure and landscape improvements. Requested land use approvals include a General Plan Amendment and Eastern Dublin Specific Plan Amendment, a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, and a Development Agreement, among other related actions. These planning and implementing actions are collectively known as the "SCS Dublin Project" or the "Project;" and

WHEREAS, the Project site is approximately 76.2 acres generally bounded by Tassajara Road, Gleason Drive, Brannigan Street and I-580 (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025); and

WHEREAS, on February 15, 2022, City Council approved the Preferred Plan for the SCS Property, which stemmed from an extensive City-led Community Outreach process to engage the community on appropriate land uses for the property; and

WHEREAS, the proposed project takes the first step in implementing the Preferred Plan for the SCS Property; and

WHEREAS, the existing General Plan and Eastern Dublin Specific Plan land use designations for the project site are: Neighborhood Commercial, General Commercial, Medium-Density Residential, Medium/High-Density Residential, High-Density Residential, and Public/Semi-Public; and

WHEREAS, the Applicant proposes to modify the existing land use designations consistent with the Preferred Plan to: General Commercial, Medium Density Residential, Medium-High Density Residential, Parks/Public Recreation and Public/Semi-Public. In addition, other provisions of the General Plan and Eastern Dublin Specific Plan are proposed to ensure consistency with the new land use designations for the Project site; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, pursuant to the requirements of CEQA, the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures, the City prepared a Draft Environmental Impact Report (EIR) dated July 2022, and a Final EIR dated October 2022, for the proposed Project, which reflected the City's independent judgment and analysis of the potential environmental impacts of the Project; and

WHEREAS, the Draft EIR identified potentially significant impacts to aesthetics, air quality, biological resources, cultural and tribal resources, geology and soils, hazards and hazardous materials, noise, and transportation, most of which can be substantially reduced through mitigation measures; and

WHEREAS, the Draft EIR was circulated for 45 days for public comment from July 22, 2022, to September 6, 2022. Comments received on the Draft EIR were responded to in the Final EIR dated October 2022. The Draft EIR, comments and associated responses, and changes and clarifications to the Draft EIR constitute the Final EIR; and

WHEREAS, consistent with Section 65352.3 of the California Government Code, the City obtained a contact list of local Native American tribes from the Native American Heritage Commission and notified the tribes on the contact list of the opportunity to consult with the City on the proposed General Plan Amendment. None of the contacted tribes requested a consultation within the 90-day statutory consultation period and no further action is required under section 65352.3; and

WHEREAS, on October 25, 2022, the Planning Commission adopted Resolution No. 22-13 recommending that the City Council certify the Final Environmental Impact Report and adopt required CEQA Findings and a Statement of Overriding Considerations, and approve amendments to the General Plan and Eastern Dublin Specific Plan, a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, and a Development Agreement related to the SCS Dublin Project, which resolution is incorporated herein by reference and available for review at City Hall during normal business hours; and

WHEREAS, a Staff Report, dated November 15, 2022 and incorporated herein by reference, described and analyzed the Project, including the General Plan and Eastern Dublin Specific Plan Amendments, Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, Development Agreement and Final EIR, for the City Council; and

WHEREAS, the City Council held a properly noticed public hearing on the Project, including the proposed General Plan and Eastern Dublin Specific Plan Amendments, on November 15, 2022 at which time all interested parties had the opportunity to be heard; and

WHEREAS, on November 15, 2022, the City Council certified the SCS Dublin Final EIR and adopted CEQA Findings, a Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program for the Project; and

WHEREAS, the City Council considered the Final EIR and all above-referenced reports, recommendations, and testimony to evaluate the Project.

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this resolution.

BE IT FURTHER RESOLVED that the City Council finds that the General Plan and Eastern Dublin Specific Plan Amendments, as set forth below, are in the public interest, will promote general health, safety and welfare, and that the General Plan as amended will remain internally consistent. The proposed Project is consistent with the guiding and implementing policies of the General Plan in each of the Elements and will allow for a mixed-use development

consisting of both residential and commercial uses. The General Plan and Eastern Dublin Specific Plan Amendments noted below will ensure that the implementation of the proposed Project is in compliance with the General Plan and that each Element within the General Plan is internally consistent.

BE IT FURTHER RESOLVED that the City Council hereby adopts the following amendments to the General Plan:

Figure 1-1 (Dublin General Plan Land Use Map) shall be amended to show three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map), Brannigan Street south of Dublin Boulevard and removal of Northside Drive through the project site and shall be amended with new land use designations for the project site as shown below:

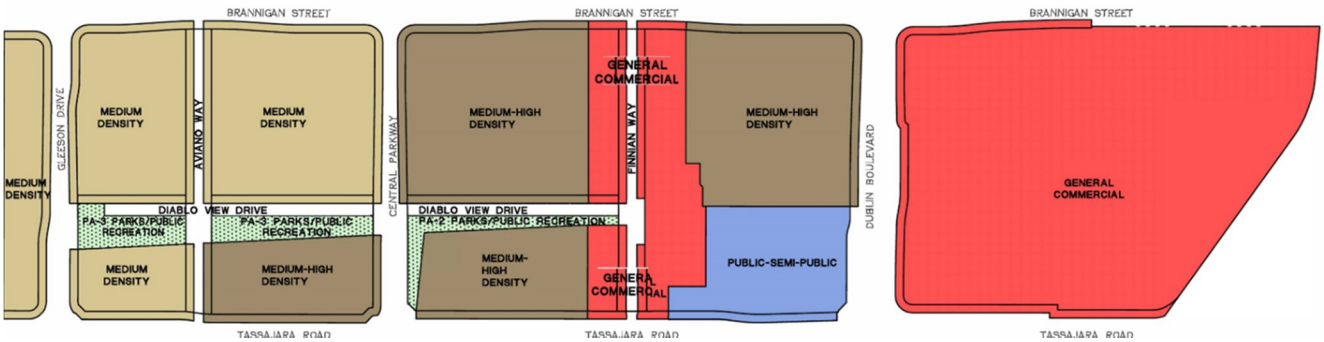


Figure 2-1 (Dublin General Plan Sites for Housing Development Map) shall be amended to show three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map), Brannigan Street south of Dublin Boulevard and removal of Northside Drive through the project site.

Figure 2-2 (Dublin General Plan Open Space Initiative Protection Areas Map) shall be amended to show three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map), Brannigan Street south of Dublin Boulevard and removal of Northside Drive through the project site.

Table 2.2 I(Land Use Development Potential: Eastern Extended Planning Area) shall be amended to read as follows:

Table 2.2. LAND USEDEVELOPMENT POTENTIAL: EASTERN EXTENDED PLANNING AREA					
CLASSIFICATION	**ACRES**	**INTENSITY**	**UNITS[1]**	**FACTOR**	**YIELD[1]**
RESIDENTIAL	**Acres**	**Dwelling Units/Acre**	**Dwelling Units**	**Persons/ Dwelling Unit**	**Population**
High Density	52.94	25.1+	1,328+	2.7	3,587+
Medium-High Density	153.61	14.1-25.0	2,165-3,840	2.7	5,847-10,368
Medium-High Density and Retail Office	0	14.1-25.0	0	2.7	0
Medium-Density	418.1	6.1-14.0	2,550-5,853	2.7	6,886-15,804
Single Family	725	0.9-6.0	652-4,350	2.7	1,760-11,745

Estate Residential	30.5	0.01-0.8	0-24	2.7	0-65
Rural Residential/ Agriculture	329.8	0.01	3	2.7	9
TOTAL:	1,709.95		6,698-15,398+		18,089 -41,578+

COMMERCIAL	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
General Commercial	194.85	.20-.60	1.6- 5.0	510	3,328-9,985
General Commercial/ Campus Office	168.57	.20-.80	1.46-5.87	385	3,814-15,258
Mixed Use	0	.30-1.00	0	490	0
Mixed Use 2/ Campus Office	22.9	.45 max	.45	260	1,731
Neighborhood Commercial	0	.25-.60	.0	490	0
Industrial Park	56.4	.35 max	.86	590	1,458
Industrial Park/ Campus Office	0	.25-.35	0	425	0
Campus Office	137.58	.25-.80	1.50-4.79	260	5,763-18,440
Medical Campus	42.88	.25-.80	.46-4.49	260	1,796-5,747
Medical Campus / Commercial	15.85	.25-.80	.17-.41	510	338-812
TOTAL:	639.03		6.5-21.87		18,228-53,431

PUBLIC/SEMI-PUBLIC/OPEN SPACE	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Public/Semi-Public	99.46	.50 max	2.16	590	3,671
Semi-Public	2.09	.50 max	.045	590	77
	Acres		**Number**		
Parks/Public Recreation	207.4				
Regional Parks	1.2		1		
Open Space	699.56				
Schools	**Acres**	**Floor Area Ratio (Gross)**	**Square Feet (millions)**	**Square Feet/ Employee**	**Jobs**
Elementary School	38	.50 max	1.06	590	1,797
Middle School	27.8	.50 max	.61	590	1,034
High School	23.46		.51	590	866
TOTAL:	**1,098.97**		**5.87**		**7,445**

	Acres	**Dwelling Units**	**Population**	**Square Feet (millions)**	**Jobs**
GRAND TOTAL:	**3,447.95**	6,698-15,398+	18,089 -41,578+	**12.37-27.74**	25,673-60,876

Figure 3-1 (Dublin General Plan Parks and Open Space Map) shall be amended to include the new 2.23-acre park within PA-2 and shall be amended to show three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map), Brannigan Street south of Dublin Boulevard and removal of Northside Drive through the project site.

Figure 4-1 (Dublin General Plan Schools and Public Lands Map) shall be amended to show three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map), Brannigan Street south of Dublin Boulevard and removal of Northside Drive through the project site.

Figure 5-1 (Dublin General Plan Roadway Classifications) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Table 5.1 (Roadway Improvements at General Plan Buildout (Year 2035)) shall be amended as to modify Tassajara Road and add Dublin Boulevard as follows: Text that is proposed to be deleted from the General Plan is shown in strikethrough and text that is proposed to be added to the General Plan is shown in underline:

ROADWAY IMPROVEMENT	**DESCRIPTION**
Tassajara Road Widening	Widening of Tassajara Road to ~~eight~~ seven lanes between Dublin Boulevard and I-580 westbound ramps.
Dublin Boulevard Widening	Widening of Dublin Boulevard to seven lanes between Tassajara Road and Brannigan Street

Figure 5-2b (Dublin General Plan Transit Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 5-3b (Dublin General Plan Bicycle Circulation Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 5-4b (Dublin General Plan Multi-Modal Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 8-1 (Dublin General Plan Geologic Hazards and Constraints Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 8-2 (Dublin General Plan Potential Flooding Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown

as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 9-1 (Dublin General Plan 2011 Existing Noise Exposure Contours Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 9-2 (Dublin General Plan 2035 Projected Noise Exposure Contours Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 10-1 (Dublin General Plan Regional Corridors Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 10-2 (Dublin General Plan Gateways Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 10-5 (Dublin General Plan Villages Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

BE IT FURTHER RESOLVED that the City Council hereby adopts the following amendments to the Eastern Dublin Specific Plan:

Figure 2.4 Ownership Patterns shall be amended to update the land ownership of 18. Dublin Land Company to SCS Development Company

Table 4.1 (Eastern Dublin Specific Plan Land Use Summary) shall be amended to read as follows with no modifications to the footnotes:

TABLE 4.1
EASTERN DUBLIN SPECIFIC PLAN
LAND USE SUMMARY
(Amendment Reso# 66-03, 47-04, 223-05, 58-07, 37-08, 210-08, 176-09, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, 101-15, 165-15, 151-16, 85-21, 14-22 and xx-22)

Land Use Description	LAND AREA	DENSITY	YIELD
COMMERCIAL/INDUSTRIAL			
General Commercial	252.55 acres	.25-.35 FAR	2.746 MSF
General Commercial/Campus Office	160.37 acres	.28 FAR	1.956 MSF
Industrial Park*	61.3 acres	.25-.28 FAR	.747 MSF
Neighborhood Commercial	0 acres	.30-.35 FAR	0 MSF
Mixed Use	0 acres	.30-1.0 FAR	.005 MSF
Mixed Use 2/Campus Office****	25.33 acres	.45 FAR	.497 MSF

Campus Office	94.28 acres	.35-.75 FAR	1.840 MSF
Medical Campus	42.88 acres	.25-.80 FAR	.950 MSF
Medical Campus/Commercial	15.85 acres	.25-.60 FAR	.250 MSF
Subtotal	**652.56 acres**		**8.991 MSF**
RESIDENTIAL			
High Density	55.54 acres	35 du/ac	1,943 du
Medium High Density	169.31 acres	20 du/ac	3,386 du
Medium Density**	505.41 acres (1)	10 du/ac	5,054 du
Single Family***	947.25 acres	4 du/ac	3,789 du (3)
Estate Residential	30.4 acres	0.13 du/ac	4 du
Rural Residential/Agric.	539.55 acres	.01 du/ac	5 du
Mixed Use	0 acres	15 du/ac	115 du
Subtotal	**2,247.46 acres**		**14,296 du**
PUBLIC/SEMI-PUBLIC			
Public/Semi-Public	99.46 acres	.24 FAR	1.03 MSF
Semi-Public	2.09 acres	.25 FAR	.03 MSF
Subtotal	**101.55 acres**		**1.06 MSF**
SCHOOLS			
Elementary School	55.8 acres (2)		5 schools
Junior High School	21.3 acres		1 school
High School	23.46 acres		1 school
Subtotal	**100.56 acres**		
PARKS AND OPEN SPACE			
City Park	56.3 acres		1 park
Community Park	93.3 acres		3 parks
Neighborhood Park	50.9 acres		7 parks
Neighborhood Square	19.2 acres		7 parks
Natural Community Park	10.4 acres		1 park
Subtotal	**230.1 acres**		**19 parks**
Open Space	684.06 acres		
TOTAL LAND AREA	**4,016.29 acres**		

Table 4.2 (Eastern Dublin Specific Plan Population and Employment Summary) shall be amended to read as follows with no modifications to the footnotes:

TABLE 4.2
EASTERN DUBLIN SPECIFIC PLAN
POPULATION AND EMPLOYMENT SUMMARY
(Amended Per Resolution No. 47-04, 223-05, 58-07, 37-08, 176-09, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, 165-15, 151-16, 85-21, 14-22 and xx-22)

Land Use Designation	Development	Sq Ft/Employees	Persons/du	Population
Commercial				
Industrial Park	.747 MSF	590		1,266
General Commercial/Campus Office*	1.956 MSF	385		5,081
General Commercial	2.746 MSF	510		5,384
Neighborhood Commercial	0 MSF	490		0
Mixed Use**	0 MSF	490		0
Mixed Use 2/Campus Office****	.497 MSF	260		1,910
Campus Office	1.840 MSF	260		7,077

Medical Campus	.950	260		3,654
Medical Campus/ Commercial	.250	510		490
Public/Semi Public	.99 MSF	590		1,678
Semi-Public	0.03 MSF	590		51
TOTAL:	**10.006 MSF**			**26,591**
Residential				
High Density	1,943 du		2.0	3,886
Medium High Density	3,386 du		2.0	6,772
Medium Density	5,054 du		2.0	10,108
Single Family***(1)	3,789 du		3.2	12,125
Estate Residential	4 du		3.2	13
Mixed Use**	0		2.0	0
Rural Residential/Agric.	5 du		3.2	16
TOTAL:	**14,181**			**32,920**

Table 4.3 (City of Dublin Projected Jobs/Housing Balance) shall be amended to read as follows with no modifications to the footnotes:

TABLE 4.3
CITY OF DUBLIN
PROJECTED JOBS/HOUSING BALANCE
(Amended Per Resolution No. 223-05, 58-07, 37-08, 76-10, 55-12, 92-12, 210-12, 198-13, 159-14, xx-22)

PLANNING AREA	Dwelling Units	Jobs	Employed Residents*	Balance**	Ratio***
Existing City of Dublin**	**7,100**	**12,210**	**11,502**	**-708**	**1.06:1.0**
Eastern Dublin Specific Plan Area	**14,181*****	**26,591**	**22,973**	**-3,618**	**1.16:1.0**
TOTAL:	**21,281**	**38,801**	**34,475**	**-4,326**	**1.13:1.0******

Table 4.4 (Tassajara Gateway Subarea Development Potential) shall be amended as follows:

TABLE 4.4
TASSAJARA GATEWAY
SUBAREA DEVELOPMENT POTENTIAL
(Amended Per Resolution No. 76-10, 151-16, xx-22)

Designation	Acres	Density	Development Potential
General Commercial	53.9	.25 FAR	.586 msf
General Commercial/Campus Office	10.5	.28 FAR	.128 msf
Campus Office	33.28	.35 FAR	.507msf
Medical Campus/Commercial	15.85	.36 FAR	.250 msf
Open Space	6.9	-----	-----
Semi Public	----	----	0
TOTAL	**120.43**	**-----**	**1.471 msf**

Section 4.4.1 (Location and Diversity) shall be amended to update the acres of residential classification and dwelling units:

The Eastern Dublin Specific Plan designates 2,247.46 acres with a wide range of residential classifications and densities, resulting in development potential for approximately 14,296 dwelling units. Approximately 61 percent of the units will be single family (densities of 0.01 to 10 du/ac).

Table 4.5 (Town-Center-Commercial Subarea Development Potential) shall be amended as follows:

TABLE 4.5
TOWN CENTER -- COMMERCIAL
SUBAREA DEVELOPMENT POTENTIAL
(Amended Per Resolution No. 47-04, 85-21, xx-22)

Designation	**Acres**	**Density**	**Development Potential**
General Commercial	25	.35 FAR	.381 msf
Neighborhood Commercial	0	.35 FAR	0 msf
Parks/Public Recreation	--	--	
Public/Semi-Public	3.8	.25 FAR	.041 msf
Semi-Public	--	--	0 msf
TOTAL	**25**	---	.422 msf

Table 4.6 (Town Center-Residential Subarea Development Potential) shall be amended as follows:

TABLE 4.6
TOWN CENTER-- RESIDENTIAL
SUBAREA DEVELOPMENT POTENTIAL

Designation	**Acres**	**Density**	**Development Potential**
High Density	30.4	35 du/ac	1,064 du
Medium High Density	60.7	20 du/ac	1,214 du
Medium Density	201.7	10 du/ac	2,017 du
Single Family	89.2	4 du/ac	356 du
Subtotal	**356.7**	---	**4,651 du**
Open Space	49.8	---	
City Park	56.3	---	1 park
Community Park	80.6	---	1 park
Neighborhood Park	11.6	---	2 parks
Neighborhood Square	10	---	6 parks
Nature Park	10.4	---	1 park
Public/Semi-Public	3.8		
Semi-Public	---	---	0 msf
Subtotal	**222.5**	**---**	
Elementary School	31.1	---	3 schools
High School	23.46		1 school
TOTAL	**633.76**	---	**4,651 dwelling units** **11 parks** **3 elementary schools** **1 high school**

Figure 4.1 (Land Use Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site and shall be amended with new designation for the project site as noted below.

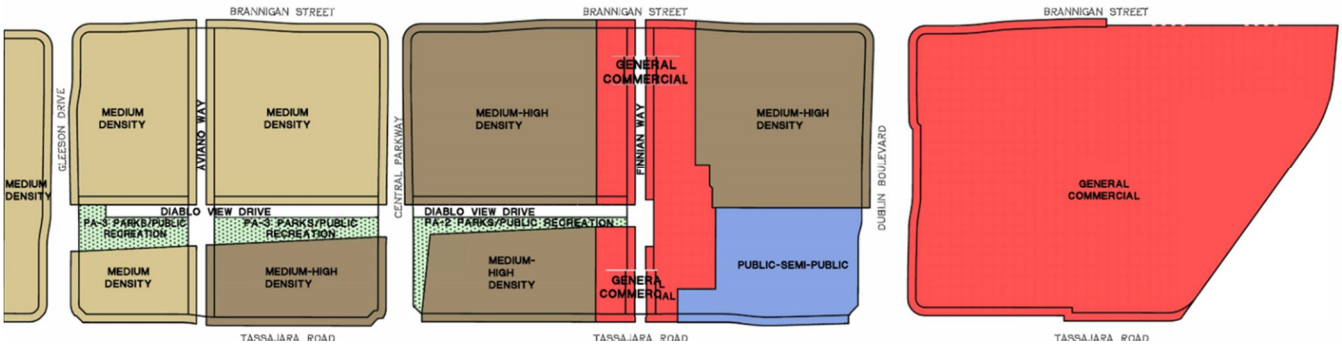


Figure 4.2 (Planning Subareas Map) shall be amended as shown on the image below as follows:

1) *Modify to the boundary of Tassajara Gateway Subarea (Area A) to include the 1.2-acre parcel (Assessor's Parcel Number 985-0051-004-00) located east of Tassajara Road and west of Northside Drive included into Tassajara Gateway subarea*
2) *Modify the boundary of Town Center-Commercial (Area B) to coincide with the northern boundary of the General Commercial area along Finnian Way as shown in Figure 4.1.*
3) *Modify the boundary of Town Center-Residential (Area C) to occupy the remainder of the project site to the north of the new Town Center-Commercial boundary.*
4) *Show Brannigan Street south of Dublin Boulevard as a Collector Street and removal of Northside Drive through the project site*

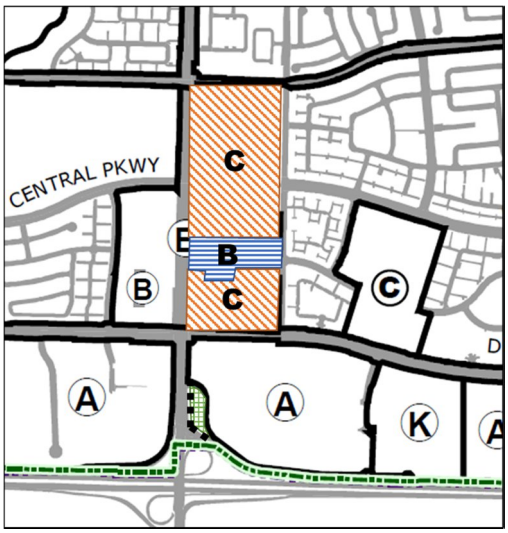


Figure 5.1 (Road System Map) shall be amended to show Tassajara Road between Dublin Boulevard and I-580 ramps to be seven lanes and Dublin Boulevard between Tassajara Road and Brannigan Street to be seven lanes.

Figure 5-3b (East Dublin Bicycle Circulation System Map) shall be amended to show Brannigan Street south of Dublin Boulevard as a Collector Street, three new public streets within the project site (shown as Finnian Way, Aviano Way and Diablo View Drive on the proposed land use map) as Collector Streets and removal of Northside Drive through the project site.

Figure 6.1 (Open Space Framework Map) shall be amended to include the 2.5-acre park "Neighborhood Square" as shown on Figure 4.1.

APPENDIX 3

Land Use Summary by Planning Areas sections "Tassajara Gateway," "Town Center-Commercial," and "Town Center-Residential" shall be amended as follows:

APPENDIX 3 EASTERN DUBLIN SPECIFIC PLAN LAND USE SUMMARY BY PLANNING SUBAREAS				
Planning Subareas Land Use Category	**Area**	**Density**	**Square Feet**	**Units**
Tassajara Gateway				
General Commercial	53.9	.25	586,971	
General Commercial/ Campus Office	10.5	0.28	128,066	
Campus Office	33.28	.35	507,387	
Open Space	6.9			
Total	**120.43**		**1,222,424**	
Town Center - Commercial				
General Commercial	25	.35 FAR	.381 msf	
Neighborhood Commercial	0	.35 FAR	0 msf	
Parks/Public Recreation				
Public/Semi-Public		.25 FAR	0 msf	
Semi-Public	--	--	0 msf	
Total	**76.5**		**1,348,837**	
Town Center – Residential				
High Density Residential	30.4	35		1,064 du
Medium High Density Residential	60.7	20		1,214 du
Medium Density Residential	201.7	10		2,017 du
Single Family Residential	89.2	4		356 du
Subtotal	**356.7**			**4,651 du**
Open Space	49.8			
City Park	56.3			
Community Park	80.6			
Neighborhood Park	11.6			
Neighborhood Square	10			
Nature Community Park	10.4			
Public/Semi-Public	3.8			
Subtotal	**222.5**			
Elementary School	31.1			
High School	23.46			
Total	**633.76**			**4,651 du**

APPENDIX 4

Appendix 4 Land Use Summary by Land Owners "#18 Dublin Land Company" shall be amended to read as follows:

APPENDIX 4 EASTERN DUBLIN SPECIFIC PLAN LAND USE SUMMARY BY LAND OWNERS				
Owner/Land Use Category	**Acres**	**Density**	**Square Feet**	**Units**
#18 SCS DEVELOPMENT CO.				
General Commercial	29.4	.20 - .60	256,132 - 768,398	
Medium High Density Residential	21.1	14.1 – 25.0		360
Medium Density Residential	17	6.1 – 14.0		150
Parks/Public Recreation	2.5			
Public/Semi-Public	3.8	-	-	100
Total	**73.8**		**256,132 - 768,398**	**650**

PASSED, APPROVED, AND ADOPTED this 15th day of November, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

ORDINANCE NO. XX – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

AMENDING THE ZONING MAP AND APPROVING A PLANNED DEVELOPMENT ZONING DISTRICT WITH STAGE 1 AND STAGE 2 DEVELOPMENT PLANS FOR THE SCS DUBLIN PROJECT (PLPA-2022-00005) (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. The Property Owner, SCS Development Company, is requesting a Planned Development Rezoning with Stage 1 and Stage 2 Development Plans. The proposed Project includes up to 550 market rate residential units and up to 100 affordable units, up to 265,000 square feet of retail commercial development, and related infrastructure and landscape improvements. Requested land use approvals include a General Plan Amendment and Eastern Dublin Specific Plan Amendment, a Planned Development Rezoning with Stage 1 and Stage 2 Development Plans, and a Development Agreement, among other related actions. These planning and implementing actions are collectively known as the "SCS Dublin Project" or the "Project."

B. The Project site is approximately 76.2 acres generally bounded by Tassajara Road, Gleason Drive, Brannigan Street and I-580 (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025).

C. The Project site is located within Planned Development Ordinance No. 104-94, which states that development of the property is subject to the Interim Agricultural Designation until a Planned Development Rezone with Stage 1 and Stage 2 Development Plans is adopted.

D. The Project site is located within the Dublin Town Center Priority Development Area (PDA), which includes a mix of housing types including single-family detached, townhomes, condominiums and apartments. The Town Center PDA is envisioned as a walkable area with locally serving businesses within walking distance or a short ride from residential neighborhoods, conveniently served by transit.

E. The California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.

F Pursuant to the requirements of the CEQA, the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures, the City prepared a Draft Environmental Impact Report (EIR) dated July 2022, and a Final EIR dated October 2022, for the proposed Project, which reflected the City's independent judgment and analysis of the potential environmental impacts of the Project.

G. The Draft EIR identified potentially significant impacts to aesthetics, air quality, biological resources, cultural and tribal resources, geology and soils, hazards and hazardous materials, noise, and transportation, most of which can be substantially reduced through mitigation measures.

H. The Draft EIR was circulated for 45 days for public comment from July 22, 2022, to September 6, 2022. Comments received on the Draft EIR were responded to in the Final EIR dated October 2022. The Draft EIR, comments and associated responses, and changes and clarifications to the Draft EIR constitute the Final EIR.

I. Following a public hearing on October 25, 2022, the Planning Commission adopted Resolution No. 22-13, recommending that the City Council certify the Final EIR and adopt required CEQA Findings, and approve amendments to the General Plan and Eastern Dublin Specific Plan, a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, and a Development Agreement related to the SCS Dublin Project, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

J. A Staff Report dated November 15, 2022, and incorporated herein by reference, described and analyzed the Project, including the Planned Development Zoning District with Stage 1 and 2 Development Plans, for the City Council.

K. The City Council considered the Final EIR prepared for the Project, and all above referenced reports, recommendations, and testimony prior to taking action on the Project.

L. On November 15, 2022, the City Council adopted Resolution No. xx-22 certifying the Final EIR and adopting CEQA Findings, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the Project.

M. On November 15, 2022, the City Council adopted Resolution No. xx-22 approving General Plan and Eastern Dublin Specific Plan Amendments, which Resolution is incorporated herein by reference and available for review at City Hall during normal business hours.

SECTION 2: FINDINGS

A. Pursuant to Section 8.32.070 of the Dublin Municipal Code, the City Council finds as follows.

1. The SCS Dublin Project ("the Project") PD-Planned Development zoning meets the purpose and intent of Dublin Municipal Code Chapter 8.32 in that it provides a comprehensive development plan that will be consistent with the General Plan and Eastern Dublin Specific Plan, as amended, and protects the integrity and character of the area by creating a desirable use of land that is sensitive to surrounding land uses by virtue of the layout and design of the site plan. The Project places residents and employment uses in areas planned for such uses, which promote preservation of sensitive environmental areas, throughout the City. The development plan focuses commercial uses south of Dublin Boulevard adjacent to I-580 and provides for a variety of housing opportunities north of Dublin Boulevard adjacent to existing residential neighborhoods. As a result, the development plan creates a more

desirable use of the land, a more coherent and coordinated development, and a better physical environment than would otherwise be possible under a single zoning district or combination of zoning districts.

2. Development of the Project under the PD-Planned Development zoning will be harmonious and compatible with existing and future development in the surrounding area in that the site will provide a mix of housing types including single-family detached homes, townhomes and apartments as well as a variety of neighborhood and regional-serving commercial uses. The Project site is in an area that has similar uses nearby including residential uses to the west, north and east, commercial to the east and west, and a large public park to the west.

B. Pursuant to Sections 8.120.050.A and B of the Dublin Municipal Code, the City Council finds as follows.

1. The PD-Planned Development zoning for the Project will be harmonious and compatible with existing and potential development in the surrounding area in that the proposed site plan has taken into account adjacent land uses and will provide a wide range of amenities to and for the community within the development and the surrounding neighborhoods.

2. The Project site conditions were documented in the EIR that has been prepared, and the environmental impacts that have been identified will be mitigated to the greatest degree possible. There are no site challenges that were identified in the EIR, which could not be mitigated, that will present an impediment to utilization of the site for the intended purposes. There are no major physical or topographic constraints and, thus, the site is physically suitable for the type and intensity of the commercial areas and residential uses approved through the PD zoning.

3. The PD-Planned Development zoning will not adversely affect the health or safety of persons residing or working in the vicinity, or be detrimental to the public health, safety and welfare in that the Project will comply with all applicable development regulations and standards and will implement all adopted mitigation measures.

4. The PD-Planned Development zoning is consistent with and in conformance with the Dublin General Plan and Eastern Dublin Specific Plan, as amended, in that the proposed uses of residential and commercial retail are consistent with the proposed residential and mixed-use land use designations for the site.

C. Pursuant to the CEQA, the City Council certified a Final EIR on November 15, 2022, prior to approving the Project.

SECTION 3: ZONING MAP AMENDMENT

Pursuant to Chapter 8.32, Title 8 of the City of Dublin Municipal Code, the City of Dublin Zoning Map is amended to rezone the property described below to a Planned Development Zoning District and supersedes the previously adopted zoning (Resolution No. 104-94):

76.2 acres bounded by Tassajara Road on the west, by Brannigan Street on the east, by I-580 on the south, and by a line approximately 150 feet north of Gleason Drive, primarily

comprised of the following Assessor's Parcel Numbers: 985-52-24, 985-52-25 985-51-4, and 985-51-6 (the "Property")

A map of the rezoning area is shown below:



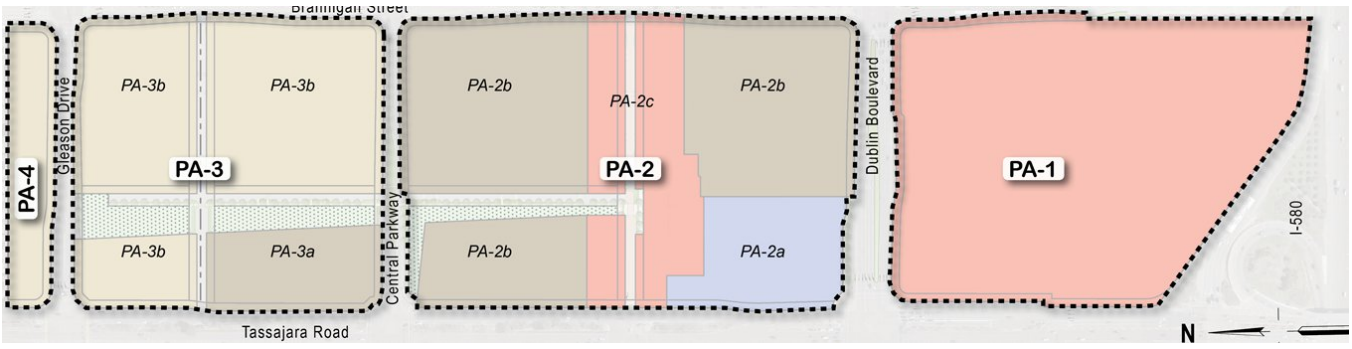
SECTION 4. APPROVAL OF STAGE 1 AND STAGE 2 DEVELOPMENT PLAN

The regulations for the use, development, improvement, and maintenance of the Property are set forth in the following Stage 1 and Stage 2 Development Plan for the entire 76.2-acre Project area, which is hereby approved. Any amendments to the Stage 1/Stage 2 Development Plan shall be in accordance with Section 8.32.080 of the Dublin Municipal Code or its successors.

Stage 1 and Stage 2 Development Plan

This is a Stage 1 and Stage 2 Development Plan pursuant to Chapter 8.32 of the Dublin Municipal Code. This Development Plan meets all the requirements for both a Stage 1 and Stage 2 Development Plan and is adopted as part of the PD-Planned Development rezoning for the SCS Dublin Project (PLPA-2022-00005).

The PD-Planned Development is divided into four Planning Areas (PA-1, PA-2, PA-3 and PA-4), with PA-2 subdivided into three subareas and PA-3 divided into two subareas. A map of the Planning Areas and subareas is shown below. The final location and configuration of PA-2a, shall be determined by the Site Development Review Permit and Tentative Parcel Map and shall be located north of Dublin Boulevard and south of PA-2c.



PLANNING AREA 1 (PA-1)

1. Statement of Uses (as defined by the Zoning Ordinance).

Permitted Uses[1]*:*

1. Animal Sales and Services
2. Arcade, accessory to primary use
3. Automobile/Vehicle Brokerage
4. Banks and Financial Services
5. Billiard/Pool Hall, accessory to primary use
6. Building Materials Sales
7. Comedy Club
8. Copying and Blueprinting
9. Dance Floor
10. Eating and Drinking Establishment
11. Eating and Drinking Establishment – Specialty
12. Eating and Drinking Establishment – Take Out
13. Health Club/Fitness Center
14. Health Services/Clinics
15. Hotel/Motel
16. Laboratory
17. Massage Establishment
18. Mobile Food Truck[2]
19. Mobile Retail Cart[3]
20. Office – Professional/Administrative
21. Outdoor Sale by Established On-site Business
22. Outdoor Seating
23. Outdoor Permanent Vendor
24. Personal Services
25. Plant Nursery
26. Recording Studio
27. Recreational Facility Indoor
28. Recreational Facility Outdoor
29. Retail – General
30. Retail Kiosk[4]
31. Retail – Neighborhood
32. Retail – Outdoor Storage
33. Retail – Service
34. Service Station
35. School – Commercial
36. Theater
37. Tobacco Retailer

Conditionally Permitted Uses:

1. Animal Hospital, Veterinarian

2. Car Wash/Detailing (Zoning Administrator Approval)
3. Community Facility (Zoning Administrator Approval)
4. Nightclub
5. Repair Shop

Temporary Uses[5]*:*

1. Arts and Crafts Fair
2. Christmas Tree Sales Lot
3. Construction-Related Temporary Uses
4. Farmer's Market
5. Festival/Street Fair
6. Office – Trailer Commercial
7. Pumpkin Sales Lot
8. Outdoor Event by an Established Business
9. Outdoor Sale Not Related to On-Site Established Business

Notes:

1. A Zoning Clearance is required for those uses which are subject to a Zoning Clearance in the Zoning Ordinance.
2. Mobile Food Truck use shall comply with the following:
   a. A Site Development Review Waiver approving the location of a food truck is required. Applications for multiple food trucks may be combined into one Site Development Review Waiver application. The application shall include a site plan demonstrating compliance with the following:
      1. The location of a mobile food truck is limited to the parking area and shall not be located within a pedestrian plaza or public right-of-way.
      2. The area used for all mobile food truck operations, including but not limited to customer queuing, trash, and dining, shall not impede the traffic visibility area at any driveway or intersection, emergency access, pedestrian and vehicular ingress or egress through the remainder of the parking, or the adjacent public right of way.
      3. The area used for all mobile food truck operations, including but not limited to customer queuing, trash, and dining, shall not occupy more than 25 percent of the parking area.
      4. If more than one mobile food truck is on the site at one time, they shall be located within the same vicinity, not more than 25 feet apart.
   b. In addition to the Site Development Review Waiver, the following operational standards apply:
      1. Hours of operation are limited to 7:00 a.m. to 10:00 p.m. daily.
      2. The mobile food truck must be stationary for a minimum of two (2) hours. No trolling allowed.
      3. Provision of at least one trash receptacle, one recycling receptacle and one compost receptacle for use by patrons and in a convenient location that does not impede pedestrian or vehicular traffic.
      4. Collection and removal of all litter and debris generated within a minimum 25-foot radius of the mobile food truck.

5. No signs other than those exhibited on or in the mobile food truck.
6. Adequate lighting must be provided to ensure customer safety and shall be directed downwards and away from public streets and adjacent properties.
7. Maintenance of a valid business license from the City of Dublin.
8. Maintenance of a valid health permit from the Alameda County Department of Environmental Health.

3. Mobile Retail Cart. This includes small outdoor retail carts for the sale of any type of merchandise not constructed on a permanent foundation. The location is limited to the plaza areas. Up to a maximum of five mobile retail carts are permitted.
4. Retail Kiosk. This is a fixed structure constructed on a permanent foundation for the sale of any type of merchandise, including food and beverages. The location is limited to the plaza areas and subject to approval of a Site Development Review Waiver. Up to a maximum of five retail kiosks are permitted.
5. Subject to the Temporary Use Permit standards of the Zoning Ordinance.

2. Development Regulations.

Standard	PA 1
Minimum Lot Area	*None*
Minimum Lot Width/Frontage	*None*
Minimum Lot Depth	*None*
Maximum Building Height[1]	74 ft.
Maximum Floor Area Ratio	0.21
Maximum Building Area[2, 3, 4]	225,000 s.f.
Setbacks	Pursuant to Dublin Municipal Code Chapter 8.36 Development Regulations unless otherwise noted
Minimum Setback	15 ft. at Dublin Blvd., Tassajara Rd. and Brannigan St. 15 ft. at I-580 Right-of-Way 5 ft. at Private Drives
Required Parking[5]	Per Dublin Municipal Code
Signage	Pursuant to an approved Master Sign Program

Notes:

1. Protective netting (including support poles) for an outdoor golf facility may extend beyond the height limit up to a maximum height 190'.
2. Allows up to two hotels of a total of 75,000 square feet with a total maximum of 140 rooms.
3. Square footage for enclosed trash rooms or building electrical rooms shall not be counted toward the maximum building area.
4. Outdoor Mobile Vendors (i.e., retail kiosks and mobile retail carts) are not included in the maximum building area.
5. So long as they comply with the development standards in the notes above, no parking is required for mobile food trucks, mobile retail carts, retail kiosks, and undesignated outdoor seating located in common areas for informal seating and dining.

PLANNING AREA 2 (PA-2) *including subareas PA-2a, PA-2b and PA-2c*

1. Statement of Uses PA-2 (as defined by the Zoning Ordinance).

PA-2a Permitted Uses[1]:

1. Multi-Family Residential[2]
2. Accessory Structures and Uses
3. Home Occupations
4. Accessory Dwelling Units
5. Junior Accessory Dwelling Units
6. Community Facility
7. Community Care Facility/Small
8. Community Care Facility/ Large
9. Family Day Care Home (up to 14 children)

PA-2b Permitted Uses[1]:

1. Multi-Family Residential
2. Accessory Structures and Uses
3. Home Occupations
4. Accessory Dwelling Units
5. Junior Accessory Dwelling Units
6. Community Care Facility/Small
7. Family Day Care Home (up to 14 children)

PA-2a and 2b Conditional Uses:

1. Bed and Breakfast

PA-2a and 2b Temporary Uses:

1. Construction-Related Temporary Uses

PA-2c Permitted Uses[1]:

1. Multi-Family Residential[3]
2. Arcade, accessory use only
3. Banks and Financial Services
4. Billiard/Pool Hall, accessory use only
5. Copying and Blueprinting
6. Eating and Drinking Establishment
7. Eating and Drinking Establishment – Specialty
8. Eating and Drinking Establishment – Take Out
9. Massage Establishment
10. Mobile Retail Cart[4]
11. Office – Professional/Administrative
12. Outdoor Permanent Vendor
13. Outdoor Sale by Established On-site Business
14. Outdoor Seating
15. Personal Services

16. Recording Studio
17. Recreational Facility/Indoor
18. Recreational Facility/Outdoor
19. Retail – General
20. Retail Kiosk[5]
21. Retail – Neighborhood
22. Retail – Service
23. Day Care Center (15+ persons)

PA-2c Conditionally Permitted Uses:

1. Animal Hospital, Veterinarian
2. Comedy Club

PA-2c Temporary Uses:

1. Arts and Crafts Fair
2. Christmas Tree Sales Lot
3. Construction-Related Temporary Uses.
4. Farmer's Market
5. Festival/Street Fair
6. Office – Trailer Commercial
7. Outdoor Event by an Established Business
8. Outdoor Sale Not Related to On-Site Established Business
9. Outdoor Skating Rink
10. Pumpkin Sales Lot

PA-2c Prohibited Uses:

1. Building Materials Sales
2. Car Wash/Detailing
3. Health Services/Clinics
4. Hotel/Motel
5. Laboratory
6. Plant Nursery
7. Repair Shop
8. Retail – Outdoor Storage
9. Service Station
10. School – Commercial
11. Tobacco Retailer

Notes:

1. A Zoning Clearance is required for those uses which are subject to a Zoning Clearance by the Zoning Ordinance.
2. Multi-family residential limited to that developed by a non-profit entity and serves to meet affordable housing needs or the housing needs of an underserved economic segment of the community
3. Multi-family residential along Finnian Way is limited to above and/or behind ground floor commercial uses.

4. Mobile Retail Cart. This includes small outdoor retail carts for the sale of any type of merchandise not constructed on a permanent foundation. The location is limited to the plaza areas. Up to a maximum of two mobile retail carts are permitted.
5. Retail Kiosk. This is a fixed structure constructed on a permanent foundation for the sale of any type of merchandise, including food and beverages. The location is limited to the plaza areas and subject to approval of a Site Development Review Waiver. Up to a maximum of two retail kiosks are permitted.
6. Subject to the Temporary Use Permit standards of the Zoning Ordinance.

2. Development Regulations: Planning Area 2a (PA-2a)

Standard	PA-2a Public/Semi-Public
Minimum Lot Area	*None*
Minimum Lot Width/Frontage	*None*
Minimum Lot Depth	*None*
Maximum Building Height	65 ft. 5 stories
Maximum Residential Units	100
Maximum Density	50 du/ac
Setbacks	Pursuant to Dublin Municipal Code Chapter 8.36 Development Regulations unless otherwise noted
Minimum Setbacks	10 ft. at Tassajara Road, 20 ft. at Dublin Boulevard 4 ft. at Private Drives and alleys
Common Usable Open Space	200 sf/unit
Required Parking[3]	Per Dublin Municipal Code Chapter 8.76 Off-Street Parking and Loading Regulations

3. Development Regulations: Planning Area 2b (PA-2b)

Standard		PA-2b Medium High Density Residential
Minimum Lot Area		*None*
Minimum Lot Width/Frontage		*None*
Minimum Lot Depth		*None*
Maximum Building Height		50 ft. 4 stories
Maximum Residential Units		290
Maximum Density		16.29 du/ac
Minimum Street Setbacks		20 ft. at Tassajara Road, 10 ft. at Central Parkway 10 ft. at Brannigan Street 20 ft. at Dublin Boulevard
Minimum Setbacks[1]		
Front	Living Area	10 ft. from back of curb 20 ft. building to building

	Porch/Deck	5 ft. from back of curb 10 ft. building to building
	Encroachments [2]	2 ft. max into required setback
Side	Corner Lot – Living Area	3 ft. to back of curb
	Corner Lot - Porch/Deck	3 ft. to back of curb
	Encroachments [2]	2 ft. max into required setback
Rear	Building to Drive Aisle	4 ft. first floor from back of curb 2 ft. upper floors from back of curb
	Garage Door	4.5 ft. from back of curb
	Encroachments [2]	2 ft. max into required setback
Minimum Building Separation		
Garage Door to Garage Door[3]		29 ft.
Building to Building (sides)		10 ft.
Encroachments [2]		2 ft. max into required setback
Required Parking		Per Dublin Municipal Code Chapter 8.76 Off-Street Parking and Loading Regulations

Notes:

1. Setbacks are measured from property line unless otherwise noted.
2. Encroachments may include window bays, chimneys, and other architectural projections.
3. Measurement is for garage doors which are across street/drive aisle from each other.

4. Development Regulations: Planning Area 2c (PA-2c)

Standard		PA 2c – Commercial
Minimum Lot Area		*None*
Minimum Lot Width/Frontage		*None*
Minimum Lot Depth		*None*
Maximum Building Height		55 ft.
Maximum Floor Area Ratio[1]		0.38
Maximum Building Area[2, 3, 4, 5]		40,000 sf of commercial uses 80,000 sf of residential uses
Maximum Residential Units		40
Setbacks		Pursuant to Dublin Municipal Code Chapter 8.36 Development Regulations unless otherwise noted
Minimum Street Setbacks		10 ft. at Tassajara Road 0 ft. at Finnian Way 5 ft. corner street side
Rear	Building to Drive Aisle	4 ft. first floor from back of curb 2 ft. upper floors from back of curb
	Garage Door	4.5 ft. from back of curb
Private Street Encroachments		2 ft. max into required setback
Required Parking[6]		Per Dublin Municipal Code Chapter 8.76 Off-Street

	Parking and Loading Regulations
Minimum Parking Setback	10 ft. from property line along public streets 10 ft. from property line along main entry road

Notes:

1. Floor area ratio includes commercial and residential square footage.
2. 80,000 sf of residential excludes parking garage.
3. Square footage for enclosed trash rooms or building electrical rooms shall not be counted toward the maximum building area.
4 Outdoor Mobile Vendors (i.e., retail kiosks and mobile retail carts) are not included in the maximum building area.
5 Minimum commercial space for each shophouse unit is 350 square feet.
6 No parking is required for Outdoor Mobile Vendors, and undesignated outdoor seating located in common areas for informal seating and dining.

PLANNING AREA 3 AND PLANNING AREA 4 (PA-3A and PA-4) *including subareas PA-3a and PA-3b*

1. Statement of Uses (as defined by the Zoning Ordinance).

Permitted Uses[1]:

1. Multi-Family Residential (PA-3a only)
2. Single-Family Residential (PA-3b & PA-4 only)
3. Accessory Structures and Uses
4. Home Occupations
5. Accessory Dwelling Units
6. Junior Accessory Dwelling Units
7. Community Facility
8. Community Care Facility/Small
9. Family Day Care Home (up to 14 children)

Conditionally Permitted Uses:

1. Bed and Breakfast Inn

Temporary Uses[2]:

1. Construction-Related Temporary Uses
2. Tract and Sales Office/Model Home Complex

Notes:

1. A Zoning Clearance is required for those uses which are subject to a Zoning Clearance by the Zoning Ordinance.
2. Subject to the Temporary Use Permit standards of the Zoning Ordinance.

2. Development Regulations: Planning Area 3a (PA-3a)

Standard	**PA-3a Medium High Density Residential**
Minimum Lot Area	*None*

Minimum Lot Width/Frontage		*None*
Minimum Lot Depth		*None*
Maximum Building Height		50 ft. 4 stories
Maximum Residential Units		290
Maximum Density		16.29 du/ac
Minimum Street Setbacks		20 ft. at Tassajara Road, 10 ft. at Central Parkway 10 ft. at Brannigan Street 20 ft. at Dublin Boulevard
Minimum Setbacks[1]		
Front	Living Area	10 ft. from back of curb 20 ft. building to building
	Porch/Deck	5 ft. from back of curb 10 ft. building to building
	Encroachments [2]	2 ft. max into required setback
Side	Corner Lot – Living Area	5 ft. to back of curb
	Corner Lot - Porch/Deck	3 ft. to back of curb
	Encroachments [2]	2 ft. max into required setback
Rear	Building to Drive Aisle	4 ft. first floor from back of curb 2 ft. upper floors from back of curb
	Garage Door	4.5 ft. from back of curb
	Encroachments [2]	2 ft. max into required setback
Minimum Building Separation		
Garage Door to Garage Door[3]		29 ft.
Building to Building (sides)		10 ft.
Encroachments [2]		2 ft. max into required setback
Required Parking		Per Dublin Municipal Code Chapter 8.76 Off-Street Parking and Loading Regulations

Notes:

1. Setbacks are measured from property line
2. Encroachments may include window bays, chimneys, and other architectural projections.
3. Measurement is for garage doors which are across street/drive aisle from each other.

3. Development Regulations: Planning Area 3b and 4 (PA-3b and PA-4)

Standard	**PA-3b and PA-4 Medium-Density Residential**
Minimum Lot Area	1,600 sf
Minimum Lot Width	30 ft.
Minimum Lot Depth	40 ft.
Maximum Building Height	
Primary Residence	45 ft. 3 stories
ADU/Garage	27 ft. 2 stories
Maximum Residential Units	150
Maximum Density	8.8 du/ac

Minimum Setbacks[1,3]		
Front	Living Area	8 ft. to back of curb
	Porch/Deck	5 ft. from back of curb
	Garage Door	3 ft. from back of curb
	Encroachments [2]	2 ft. max into required setback
Side[3]	Interior	3 ft. for main residence 10 ft. on one side/0 ft. on other side for detached garage/ADU
	Corner	4 ft.
	Encroachments[2]	2 ft. max into required setback
Rear	Living Area	4 ft. from back of curb
	ADU/Garage	4 ft. first floor from back of curb 2 ft. upper floors from back of curb 4.5 ft. from back of curb (garage door)
	Encroachments [2]	2 ft. max into required setback
Usable Private Yard Space		200 sf min. for primary residence 10 ft. min dimension
Required Parking		Per Dublin Municipal Code Chapter 8.76 Off-Street Parking and Loading Regulations

Notes:

1. Setbacks are measured from property line.
2. Encroachments may include window bays, chimneys, and other architectural projections.
3. Zero lot line configuration are permitted provided a minimum building separation of an aggregate 6 feet is provided. Articulated lot lines and Reciprocal Use Easements are allowed.

PLANNING AREAS - ALL

1. **Phasing Plan.** The Project will be constructed in phases and ultimately subject to market conditions. Notwithstanding, the following conditions on Project phasing shall apply:

   a. Phase 1 will consist of site preparation and mass grading of the entire Project site.
   b. Phase 2 is comprised of the horizontal development (e.g., construction of streets, utilities, etc.) and vertical construction of the Project, which will happen in sub-phases across all of the Project's Planning Areas. However, to ensure that the residential portions of the Project do not wholly develop in advance of the retail/commercial portions, the following restrictions are imposed on the issuance of permits:

      No building permits shall be issued for a for-sale, market rate residential unit on any portion of the Project site until improvement plans have been approved, bonds posted, and a building permit has been issued for construction of a non-residential building within the Finnian Way Commercial area in Planning Area 2c.

2. **General Plan and Eastern Dublin Specific Plan Consistency.** The Project is consistent with the General Plan and Eastern Dublin Specific Plan, as amended by the Project. The land use designations for the Project site are General Commercial for PA-1 and PA-2c, Public/Semi-Public for PA-2a, Medium-High Density Residential for PA-2b and PA-3a, and Medium Density Residential for PA-3b and PA-4. The development permitted by the PD

zoning for each PA is consistent with that PA's land use designation. The Project also includes a Park/Public Recreation land use designation within PA-2 and PA-3.

3. **Inclusionary Zoning Regulations.** The Project shall comply with the Inclusionary Zoning Regulations (Chapter 8.68) for the provision of affordable housing as a residential development of 20 units or more.

4. **Aerial Photo.**



5. **Site Plan.** The following Stage 1 and Stage 2 Site Plan is conceptual. Final site design shall be determined by the Site Development Review Permit, including, but not limited to, the placement of the Public/Semi-Public affordable housing project.



6. **Architectural Standards.** The architecture of the development is characterized by clean, modern lines, using natural materials and a neutral color palette. Buildings are designed and situated to create a blend of formal and casual spaces across the site. The Project's materials, landscapes and architecture work together to create welcoming neighborhoods and public gathering spaces.

   The architectural design shall reflect the following standards:
   - Employ high quality materials to provide visual interest in the Project and to complement its surroundings.
   - Use diversity of textures in the building finishes providing a varied and interesting base form for the buildings.
   - Incorporate features such as different wall planes, heights, wall textures, roof

elements, roof forms, light fixtures and landscaping to contribute layers of detail at the pedestrian level.

- Architectural details shall extend around all sides of building, including rear elevations when visible to perimeter public streets.

Planning Area 1 (PA-1) is characterized by larger building footprints and is organized into a modified urban street grid, geared towards regional visitors. It is anticipated to contain a hotel, community room, and various retail typologies. PA-1 contains the Tassajara Place Entertainment District, which is located at the intersection of Dublin Boulevard and Tassajara Road, and an indoor/outdoor recreation facility (e.g., Top Golf) located on the southern half of the parcel.

Planning Area 2 (PA-2c) is characterized by a mix of building footprint sizes and a series of interconnected pedestrian-friendly public spaces. These include a linear park (Grand Paseo) leading to a primary gathering space (Finnian Square and Finnian Way retail street), which connects small shops, boutiques, and restaurants to Waterford Shops to the west, and to the new high school to the east. The linear park (Grand Paseo) then extends south of Finnian Square to Dublin Boulevard to a bus stop.

Planning Area 3 (PA-3) is characterized by the north extension of the Grand Paseo, preserving the view corridor to Mount Diablo, as well as enhanced sidewalks along Central Avenue connecting the paseo to Emerald Glen Park. PA-3 is also characterized by the Aviano Way extension, creating a bike and pedestrian friendly corridor to Piazza Sorrento and Kolb Elementary School beyond.

Residential (PA-2, 3 and 4)

The goal of the architecture in the residential areas is to complement that of the commercial areas and provide design continuity within the Project as a whole. The objective is to allow flexibility within each neighborhood while maintaining a cohesive design theme throughout the Project. The architecture design shall employ a variety of colors and high-quality materials.

Commercial (PA-1 and PA-2c)

The goal of the architecture in the commercial areas is promote distinct storefronts. The objective is to allow the maximum expression of a store's individual personality and character while maintaining a cohesive design theme throughout the Project. The architecture design shall employ a variety of colors and high-quality materials so that the buildings make a statement on their own.

7. Preliminary Landscape Plan.



The conceptual landscape design of the Project shall reflect the following standards. The landscape design shall:

- Create a linear park-like environment that is accessible to the public linking Gleason Drive all the way to Dublin Boulevard, leading bikes and pedestrians to Finnian Square retail district, and preserving views of Mount Diablo.
- Create a regional retail and entertainment destination at the richly landscaped Tassajara Place Entertainment District on PA-1. The plaza will be designed for customer experience, children's play and extended stay times.
- Provide interpretive and educational components to enrich visitor's experience on the site.
- Treat the site's storm water in a set of basins throughout the site that are linked to the site's water infrastructure, or for areas where regional treatment was previously approved, treat the site's stormwater in a regional stormwater treatment basin.
- Create a visual buffer and soften the edge between the public realm and the site.
- Utilize plants that provide a year-round vegetated landscape with seasonality, color, and interest for an attractive visual environment.
- Incorporate landscape design intended to screen large, gathered parking areas within PA-1 to reduce the visual impact of such parking from Interstate 580 and Tassajara Road while maintaining visibility to the buildings and businesses.

Finnian Square Landscape Design Criteria

The landscape of Finnian Square shall focus on quality, and intimate gathering spaces. Outdoor seating for restaurants is key and shall be integral to the overall design of the square. The square shall provide a number of different seating options. The placement of shrubs, built-in seating, and planters shall be low so as not to obstruct sight-lines to retail spaces and activity in the plaza. Trees shall be placed to compliment seating areas and provide shade. In the square itself, trees shall represent a variety of species with varied characteristics for visual interest. Landscaping should be used to provide some buffer to vehicular traffic on Finnian Way, but not obstruct circulation into the square. In dedicated seating areas, special pavers or other materials shall be used to create an enhanced environment encouraging longer stay times. Flexible seating can be used to provide greater choice (hard, soft, short, tall, reclining, etc.) accommodating different user needs and preferences. A small, low, water feature will provide acoustic and visual calming.

Tassajara Place Entertainment District Landscape Design Criteria

The landscaped plaza will be richly detailed, and programmed for different activities such as live music, fitness, social gaming such as bocce ball, and experiential diversity. Trees and plants will be designed to create greater outdoor comfort with color, texture and

shade. The central plaza at Tassajara Place will provide a variety of tree species introducing variation in texture, size and color. Shade and ornamental trees will populate the central plaza and will be carefully positioned to maintain view corridors to shops and signage. Shrubs and other plantings will be a combination of decorative floral and low water use native species where appropriate. It is important that the hard-scape design at Tassajara Place is not utilitarian. The focus of the materials should reflect a high level of craft and material richness. Careful and strategic use of high-quality materials such as brick pavers, stone, and hardwood will elevate customer experience over nearby competing centers. Part of the plaza will accommodate live music, with sound and electricity provided. Accommodations for seasonal decorations will also be provided.

The Grand Paseo Concept

The Grand Paseo ties together the SCS Dublin site from Dublin Boulevard all the way to Gleason Drive. Along the paseo it varies in size and experience to provide users a dynamic environment with much to offer. From south to north, the paseo widens towards views of Mount Diablo. From north to south, the paseo narrows coinciding with Finnian Square bring the energy of the retail shops and the recreational promenade together. A generous multi-use path, with distinctive paving shall run the full length of the Grand Paseo from Gleason Drive to Dublin Boulevard. The paving on the multi-use path should clearly delineate bike and pedestrian lanes.

The Grand Paseo should embrace bio-diversity in tree and shrub plantings and low water/drought tolerant plantings. Shade trees should be placed strategically in areas with longer stay times and regular pedestrian and bike circulation. A distinctive signature tree species should accentuate the paseo. Community gardens, if included, should be located close to Central Parkway, convenient to Emerald Glen Park. The final design of the Grand Paseo is subject to the City's park planning and community input process.

8. **Applicable Requirements of the Dublin Zoning Ordinance.** Except as specifically provided in this Stage 1 and Stage 2 Development Plan, the use, development, improvement, and maintenance of the property shall be subject to the regulations of the closest comparable zoning district as determined by the Community Development Director and the Dublin Zoning Ordinance.

9. **Statement of Compatibility with Stage 1 Development Plan.** The Stage 2 portion of this Development Plan is consistent with the Stage 1 portion of this Development Plan.

SECTION 5. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

SECTION 6. POSTING OF ORDINANCE

The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public spaces in the City of Dublin in accordance with Section 36933 of the Government Code of

the State of California.

SECTION 7. EFFECTIVE DATE

This Ordinance shall take effect thirty (30) days following its adoption.

PASSED AND ADOPTED BY the City Council of the City of Dublin, on this ___ day of _____, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

ORDINANCE NO. xx - 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF DUBLIN AND SCS DEVELOPMENT COMPANY RELATED TO THE SCS DUBLIN PROJECT (PLPA-2022-00005) (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025)

The Dublin City Council does ordain as follows:

SECTION 1. RECITALS

A. A request has been made by SCS Development Company to enter into a Development Agreement with the City of Dublin for the property known as the SCS Dublin Project site, which includes properties identified by Assessor Parcel Numbers 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025, an approximately 76.2-acre site.

B. The Property Owner, SCS Development Company, is requesting a Planned Development Rezoning with Stage 1 and Stage 2 Development Plans. The proposed Project includes up to 550 market rate residential units and up to 100 affordable units, up to 265,000 square feet of retail commercial development, and related infrastructure and landscape improvements. Requested land use approvals include a General Plan Amendment and Eastern Dublin Specific Plan Amendment, a Planned Development Rezoning with Stage 1 and Stage 2 Development Plans, and a Development Agreement, among other related actions. These planning and implementing actions are collectively known as the "SCS Dublin Project" or the "Project."

C. The Project site is approximately 76.2 acres generally bounded by Tassajara Road, Gleason Drive, Brannigan Street and I-580 (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025).

D. The project is the subject of an Environmental Impact Report (EIR), State Clearinghouse No. 2022040022. The activities under the Development Agreement do not result in any impacts beyond what was previously analyzed in the EIR.

E. The proposed Development Agreement is attached to this Resolution as Exhibit A.

F. The Planning Commission held a public hearing on the proposed Development Agreement on October 25, 2022, for which public notice was given by law.

G. The Planning Commission recommended that the City Council approve the SCS Dublin Project including the Development Agreement by Resolution No. 22-13.

H. A public hearing on the proposed Development Agreement was held before the City Council on November 15, 2022 for which public notice was given as provided by law.

I. The City Council has considered the recommendation of the Planning Commission, including the Planning Commission's reasons for its recommendation, the Agenda Statement, all comments received in writing, and all testimony received at the public hearing.

SECTION 2: FINDINGS AND DETERMINATIONS

Therefore, on the basis of: (a) the foregoing Recitals which are incorporated herein, (b) the City of Dublin General Plan; (c) the Eastern Dublin Specific Plan, (d) the SCS Dublin Project EIR; (e) the Staff Report; (f) information in the entire record of proceeding for the Project, and on the basis of the specific conclusions set forth below, the City Council finds and determines that:

A. The Development Agreement is consistent with the objectives, policies, general land uses and programs specified and contained in the City's General Plan, and in the Eastern Dublin Specific Plan in that: (a) the Development Agreement incorporates the objectives policies, general land uses and programs in the General Plan and Specific Plan and does not amend or modify them; and (b) the Project is consistent with the fiscal policies of the General Plan and Specific Plan with respect to the provision of infrastructure and public services.

B. The Development Agreement is compatible with the uses authorized in, and the regulations prescribed for, the land use districts in which the real property is located because the Development Agreement does not amend the uses or regulations in the applicable land use district.

C. The Development Agreement is in conformity with public convenience, general welfare, and good land use policies in that the Developer's Project will implement land use guidelines set forth in the Eastern Dublin Specific Plan and the General Plan as articulated in Resolution No. xx-22, amending the General Plan and the Eastern Dublin Specific Plan, adopted by the City Council on November 15, 2022.

D. The Development Agreement will not be detrimental to the health, safety, and general welfare in that the Developer's proposed Project will proceed in accordance with all the programs and policies of the General Plan, Eastern Dublin Specific Plan, and future Project Approvals and any Conditions of Approval.

E. The Development Agreement will not adversely affect the orderly development of property or the preservation of property values in that the project will be consistent with the General Plan, the Eastern Dublin Specific Plan, and future project approvals.

F. The Development Agreement specifies the duration of the agreement, the permitted uses of the property, and the obligations of the Applicant. The Development Agreement contains an indemnity and insurance clause requiring the developer to indemnify and hold the City harmless against claims arising out of the development process, including all legal fees and costs.

SECTION 3. APPROVAL

The City Council hereby approves the Development Agreement (**Exhibit A** to the Ordinance) and authorizes the City Manager to execute it.

SECTION 4. RECORDATION

Within ten (10) days after the Development Agreement is fully executed by all parties, the City Clerk shall submit the Agreement to the County Recorder for recordation.

SECTION 5. EFFECTIVE DATE AND POSTING OF ORDINANCE

This Ordinance shall take effect and be in force thirty (30) days from and after the date of its passage. The City Clerk of the City of Dublin shall cause the Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Section 36933 of the Government Code of the State of California.

PASSED AND ADOPTED BY the City Council of the City of Dublin, on this ___ day of _____, 2022 by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
Mayor

ATTEST:

_____
City Clerk

RECORDING REQUESTED BY:

CITY OF DUBLIN

WHEN RECORDED MAIL TO:

City Clerk
City of Dublin
100 Civic Plaza
Dublin, CA 94568

Fee Waived per GC 27383

Space above this line for Recorder's use

DEVELOPMENT AGREEMENT

FOR THE SCS DUBLIN PROJECT

THIS DEVELOPMENT AGREEMENT (this "**Agreement**" or this "**Development Agreement**") is made and entered into for reference purposes on this __day of _____, 2022, by and between the City of Dublin, a Municipal Corporation (hereafter "**City**") and AWARD HOMES, INC., a California corporation ("**Award**"), SCS DEVELOPMENT COMPANY, a California corporation ("**SCS Development**"), and SANTA CLARA VALLEY HOUSING GROUP, INC., a California corporation ("**SCV Housing**") (Award, SCS Development, and SCV Housing are collectively referred to herein as "**Developer**") pursuant to the authority of §§ 65864 et seq. of the California Government Code and Dublin Municipal Code, Chapter 8.56. City and Developer are, from time-to-time, individually referred to in this Agreement as a "**Party**," and are collectively referred to as "**Parties**."

RECITALS

A. California Government Code §§ 65864 *et seq.* ("**Development Agreement Statute**") and Chapter 8.56 of the Dublin Municipal Code (hereafter "**Chapter 8.56**") authorize the City to enter into a Development Agreement for the development of real property with any person having a legal or equitable interest in such property in order to establish certain development rights in such property.

B. Developer owns certain real property (the "**Property**") consisting of approximately 76.9 acres of land, as more particularly described in Exhibit A, Legal Description of Property, attached hereto and incorporated herein by reference.

C. Developer has applied for, and City has approved, various land use approvals in connection with a project consisting of up to 550 market rate residential units, up to 100 affordable units, and up to 265,000 square feet of retail commercial development (the "**Project**"), including, without limitation, a General Plan and Eastern Dublin Specific Plan Amendment for the SCS Dublin Project (Resolution No. ____ adopted on _____, 2022) and a Stage 1 and Stage 2 Planned Development Rezoning and Development Plan for the SCS Dublin Project (Ord. No. __-22 adopted by the City Council on _____, 2022) (the "**PD**"), and this Agreement (approved by the DA Approving Ordinance (defined below)) (collectively the "**Project Approvals**").

D. Development of the Project will require additional approvals from the City, including but not limited to a subdivision map or maps and Site

Development Review approval or approvals (the "Subsequent Project Approvals").

E. City desires the timely, efficient, orderly and proper development of the Project.

F. City and Developer have reached agreement and desire to express herein a Development Agreement that will facilitate development of the Project subject to conditions set forth herein.

G. City has undertaken, pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 et seq., hereinafter "**CEQA**"), the required analysis of the environmental effects that would be caused by the Project and has determined those feasible mitigation measures which will eliminate, or reduce to an acceptable level, the adverse environmental impacts of the Project. The environmental effects of the proposed development of the Property were analyzed by the Final Environmental Impact Report and certified by the City Council on _____, 2022. City has also adopted a mitigation monitoring and reporting program to ensure that those mitigation measures incorporated as part of, or imposed on, the Project are enforced and completed. Those mitigation measures for which Developer is responsible are incorporated into, and required by, the Project Approvals. City also has adopted findings of fact and statements of overriding considerations for those adverse environmental impacts of the Project that may not or cannot be mitigated to a less than significant level.

H. City has given the required notice of its intention to adopt this Development Agreement and has conducted public hearings thereon pursuant to Government Code Section 65867 and Chapter 8.56. As required by Government Code Section 65867.5, City has found that the provisions of this Development Agreement and its purposes are consistent with the goals, policies, standards and land use designations specified in City's General Plan.

I. On __, the City of Dublin Planning Commission, the initial hearing body for purposes of development agreement review, recommended approval of this Development Agreement pursuant to Resolution No. ___.

J. On ___, 2022, the City Council of the City of Dublin adopted Ordinance No. ___ approving this Development Agreement (the "DA Approving Ordinance"). The DA Approving Ordinance took effect on ____, 2022.

NOW, THEREFORE, with reference to the foregoing recitals and in consideration of the mutual promises, obligations and covenants herein contained, City and Developer agree as follows:

AGREEMENT

1. **Description of Property.** The Property that is the subject of this Agreement is described in Exhibit A. Upon the City's vacation of the Northside Drive PA1 Property (as defined in Section 8.1 herein) pursuant to Section 8.1, the Northside Drive PA1 Property automatically shall become part of the Property and City and Developer shall execute and record a Clarification (as defined in Section 9.4) of this Agreement in accordance with Section 9.4 to amend the legal description of the Property attached hereto as Exhibit A to add such Northside Drive PA1 Property.

2. **Interest of Developer.** Developer has a legal interest in the Property in that it is the owner of the Property.

3. **Relationship of City and Developer.** It is understood that this Agreement is a contract that has been negotiated and voluntarily entered into by the City and Developer and that neither City nor Developer is an agent of the other. The City and Developer hereby renounce the existence of any form of joint venture or partnership between them, and agree that nothing contained herein or in any document executed in connection herewith shall be construed as making the City and Developer joint venturers or partners.

4. **Effective Date and Term**

4.1 Effective Date. The effective date of this Agreement ("**Effective Date**") is the date upon which the DA Approving Ordinance takes effect.

4.2 Term. The term of this Agreement shall commence on the Effective Date and shall continue for five years thereafter, unless said term is otherwise extended or terminated as provided in this Agreement (as so extended or terminated, the "**Term**"). In the event that any third-party lawsuit is filed challenging the City's issuance of the Project Approvals or its compliance with CEQA, the Term of this Agreement shall be automatically extended for a duration equal to the time from the filing of such lawsuit to the entry of a final order dismissing or otherwise finally terminating such lawsuit, which duration shall include any appeals ("**Litigation Extension**"). If required by one of the parties, the other party shall enter into a Clarification pursuant to Section 9.4 below memorializing the length of such Litigation Extension. This Agreement

shall terminate with respect to any for sale residential lot and such lot shall be released and no longer subject to this Agreement, without the execution or recordation of any further document, when a certificate of occupancy has been issued for the building(s) on such lot.

4.3 Optional Extension. Prior to the expiration of the Term of this Development Agreement, as provided in Section 4.2, Developer may extend the Term of the Development Agreement. To do so, Developer shall give City written notice at least 90 days prior to the termination date of the Development Agreement. At the time Developer provides such notice, Developer shall make a payment to City in the amount of $250,000 (adjusted for inflation from the Effective Date using the CPI-U, San Francisco-Oakland-San Jose Area) for each year of extension requested under this provision. Upon receipt of the notice and the contribution, the City Manager shall approve the extension and shall notify the Developer in writing that the Term of the Development Agreement has been automatically extended for an additional time period equal to the time period requested by Developer under this provision, commencing on the date the Development Agreement would otherwise have terminated; provided Developer may exercise its option to extend the Development Agreement no more than five times, for a maximum total Term of the Development Agreement of ten years (plus any extensions pursuant to Sections 4.2 or 4.3 hereof). Provided there is an extension period remaining, Developer may request the extension for multiple years and provide the payment due for each year's extension. Each extension shall apply to the entire Property upon payment of one $250,000 (as adjusted in accordance with this Section 4.3) per year extension payment, even if the Property is owned by multiple Developers at that time.

4.4 Term of Project Approvals. The term of any Subsequent Project Approvals (as defined in Recital D) for the Property or any portion thereof, specifically including, without limitation, subdivision map or maps and Site Development Review approval or approvals, shall be extended automatically for the Term of this Agreement.

4.4.1 Termination of Agreement. In the event that this Agreement is terminated prior to the expiration of the Term, the term of any Project Approval and the vesting period for any final subdivision map approved as a Project Approval shall be the term of the approval but for this Section 4.4.

5. Vested Rights/Use of the Property/Applicable Law/Processing

5.1 Right to Develop. Developer shall have the vested right to develop the Project on the Property in accordance with the terms and conditions of (i) this Agreement, the Project Approvals (as and when issued), and any amendments to any of them as shall, from time to time, be approved pursuant to this Agreement, and (ii) the City's ordinances, codes, resolutions, rules, regulations and official policies governing the development, construction, subdivision, occupancy and use of the Project and the Property including, without limitation, the General Plan, the Dublin Municipal Code, and the Specific Plan, the permitted uses of the Property, density and intensity of use of the Property and the maximum height, bulk and size of proposed buildings, and the provisions for reservation or dedication of land for public purposes that are in force and effect on the Effective Date of this Agreement (collectively, "**Applicable Law**"). In exercising its discretion when acting upon Subsequent Project Approvals, City shall apply the Applicable Law as the controlling body of law (within which Applicable Law such discretion shall be exercised). Upon approval by the City, and provided that the specific Subsequent Project Approvals are consistent with the Project Approvals, the subsequently approved tentative map or maps and Site Development Review approval or approvals for the Project shall become a Project Approval and shall become part of the law Developer is vested into under this Agreement without the need to amend this Agreement. Notwithstanding the foregoing or anything to the contrary herein, any amendment to the Project Approvals shall not become part of the law Developer is vested into under this Agreement unless an additional amendment of this Agreement is entered into between Developer and City in accordance with this Agreement. In the event that such amendments to the Project Approvals are sought for any distinct portion of the Property or Project, such amendments shall not require amendment of this Agreement with respect to any other portion of the Property or Project, except to the extent set forth in such amendment.

5.2 Fees, Exactions, Dedications. The City shall not apply to the Project any development impact fee or any application, processing or inspection fee (collectively, "**Fees**") that the City first enacts after the Effective Date. Except as otherwise set forth in this Agreement, City and Developer agree that this Agreement does not limit the City's discretion to impose or require (a) payment of any fees in connection with the issuance of any Subsequent Project Approvals as necessary for purposes of mitigating environmental and other impacts of the Project, (b) dedication of any land, or (c) construction of any public improvement or facilities (collectively "**Exactions**"). Except as specifically

provided herein, nothing in this Agreement shall limit the City's ability to impose existing development impact Fees at rates that are increased beyond the amounts in effect on the Effective Date or limit Developer's ability to challenge any such increases under state or local law.

5.3 Construction Codes. Notwithstanding the provisions of Section 5.1 above, to the extent Applicable Law includes requirements under the state or locally adopted building, plumbing, mechanical, electrical and fire codes (collectively the "**Codes**"), the Codes included shall be those in force and effect at the time Developer submits its application for the relevant building, grading, or other construction permits to City. In the event of a conflict between such Codes and the Project Approvals, the Project Approvals shall, to the maximum extent allowed by law, prevail. For construction of public infrastructure, the Codes applicable to such construction shall be those in force and effect at the time of execution of an improvement agreement between City and Developer pursuant to Chapter 9.16 of the Dublin Municipal Code.

5.4 New Rules and Regulations. During the Term of this Agreement, the City may apply new or modified ordinances, resolutions, rules, regulations and official policies of the City to the Property which were not in force and effect on the Effective Date only to the extent they are not in conflict with the vested rights granted by the Applicable Law, the Project Approvals or this Agreement. In addition to any other conflicts that may occur, each of the following new or modified ordinances, resolutions, rules, regulations or official policies shall be considered a per se conflict with the Applicable Law:

5.4.1 Any application or requirement of such new or modified ordinances, resolutions, rules, regulations or official policies that would (i) cause or impose a substantial financial burden on, or materially delay development of the Property as otherwise contemplated by this Agreement or the Project Approvals, (ii) frustrate in a more than insignificant way the intent or purpose of the Project Approvals or preclude compliance therewith including, without limitation, by preventing or imposing limits or controls in the rate, timing, phasing or sequencing of development of the Project; (iii) prevent or limit the processing or procuring of Subsequent Project Approvals; or (iv) reduce the density or intensity of use of the Property as a whole, or otherwise requiring any reduction in the square footage of, or total number of, proposed buildings, structures and other improvements, in a manner that is inconsistent with or more restrictive than the limitations included in this Agreement and the Project Approvals; and/or

5.4.2 If any of such ordinances, resolutions, rules, regulations or official policies do not have general (City-wide) applicability.

5.5 Moratorium Not Applicable. Notwithstanding anything to the contrary contained herein, if a City ordinance, resolution, policy, directive, or other measure is enacted or becomes effective, whether by action of the City or by initiative, and if it imposes a building moratorium which affects all or any part of the Project, City agrees that such ordinance, resolution or other measure shall not apply to the Project, the Property, this Agreement, or the Project Approvals unless the building moratorium is imposed as part of a declaration of a local emergency or state of emergency as defined in Government Code section 8558, provided that to the extent a moratorium applies to all or any part of the Project then the Term shall automatically be extended for a period of time equal to the period of the moratorium.

5.6 Revised Application Fees. Notwithstanding section 5.2, any existing application, processing, and inspection fees that are revised during the Term of this Agreement shall apply to the Project provided that (1) such fees have general applicability and are consistent with State law limitations that processing fees not exceed the estimated reasonable cost of providing the service for which they are charged; (2) the application of such fees to the Property is prospective; and (3) the application of such fees would not prevent, impose a substantial financial burden on, or materially delay development in accordance with this Agreement. By so agreeing, Developer does not waive its rights to challenge the legality of any such application, processing and/or inspection fees.

5.7 New Taxes. This Agreement shall not prohibit the application of any subsequently enacted city-wide taxes to the Project provided that (1) the application of such taxes to the Property is prospective, and (2) the application of such taxes would not prevent development in accordance with this Agreement. By so agreeing, Developer does not waive its rights to challenge the legality of any such taxes, facially or as applied to its Project or Property, or to claim exemption from any taxes to the extent allowed by law.

5.8 Development of the Project; Phasing, Timing. Since the California Supreme Court held in *Pardee Construction Co. v. City of Camarillo* (1984) 37 Cal. 3d 465 that the failure of the parties therein to provide for the timing of development resulted in a later adopted initiative restricting the timing of development to prevail over such parties' agreement, it is the Parties' intent to cure that deficiency by acknowledging and providing that this Agreement

contains no requirements that Developer must initiate or complete any action, including without limitation, development of the Project within any period of time set by City. Nothing in this Agreement is intended to create nor shall it be construed to create any affirmative development obligations to develop the Project, or liability in Developer under this Agreement if the development fails to occur. It is the intention of this provision that Developer be able to develop the Property in accordance with its own time schedules and the Project Approvals.

5.9 Project Phasing. The Property will develop in phases and ultimately will be subject to market conditions. Notwithstanding anything to the contrary in this Agreement, Developer agrees to the following conditions on phasing shall apply:

5.9.1 Phase 1 will consist of site preparation and mass grading of the entire Project site.

5.9.2 Phase 2 is comprised of the horizontal development (e.g., construction of streets, utilities, etc.) and vertical construction of the Project, which will happen in sub-phases across all of the Project's Planning Areas. However, to ensure that the residential portions of the Project do not wholly develop in advance of the retail/commercial portions, the following restrictions are imposed on the issuance of permits: No building permits shall be issued for a for-sale, market rate residential unit on any portion of the Project site until improvement plans have been approved, bonds posted, and a building permit has been issued for construction of a non-residential building within the Finnian Way Commercial area in Planning Area 2c (as defined, described, and depicted in the PD).

5.10 Processing. Nothing in this Agreement shall be construed to limit the authority or obligation of City to hold necessary public hearings, nor to limit the discretion of City or any of its officers or officials with regard to Subsequent Project Approvals that require the exercise of discretion by City, provided that such discretion shall be exercised consistent with the vested rights granted by this Agreement, the Applicable Law and the Project Approvals.

6. Community Benefit; Potential Formation of Community Facilities District.

6.1 Community Benefit Payment. Developer will make a cash contribution to the City as a Community Benefit (the "**Community Benefit Payment**") in one or more installments as described in this Section 6.1. The

initial installment of the Community Benefit Payment shall be $1,500,000 and shall be paid prior to the issuance of the first building permit in the Project. Subsequent installments, if any, shall be paid at and as a condition of the issuance of bonds pursuant to Section 6.2 below. The amount of each subsequent installment, if any, shall be an amount that would result in the City receiving 10% of the aggregate face value of all bonds issued less $1,500,000. Each Community Benefit Payment in the amounts set forth above shall apply to the entire Property even if the Property is owned by multiple Developers at that time. Notwithstanding anything to the contrary herein, Developer agrees, on behalf itself and its successors, that, should it fail to make any payments when due, the City may withhold any permits or approvals within the Project until the payment or payments have been made, even if the rights to those permits and approvals are then held by Developer's successors.

6.2 Community Facilities District.

6.2.1 Developer intends to propose the formation of a community facilities district or districts by the City pursuant to the Mello-Roos Community Facilities District Act of 1982 (Gov. Code §§ 53311–53368.3) (the "**Mello-Roos Act**") to finance public facilities. The City agrees to, upon Developer's presentation of a landowner's petition and Developer's payment of a fee, as described in subdivision (d) of Government Code section 53318, use its best efforts to commence proceedings to form a CFD to finance certain public facilities, so long as Developer's proposal is consistent with the City's CFD Goals (Resolution No. 50-17) and would not, if approved, allow the effective tax rate to exceed 1.75% or the term of the bonds to exceed 35 years. The City Council is not obligated to approve the CFD, although certain consequences would occur pursuant to Section 6.1 if it does approve a CFD that meets the requirements of this Section.

7. **Affordable Housing.**

7.1 Units Required by Regulations. The Project includes up to 550 residential units. Pursuant to the City's Inclusionary Zoning Regulations (Chapter 8.68 of the Dublin Municipal Code) (the "**Regulations**"), developers of more than 20 residential units are required to set aside 12.5% of the units in the project as affordable units as specified. Based on 550 units and the currently anticipated mix of rental and for sale units, the Developer's inclusionary zoning obligation would be 69 units broken down as follows: 41 moderate income units and 28 low income.

7.2 Alternative Compliance Authorized. Under the Regulations, certain exceptions permit developers to satisfy the obligation other than through on-site construction. For instance, part of this obligation can be satisfied through the payment of a fee in-lieu of construction of units. In addition, developers can satisfy their affordable housing obligations by, among other mechanisms, obtaining City Council approval of an alternative method of compliance that the City Council finds meet the purposes of the Regulations.

7.3 Alternative Compliance for the Project. Developer shall satisfy its 69-unit affordable housing obligation through the following "alternative method of compliance" under Section 8.68.040.E of the Regulations:

7.3.1 Affordable Accessory Dwelling Units. While Developer is contemplating Subsequent Projects Approvals that would include the production of 106 detached accessory dwelling units ("**ADUs**"), the processing of those Subsequent Project Approvals could result in a decrease in the number of ADUs. Therefore, as may be specified in the Subsequent Project Approvals authorizing the development of market rate housing, Developer shall enter into an otherwise standard affordable housing agreement that requires it to provide approximately 100 (and not less than 85) deed-restricted detached ADUs, with half in the moderate-income category and half in the low-income category.

7.3.2 Contribution of Affordable Housing Site. As may be specified in the Subsequent Project Approvals authorizing the development of market rate housing, with respect to the 3.8± acre Public/Semi-Public site within Planning Area 2 (as defined, described, and depicted in the PD) (the "**P/SP Site**"), Developer shall elect to either:

(a) Enter into an agreement with the City that ensures, to the satisfaction of the City, that Developer or its successor will complete a multi-family project on the P/SP Site that, upon completion, would allow the City to report on its next annual report prepared pursuant to Government Code section 65400 the completed project as having satisfied the City's regional housing needs obligation for 100 lower-income units; or

(b) Dedicate the P/SP Site to the City or its designee on the applicable final map (or by other instrument) prior to the Project's first residential building permit. If Developer elects to dedicate the P/SP Site, it shall, prior to the dedication, complete the rough grading of the P/SP Site and associated improvements (including street frontage improvements, including, but not limited to, curb, gutter, sidewalk, landscape, irrigation, and access

roadways on all sides of the dedicated parcel that are adjacent to current and future roadways) all as specified in the approved tentative map associated with the dedication, if any, and provide evidence acceptable to the City Engineer demonstrating that the land to be conveyed (including any imported fill) meets applicable environmental standards for residential development or such lesser standard acceptable to the City.

7.3.3 Moderate-Income Units or Contribution to First Time Homebuyer Program. As may be specified in the Subsequent Project Approvals authorizing the development of market rate housing, Developer shall elect to either (a) enter into an otherwise standard affordable housing agreement that requires it to provide 5 moderate-income, for-sale, entry-level townhome units within Planning Area 3A of the Project or (b) contribute $2,000,000 to the City's first-time homebuyer program, with such agreement requiring that the City set aside such funds to assist first-time homebuyers purchasing homes within the Property, until such time as all for-sale units in the Project have been sold at least once. Developer shall make such election prior to issuance of the first residential building permit.

7.3.4 Satisfaction of City Requirements. Through its approval of this Agreement, the City Council hereby finds that the "alternative method of compliance" in this section 7.3 meets the purposes of the Regulations and will promote the City's affordability and Housing Element goals.

7.4 Additional Market-Rate Units. Any additional market-rate residential development on the Property above 550 units shall be subject to the requirements of the Regulations, notwithstanding the Inclusionary Zoning Regulations limitation to projects of 20 or more units.

8. **Dedications; Vacations.**

8.1 Northside Drive. As part of this Agreement, the City shall take the necessary actions to vacate Northside Drive. Provided that City has vacated Northside Drive, Developer shall acquire the portion Northside Drive within Planning Area 1 (the "**Northside Drive PA1 Property**"), as depicted in Exhibit B, from the City for its "Fair Market Value" (determined in accordance with Section 8.3.1 herein), prior to the issuance of a building permit for Planning Area 1.

8.1.1 Determination of Fair Market Value. City shall have the Northside Drive PA1 Property appraised and deliver to Developer a written notice (the "**Fair Market Value Notice**") setting forth the proposed fair market value of the Northside Drive PA1 Property based on the appraisal (the "**Fair**

Market Value"). Developer, within ten business days after Developer's receipt of the Fair Market Value Notice, shall either (i) deliver to City written notice (the "**Acceptance Notice**") that Developer accepts the Fair Market Value set forth in the Fair Market Value Notice, or (ii) if Developer disagrees with City's determination of the Fair Market Value, deliver to City written notice of rejection (the "**Rejection Notice**"). If Developer fails to provide City with an Acceptance Notice or Rejection Notice within such ten business day period, Developer shall be deemed to have delivered an Acceptance Notice.

(b) If Developer delivers a Rejection Notice, Developer and City shall meet and confer in good faith regarding the Fair Market Value. In the event Developer delivers a Rejection Notice and the Parties are not able to agree in writing on the Fair Market Value by the date that is twenty business days after City's delivery of the Fair Market Value Notice, then Developer may elect to prepare its own appraisal.

(c) Upon completion of its appraisal, Developer shall deliver City a written notice setting forth the proposed fair market value ("**Developer's Fair Market Value Notice**"). If the Parties are not able to agree in writing on the Fair Market Value by the date that is twenty business days after the delivery of the Developer's Fair Market Value Notice, then within five business days the Parties shall attempt to agree on an appraiser to determine the Fair Market Value. If the Parties are unable to agree in that time, then each Party shall designate an appraiser within five days thereafter. Should either Party fail to so designate an appraiser within that time, then the appraiser designated by the other Party shall determine the Fair Market Value. Should each of the Parties timely designate an appraiser, then the two appraisers so designated shall appoint a third appraiser who shall, acting alone, determine the Fair Market Value. Any third party appraiser designated hereunder shall have an M.A.I. certification or equivalent with not less than 5 years' experience in the valuation of commercial property in Alameda County, California.

(d) Within five business days following the selection of the appraiser, Developer and City shall each submit in writing to the appraiser its determination of the Fair Market Value (respectively, the "**Developer Determination**" and the "**City Determination**"). Should either Party fail timely to submit its Fair Market Value determination, then the determination of the other Party shall be conclusive and binding on the Parties. The appraiser shall not disclose to either party the Fair Market Value determination of the other party until the expiration of that five business day period or, if sooner, the

appraiser's receipt of both the Developer Determination and the City Determination.

(e) Within twenty days following the selection of the appraiser and such appraiser's receipt of the Developer Determination and the City Determination, the appraiser shall determine whether the Fair Market Value determined by Developer or by City more accurately reflects the fair market value of the property. Accordingly, either the Developer Determination or the City Determination shall be selected by the appraiser as the Fair Market Value. At any time before the decision of the appraiser is rendered, either Party may, by written notice to the other Party, accept the Fair Market Value submitted by the other Party, in which event such value shall be deemed adopted as the agreed Fair Market Value. The fees of the appraiser(s) shall be shared equally by the Parties.

8.2 Brannigan Extension. The Project Approvals anticipate an extension of Brannigan Street that would extend south of Dublin Boulevard (the "**Brannigan Extension**"). Future approvals of development of the portion of the Property south of Dublin Boulevard will require Developer to construct the Brannigan Extension and to make good faith efforts to acquire the necessary land title and interests from the adjoining property owner. Government Code section 66462.5 ("**Section 66462.5**") provides that, under circumstances in which neither the City nor the Developer has the necessary property interests to complete an improvement required by the tentative map conditions, the City shall either (a) require Developer to enter into an agreement that requires the completion of the improvement at such time as it has acquired the interests or (b) acquire the necessary interests within 120 days of filing the map or waive the condition requiring the improvement. Developer desires more certainty regarding when the improvements will be completed, and the City desires that a diligent, good-faith effort be made by the Developer to acquire the necessary interests with the agreement of the adjacent property owner. Accordingly, the City agrees, upon Developer's demonstration of such diligent, good faith efforts to the satisfaction of the City Manager, to commence the process described under Section 66462.5 within 90 days of providing such evidence to the City Manager. All costs associated with acquisition shall be the obligation of Developer. Notwithstanding the foregoing, in the event of acquisition of the Brannigan Extension right-of-way by City through negotiation or settlement (rather than by final judgment in an eminent domain action), City shall not pay more than ten percent (10%) above the fair market value of the Brannigan Extension right-of-way (determined in accordance with the procedures set forth

in Section 8.1.1 herein) without Developer's prior written consent, in Developer's sole discretion.

8.3 Community Center. As may be specified in the Subsequent Project Approvals authorizing the development of any portion of Planning Area 2 (as defined, described, and depicted in the PD), Developer shall construct and dedicate (or permanently make available free of charge) to the City community center/event space (improved to a "warm shell") at the eastern end of the proposed Finnian Way within Planning Area 2 (the "Community Center") for use as the Community Center. The Community Center shall consistent of approximately 1,800 square feet of indoor space and serve as event space and for City programming and will contribute to the City's effort to add additional community space as defined in the City's Parks and Recreation Master Plan. The Community Center shall be dedicated (or permanently made available) to the City, via deed or final map. Development of the Community Center shall be subject to an improvement agreement to be entered into at a later date between City and Developer that shall address the details, delivery, timing and maintenance of the Community Center. As part of the any transfer of property to the City, the Developer shall record a public parking easement on the adjoining parcel(s) to ensure adequate public parking for the facility. Developer shall receive a credit against its parkland and facilities fees from the Public Facility Fee Program for the dedication of the Community Facility.

9. Amendment or Cancellation.

9.1 Modification Because of Conflict with State or Federal Laws. The Project and Property shall be subject to state and federal laws and regulations and this Agreement does not create any vested right in state and federal laws and regulations in effect on the Effective Date. In the event that state or federal laws or regulations enacted after the Effective Date of this Agreement prevent or preclude compliance with one or more provisions of this Agreement or require changes in plans, maps or permits approved by the City, the parties shall meet and confer in good faith in a reasonable attempt to modify this Agreement to comply with such federal or state law or regulation. Any such amendment or suspension of the Agreement shall be subject to approval by the City Council (in accordance with Chapter 8.56). Each Party agrees to extend to the other its prompt and reasonable cooperation in so modifying this Agreement or approved plans.

9.2 Amendment of Development Agreement by Mutual Consent. This Agreement may be amended in writing from time to time by mutual

consent of the Parties hereto and in accordance with the procedures of the Development Agreement Statute and Chapter 8.56. Review and approval of an amendment to this Development Agreement shall be strictly limited to consideration of only those provisions to be added or modified. No amendment, modification, waiver or change to this Development Agreement or any provision hereof shall be effective for any purpose unless specifically set forth in a writing that expressly refers to this Development Agreement and signed by the duly authorized representatives of both Parties.

9.2.1 Partial Amendment. When a Party seeking such an amendment owns or has an equitable right to only a portion of the whole of the Property ("**Portion**"), then such Party may only seek amendment of this Agreement as directly relates to the Portion, and the Party owning any other Portion shall not be required or entitled to be a signatory or to consent to an amendment that affects only another Party's Portion.

9.3 Amendments. Any amendments to this Agreement which relate to (a) the Term; (b) the permitted uses of the Property as provided in paragraph 5.1; (c) provisions for "significant" reservation or dedication of land; (d) conditions, terms, restrictions or requirements for subsequent discretionary actions; (e) an increase in the density or intensity of use of the overall Project; (f) the maximum height or size of proposed buildings; or (g) monetary contributions by Developer as provided in this Agreement, shall be deemed an "**Amendment**" and shall require notice or public hearing before the Planning Commission and the City Council before the Parties may execute an amendment hereto. The City's Public Works Director shall determine whether a reservation or dedication is "significant" in the context of the overall Project.

9.4 Clarifications. If and when, from time to time, during the Term of this Agreement, City and Developer agree refinements and clarifications are necessary or appropriate with respect to the details of performance of City and Developer hereunder, City and Developer shall effectuate such clarifications through letter agreements (each, a "Clarification") approved by City and Developer, which, after execution, shall be attached hereto as addenda and become a part hereof, and may be further clarified from time to time as necessary with future approval by City and Developer. No such Clarification shall constitute an amendment to this Agreement requiring public notice or hearing. The City Manager or his or her designee shall have the authority to determine on behalf of City whether a requested clarification is of such a character to constitute an Amendment subject to Section 9.3 above or a Clarification subject to this Section 9.4. The City Manager shall have the

authority to review, approve, and execute Clarifications to this Agreement provided that such Clarifications are not Amendments.

9.5 Cancellation by Mutual Consent. Except as otherwise permitted herein, this Agreement may be canceled in whole or in part only by the mutual consent of the parties or their successors in interest, in accordance with the provisions of the Development Agreement Statute and Chapter 8.56. Any fees paid pursuant to this Agreement prior to the date of cancellation shall be retained by the City.

10. **Annual Review.**

10.1 Review Date. The annual review date for this Agreement shall be between July 15 and August 15, 2023, and thereafter between each July 15 and August 15 during the Term. Review shall be conducted in accordance with Section 8.56.140 of Chapter 8.56 and the provisions of this Section 11.

10.2 Initiation of Review. The City's Community Development Director shall initiate the annual review, as required under Section 8.56.140 of Chapter 8.56, by giving to Developer thirty days' prior written notice that the City intends to undertake such review. Not less than thirty days after receipt of the notice, Developer shall provide evidence to the Director, as reasonably determined necessary by the Director, to demonstrate good faith compliance with the material terms and provisions of the Agreement as to the whole or relevant portion of the Property owned by Developer. The burden of proof by substantial evidence of compliance is upon Developer.

10.3 Staff Reports. To the extent practical, the City shall deposit in the mail to Developer a copy of all staff reports, and related exhibits concerning contract performance at least five days prior to any public hearing addressing annual review.

10.4 Costs. Costs reasonably incurred by the City in connection with the annual review shall be paid by Developer in accordance with the City's schedule of fees in effect at the time of review.

11. **Default.**

11.1 Remedies Available. Upon the occurrence of an event of default, the parties may pursue all remedies at law or in equity which are not otherwise provided for in this Agreement or in the City's regulations governing

development agreements, expressly including, but not limited to, the remedy of specific performance of this Agreement.

11.2 Notice and Cure. Upon the occurrence of an event of default by either party, the nondefaulting party shall serve written notice of such default upon the defaulting party. Subject to a Mortgagee's right to cure pursuant to Section 13.3 hereof, if the default is not cured by the defaulting party within thirty days after service of such notice of default, the nondefaulting party may then commence any legal or equitable action to enforce its rights under this Agreement; provided, however, that if the default cannot be cured within such thirty day period, the nondefaulting party shall refrain from any such legal or equitable action so long as the defaulting party begins to cure such default within such thirty day period and diligently pursues such cure to completion. Any notice of default given hereunder shall specify in detail the nature of the failures in performance that the noticing Party claims constitutes the event of default, all facts constituting substantial evidence of such failure, and the manner in which such failure may be satisfactorily cured in accordance with the terms and conditions of this Agreement. During the time periods herein specified for cure of a failure of performance, the Party charged therewith shall not be considered to be in default for purposes of (a) termination of this Agreement, (b) institution of legal proceedings with respect thereto, or (c) issuance of any approval with respect to the Project. Failure to give notice shall not constitute a waiver of any default.

11.3 No Damages against City. Notwithstanding anything to the contrary contained herein, in no event shall damages be awarded against the City upon an event of default or upon termination of this Agreement.

12. **Estoppel Certificate.** Either party may, at any time, and from time to time, request written notice from the other party requesting such party to certify in writing that, (a) this Agreement is in full force and effect and a binding obligation of the Parties, (b) this Agreement has not been amended or modified either orally or in writing, or if so amended, identifying the amendments, and (c) to the knowledge of the certifying Party, the requesting Party is not in default in the performance of its obligations under this Agreement, or if in default, to describe therein the nature and amount of any such defaults. A Party receiving a request hereunder shall execute and return such certificate within thirty days following the receipt thereof, or such longer period as may reasonably be agreed to by the Parties. The City Manager of the City shall be authorized to execute any certificate requested by Developer. Should the Party receiving the request not execute and return such certificate within the applicable period, this shall not be

deemed to be a default, provided that such Party shall be deemed to have certified that the statements in clauses (a) through (c) of this Section are true, and any Party may rely on such deemed certification. City acknowledges that a certificate hereunder may be relied upon by Transferees (as defined in Section 16.2) and Mortgagees (as defined in Section13.1).

13. **Mortgagee Protection; Certain Rights of Cure.**

13.1 Mortgagee Protection. This Agreement shall be superior and senior to any lien placed upon the Property, or any portion thereof after the date of recording this Agreement, including the lien for any deed of trust or mortgage ("**Mortgage**"). Notwithstanding the foregoing, no breach hereof shall defeat, render invalid, diminish or impair the lien of any Mortgage made in good faith and for value, but all the terms and conditions contained in this Agreement shall be binding upon and effective against any person or entity, including any deed of trust beneficiary or mortgagee ("**Mortgagee**") who acquires title to the Property, or any portion thereof, by foreclosure, trustee's sale, deed in lieu of foreclosure, or otherwise.

13.2 Mortgagee Not Obligated. Notwithstanding the provisions of Section 13.1 above, no Mortgagee shall have any obligation or duty under this Agreement, before or after foreclosure or a deed in lieu of foreclosure, to construct or complete the construction of improvements, or to guarantee such construction of improvements, or to guarantee such construction or completion, or to pay, perform or provide any fee, dedication, improvements or other exaction or imposition; provided, however, that a Mortgagee shall not be entitled to devote the Property to any uses or to construct any improvements thereon other than those uses or improvements provided for or authorized by the Project Approvals or by this Agreement.

13.3 Notice of Default to Mortgagee and Extension of Right to Cure. If the City receives notice from a Mortgagee requesting a copy of any notice of default given Developer hereunder and specifying the address for service thereof, then the City shall deliver to such Mortgagee, concurrently with service thereon to Developer, any notice given to Developer with respect to any claim by the City that Developer has committed an event of default. Each Mortgagee shall have the right during the same period available to Developer to cure or remedy, or to commence to cure or remedy, the event of default claimed set forth in the City's notice. The City, through its City Manager, may extend the thirty-day cure period provided in paragraph 12.2 for not more than an additional sixty days upon request of Developer or a Mortgagee.

14. **Severability.** The unenforceability, invalidity or illegality of any provisions, covenant, condition or term of this Agreement shall not render the other provisions unenforceable, invalid or illegal; provided that, if the unenforceability, invalidation, or illegality would deprive either City or Developer of material benefits derived from this Development Agreement, or make performance under this Development Agreement unreasonably difficult, then City and Developer shall meet and confer and shall make good faith efforts to amend or modify this Development Agreement in a manner that is mutually acceptable to City and Developer.

15. **Attorneys' Fees and Costs.**

15.1 Prevailing Party. If the City or Developer initiates any action at law or in equity to enforce or interpret the terms and conditions of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees and costs in addition to any other relief to which it may otherwise be entitled.

15.2 Third Party Challenge. If any person or entity not a party to this Agreement initiates an action at law or in equity to challenge the validity of any the Project Approvals (including this Agreement), the Parties shall cooperate in defending such action. The Parties hereby agree to affirmatively cooperate in defending said action and to execute a joint defense and confidentiality agreement in order to share and protect information, under the joint defense privilege recognized under applicable law. Developer shall bear its own costs of defense as a real party in interest in any such action, and shall reimburse the City for all reasonable court costs and attorneys' fees expended by the City in defense of any such action or other proceeding

16. **Transfers and Assignments.**

16.1 Agreement Runs with the Land. All of the provisions, rights, terms, covenants, and obligations contained in this Agreement shall be binding upon and inure to the benefit of the Parties and their respective heirs, successors and assignees, representatives, lessees, and all other persons acquiring the Property, or any portion thereof, or any interest therein, whether by operation of law or in any manner whatsoever. All of the provisions of this Agreement shall be enforceable as equitable servitude and shall constitute covenants running with the land pursuant to applicable laws, including, but not limited to, Section 1468 of the Civil Code of the State of California. Each covenant to do, or refrain from doing, some act on the Property hereunder, or with respect to any owned

property, (a) is for the benefit of such properties and is a burden upon such properties, (b) runs with such properties, and (c) is binding upon each party and each successive owner during its ownership of such properties or any portion thereof, and shall be a benefit to and a burden upon each party and its property hereunder and each other person succeeding to an interest in such properties.

16.2 Right to Assign. Developer may wish to sell, transfer or assign all or portions of its Property to other developers (each such other developer is referred to as a "**Transferee**"). In connection with any such sale, transfer or assignment to a Transferee, Developer shall have the right to sell, transfer or assign to such Transferee any or all rights, interests and obligations of Developer arising hereunder and that pertain to the portion of the Property being sold or transferred, to such Transferee, provided, however, that: except as provided herein, no such transfer, sale or assignment of Developer's rights, interests and obligations hereunder shall occur without prior written notice to City and approval by the City Manager, which approval shall not be unreasonably withheld, conditioned, or delayed.

16.3 Approval and Notice of Sale, Transfer or Assignment. The City Manager shall consider and decide on any transfer, sale or assignment of this Agreement within ten days after Developer's notice, provided all necessary documents, certifications and other information are provided to the City Manager to enable the City Manager to determine whether the proposed Transferee can perform Developer's obligations hereunder. Notice of any such approved sale, transfer or assignment (which includes a description of all rights, interests and obligations that have been transferred and those which have been retained by Developer) shall be recorded in the official records of Alameda County, in a form acceptable to the City Manager, concurrently with such sale, transfer or assignment.

16.4 Considerations for Approval of Sale, Transfer or Assignment. In considering the request, the City Manager shall base the decision upon the proposed assignee's reputation, experience, financial resources and access to credit and capability to successfully carry out the development of the Property to completion. The City Manager's approval shall be for the purposes of: a) providing notice to City; b) assuring that all obligations of Developer are allocated as between Developer and the proposed purchaser, transferee or assignee as provided by this Agreement; and c) assuring City that the proposed purchaser, transferee or assignee is financially capable of performing Developer's obligations hereunder not withheld by Developer. Notwithstanding the foregoing, the City Manager's approval shall not be required for an

assignment to Landsea Homes of California, Inc. ("**Landsea**"), an entity or entities controlling Developer or Landsea, controlled by Developer or Landsea, or under common control with Developer or Landsea, provided that Developer or Landsea, as the case may be, owns and controls no less than fifty percent of such successor entity or controls the day-to-day management decisions of such successor entity.

16.5 Release upon Transfer. Upon the transfer, sale, or assignment of all of Developer's rights, interests and obligations hereunder pursuant to Section 14.2 of this Agreement, Developer shall be automatically released from the obligations under this Agreement, with respect to the Property transferred, sold, or assigned, arising subsequent to the date of City Manager approval of such transfer, sale, or assignment; provided, however, that if any transferee, purchaser, or assignee approved by the City Manager expressly assumes all of the rights, interests and obligations of Developer under this Agreement, Developer shall be released with respect to all such rights, interests and assumed obligations. In any event, the transferee, purchaser, or assignee shall be subject to all the provisions hereof and shall provide all necessary documents, certifications and other necessary information prior to City Manager approval.

16.6 Developer's Right to Retain Specified Rights or Obligations. Developer may withhold from a sale, transfer or assignment of this Agreement or any portion of the Property transferred, certain rights, interests and/or obligations which Developer wishes to retain, provided that Developer specifies such rights, interests and/or obligations in a written document to be appended to this Agreement and recorded with the Alameda County Recorder prior to the sale, transfer or assignment of the Property. Developer's purchaser, transferee or assignee shall then have no interest or obligations for such rights, interests and obligations and this Agreement shall remain applicable to Developer with respect to such retained rights, interests and/or obligations.

16.7 Partial Assignment. In the event of a partial Transfer, City shall cooperate with Developer and any proposed Transferee to allocate rights and obligations under the Development Agreement and the Project Approvals among the retained Property and the transferred Property. Provided that City receives a copy of the assignment and assumption agreement by which Transferee assumes the Transferred rights and obligations associated with the transferred Property: (i) any subsequent breach with respect to the Transferred obligations shall not constitute a breach with respect to the retained rights and obligations of such transferor (or any other Transferee) under the Development Agreement; (ii) and any subsequent breach with respect to the retained

obligations of transferor (or any other Transferee) shall not constitute a breach with respect to the Transferred rights and obligations of a Transferee under the Development Agreement. The transferor and the Transferee each shall be solely responsible for the reporting and annual review requirements relating to the portion of the Property owned by such transferor/Transferee. Any amendment to the Development Agreement between City and a transferor or Transferee shall only affect the portion of the Property owned by such transferor or Transferee.

17. **Bankruptcy.** The obligations of this Agreement shall not be dischargeable in bankruptcy.

18. **Indemnification.** Developer agrees to indemnify, defend and hold harmless the City, and its elected and appointed councils, boards, commissions, officers, agents, employees, and representatives from any and all claims, costs (including legal fees and costs) and liability for any personal injury or property damage which may arise directly or indirectly as a result of any actions or inactions by Developer, or any actions or inactions of Developer's contractors, subcontractors, agents, or employees in connection with the construction, improvement, operation, or maintenance of the Project, provided that Developer shall have no indemnification obligation with respect to negligence or wrongful conduct of the City, its contractors, subcontractors, agents or employees or with respect to the maintenance, use or condition of any improvement after the time it has been dedicated to and accepted by the City or another public entity (except as provided in an improvement agreement or maintenance bond). If City is named as a party to any legal action, City shall cooperate with Developer, shall appear in such action and shall not unreasonably withhold approval of a settlement otherwise acceptable to Developer.

19. **Insurance.**

19.1 Commercial General Liability Insurance. During the Term of this Agreement, Developer shall maintain in effect a policy of commercial general liability insurance with a per-occurrence combined single limit of not less than $1,000,000. The policy so maintained by Developer shall name the City as an additional insured and shall include either a severability of interest clause or cross-liability endorsement. City and Developer agree that such insurance may include alternative risk management programs, including self-insurance or a combination of self-insurance and insurance, provided that such alternative risk management programs provide protection equivalent to that specified under this Agreement.

19.2 Workers Compensation Insurance. During the Term of this Agreement Developer shall maintain Worker's Compensation insurance for all persons employed by Developer for work at the Project site. Developer shall require each contractor and subcontractor similarly to provide Worker's Compensation insurance for its respective employees. Developer agrees to indemnify the City for any damage resulting from Developer's failure to maintain any such insurance.

19.3 Evidence of Insurance. Prior to issuance of any permits for the Project, including grading permits, Developer shall furnish the City satisfactory evidence of the insurance required in Sections 19.1 and 19.2 and evidence that the carrier is required to give the City at least fifteen days prior written notice of the cancellation or reduction in coverage of a policy unless replaced with similar coverage. The insurance shall extend to the City, its elective and appointive boards, commissions, officers, agents, employees and representatives and to Developer performing work on the Project.

20. **Sewer and Water.** Developer acknowledges that it must obtain water and sewer permits from the Dublin San Ramon Services District ("**DSRSD**") which is another public agency not within the control of the City. City agrees that it shall not take any action with DSRSD opposing Developer's efforts to reserve water and sewer capacity sufficient to serve the Project described herein.

21. **Notices.** All notices required or provided for under this Agreement shall be in writing. Notices required to be given to the City shall be addressed as follows:

City Manager
City of Dublin
100 Civic Plaza
Dublin, CA 94568
Fax No. (925) 833-6651
Email: linda.smith@dublin.ca.gov

Notices required to be given to Developer shall be addressed as follows:

Daniel M. Ikeda, Chief Financial Officer
SCS Development Co
404 Saratoga Ave. Suite 100
Santa Clara, CA 95050

Phone No.: 408-985-6000
Fax No.: 408-985-6050
Email: dikeda@scsdevelopment.com

A Party may change address by giving notice in writing to the other Party and thereafter all notices shall be addressed and transmitted to the new address. Notices shall be deemed given and received upon personal delivery, or if mailed, upon the expiration of 48 hours after being deposited in the United States Mail. Notices may also be given by overnight courier, which shall be deemed given the following day or by facsimile transmission or email, which shall be deemed given upon verification of receipt.

22. **Agreement is Entire Understanding.** This Agreement, including its exhibits, constitutes the entire understanding and agreement of the Parties and supersedes all negotiations or previous agreements between the Parties with respect to all or any part of the subject matter hereof.

23. **Exhibits.** The following documents are referred to in this Agreement and are attached hereto and incorporated herein as though set forth in full:

Exhibit A Legal Description of the Property

Exhibit B Northside Drive PA1 Property

24. **Recitals.** The foregoing Recitals are true and correct and are made a part hereof.

25. **Counterparts.** This Agreement may be executed by each Party on a separate signature page, and when the executed signature pages are combined, shall constitute one single instrument. This Agreement is executed in two duplicate originals, each of which is deemed to be an original.

26. **Recordation.** The City shall record a copy of this Agreement within ten days following execution by all Parties. Thereafter, if this Agreement is terminated, modified or amended, the City Clerk shall record notice of such action with the Alameda County Recorder.

27. **No Third Party Beneficiaries.** Nothing contained in this Agreement is intended to or shall be deemed to confer upon any person, other than the Parties and their respective permitted successors and assigns, any rights or remedies hereunder.

28. **Applicable Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of California.

29. **Time is of the Essence.** Time is of the essence for each provision of this Agreement for which time is an element.

30. **Further Actions and Instruments.** Each Party to this Development Agreement shall cooperate with and provide reasonable assistance to the other Party and take all actions necessary to ensure that the Parties receive the benefits of this Development Agreement, subject to satisfaction of the conditions of this Development Agreement. Upon the request of any Party, the other Party shall promptly execute, with acknowledgment or affidavit if reasonably required, and file or record such required instruments and writings and take any actions as may be reasonably necessary under the terms of this Development Agreement to carry out the intent and to fulfill the provisions of this Development Agreement or to evidence or consummate the transactions contemplated by this Development Agreement.

31. **Section Headings.** Section headings in this Development Agreement are for convenience only and are not intended to be used in interpreting or construing the terms, covenants or conditions of this Development Agreement.

32. **Construction of Agreement.** This Development Agreement has been reviewed and revised by legal counsel for both Developer and City, and no presumption or rule that ambiguities shall be construed against the drafting Party shall apply to the interpretation or enforcement of this Development Agreement.

33. **Authority.** The persons signing below represent and warrant that they have the authority to bind their respective Party and that all necessary board of directors', shareholders', partners', city councils', or other approvals have been obtained.

34. **Non-Intended Prevailing Wage Requirements.** Except for public improvements constructed by the Developer and to be dedicated to the City (which will or may be required by conditions of approval on Subsequent Project Approvals) and as may be required by Section 6.2 ("Community Facilities District"), nothing in this Development Agreement shall in any way require, or be construed to require, Developer to pay prevailing wages with respect to any work of construction or improvement within the Project (a "Non-Intended Prevailing Wage Requirement"). But for the understanding of the Parties as

reflected in the immediately preceding sentence, the Parties would not have entered into this Development Agreement based upon the terms and conditions set forth herein. Developer and City have made every effort in reaching this Development Agreement to ensure that its terms and conditions will not result in a Non-Intended Prevailing Wage Requirement. These efforts have been conducted in the absence of any applicable existing judicial interpretation of the recent amendments to the California prevailing wage law. If, despite such efforts, any provision of this Development Agreement shall be determined by any court of competent jurisdiction to result in a Non Intended Prevailing Wage Requirement, such determination shall not invalidate or render unenforceable any provision hereof; provided, however, that the Parties hereby agree that, in such event, this Development Agreement shall be reformed such that each provision of this Development Agreement that results in the Non-Intended Prevailing Wage Requirement will be removed from this Development Agreement as though such provisions were never a part of the Development Agreement, and, in lieu of such provision(s), replacement provisions shall be added as a part of this Development Agreement as similar in terms to such removed provision(s) as may be possible and legal, valid and enforceable but without resulting in the Non-Intended Prevailing Wage Requirement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the date and year first above written.

CITY OF DUBLIN

By: _____
Linda Smith, City Manager

Attest:

_____
Marsha Moore, City Clerk

Approved as to form

_____
John Bakker, City Attorney

DEVELOPER

Award Homes, Inc., a California corporation

By: _____
Name: _____
Its: _____

SCS Development Company, a California corporation

By: _____
Name: _____
Its: _____

Santa Clara Valley Housing Group, Inc., a California corporation

By: _____
Name: _____
Its: _____

(NOTARIZATION ATTACHED)

5207797.9

Exhibit A

Legal Description of the Property

Exhibit A

LEGAL DESCRIPTION

Real property in the City of Dublin , County of Alameda, State of California, described as follows:

PARCEL ONE:

PARCEL A OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

ALSO EXCEPTING THEREFROM, ALL THOSE CERTAIN PIECES OR PARCELS OF LAND DESCRIBED UNDER EXHIBIT "C" OF THE AMENDED FINAL ORDER OF CONDEMNATION, BEING DUBLIN BOULEVARD, CENTRAL PARKWAY, GLEASON DRIVE AND WIDENING OF TASSAJARA ROAD. SAID ORDER RECORDED FEBRUARY 04, 2004, SERIES NO. 2004050348, ALAMEDA COUNTY RECORDS.

PARCEL TWO:

PARCEL 3 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL THREE:

PARCEL 4 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FOUR:

PARCEL 1 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

PARCEL FIVE:

PARCEL 2 OF PARCEL MAP 9512, FILED JUNE 23, 2008 IN BOOK 308, PAGES 13 THROUGH 18, INCLUSIVE OF PARCEL MAPS, ALAMEDA COUNTY RECORDS.

APN: 985-0051-004 (Affects Parcel One), 985-0052-024 (Affects Parcel Two), 985-0052-025 (Affects Parcel Three), 985-0051-005 (Affects Parcel Four) and 985-0051-006 (Affects Parcel Five)

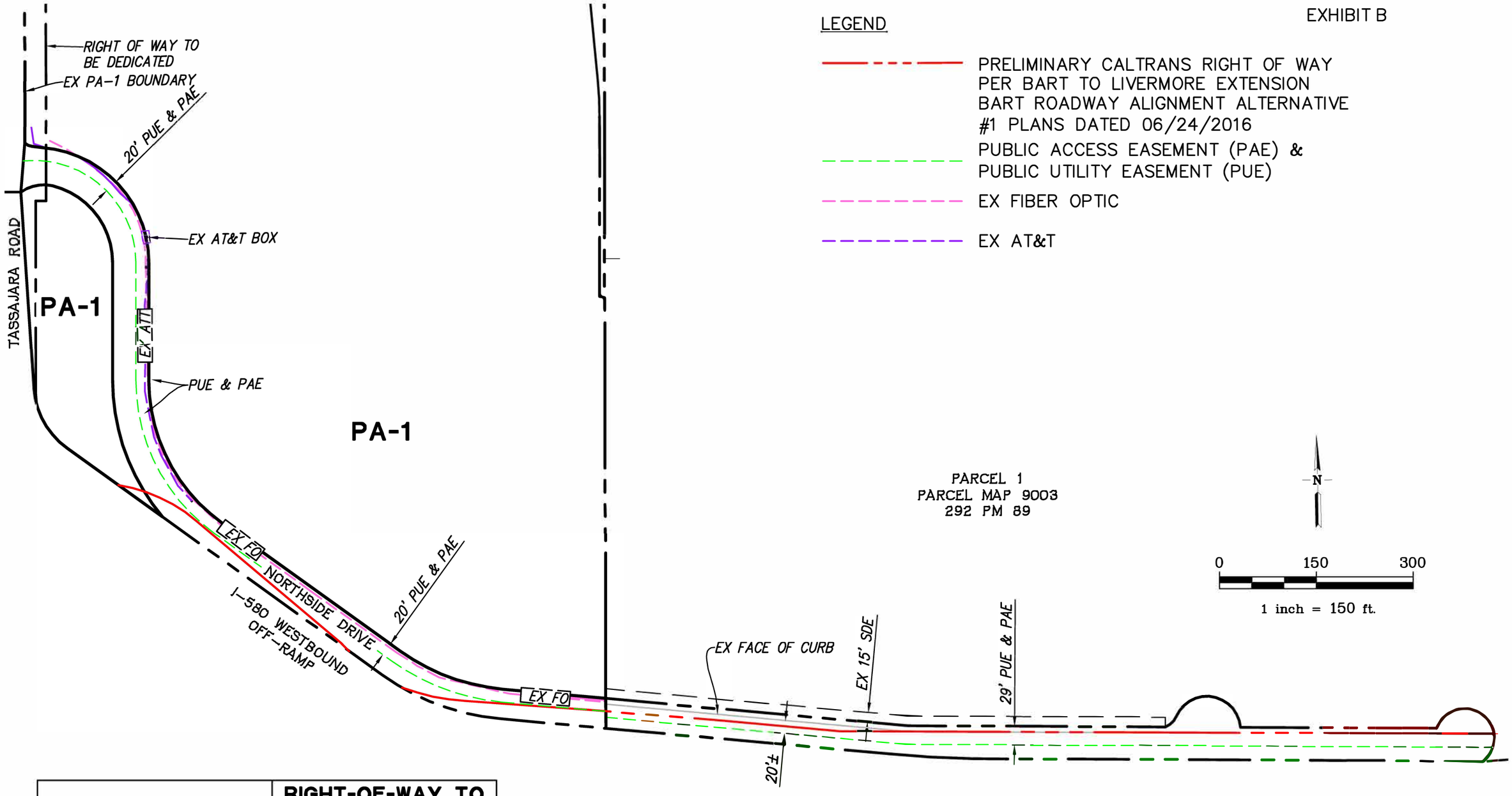
Exhibit B

Northside Drive PA1 Property

EXHIBIT B

LEGEND

- PRELIMINARY CALTRANS RIGHT OF WAY PER BART TO LIVERMORE EXTENSION BART ROADWAY ALIGNMENT ALTERNATIVE #1 PLANS DATED 06/24/2016
- PUBLIC ACCESS EASEMENT (PAE) & PUBLIC UTILITY EASEMENT (PUE)
- EX FIBER OPTIC
- EX AT&T



PA-1

PARCEL 1
PARCEL MAP 9003
292 PM 89

N

0 150 300

1 inch = 150 ft.

	RIGHT-OF-WAY TO BE VACATED (SQFT)
NORTHSIDE DRIVE R/W (WITHIN PA-1)	69,265± SQFT
NORTHSIDE DRIVE R/W (OUTSIDE OF PA-1)	73,030± SQFT

NORTHSIDE DRIVE VACATION
SCS DUBLIN
CITY OF DUBLIN, ALAMEDA COUNTY, CALIFORNIA

RJA
RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: JANUARY 29, 2018 JOB NO.: 171026E SHEET: 1 OF 1

Exhibit C

G:\JOB2017\171026\CAD FILES\00-EXHIBITS\NORTSIDE DRIVE VACATION.DWG 1/30/2018 1:32:07 PM DOMINIC CARUCCI

KEYSER MARSTON ASSOCIATES

Fiscal Impacts of the Proposed SCS Development to the City of Dublin

Prepared for:
City of Dublin

Prepared by:
Keyser Marston Associates, Inc.

October 13, 2022

TABLE OF CONTENTS

Page

I. INTRODUCTION **1**

A. The Site **1**

B. Proposed Land Use **2**

II. EXECUTIVE SUMMARY **4**

A. Recurring Net Annual General Fund Fiscal Impact upon Buildout **4**

B. One-time Construction-related Revenues **5**

C. On-site Jobs to be Created by the Construction and Operation of the Project **5**

III. FISCAL IMPACTS **6**

A. Recurring Annual General Fund Revenues upon Buildout **6**

B. Recurring Annual General Fund Expenditures upon Buildout **7**

C. One-time Construction-related General Fund Revenues to City of Dublin **9**

IV. METHODOLOGY AND ASSUMPTIONS **10**

V. LIMITING CONDITIONS **14**

VI. APPENDIX TABLES **15**

EXHIBITS

Exhibit 1. The Site and its Context 1
Exhibit 2. Land Use Program 2
Exhibit 3. Site Plan 3
Exhibit 4. Recurring Net Annual General Fund Fiscal Impact upon Buildout 4
Exhibit 5. Recurring Total Annual General Fund Fiscal Impact upon Buildout 4
Exhibit 6. One-time General Fund Construction Related Revenues 5
Exhibit 7. Direct Construction and Permanent Jobs 5
Exhibit 8. Recurring Annual General Fund Revenues upon Buildout 7
Exhibit 9. Composition of Total Annual General Fund Revenues upon Buildout 7
Exhibit 10. Recurring Annual General Fund Expenditures upon Buildout 8
Exhibit 11. Composition of Total Annual General Fund Expenditures upon Buildout 8
Exhibit 12. One-time General Fund Sales/Use Tax Revenues from Construction 9
Exhibit 13. One-time Initial Property Transfer Tax Revenues 9
Exhibit 14. One-time Development Impact and In-Lieu Fees 9

I. INTRODUCTION

The following report has been prepared by Keyser Marston Associates, Inc. (KMA) for the City of Dublin (the City). The report presents the estimated fiscal impacts that the proposed development of the SCS property (the Project), will have on the City, based on the Preferred Plan that was developed for the site. The findings of this report will be used to determine if the Project meets the City's fiscal neutrality requirement for projects that are applying for development entitlements. The findings may also potentially be used to establish the terms of a Development Agreement and Municipal Services Agreement with the applicant. The principal objectives of the analysis are to:

- Estimate the recurring annual fiscal impacts to the City's General Fund of the entire proposed Project upon build-out; and
- Estimate the magnitude of construction-related tax revenues that will be generated by the Project.

A. The Site

The Project will be located on approximately 76.2-acres[1] bounded by Tassajara Road, Brannigan Street, Interstate 580, and a sliver above Gleason Drive on the north side of Interstate 580. The subject site is currently vacant and the uses in the immediate area primarily include single and multifamily residential, restaurants, retail, elementary schools, office, and parks.

Exhibit 1. The Site and its Context



[1] The size of the site reflects the aggregated acreage of the development parcels. The final size of the site will be impacted by roadway dedications.

B. Proposed Land Use

The proposed Project includes approximately 265,000 SF of commercial development and 650 residential units. The commercial development includes a 225,000 square foot regional center and 40,000 square feet of neighborhood-serving retail. The regional center will be anchored by an 80,000 square foot Topgolf facility, a 30,000 square foot entertainment tenant, 40,000 square feet of restaurants and shops, and a limited service hotel with approximately 140 rooms. The neighborhood center will be located along Finnian Way and will include 40,000 square feet of restaurants, retail shops, and service tenants. The residential development includes 150 single family detached homes, 360 townhomes, 40 mixed-use townhomes, and 100 affordable rental apartments. The proposed land use program and the proposed site plan are presented in Exhibit 2 and Exhibit 3, respectively.

Exhibit 2. Land Use Program

Land Use Designation	Gross Acres	Res. Units	Commercial Sq. Ft.	Hotel Rooms
Commercial	**24.9**		**265,000**	
Retail, Restaurants, and Services			80,000	
Entertainment Anchor			30,000	
Topgolf			80,000	
Hotel			75,000	140
Multi-Family Apartments	**2.5**	**100**		
Single Family For Sale	**37.3**	**550**		
Single Family Detached		150		
Townhomes		360		
MU townhomes (with ground floor retail/flex)		40		
Streets	**9.0**			
Parks/Public Recreation	**2.5**			
Total Project	**76.2**	**650**	**265,000**	**140**

See Appendix 3A for details

Exhibit 3. Site Plan



II. EXECUTIVE SUMMARY

It is estimated that the built-out Project will annually generate a fiscal surplus to the City of Dublin. The key findings of the analysis are summarized below.

- The Project will annually generate approximately $3.6 million of tax revenues to City's General Fund, net of service costs. Annual net *new* revenues to the City will approximate $3.4 million, which reflects a reduction by the amount of tax revenue that is currently generated by the property.
- The Project will generate over $41 million of one-time construction-related revenues, which includes $39.4 million of restricted development impact fees and $1.7 million of new tax revenue to the General Fund.

A. Recurring Net Annual General Fund Fiscal Impact upon Buildout

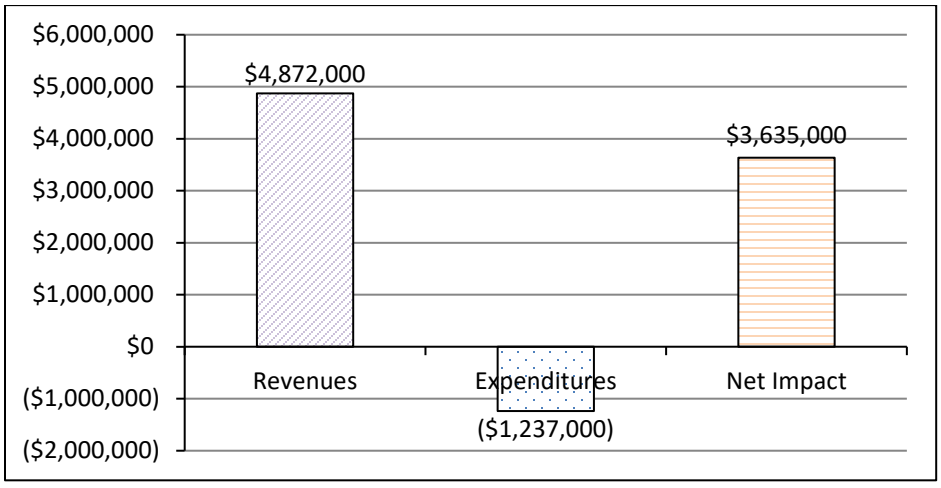
The Project upon buildout is anticipated to annually generate $4.9 million of annual General Fund revenues. Annual General Fund expenditures to provide services such as police protection, fire protection, infrastructure maintenance and other general city services are anticipated to approximate $1.2 million. Net of municipal service costs, the Project is anticipated to annually generate a net annual fiscal surplus of approximately $3.6 million. Excluding the amount of property taxes that the City received in FY 2021/22, the Project will generate approximately $3.4 million of net new tax revenues to the City.

Exhibit 4. Recurring Net Annual General Fund Fiscal Impact upon Buildout

	Total Annual Impacts	New Annual Impacts
Total Annual General Fund Revenues	$4,872,000	$4,679,000
Total Annual General Fund Expenditures	($1,237,000)	($1,237,000)
Net Annual Fiscal Surplus/(Deficit) upon Buildout	**$3,635,000**	**$3,442,000**

See Appendix 1 for details

Exhibit 5. Recurring Total Annual General Fund Fiscal Impact upon Buildout



B. One-time Construction-related Revenues

KMA has estimated that the materials purchased for the construction of the Project will yield over $1 million of sales/use tax revenues to the City's General Fund. Additionally, the initial sale of the 550 homes will generate approximately $719,000 of transfer tax revenue. The use and property transfer tax revenues are unrestricted General Fund revenues. The Project will also generate approximately $39.4 million of development impact and in-lieu fee revenue, which are restricted funds that must be used to mitigate the Project's impacts on needed public facilities and affordable housing. One-time construction related revenues will total approximately $41.2 million.

Exhibit 6. One-time General Fund Construction Related Revenues

Revenue Source	$ Total
Sales and Use Tax Generated from Construction Material Purchases	$1,010,000
Initial Property Transfer Tax from Home Sales	$719,000
Development Impact Fees	$39,433,000
Total One-time Construction Related Revenues	**$41,162,000**

See Appendix 21A and 21B for details

C. On-site Jobs to be Created by the Construction and Operation of the Project

KMA has estimated the number of full-time equivalent direct construction jobs and permanent jobs to be created by the Project. As shown in Exhibit 7, it is estimated that the construction of the Project will generate 2,551 full-time equivalent construction jobs, assuming a one-year construction period. The businesses are estimated to create approximately 768 full-time equivalent permanent employees. The actual job count will vary, depending on the number of part time versus full-time positions. These job estimates reflect the direct impacts of the Project and do not include the additional jobs that will be indirectly supported by the suppliers of construction materials, the on-going purchases of the Project's businesses, and the on-going expenditures by residents and employees.

Exhibit 7. Direct Construction and Permanent Jobs

Full-time Equivalent Jobs	
Construction Jobs (one-year period)	2,551
Permanent On-site Jobs at Commercial Businesses	768

See Appendix 4 and Appendix 20A.

III. FISCAL IMPACTS

A. Recurring Annual General Fund Revenues upon Buildout

Upon build-out, the Project is estimated to generate approximately $4.9 million of annual revenues to the City of Dublin's General Fund. Property tax revenues are anticipated to be the largest source of General Fund revenues, estimated to total $3.1 million per year (or 64% of total revenues). Excluding the amount of property taxes that the City received from the property in FY 2021/22, the Project will generate approximately $2.9 million of new property tax revenues to the City.

Property taxes in-lieu of motor vehicle license fees of $523,000 (or 11% of total revenues) and transient occupancy tax revenues of $506,000 (or 10% of total revenues) are expected to be the second and third largest sources of revenues, respectively. The fourth leading source of projected revenue is sales tax, which is expected to annually generate $474,000 of General Fund revenue (or 10% of total revenues).

Both property taxes and property taxes in-lieu of motor vehicle license fees are driven by the assessed valuation of the Project upon buildout. The anticipated future assessed value of the Project has been calculated based on recently sold homes in Dublin, the assessed values of other recently completed commercial buildings, and development cost factors provided by the applicant. The total assessed value upon completion is estimated at $1.4 billion, while the net new assessed value is estimated at $1.3 billion (Appendix 5A). The Project will generate sales tax revenues from on-site retail sales, the daytime purchases of the Project's employees, and resident spending on retail merchandise at other Dublin locations.

Transient occupancy tax (TOT) is driven by hotel room sales and the City's tax rate of 8%. Based on the applicant's proposal, this analysis assumes a 140-room, limited-service hotel. Consistent with current market conditions, it is estimated that the proposed hotel will generate an average room rate of $165 per night and an average occupancy of 75% (Appendix 10). Based on these assumptions, the hotel will generate approximately $506,000 of annual tax revenue to Dublin.

The resale of single family homes and the commercial components will generate transfer tax revenues to Dublin. The City receive $.55 per $1,000 of assessed value of each transaction. Assuming an average hold period of 7 years for homes and 20 years for commercial properties, it is estimated that the resales will, on average, generate $100,000 of transfer tax revenue to Dublin.

Remaining revenue sources are anticipated to generate $148,000 of annual tax revenue to the City and include: franchise fees and business registration fees. Franchise fee revenues are based on per capita figures derived from revenue data from the City's 2022/23 adopted budget and the City's current employment and population base.

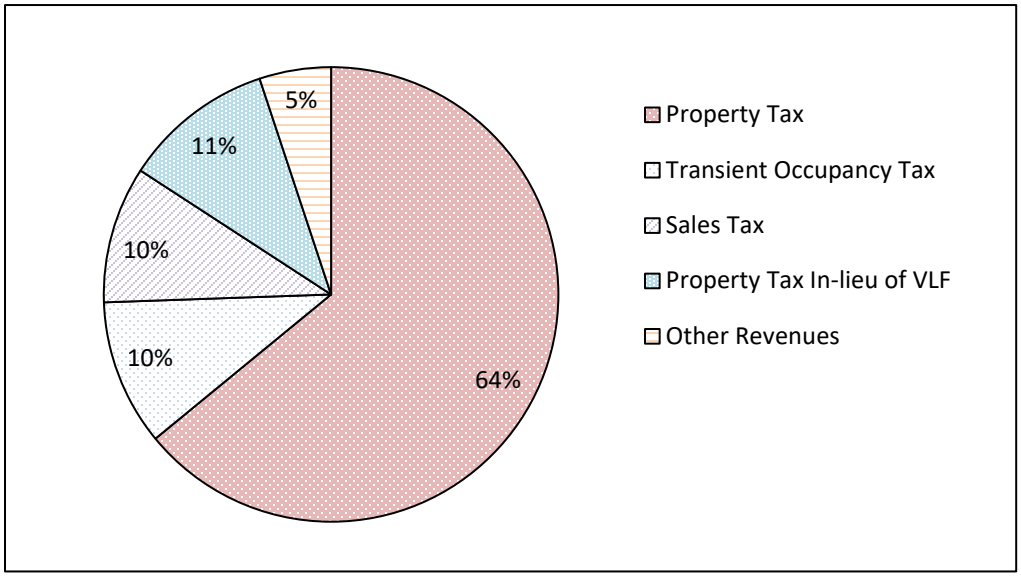
Exhibit 8. Recurring Annual General Fund Revenues upon Buildout

Revenue Source	Total Annual Impacts	New Annual Impacts
Property Tax	$3,121,000	$2,928,000
Sales Tax	$474,000	$474,000
Transient Occupancy Tax	$506,000	$506,000
Property Tax In-lieu of VLF	$523,000	$523,000
Other Revenues[1]	$248,000	$248,000
Total Recurring Annual General Fund Revenues upon Buildout	**$4,872,000**	**$4,679,000**

See Appendix 1 for details

1. Includes property transfer tax, franchise fees, business registration fees and fines and penalties

Exhibit 9. Composition of Total Annual General Fund Revenues upon Buildout



B. Recurring Annual General Fund Expenditures upon Buildout

The annual cost to City of Dublin to provide services to the Project upon buildout is anticipated to approximate $1.2 million. The single largest annual expenditure is expected to be for police service costs, at $530,000 (or 43% of total expenses). The second largest expenditure is for fire service and emergency medical services, which is anticipated to approximate $282,000 (or 23% of total expenses. The third largest expenditure is to maintain both new public infrastructure that

is being built as part of the Project and a share of city-wide infrastructure costs. Maintenance costs are estimated to total $235,000 per year, which represents 19% of total expenses.[2]

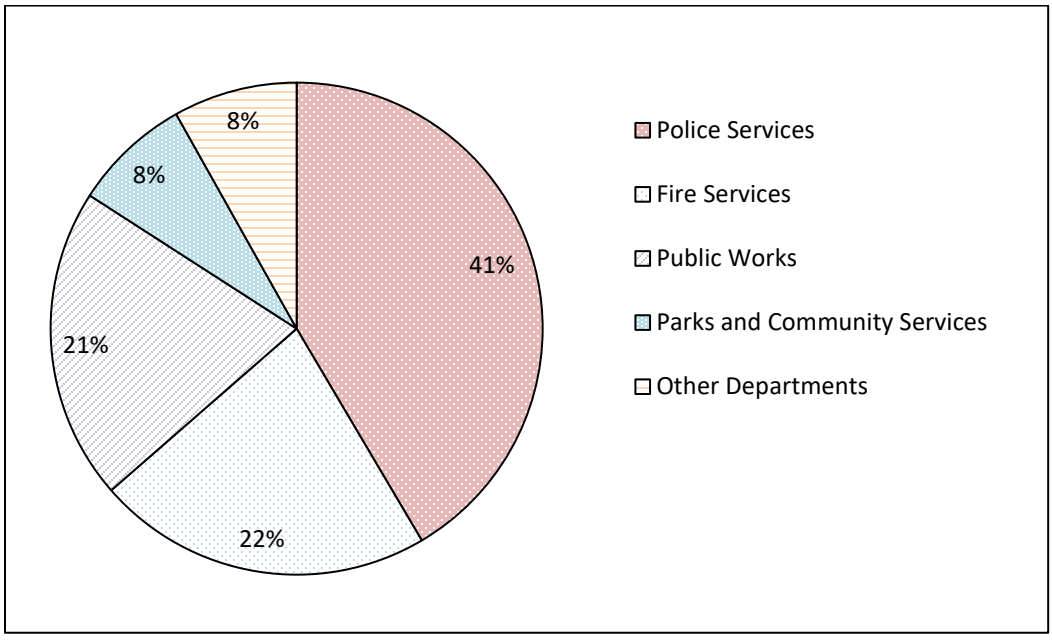
Exhibit 10. Recurring Annual General Fund Expenditures upon Buildout

Expenditure Source	Total Annual Impacts[1]
Police Services Costs	($530,000)
Fire Services Costs	($282,000)
Public Works Costs - Net of Costs Funded by Gas Tax	($235,000)
Parks and Community Services Costs	($99,000)
Community Development Costs	$0
Other Department Costs[2]	($91,000)
Total Recurring Annual General Fund Revenues upon Buildout	($1,237,000)

See Appendix 1 for details

1. For General Fund expenditures, total annual impacts will be same as new annual impacts.
2. Includes city council department, office of city manager, city clerk's office, human resource department, city attorney's office and administrative services department expenditures

Exhibit 11. Composition of Total Annual General Fund Expenditures upon Buildout



[2] The cost estimates do not include the cost to maintain/replace traffic signals, other infrastructure replacement costs (which are funded through the Capital Improvement Program) or maintenance costs for street widening of Dublin Blvd., Tassajara Road, Gleason Drive, Brannigan Street, and Central Parkway. The cost estimates do include the cost to maintain the following new streets: Finnian Way, Aviano Way, Diablo View Road, and the extension of Brannigan Street, which total $27,000 per year. (See Appendix 16). If a CFD is formed in the future to maintain these new streets, the General Fund's obligations would decrease by $27,000 per year.

C. One-time Construction-related General Fund Revenues to City of Dublin

Use tax revenues will be generated by construction material purchases. For the purpose of this analysis, it has been assumed that the City of Dublin is designated as the point of sale by the general and sub-contractors for 50% of the materials purchased for construction, and the cost of construction materials is equal to 50% of the total estimated hard cost. Use tax revenues from the purchase of construction materials are estimated to total $1.01 million. Additionally, transfer taxes from the initial sales of residential units and the purchase of the development site are estimated to total $719,000,000. These two sources of funds will accrue to the City's General Fund.

The Project will also generate over $39 million of development impact fees. These fees will be used to fund improvements to mitigate the impacts of the Project.

Exhibit 12. One-time General Fund Sales/Use Tax Revenues from Construction

	$ Total
Total Hard Cost	$403,242,700
Estimated Construction Material Cost as a percentage of Hard Costs	50%
Estimated Share with Dublin as a point of Sale	50%
Estimated Construction Material Sales in City of Dublin	$100,810,675
Local Sales and Use Tax Rate	1%
Total One-time Sales/Use Tax Revenues During Construction	**$1,010,000**

See Appendix 21A for details

Exhibit 13. One-time Initial Property Transfer Tax Revenues

	$ Total
Initial Property Transfer Tax from Land Sale Transaction	$44,000
Initial Property Transfer Tax from For-Sale Units	
Single Family	$675,000
Total Initial Property Transfer Tax from For-Sale Units	**$719,000**

See Appendix 21B for details

Exhibit 14. One-time Development Impact and In-Lieu Fees

	$ Total
Development Impact Fees from Residential Development	$23,010,000
Development Impact Fees from Commercial Development	$16,424,000
Total Initial General Fund Property Transfer Tax Revenue	**$39,434,000**

See Appendix 22, 23A-D, and 24 for details.

IV. METHODOLOGY AND ASSUMPTIONS

The fiscal impact analysis provides a preliminary estimate of the annual recurring fiscal revenues and expenses that the Project will generate to the General Fund of the City of Dublin upon buildout, as well as one-time revenues generated during construction.

General Fund revenues are the focus of the fiscal analysis because these revenues are the major sources of discretionary spending for key city services, including police and fire services, public works, and administrative services.

The major revenue and cost elements evaluated include property taxes, transient occupancy, sales and use taxes, and fire, public works, police, and parks and community services costs. Projections are based on project specific data, such as the assessed value of the Project's land use components, and per capita factors derived from the City's adopted 2022/23 budget, such as costs to provide fire and police protection services. Estimates are in 2022 dollars.

The analysis reflects the assumption that the Project is financially feasible, reaches full build-out, and that the land use components generate gross receipts consistent with the levels generated by newly constructed developments.

The analysis is presented in attached tables. The key assumptions of the analysis and methodologies used to calculate the revenue impacts are summarized below.

- **Development Program** – Per the Preferred Plan, the proposed Project includes approximately 265,000 SF of commercial development and 650 residential units. The commercial development includes a 225,000 square foot regional center and 40,000 square feet of neighborhood-serving retail. The regional center will be anchored by an 80,000 square foot Topgolf facility, a 30,000 square foot entertainment tenant, 40,000 square feet of restaurants and shops, and a limited-service hotel with approximately 140 rooms. The neighborhood center will be located along Finnian Way and will include 40,000 square feet of restaurants, retail shops, and service tenants. The residential development includes 150 single family detached homes, 360 townhomes, 40 mixed-use townhomes, and 100 affordable rental apartments. See Appendix 3A, 3B, and 3C.

- **Existing City of Dublin Demographics** – The source for population and household demographic data is ESRI Business Analyst Demographic Estimates for 2022. See Appendix 2.

- **Project Demographics** –the Project's projected population is based on household size factors generated by the Preferred Plan and is based on the average residential vacancy level in City of Dublin per ESRI Business Analyst. Commercial employment has been estimated based on employment density factors of 350 SF per employee for retail

spaces, 500 SF per employee for Topgolf, 400 SF per employee for the entertainment anchor, and 150 SF per employee for restaurants. Hotel employment has been estimated based on the employment density factor of 0.9 employees per room. KMA has assumed a commercial vacancy level of 5% for this analysis. See Appendix 4.

- **Inflation of Revenue and Expenses** – The analysis is a static analysis of conditions upon buildout of the Project. Revenues are presented in 2022 dollars.

- **Continuity of Legal and Institutional Constraints** – The revenue and expenditure structure of the City is based on the adopted FY 2022/23 budget. The projection assumes that the revenue sources will remain constant.

- **Rounding** – In some cases the calculated summations presented in the appendix tables do not precisely match the summations presented in the body of the report. These differences are due to rounding.

- **Service Population** – The estimates of Franchise Fees and most service costs use a modified per capita measure known as "Service Population." This approach combines residents and employees to form a single service population. The Service Population approach weights an employee as 0.50 of a resident, such that two employees are viewed as having the same impact as one resident. See Appendix 4.

- **Assessed Property Value** – The assessed values of the commercial components have been estimated based on the site's current assessed value, the assessed improvement value of other recently completed commercial buildings, and hard construction cost estimates published by Marshall and Swift. KMA estimates that a portion of soft costs would be included in the project's assessed value, equivalent to 20% of hard cost estimates. See Appendix 5A.

  For-sale residential properties' assessed values are based on the sales prices of recently sold homes in Dublin. The multifamily apartments will be subject to long-term affordability restrictions, which will limit occupancy to Very Low and Low Income residents. The analysis assumes that these units will be exempt from the payment of property taxes.

- **City of Dublin General Fund's Portion of Property Tax Revenues** – The Project is located in Tax Rate Area (TRA) 26-023. The City receives 22.98% of the base 1% property tax levy in this TRA. See Appendix 6.

- **Property Transfer Tax** – The City receives $0.55 for every $1,000 of assessed value of properties upon sale. In order to project annual property transfer taxes, this analysis assumes that the average holding period for homes is 7 years and that the holding

period for commercial uses is 20 years (see Appendix 7). Additionally, the City will also receive transfer taxes from the property owner's initial purchase of the site and the initial sale of single-family residential units. See Appendix 20B.

- **Property Tax In-Lieu of Motor Vehicle License Fees** – Property tax in-lieu of VLF has been estimated in accordance with SB 1096, based on data from the California State Controller's Office and projected assessed values. It is estimated based on $0.41 per $1,000 growth in projected assessed values. See Appendix 8.

- **Sales Tax Revenues** – The City receives 1% of taxable sales. The sales tax revenues from retail activities are based on the average per square foot taxable sales generated by Persimmon Place in Dublin ($430/SF, after adjusting for inflation)**.** Based on information from the applicant, it is assumed that Topgolf will annually generate $100,000 of retail sales. The analysis reflects the assumption that 100% of on-site sales are "new" sales to the City and are not generated by a transfer of sales from existing Dublin retailers to the subject Project. See Appendix 9A.

  Off-site taxable spending by project employees is estimated based on weekly retail spending by suburban workers, as reported in the ICSC report, "Office Worker Retail Spending in a Digital Age" (2012). Figures have been adjusted to 2022 dollars using the national CPI. KMA has assumed that 40% of the taxable employee retail spending is captured on-site, 10% is captured off-site in other retail locations in City of Dublin, while remaining 50% is captured by retail located outside the City. See Appendix 9A.

  Taxable expenditures by residents are estimated based on the estimated household income for each residential prototype (Appendix 9B), and the average percentage of income spent on taxable expenditures for the residents of the Nine County Bay Area. KMA has assumed that 5% of the taxable household retail spending is captured on-site, 45% is captured off-site in other retail locations in City of Dublin, while the remaining 50% is captured by retail located outside the City. See Appendix 9B.

- **Transient Occupancy Tax (TOT)** – This analysis assumes a 140-room, select-service hotel based on information from the applicant. This analysis assumes that the proposed hotel will generate an average room rate of $165 and an average occupancy rate of 75%, which are consistent with current overall market conditions, but conservative for a new hotel. Per Dublin Municipal Code (section 3.16.030), the transient occupancy tax rate in the City is 8%. See Appendix 10.

- **Business Registration Fees** – The current initial business registration fee is $102 per business and the annual renewal rate is $28. The total number of businesses upon buildout is estimated based on the following assumed average square feet per business: 3,000 square feet for retail and restaurant tenants. It is assumed that the Project will also

include one hotel, one entertainment anchor and two businesses within the Topgolf operation. See Appendix 11.

- **Franchise Fees** – The estimate of Franchise Fees is based on the per capita (service population) figure derived from revenue data from the City's 2022/23 budget. See Appendix 12.

- **Gas Tax Revenues** – The City of Dublin anticipates receiving $1.90 million of Gas Tax Revenue from the State of California, with $1.1 million to be used to fund Public Works Dept. expenses and the remaining $740,000 to be used to fund CIP street maintenance costs. In addition to Gas Tax revenues from the State, the City anticipates receiving $1.3 million of increases to gasoline and diesel taxes and vehicle registration fees resulting from Senate Bill 1, which will be dedicated to the streets CIP. For purposes of this analysis, both revenue sources have been reflected in this analysis as reductions to the public works and CIP costs borne by General Fund revenues.

- **General Fund Expenditures** – This fiscal impact analysis uses average cost multipliers derived from the City of Dublin's 2022/23 Approved Budget to project General Fund costs for providing public services. Estimates of police, public works, fire, community development, and other administrative departments' costs are based on the current city cost per service population, while the cost estimate for parks and community services is based on the current cost per city resident. The cost to maintain new public infrastructure that will be built as part of the project was estimated by the City's Public Works Department. See Appendices 13 to 19.

- **Total Annual General Fund Impacts versus Net New Annual General Fund Impacts –** Given that the development site is vacant, the difference between the total fiscal impacts of the Project and the net new impacts of the Project is the amount of annual property tax revenue that the development site generated in FY 2021/22.

- **Construction-related Sales/Use Tax Revenues** – The Construction use tax revenue estimate is based on construction cost factors published by Marshall and Swift, the assessed values of similar projects, and cost estimates provided by the applicant. The use tax revenue estimate reflects the assumption that the City of Dublin is designated as the point of sale by the general and sub-contractors for 50% of the materials purchased for the construction of the Project and that materials costs account for 50% of hard construction costs. See Appendix 20A.

V. LIMITING CONDITIONS

1. The analysis contained in this document is based, in part, on data provided by third parties and published data sources. While Keyser Marston Associates, Inc. (KMA) believes that the sources consulted are reliable, we cannot guarantee their accuracy.

2. A projection of economic and fiscal impacts is inherently based on judgment. The projections contained herein are based on the best information available at the time that this document was prepared. Actual impacts are likely to vary from the estimates contained in this report.

3. The analysis assumes that the economy will continue to grow at a moderate rate.

4. Revenue projections are based on the best project-specific and fiscal data available at this time as well as experience with comparable projects. Material changes to costs, development program, or project performance may render the conclusions contained herein invalid.

5. Revenue estimates are based on the assumption that sufficient market support exists for the proposed uses and that the Project will achieve industry standard productivity levels.

6. It is assumed that all applicable laws and governmental regulations in place as of the date of this document will remain unchanged throughout the projection period. In the event that this does not hold true, for example, if any tax rate changes, the analysis would need to be revised.

7. KMA is not liable for the accuracy of any abstracts, excerpts or summaries of this report that are not prepared by KMA.

VI. APPENDIX TABLES

Fiscal Impacts of the Proposed (entire) Project

Appendix 1: Summary of Annual Fiscal Impacts to the City of Dublin
Appendix 2: FY 2019/20 City of Dublin Demographics
Appendix 3A: Proposed Land Use Summary
Appendix 3B: Proposed Residential Unit Mix
Appendix 3C: Proposed Commercial Tenant Mix
Appendix 4: Estimated Project Demographics
Appendix 5A: Estimated Assessed Value
Appendix 5B: Project Assessed Land Values: FY 2021/22
Appendix 6: Estimate of Annual Base Property Tax Revenues
Appendix 7: Estimate of Annual City General Fund Property Transfer Tax Revenues
Appendix 8: Estimate of Annual City General Fund Property Tax In-Lieu of Vehicle License Fee Revenues
Appendix 9A: Estimate of Annual Sales Tax Revenues from Retail Sales and Employee Spending
Appendix 9B: Estimate of Annual Sales Tax Revenues from Resident Spending
Appendix 10: Estimate of Annual City General Fund Transient Occupancy Tax (TOT) Revenues
Appendix 11: Estimate of Annual City General Fund Business License Registration Fees
Appendix 12: Estimate of Annual City General Fund Franchise Fee Revenues
Appendix 13: Estimate of Annual General Fund Police Services Costs
Appendix 14: Estimate of Annual General Fund Parks and Community Services Costs
Appendix 15: Estimate of Annual General Fund Public Works Costs
Appendix 16: Estimate of Annual General Fund Project-Specific Maintenance Costs
Appendix 17: Estimate of Annual General Fund Fire Protection Services Costs
Appendix 18: Estimate of Annual General Fund Community Development Costs
Appendix 19: Estimate of Annual General Fund Other Departments Costs
Appendix 20A: Estimate of One-time Sales and Use Tax and Employment Created by Construction Activities
Appendix 20B: Estimate of One-time Property Transfer Tax
Appendix 20C: Summary of Development Impact Fees from Construction
Appendix 21: FY 2022/23 General Fund Budget Summary
Appendix 22: Summary of Development Impact Fees from Construction: Residential Development
Appendix 23A: Med-High Multi-family Site Development Impact and In-Lieu Fees
Appendix 23B: General Commercial Site Multi-family Development Impact and In-Lieu Fees
Appendix 23C: Medium Density Residential Site Single Family Development Impact Fees
Appendix 23D: Public/Semi-public Site Affordable Multi-family Development Impact and In-Lieu Fees
Appendix 24: Development Impact Fees from Commercial Development

Appendix 1: Summary of Annual Fiscal Impacts to the City of Dublin
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	Total Annual Impacts	Net New Annual Impacts[1]
I. Annual Recurring General Fund Impacts upon Buildout		
Revenues[2]		
Property Tax	$3,121,000	$2,928,000
Property Transfer Tax	$100,000	$100,000
Property Tax In-lieu of VLF	$523,000	$523,000
Sales Tax	$474,000	$474,000
Transient Occupancy Tax	$506,000	$506,000
Business Registration Fee	$1,000	$1,000
Franchise Fees	$147,000	$147,000
Total Revenues	**$4,872,000**	**$4,679,000**
Expenditures[3]		
Police Services Cost	($530,000)	($530,000)
Parks and Community Services Cost	($99,000)	($99,000)
Public Works Cost (Net of Gas Tax Funds)	($235,000)	($235,000)
Fire Services Cost	($282,000)	($282,000)
Community Development Cost	$0	$0
Other Department Cost funded by GF[4]	($91,000)	($91,000)
Total Expenditures	**($1,237,000)**	**($1,237,000)**
Net Annual Fiscal Surplus/(Deficit)	**$3,635,000**	**$3,442,000**
	$ Total	
II. One-time Construction Related Revenues		
Sales and Use Tax Generated from Construction Material Purchases[5]	$1,010,000	
Initial Prop. Transfer Tax from sale of land and for-sale units[6]	$719,000	
Development Impact Fees and In-lieu fees[7]	$39,433,000	
Total One-time Revenues	**$41,162,000**	

Figures rounded

1. Net new impacts reflect the growth in revenues relative to FY 2021/22.
2. See Appendices 6 to 12 for individual revenue calculations and assumptions.
3. See Appendices 13 to 19 for individual expenditure calculations and assumptions.
4. Includes City Council, Office of the City Manager, City Clerk's Office, Human Resources Department, City Attorney's Office, Library, CIP, animal control, and Administrative Services department expenditures. Excludes costs funded by the Gas Tax Fund and Fund 2220.
5. See Appendix 20A for details.
6. See Appendix 20B for details.
7. See Appendix 20C for details.

Appendix 2: FY 2019/20 City of Dublin Demographics

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	2022	
Population[1]	75,325	
Households[1]	24,174	
Employment[1]	22,125	
Service Population[2]	86,000	*rounded*
Average Household Income[1]	$212,601	
Average Household Size[1]	2.81	

1. Source: ESRI, 2022

2. Service Population calculated as resident population plus half of employment population.

Appendix 3A: Proposed Land Use Summary

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Land Use Designation	Gross Acres[1]	Res. Units	Commercial Sq. Ft.	Hotel Rooms
Commercial	**24.9**	**0**	**265,000**	**140**
Retail and Restaurants			70,000	
Services			10,000	
Entertainment Anchor			30,000	
End User (analysis assumes Topgolf)			80,000	
Hotel[2]			75,000	140
Affordable Rental Apartments	**2.5**	**100**		
Single Family Ownership Units	**37.3**	**550**		
Single Family Detached		150		
Townhomes		360		
MU townhomes (with ground floor retail/flex)		40		
Interior streets / perimeter streetscapes	**9.0**			
Parks	**2.5**			
Total	**76.2**	**650**	**265,000**	**140**

Source: City of Dublin, based on applicant's submittal.

1. Gross Acreage reflects aggregate size of the site's assessed parcels.

Acreage by land use estimated by KMA based on site plan.

2. Applicant estimates 120-140 keys. Analysis reflects 140 keys.

Appendix 3B: Proposed Residential Unit Mix

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Residential Type	Number of Units	Avg. Area Per Unit (SF)
Affordable Apartments[1]		
1 Bedroom	50 [1]	650 [1]
2 Bedroom	50 [1]	850 [1]
3 Bedroom	0	-
Subtotal/Average	100	**750**
Single Family Detached		
Single Family Detached	150	1,971
Townhomes	360	1,835
Mixed use townhomes (ground floor retail or flex)	40	2,303 [2]
Subtotal/Average	**550**	**1,906**
Total Residential Units	**650**	

Source: City of Dublin based on information provided by applicant.

1. KMA estimate

2. Square footage includes ground floor retail in Shophouses

Commerical	Square Feet
Total Commercial	**265,000 SF**
Regional Center (Dublin Blvd)	
Topgolf	80,000 SF
Entertainment Anchor	30,000 SF
Restaurant	24,000 SF
Retail Shops	16,000 SF
Hotel (est. 140 keys)	75,000 SF
Total Regional Center	**225,000 SF**
Finnian Way (Includes retail in shophouses)	
Restaurant	20,000 SF
Retail shops	10,000 SF
Services	10,000 SF
Total Finnian Way Commercial	**40,000 SF**

Source: City of Dublin

Appendix 4: Estimated Project Demographics

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Residential	**Single Family**	**Affordable Apartments**	**Total Residential**
Average Household Size[1]	3.08	1.88	2.90
Residential Vacancy[2]	4.20%	3.00%	4.02%
Units[3]	550	100	650
Resident Population	**1,623**	**182**	**1,805**

Commercial Employment

Commercial Vacancy[4]	5%

Commercial Type[5]	Area (SF)/ Rooms[5]	SF/ Employee or Rooms/Emp.[4]	Total Employees
Topgolf	80,000 SF	500	160
Entertainment Anchor	30,000 SF	400	75
Restaurant	44,000 SF	150	279
Retail Shops	26,000 SF	350	71
Services	10,000 SF	350	27
Hotel[6]	140 rooms	0.9	156
Total Employees			768

Service Population[7] **2,189**

1. Single Family Source: SCS Preferred Plan (12/21).

ESRI Business Analyst.

3. See Appendix 3B.

4. KMA Assumption.

5. See Appendix 3C.

6. Does not include vacancy factor.

7. Service Population calculated as resident population plus half of employment.

Total Estimated Assessed Value upon Buildout		
Commercial and privately owned landscaped areas	$131,000,000	*rounded*
Affordable Rental Apartments	$0	*rounded*
For-Sale Residential	$1,227,000,000	*rounded*
Total Estimated AV upon buildout	**$1,358,000,000**	

See below for calculations

Assessed Value of Privately Owned Commercial/Rwy Properties upon Buildout

APN[1]	Tax Area[2]	Area (Acres)[2]	Estimated Land Value[2]
985-0051-004	26-023	1.2	$1,345,497
985-0051-005	26-023	20.9	$23,094,204
985-0051-006	26-023	6.6	$7,247,815
Total Est. Commercial + Private Rwy		28.7	**$31,687,516**

Commercial Product Type	Hard Cost[4]	Soft Cost[5]	Est. Improvement Value
Topgolf	$18,100,000	$3,620,000.0	$21,720,000
Restaurants	$20,000,000	$4,000,000.0	$24,000,000
Retail Shops (ex. sf in thms.)	$5,400,000	$1,080,000.0	$6,480,000
Entertainment Anchor	$8,600,000	$1,720,000.0	$10,320,000
Retail Services (ex. Sf in thms.)	$1,400,000	$280,000.0	$1,680,000
Hotel - 140 Keys	$29,400,000	$5,880,000.0	$35,280,000
Total Estimated Improvement Value of Commercial Development			**$99,480,000**

Total Estimated Assessed Value of Commercial Development[6] **$131,168,000**

Assessed Value of Affordable Rental Apartment Property upon Buildout

APN[1]	Tax Area[2]	Area (Acres)[3]	Estimated Land Value[2]
985-0051-006	26-023	2.5	$0
Total Estimated Multifamily Land Value		2.5	$0

Residential Product Type	Hard Cost[4]	Soft Cost[5]	Est. Improvement Value
Multifamily Apartments	$0	$0	$0

Total Est. Assessed Value of Affordable Rental Apartment Property **$0**

Appendix 5A: Estimated Assessed Value

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Assessed Value of For-Sale Residential Properties upon Buildout

For-Sale Residential Product Type	Sale Price Per Unit[8]	No. of Units	Est. Assessed Value
Single Family Detached	$ 1,330,385	150	$199,557,675
Townhomes	$ 1,036,832	360	$373,259,340
MU townhomes (with ground floor retail	$ 1,013,364	40	$40,534,560
Total For-Sale Residential	$ 1,115,185	550	$613,351,575
Total Est. Assessed Value of For-sale Residential Development			**$1,226,703,000**
Total Estimated Assessed Value upon Buildout			**$1,358,000,000**
<Less> FY 2021/22 Total Assessed Value (Land Value)[7]			-$84,093,597
Net New Assessed Value upon Buildout			**$1,274,000,000**

1. Per City of Dublin.
2. Source: RealQuest, see Appendix 5B for details. For the purpose of this analysis, land value of non-residential components have been assumed to be equal to FY 2021/22 assessed land value.
3. See Appendix 5B for distribution of development site by land use.
4. See Appendix 20A for hard cost assumptions.
5. KMA estimates that a portion of soft costs would be included in assessed values. The portion assumed is equivalent to 20% of hard costs. It is assumed that the affordable apartments will be exempt from property taxes.
6. KMA has not included the unsecured assessed values in this analysis.
7. See Appendix 5B for current assessed value of property.
8. Pricing estimates based on prices of comparable for-sale residential units in market area.

Appendix 5B: Project Assessed Land Values: FY 2021/22

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

APN	Tax Area[1]	Area (Acres)[1]	FY 2017/18 Land AV[1]	FY 2021/22 Land AV[1]	FY 2021/22 Value per sf	FY 2020/21 Assessed Land Value Distribution[2] Commercial	Affordable Apts.	For-sale Res.	Parks / Rwy	Total
985-0051-004	26-023	1.22	$63,505	$1,345,497	$25	$1,345,497	$0	$0	$0	$1,345,497
985-0051-005	26-023	20.92	$1,178,117	$23,094,204	$25	$23,094,204	$0	$0	$0	$23,094,204
985-0051-006	26-023	30.26	$1,704,308	$33,416,694	$25	$3,036,473	$2,760,430	$23,408,449	$4,211,342	$33,416,694
985-0052-024	26-023	20.70	$1,165,580	$22,852,435	$25	$0	$0	$15,347,125	$7,505,310	$22,852,435
985-0052-025	26-023	3.07	$172,958	$3,384,767	$25	$0	$0	$2,454,809	$929,958	$3,384,767
Totals		**76.18**	**$4,284,468**	**$84,093,597**	$25	**$27,476,174**	**$2,760,430**	**$41,210,383**	**$12,646,610**	**$84,093,597**

Notes:

1. Source: RealQuest

2. Estimated Distribution of parcels by land use based on Preferred Plan for SCS, December 13, 2021.

						Estimated Distribution of Acreage by Land Use				
APN	Apts.	SF	Comercial	Parks/Rwy	Total	Apts.	SF	Commercial	Parks/Rwy	Total
985-0051-004	0%	0%	100%	0%	100%	0	0	1.22	0.00	1.22
985-0051-005	0%	0%	100%	0%	100%	0	0	20.92	0.00	20.92
985-0051-006	8%	70%	9%	13%	100%	2.5	21.2	2.75	3.81	30.26
985-0052-024	0%	67%	0%	33%	100%	0	13.9	0.00	6.80	20.70
985-0052-025	0%	73%	0%	27%	100%	0	2.23	0.00	0.84	3.07
Total Site	3%	49%	33%	15%	100%	2.5	37.33	24.89	11.46	76.18
						3%	**49%**	**33%**	**15%**	**100%**

Appendix 6: Estimate of Annual Base Property Tax Revenues
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	Total	New[1]
Total Estimated Assessed Value[2]	$1,358,000,000	$1,274,000,000
Base 1% Property Tax Levy	$13,580,000	$12,740,000
Tax Rate Area	26-023	26-023
City of Dublin General Fund's portion of Base 1% Property Tax (Post-ERAF)[3]	22.98%	22.98%
Estimate of Annual Property Tax Revenues	**$3,121,000**	**$2,928,000**

Note: Figures rounded to closest 1,000s.

1. FY 2021/22 has been assumed as the base year to estimate the new annual impacts of the project.
2. See Appendix 5A for details.
3. Estimated based on 19-20 ERAF Contribution Percentages

Transfer Tax Rate per $1,000 of Assessed Value[1]	$0.55
Holding Period Assumptions	
Multifamily Apartments[2]	20 years
Single Family Detached[2]	7 years
Commercial[2]	20 years

Land Use	Est. Assessed Value[3]	Property Transfer Tax
Residential		
Multifamily Apartments	$0	$0
Single Family Detached	$1,226,703,000	$96,384
Commercial	$131,168,000	$3,607
Totals	$1,358,000,000	$100,000

Estimate of Annual City Property Transfer Tax Revenues	**$100,000**

Note: Figures rounded

1. Source: http://www.californiacityfinance.com/PropTransfTaxRates.pdf, accessed 07/03/2018.
2. KMA Assumption.
3. See Appendix 5 for details.

Appendix 8: Estimate of Annual City General Fund Property Tax In-Lieu of Vehicle License Fee Revenues
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

2004-05 Vehicle License Fee Adjusted Amount[1,2]	$2,278,846
2004-05 Assessed Valuation[1,2]	$5,553,452,954
VLF per $1,000 in AV Growth	$0.41
Estimated Assessed Value Upon Buildout[3]	$1,358,000,000
<Less> FY 2021/22 Assessed Value (Land Value)[4]	($84,093,597)
Total Estimated Net New Assessed Value upon Buildout	$1,273,906,403
Estimate of Annual Property Tax In-Lieu of VLF Revenues	**$523,000**

Note: Figures rounded to closest 1,000s

1. As per SB 1096, growth of property tax in lieu of VLF is proportional to growth in AV since 2004/05.
2. VLF distribution in 2004/05 per the California State Controller's Office.
3. See Appendix 5A.
4. See Appendix 5B for details.

Appendix 9A: Estimate of Annual Sales Tax Revenues from Retail Sales and Employee Spending
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

City of Dublin's share of sales tax of total taxable Sales[1]	1.00%
Sales Tax from Retail Shops and Restaurants	
Estimated Taxable Retail Sales per Square Foot[2]	$430
Total Retail Square Feet[3]	70,000
Estimated Total Taxable Retail Sales	$30,068,000
Estimated Sales Tax from Retail Shops and Restaurants	$301,000
Sales Tax from Topgolf	
Estimated Taxable (F&B) Topgolf[4]	$100,000
Estimated Sales Tax from Topgolf	$1,000
Sales Tax from Entertainment Anchor	
Estimated restaurant area of 6,000 sf with sales of $600 per sf[4]	$3,600,000
Estimated Sales Tax from Entertainment Anchor	$36,000
Sales Tax from Off-Site Employee Spending	
Weekly Employee Spending on Retail[5]	$17
Weeks at Work per Year[6]	50
Average Annual Retail Spending per Employee	$827
City of Dublin (off-site) Capture Rate[7]	10%
Onsite Capture Rate[7]	40%
Employee Spending Captured Outside City of Dublin[7]	50%
	100%
Annual Income Spent on off-site Retail Sales in Dublin per Employee	$83
New Employment[8]	768
Estimated Off-site Taxable Sales from Employee Spending	$64,000
Estimated Sales Tax from Off-site Employee Spending	$640
Estimate of Annual Sales Tax Revenues from Retail Sales and Employee Spending	**$339,000**

Note: Figures rounded to closest 1,000s.

1. Source: Dublin Municipal Code
2. This is based on average per square foot taxable sales generated by Persimmon Place in Dublin (includes vacancy). Factor has been adjusted to $2019 using national CPI.
3. See Appendix 3; Excludes hotel and movie theater.
4. Topgolf estimates has been provided by applicant. Entertainment anchor estimate has been generated by KMA.
5. Based on weekly employee restaurant spending in the vicinity of the workplace, as reported in the ICSC report, "Office Worker Retail Spending in a Digital Age" (2012), for suburban workers, assuming 50 weeks at work per year. Figures adjusted to $2022 using national CPI.
6. KMA assumption.
7. KMA has assumed that 40% of the taxable employee retail spending is captured on-site, 10% is captured off-site in other retail locations in City of Dublin, while remaining 50% is captured by retail located outside the City.
8. See Appendix 4.

Appendix 9B: Estimate of Annual Sales Tax Revenues from Resident Spending
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

City of Dublin's share of sales tax of total taxable Sales[1]	1.00%
Percentage of Household Income Spent on Taxable Retail Sales[2]	26.5%

Affordable Apartments	No. of HH[3]	Area (SF)[4]	Monthly Rent[5]	Est. HH Income[6]	HH Taxable Retail Spending	Total Retail Spending
1 Bedroom	49	650	$1,607	$64,000	$16,967	$831,397
2 Bedroom	48	850	$1,856	$74,000	$19,618	$941,685
3 Bedroom	0	-	$0	$0	$0	$0

Estimated Taxable Retail Spending by Multifamily Residential HH	$1,773,082
City of Dublin (off-site) Capture Rate[7]	45%
Onsite Capture Rate[7]	5%
Spending Captured Outside City of Dublin[7]	50%
	100%
Estimated Off-site Taxable Sales from Multifamily Resident Spending	$798,000
Estimated Sales Tax from off-site Multifamily Resident Spending	**$8,000**

For-sale Units	No. of HH[3]	Area (SF)[4]	Est. Sale Price[8]	Est. HH Income[9]	HH Taxable Retail Spending	Total Retail Spending
Single Family detached	144	1,971	$1,330,385	$242,000	$64,158	$9,238,692
Townhomes	345	1,835	$1,036,832	$188,000	$49,841	$17,195,294
MU Townhomes	38	2,303	$1,013,364	$184,000	$48,781	$1,853,677

Estimated Taxable Retail Spending by For-sale Residential HH	$28,287,663
City of Dublin (off-site) Capture Rate[7]	45%
Onsite Capture Rate[7]	5%
Spending Captured Outside City of Dublin[7]	50%
	100%
Estimated off-site Taxable Sales from for-sale Units' Resident Spending	$12,729,000
Estimated Sales Tax from off-site for-sale Units' Resident Spending	**$127,000**
Estimate of Annual Sales Tax Revenues from Resident Spending	**$135,000**

Note: Figures rounded to closest 1,000s.

1. Source: Dublin Municipal Code.
2. Based on the average percentage of income spent on Retail and Food services for Nine County Bay Area residents; Source: CA Board of Equalization (2017).
3. Includes a 3% vacancy factor for affordable rental apartments and 4.2% for for-sale units.
4. See Appendix 3B.
5. Estimates reflect Very Low rents in accordance with CTCAC limits.
6. Estimated based on the assumption that 30% of the annual household income goes towards rent.
7. KMA assumption.
8. KMA estimate based on recent home sales in the market area.
9. Estimated based on the assumption that 30% of the household income goes towards mortgage payment. Mortgage is calculated as a self amortizing 30 year loan at 5.5% on 80% of the sale price.

Upscale Select Service Hotel	
Estimated Number of Rooms (Keys)	140
Annual Room Nights	51,100
Average Daily Rate (ADR in $2022) [1]	$165
Occupancy upon Stablization	75%
Hotel Revenue Generated	$6,323,625

	TOT Revenues
Total Hotel Revenue Generated	$6,323,625
City of Dublin TOT Rate[2]	8%
Estimate of Annual Transient Occupancy Tax Revenues	**$506,000**

Note: Figures rounded to closest 1,000s

1. Rate reflects current average daily rate in Tri-Valley. This is a conservative assumption as it does not focus exclusively on new hotels, which, on average, generate a higher room rate than existing hotels.

2. Source: Dublin Municipal Code (section 3.16.030).

Annual Business License Registration Fee per business[1] $28

Commercial[2]	Program[2]	Estimated Avg. SF per Business[3]	# of Businesses	Business Reg. Fees
Total Commercial				
Topgolf	80,000 SF	40,000	2	$120
Entertainment Anchor	30,000 SF	30,000	1	$92
Restaurant	44,000 SF	3,000	15	$484
Retail shops	26,000 SF	3,000	9	$316
Services	10,000 SF	3,000	3	$148
Hotel (est. 140 keys)	140 keys		1	$92
			31	$1,252

Estimate of Annual Business Registration Fees **$1,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin; Initial fee amount is $102 per business, but thereafter the annual fee is $28 per business.
2. See Appendix 4 for details
3. KMA assumption

Appendix 12: Estimate of Annual City General Fund Franchise Fee Revenues

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Franchise Fee FY 2022/23[1,2]	$5,760,000
FY 2022/23 Service Population[3]	86,000
Estimated Franchise Fee per Service Population	$67
New Service Population in the Plan Area[4]	2,189
Estimate of Annual Franchise Fee Revenues	**$147,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, Adopted Budget FY 2022/23; See Appendix 21 for details.
2. Includes Electric, Gas, Garbage and Cable Franchise Taxes.
3. See Appendix 2.
4. See Appendix 4.

Appendix 13: Estimate of Annual General Fund Police Services Costs

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	2022
Police Services General Fund Portion of Expenditures[1]	$27,883,673
Less Police Services General Fund Revenues[1]	($105,750)
Police Services Net General Fund Expenditures	$27,777,923
FY 2019/20 Service Population[2]	86,000
Percentage Variable Factor	75%
Adjusted Police Services Net Expenditure per Service Population	$242
New Service Population in the Plan Area[3]	2,189
Estimate of Annual Police Services Costs	**$530,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.
2. See Appendix 2.
3. See Appendix 4.

Appendix 14: Estimate of Annual General Fund Parks and Community Services Costs

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	2022
Parks and Community Services General Fund Portion of Expenditures[1]	$8,453,835
Less Parks and Community Services General Fund Revenues[1]	($5,292,541)
Parks and Community Services Net General Fund Expenditures	$3,161,294
FY 2019/20 Resident Population[2]	75,325
Percentage Variable Factor	50%
Adjusted Parks and Comm. Services Net Expenditure per Resident Pop.	$21
New Resident Population in the Plan Area[3]	1,623
Annual share of city-wide parks and community services costs	$34,055
Project specific costs - cost to maintain Grand Paseo Park[4]	$65,184
Estimate of Annual Parks and Community Services Costs	**$99,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.
2. See Appendix 2.
3. See Appendix 4.
4. See Appendix 16 for details.

Appendix 15: Estimate of Annual General Fund Public Works Costs
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	2022
Public Works General Fund Portion of Expenditures[1]	$18,461,455
Less Environmental Services General Fund Revenues and other allocations[1]	$0
Public Works Net General Fund Expenditures	$18,461,455
FY 2022 Service Population[2]	86,000
Percentage Variable Factor	50%
Adjusted Public Works Net Expenditure per Resident Population	$107
New Service Population in the Plan Area[3]	2,189
Cost to maintain city-wide improvements	$234,977
Cost to maintain project specific improvements (Appendix 16)[4]	$27,045
Projected Annual Public Works Cost Before Gas Tax Revenues	**$262,000**
State Gas Tax Revenues Allocated to Public Works	$1,140,543
FY 2022 Residential Population	75,325
Per Capital Revenue	**$15**
New Residential Population	1,805
Projected New Gas Tax Revenue	**$27,334**
Projected Annual Public Works Cost After Gas Tax Revenues	**$234,666**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.

2. See Appendix 2.

3. See Appendix 4.

4. Represents only a portion of maintenance costs for new streets. See Appendix 16 for list of streeets that are included in this estimate and those that have not been accounted for in the estimate.

Appendix 16: Estimate of Annual General Fund Project-Specific Maintenance Costs

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Item		Quantity	Unit	Unit Cost		Frequency (in Years)	Annual Cost
Brannigan	1	2700	LF	$5.68	Per LF	1	$15,341
Aviano Way	1	930	LF	$5.68	Per LF	1	$5,284
Finnian Way	1	930	LF	$5.68	Per LF	1	$5,284
Diablo View Drive	1	1,600	LF	$5.68	Per LF	1	$9,091
Northside Drive (credit)	1	1,400	LF	$5.68	Per LF	1	-$7,955
Grand Paseo	2	1.68	acres	$38,800	Per acre	1	$65,184
Annual Project Specific Public Works Estimate							$92,229
			2%				**$92,229**

1. Public Works Dept. responsibility

Public works maintenance costs include median and street landscaping, pavement, street lights, sweeping, storm drain, bike paths, signs, striping, water, and electrical. Does not include traffig signals or rehabilitation /replacement costs, which are funded by the CIP. These calculations do not take into consideration maintenance costs for street widening of Dublin Blvd., Tassajara Road, Gleason Drive, Brannigan Street, and Central Parkway.

2. Parks and Community Service responsibilty
Parks maintenance costs includes water and electrical.

Source: City of Dublin

Appendix 17: Estimate of Annual General Fund Fire Protection Services Costs

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	FY 2019/20
Fire Services General Fund Portion of Expenditures[1]	$15,977,050
Less Fire Services General Fund Revenues[1]	($1,195,709)
Fire Services Net General Fund Expenditures	$14,781,341
FY 2019/20 Service Population[2]	86,000
Percentage Variable Factor	75%
Adjusted Fire Services Net Expenditure per Service Population	$129
New Service Population in the Plan Area[3]	2,189
Projected Annual Fire Services Cost	**$282,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.
2. See Appendix 2.
3. See Appendix 4.

Appendix 18: Estimate of Annual General Fund Community Development Costs

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	FY 2019/20
Community Developments General Fund Portion of Expenditures[1]	$5,282,548
Less Community Development General Fund Revenues[1]	($7,830,334)
Community Development Net General Fund Expenditures	($2,547,786)
FY 2019/20 Service Population[2]	86,000
Percentage Variable Factor	50%
Adjusted Community Development Net Expenditure per Service Population	($15)
New Service Population in the Plan Area[3]	2,189
Projected Annual Community Development Cost[4]	**$0**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.

2. See Appendix 2.

3. See Appendix 4.

4 Building permit revenues, zoning, charges and plan check fees exceed the department's budget, so, there is not a marginal net cost for these services.

Appendix 19: Estimate of Annual General Fund Other Departments Costs
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

	2022/23
City Council General Fund Portion of Expenditures[1]	$543,506
Office of City Manager General Fund Portion of Expenditures[1]	$1,709,892
City Clerk Office's General Fund Portion of Expenditures[1]	$981,009
Communications[1]	$582,769
Economic Development[1]	$783,486
Human Resources Department General Fund Portion of Expenditures[1]	$2,823,046
City Attorney Office's General Fund Portion of Expenditures[1]	$725,000
Administrative Services Department General Fund Portion of Expenditures[1]	$2,408,430
Animal Control	$319,995
CIP (Less amount funded by State Gas Tax and Fund 2220)	$2,539,394
Library Services[1]	$639,380
Human Services[1]	$192,560
Total Other Departments General Fund Portion of Expenditures	$14,248,467
Less General and Administrative General Fund Revenuesand Human Resources[1]	($27,000)
Other Departments Net General Fund Expenditures	$14,221,467
FY 2021/22 Service Population[2]	86,000
Percentage Variable Factor	25%
Adjusted Other Department Net Expenditure per Service Population	$41
New Service Population in the Plan Area[3]	2,189
Projected Annual Other Department Costs	**$91,000**

Note: Figures rounded to closest 1,000s

1. Source: City of Dublin, California, Adopted Budget FY 2022/23; See Appendix 21 for details.
2. See Appendix 2.
3. See Appendix 4.

Appendix 20A: Estimate of One-time Sales and Use Tax and Employment Created by Construction Activities
Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

Total Hard Cost		Factor[1]	
Commercial - Topgolf	80,000 SF	$226	$18,100,000
Commercial - Restaurant	44,000 SF	$455/SF	$20,000,000
Commercial - Retail Shops (ex. SF in TH)	21,324 SF	$255/SF	$5,400,000
Commercial - Entertainment Anchor	30,000 SF	$285/SF	$8,600,000
Commercial - Services (ex. SF in TH)	5,324 SF	$255/SF	$1,400,000
Hotel	140 keys	$210,000/key	$29,400,000
Affordable apartments	100 du	$400,000/du	$40,000,000
Single Family Detached	150 du	$344,520/du	$51,700,000
Townhomes	360 du	$379,499/du	$136,600,000
MU townhomes (with ground floor retail/flex)	40 du	$476,281/du	$19,100,000
Grand Paseo Park			$1,209,600
On and offsite costs			$71,733,100
Total Hard Cost			$403,242,700
Estimated Construction Material Cost as a percentage of Hard Costs[2]			50%
Estimated Share with Dublin as a point of Sale[3]			50%
Estimated Construction Material Sales in City of Dublin			$100,810,675
Local Sales and Use Tax Rate			1%
Total One-time Sales and Use Tax Revenues During Construction			**$1,010,000**

Construction Jobs	
Esimated Labor Cost as a percentage of Hard Costs	50%
Estimated Construction Labor Costs	$201,621,350
Average Annual Wage for Construction Occupations in Alameda and Contra Costa Counties, 2021[4]	$79,040
Estimated Full-time Equivalent One-Year Construction Jobs[5]	**2,551**

Note: Figures rounded to closest 10,000s

1. Sources:

Topgolf - Assessed value of Roseville Topgolf building adjusted for inflation and allocation to hard costs

Restaurant, shops, services and entertainment anchor - Marshall & Swift cost esitmates prepared for analysis of Preferred Plan.

Residential - Estimates prepared for analysis of Preferred Plan with base costs provided by applicant.

Hotel - Marshall & Swift cost estimates

On and off-site improvements - Ruggeri-Jensen-Azar cost estimate dated March 9 2022

2. KMA assumption.

3. For the purpose of this analysis it is assumed that 50% of the material costs will generate sales/use tax revenue to the city of Dublin, by general and sub-contractors designating the job site in Dublin as the point of sale for the materials.

4. Source: Occupational Employment Statistics Survey (OES), May 2021

5. Based on convention, employment counts reflect a one-year construciton period.

Transfer Tax Rate per $1,000 of Assessed Value[1]	$0.55

I. Property Transfer Tax from Purchase of Site

1. Land Sale Date[2]	6/29/2017
Sale Price[2]	$80,000,000
Transfer Tax generated from the land sale transaction	$44,000
Transfer Tax generated from Land Sale Transaction[1]	**$44,000**

II. Initial Transfer Tax from For-sale Residential

	Est. Assessed Value[3]	Property Transfer Tax
Single Family Detached	$199,557,675	$109,757
Townhomes	$373,259,340	$205,293
MU townhomes (with ground floor retail/flex)	$40,534,560	$22,294
Total For-Sale Residential	$613,351,575	$337,343
Transfer Tax generated from Sale of for-sale residential units		**$675,000**
Projected Total One-time Initial Property Transfer Tax		**$719,000**

Note: Figures rounded. For the purpose of this analysis, commercial and rental residential development are not included in the initial Property Transfer tax calculation.

1 There will likely be additional sales to builders, but they are not known at this time and have been excluded from the analysis.

2. Source: Real Quest

3. See Appendix 5A for details.

Impact Fees from Residential Development	[1]	$23,009,515
Impact Fees from Commercial Development	[2]	$16,423,916
Total Development Impact Fees		**$39,433,431**

Source: City of Dublin.

[1]See Appendix 22 for details.

[1]See Appendix 24 for details.

Appendix 21: FY 2022/23 General Fund Budget Summary and Gas Tax Revenues Allocated to PW

Fiscal Impact Analysis of SCS Property Proposal 10/12/2022

General Fund Revenues

	FY 2022-23	Basis of KMA Projection	
Included in the Analysis			
Property Taxes	$55,163,000	assessed value, City share of 1% tax	
Sales Tax	$26,400,000	est. project sales, empl. and resid. spending	
Property Transfer Tax	$800,000	assessed value (AV), $0.55 per $1,000 of AV	
Transient Occupancy Tax	$1,400,000	avg. daily room rate, and hotel occupancy	
Franchise Taxes	$5,760,000	per capita based on service population	
Business licenses	$150,000	based on number of businesses	
Subtotal	$89,673,000		
Revenues that are Deducted from Expenditures		**Allocation by Department**	
Licenses & Permits	$3,836,514	$3,801,518	Community Dev.
		$34,996	Fire Services
		$0	Police Services
		$0	Public Works
Fines and Penalties	$85,000	$85,000	Police Services
Leased property	$522,987	$522,987	Parks & Community Svcs.
		$0	Public Works
General Revenue	$0	$0	Parks & Community Svcs.
		$0	Public Works
Charges for Services	$10,006,833	$27,000	General and Admin.
		$4,028,816	Community Development
		$1,160,713	Fire Services
		$20,750	Police Services
		$4,769,554	Parks & Community Svcs.
		$0	Public Works
Intergovernmental	$0	$0	Human Resources
Subtotal	$14,451,334		
Rev. Sources Ex. From Analysis		**Reason for Exclusion**	
Intergovernmental	$290,000	**independent of project**	
Balance of licenses and permits	$38,377	**minor source of funds**	
Transfers In	$77,900	**independent of project**	
General Revenue	$1,534,036	**independent of project**	
	$0	**independent of project**	
Sales Tax Reimbursements	-$405,555	**independent of project**	
Interest Earnings	$1,510,000	independent of project	
Environmental Services	$1,618,571	independent of project	
Fines & Penalties	$0	independent of project	
Subtotal	$4,663,329		
Total General Fund Revenue	$108,787,663	108787662	$1
Total Gas Tax Revenue to PW	**$1,140,543**	allocated to Public Works for Street Maint.	

General Fund Expenditures[1]

	General Fund Portion	Dept. General Fund Revenues	Net Expenditure
City Council	$543,506		$543,506
Office of City Manager	$1,709,892		$1,709,892
City Clerk's Office	$981,009		$981,009
Communications	$582,769		$582,769
Economic Development	$783,486		$783,486
Human Resources	$2,823,046	$0	$2,823,046
City Attorney's Office	$725,000		$725,000
Administrative Services	$2,408,430	($27,000)	$2,381,430
Library Services	$639,380		$639,380
Human Services	$192,560		$192,560
Community Development	$5,282,548	($7,830,334)	-$2,547,786
Fire Services	$15,977,050	($1,195,709)	$14,781,341
Police Services	$27,883,673	($105,750)	$27,777,923
Parks and Community Services	$8,453,835	($5,292,541)	$3,161,294
Public Works	$18,461,455	$0	$18,461,455
	$87,447,639	($14,451,334)	$72,996,305

Source: City of Dublin, California, Adopted Budget FY 2022/23

1. Excludes Non-departmental.

	Impact Fees	In-Lieu Fees	Total
Single Family Detached Units			
Per unit	$39,008	$13,097	$52,105
Number of units	150	150	150
Total Fees	$5,851,172	$1,964,550	$7,815,722
Townhomes			
Per unit	$23,005	$7,995	$31,000
Number of units	360	360	360
Total Fees	$8,281,685	$2,878,200	$11,159,885
MU Townhomes			
Per unit	$29,916	$7,995	$37,911
Number of units	40	40	40
Total Fees	$1,196,624	$319,800	$1,516,424
Affordable Rental Apartments			
Per unit	$17,180	$7,995	$25,175
Number of units	100	100	100
Total Fees	$ 1,717,984	$ 799,500	$2,517,484
Total	**$17,047,465**	**$5,962,050**	**$23,009,515**
Units	650	650	650
Per Unit	$26,227	$9,172	$35,399

1. Source: City of Dublin. Please see schedules in Appendix 23 A-D for details.

Appendix 23A: Med-High Multi-family Site Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS -Med-High Residential Site Multi Family** **# OF UNITS** **360**

IMPACT FEES	**FEE PER UNIT**	**TOTAL FEES**	
Community Parks, Improvements	3,333.00	1,199,880.00	
Community Buildings	2,755.00	991,800.00	
Libraries	199.00	71,640.00	
Civic Center	1,099.00	395,640.00	
Improvements, Neighborhood Parks	1,949.00	701,640.00	
Aquatic Center	247.00	88,920.00	
Improvements, Community Nature Parks	211.00	75,960.00	
Freeway Interchange Fee (Component 1 - Base)	150.22	54,079.20	
Freeway Interchange Fee (Component 2 - Esc)	102.94	37,058.40	
Traffic Impact Fees	8,357.00	3,008,520.00	2
Traffic Impact Fees - Bart Garage	502.00	180,720.00	
Tri-Valley Transportation Development Fee	3,889.20	1,400,112.00	
Fire Impact Fees	207.00	74,520.00	2
Noise Mitigation Fees	3.32	1,195.20	
SUB-TOTAL IMPACT FEES		**$8,281,684.80**	
IN-LIEU FEES			
Community Parks, Land	5,512.00	1,984,320.00	3
Neighborhood Parks, Land	2,483.00	893,880.00	4
Affordable Housing In-lieu Fees	228,994.42		5
Public Arts In-lieu Fees			6
SUB-TOTAL IN-LIEU FEES		**$2,878,200.00**	
TOTAL ESTIMATED IMPACT FEES & IN-LIEU FEES		**$11,159,884.80**	7

Note:

1 The fees listed above are based on 360 Medium-high density (14.1 to 25.0 units per acre) attached townhomes located in Eastern Dublin.

2 Should Developer acquire rights to use Fee Credits (requires executed transfer agreement from Developer holding Credits). Terms of any transfer transactions between Developers are determined by the private parties; the City of Dublin is not a party to the terms of such transactions. However, use of Credits and recording the ownership of the credits are regulated by City Policy. The following are maximum credit allow for the project:

Appendix 23A: Med-High Multi-family Site Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS -Med-High Residential Site Multi Family** **# OF UNITS** **360**

- Traffic Impact Fee (Exclude BART Garage) = 89%
- Fire Impact Fee = 100%

3 Community Park Land In-lieu Fee: parkland dedication requirement of 0.00564 acres per unit or In-lieu fee of $5,512 per unit. **Community Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

4 Neighborhood Park Land In-lieu Fee: parkland dedication requirement of 0.00320 acres per unit or In-lieu fee of $2,483 per unit. **Neighborhood Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

5 Affordable Housing In-Lieu Fee : Developers of projects subject to Dublin Municipal Code 8.68.030A shall construct 12.5% of the total number of dwelling units within the development as affordable units. Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40% of the affordable units that the developer would otherwise be required to construct

Total Project Units 650 x 12.5% affordable requirement = 82 units total project affordable obligation. Fee estimate assumes the 100 affordable housing units on the Public/Semi-public site satisfies the requirement.

6 This estimate does not include Public Arts In-lieu Fees which would result from the Developer opting to make a monetary contribution in lieu of providing public art. Public art in-lieu contribution must be equal to five-tenths percent (0.5%) of the project's building valuation (exclusive of land).

7 The fees listed above do not include water and sewer impact fees and drainage fees assessed by DSRSD and Zone 7, or School Fees assessed by the Dublin Unified School District. Please contact these agencies to obtain estimates of these fees. It also does not include any Building Permit Fees to be charged by the City.

Appendix 23B: General Commercial Site Multi-family Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS - General Commercial Site Multi Family** **# OF UNITS** **40**

IMPACT FEES	**FEE PER UNIT**	**TOTAL FEES** [1]
Community Parks, Improvements	3,333.00	133,320.00
Community Buildings	2,755.00	110,200.00
Libraries	199.00	7,960.00
Civic Center	1,099.00	43,960.00
Improvements, Neighborhood Parks	1,949.00	77,960.00
Aquatic Center	247.00	9,880.00
Improvements, Community Nature Parks	211.00	8,440.00
Freeway Interchange Fee (Component 1 - Base)	214.60	8,584.00
Freeway Interchange Fee (Component 2 - Esc)	147.07	5,882.80
Traffic Impact Fees	14,773.00	590,920.00 [2]
Traffic Impact Fees - Bart Garage	887.00	35,480.00
Tri-Valley Transportation Development Fee	3,889.20	155,568.00
Fire Impact Fees	207.00	8,280.00 [2]
Noise Mitigation Fees	4.74	189.60
SUB-TOTAL IMPACT FEES		**$1,196,624.40**
IN-LIEU FEES		
Community Parks, Land	5,512.00	220,480.00 [3]
Neighborhood Parks, Land	2,483.00	99,320.00 [4]
Affordable Housing In-lieu Fees	228,994.42	[5]
Public Arts In-lieu Fees		[6]
SUB-TOTAL IN-LIEU FEES		**$319,800.00**
TOTAL ESTIMATED IMPACT FEES & IN-LIEU FEES		**$1,516,424.40** [7]

Note:

1 The fees listed above are based on 40 Medium density (6.1 to 14.0 units per acre) attached townhomes located in Eastern Dublin.

2 Should Developer acquire rights to use Fee Credits (requires executed transfer agreement from Developer holding Credits). Terms of any transfer transactions between Developers are determined by the private parties; the City of Dublin is not a party to the terms of such transactions. However, use of Credits and recording the ownership of the credits are regulated by City Policy. The following are maximum credit allow for the project:

Appendix 23B: General Commercial Site Multi-family Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS - General Commercial Site Multi Family** **# OF UNITS** **40**

- Traffic Impact Fee (Exclude BART Garage) = 89%
- Fire Impact Fee = 100%

3 Community Park Land In-lieu Fee: parkland dedication requirement of 0.00564 acres per unit or In-lieu fee of $5,512 per unit. **Community Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

4 Neighborhood Park Land In-lieu Fee: parkland dedication requirement of 0.00320 acres per unit or In-lieu fee of $2,483 per unit. **Neighborhood Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

5 Affordable Housing In-Lieu Fee : Developers of projects subject to Dublin Municipal Code 8.68.030A shall construct 12.5% of the total number of dwelling units within the development as affordable units. Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40% of the affordable units that the developer would otherwise be required to construct

Total Project Units 650 x 12.5% affordable requirement = 82 units total project affordable obligation. Fee estimate assumes the 100 affordable housing units on the Public/Semi-public site satisfies the requirement.

6 This estimate does not include Public Arts In-lieu Fees which would result from the Developer opting to make a monetary contribution in lieu of providing public art. Public art in-lieu contribution must be equal to five-tenths percent (0.5%) of the project's building valuation (exclusive of land).

7 The fees listed above do not include water and sewer impact fees and drainage fees assessed by DSRSD and Zone 7, or School Fees assessed by the Dublin Unified School District. Please contact these agencies to obtain estimates of these fees. It also does not include any Building Permit Fees to be charged by the City.

Appendix 23C: Medium Density Residential Site Single Family Development Impact Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS - Medium Density Residential Site Single Family** **# OF UNITS** **150**

IMPACT FEES	**FEE PER UNIT**	**TOTAL FEES** [1]
Community Parks, Improvements	5,464.00	819,600.00
Community Buildings	4,513.00	676,950.00
Libraries	325.00	48,750.00
Civic Center	1,799.00	269,850.00
Improvements, Neighborhood Parks	3,193.00	478,950.00
Aquatic Center	406.00	60,900.00
Improvements, Community Nature Parks	346.00	51,900.00
Freeway Interchange Fee (Component 1 - Base)	214.60	32,190.00
Freeway Interchange Fee (Component 2 - Esc)	147.07	22,060.50
Traffic Impact Fees	14,773.00	2,215,950.00 [2]
Traffic Impact Fees - Bart Garage	887.00	133,050.00
Tri-Valley Transportation Development Fee	6,596.40	989,460.00
Fire Impact Fees	339.00	50,850.00 [2]
Noise Mitigation Fees	4.74	711.00
SUB-TOTAL IMPACT FEES		**$5,851,171.50**
IN-LIEU FEES		
Community Parks, Land	9,030.00	1,354,500.00 [3]
Neighborhood Parks, Land	4,067.00	610,050.00 [4]
Affordable Housing In-lieu Fees	228,994.42	[5]
Public Arts In-lieu Fees		[6]
SUB-TOTAL IN-LIEU FEES		**$1,964,550.00**
TOTAL ESTIMATED IMPACT FEES & IN-LIEU FEES		**$7,815,721.50** [7]

Note:

1 The fees listed above are based on 150 Medium density (6.1 to 14.0 units per acre) single family homes located in Eastern Dublin.

2 Should Developer acquire rights to use Fee Credits (requires executed transfer agreement from Developer holding Credits). Terms of any transfer transactions between Developers are determined by the private parties; the City of Dublin is not a party to the terms of such transactions. However, use of Credits and recording the ownership of the credits are regulated by City Policy. The following are maximum credit allow for the project:

Appendix 23C: Medium Density Residential Site Single Family Development Impact Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS - Medium Density Residential Site Single Family** **# OF UNITS** **150**

- Traffic Impact Fee (Exclude BART Garage) = 89%
- Fire Impact Fee = 100%

3 Community Park Land In-lieu Fee: parkland dedication requirement of 0.00924 acres per unit or In-lieu fee of $9,030 per unit. **Community Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

4 Neighborhood Park Land In-lieu Fee: parkland dedication requirement of 0.00524 acres per unit or In-lieu fee of $4,067 per unit. **Neighborhood Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

5 Affordable Housing In-Lieu Fee : Developers of projects subject to Dublin Municipal Code 8.68.030A shall construct 12.5% of the total number of dwelling units within the development as affordable units. Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40% of the affordable units that the developer would otherwise be required to construct

Total Project Units 650 x 12.5% affordable requirement = 82 units total project affordable obligation. Fee estimate assumes the 100 affordable housing units on the Public/Semi-public site satisfies the requirement.

6 This estimate does not include Public Arts In-lieu Fees which would result from the Developer opting to make a monetary contribution in lieu of providing public art. Public art in-lieu contribution must be equal to five-tenths percent (0.5%) of the project's building valuation (exclusive of land).

7 The fees listed above do not include water and sewer impact fees and drainage fees assessed by DSRSD and Zone 7, or School Fees assessed by the Dublin Unified School District. Please contact these agencies to obtain estimates of these fees. It also does not include any Building Permit Fees to be charged by the City.

Appendix 23D: Public/Semi-public Site Affordable Multi-family Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS -Publi/Semi-public Site Affordable Multi Family** **# OF UNITS** **100**

IMPACT FEES	**FEE PER UNIT**	**TOTAL FEES**	
Community Parks, Improvements	3,333.00	333,300.00	
Community Buildings	2,755.00	275,500.00	
Libraries	199.00	19,900.00	
Civic Center	1,099.00	109,900.00	
Improvements, Neighborhood Parks	1,949.00	194,900.00	
Aquatic Center	247.00	24,700.00	
Improvements, Community Nature Parks	211.00	21,100.00	
Freeway Interchange Fee (Component 1 - Base)	128.76	12,876.00	
Freeway Interchange Fee (Component 2 - Esc)	88.23	8,823.00	
Traffic Impact Fees	6,566.00	656,600.00	2
Traffic Impact Fees - Bart Garage	394.00	39,400.00	
Tri-Valley Transportation Development Fee	-	0.00	
Fire Impact Fees	207.00	20,700.00	2
Noise Mitigation Fees	2.85	285.00	
SUB-TOTAL IMPACT FEES		**$1,717,984.00**	
IN-LIEU FEES			
Community Parks, Land	5,512.00	551,200.00	3
Neighborhood Parks, Land	2,483.00	248,300.00	4
Affordable Housing In-lieu Fees	228,994.42		5
Public Arts In-lieu Fees			6
SUB-TOTAL IN-LIEU FEES		**$799,500.00**	
TOTAL ESTIMATED IMPACT FEES & IN-LIEU FEES		**$2,517,484.00**	7

Note:

1 The fees listed above are based on 100 High density (25.1+ units per acre) attached affordable housing units located in Eastern Dublin.

2 Should Developer acquire rights to use Fee Credits (requires executed transfer agreement from Developer holding Credits). Terms of any transfer transactions between Developers are determined by the private parties; the City of Dublin is not a party to the terms of such transactions. However, use of Credits and recording the ownership of the credits are regulated by City Policy. The following are maximum credit allow for the project:

Appendix 23D: Public/Semi-public Site Affordable Multi-family Development Impact and In-Lieu Fees

PRO FORMA - NOT FOR PAYMENT PURPOSES
THIS ESTIMATE IS PRELIMINARY AS THERE IS NO BUILDING PERMIT OR SPECIFIC PROJECT PENDING. PROJECTED FEES ARE AN INDICATION BASED ON FEES EFFECTIVE **7/1/2022** AND ASSUMPTIONS WHICH MAY DIFFER AT THE TIME OF THE FINAL APPROVAL.

DATE: **July 28, 2022**

PROJECT: **SCS -Publi/Semi-public Site Affordable Multi Family** **# OF UNITS** **100**

- Traffic Impact Fee (Exclude BART Garage) = 89%
- Fire Impact Fee = 100%

3 Community Park Land In-lieu Fee: parkland dedication requirement of 0.00564 acres per unit or In-lieu fee of $5,512 per unit. **Community Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

4 Neighborhood Park Land In-lieu Fee: parkland dedication requirement of 0.00320 acres per unit or In-lieu fee of $2,483 per unit. **Neighborhood Parkland Dedication requirement can be met with the transfer of parkland credit from developers with available credits.**

5 Affordable Housing In-Lieu Fee : Developers of projects subject to Dublin Municipal Code 8.68.030A shall construct 12.5% of the total number of dwelling units within the development as affordable units. Upon request of the applicant, the City Council shall permit the applicant to pay a fee in lieu of constructing up to 40% of the affordable units that the developer would otherwise be required to construct

Total Project Units 650 x 12.5% affordable requirement = 82 units total project affordable obligation. Fee estimate assumes the 100 affordable housing units on the Public/Semi-public site satisfies the requirement.

6 This estimate does not include Public Arts In-lieu Fees which would result from the Developer opting to make a monetary contribution in lieu of providing public art. Public art in-lieu contribution must be equal to five-tenths percent (0.5%) of the project's building valuation (exclusive of land).

7 The fees listed above do not include water and sewer impact fees and drainage fees assessed by DSRSD and Zone 7, or School Fees assessed by the Dublin Unified School District. Please contact these agencies to obtain estimates of these fees. It also does not include any Building Permit Fees to be charged by the City.

Planning Area 1 (South of Dublin Blvd.)

SF	Land Use	EDTIF Trip Rate	
30,000	Family Entertainment Uses (Bowling)	1.16	
16,000	Retail Shops (Strip Retail Plaza <40K)	2.48	
18,000	Fast Casual Restaurant	6.35	
6,000	Fast Food without Drive Thru	18.42	
75,000	Hotel (140 rooms)	0.60	
80,000	Topgolf (120 Bays)	1.8	*
225,000			

Impact Fee	Rate	Amount	
Public Facility Impact Fees	$3,246	$730,350	
Fire Impact Fee	$80	$18,000	
Eastern Dublin Transportation Impact Fee	$14,923	$8,943,354	
Eastern Dublin Freeway Interchange Fee	$36.25	$21,724.63	
Tri-Valley Transportation Development Fee	Varies	$2,100,915	
Eastern Dublin Noise Mitigation Fee	$23.71	$5,334.75	
Affordable Housing In Lieu Fee	Varies	$236,250	
Public Art In Lieu Fee	-		***
		$12,055,928	

Planning Area 2 (Finnian Way)

SF	Land Use	EDTIF Trip Rate
10,000	Retail Shops (Strip Retail Plaza <40K)	2.48
10,000	Fast Casual Restaurant	6.35
10,000	Fast Food without Drive Thru	18.42
30,000		

Impact Fee	Rate	Amount	
Public Facility Impact Fees	$3,246	$97,380	
Fire Impact Fee	$80	$2,400	
Eastern Dublin Transportation Impact Fee	$14,923	$4,066,518	
Eastern Dublin Freeway Interchange Fee	$36.25	$9,878	
Tri-Valley Transportation Development Fee	$5.07	$152,100	
Eastern Dublin Noise Mitigation Fee	$23.71	$711	
Affordable Housing In Lieu Fee	$1.30	$39,000	
Public Art In Lieu Fee	-		***
		$4,367,987	

TOTAL IMPACT FEES **$16,423,916**

**trip rate is not from EDTIF Program, but rather from Traffic Assumptions Memo since the EDTIF Program does not have this land use*
***trip rate for TVTD is the average of am/pm peak hour trip. Using Kimley Horn's data of 0.31, 1.8, and 3.06, the average is 1.72*
****Public Art In Lieu Fee: Is based on building size and the development project's building valuation, which are unknown at this time.*

Date: 10/7/2022
Prepared by: Hazel Wetherford
Prepared for: Keyser Marston & Associates for the preparation of the Fiscal Analysis

Assumptions: This fee estimate was prepared based on the EDTIF 2021 Program, 10th Edition ITE Manual, and uses the 35% Pass-by Adjustment as applicable in Exhibit C in the Program with the exception of Topgolf since the land use is not in the Program. Instead we used the trip rate in the Traffic Assumptions Memo prepared by Kimley Horn as part of the CEQA analysis.

LOCAL TRANSPORTATION ANALYSIS

SCS Dublin

PREPARED FOR:

DUBLIN
CALIFORNIA

CITY OF DUBLIN

AUGUST 2022 | DRAFT

Prepared By:

Kimley»Horn

WARNING!

The electronic data files ("Files") furnished by Kimley-Horn and Associates, Inc. to the intended receiver of the Files ("Receiving Party") are provided only for the convenience of Receiving Party and only for its sole use.

In the case of any defects in the Files or any discrepancies between the electronic Files and the hardcopy of the Files prepared by Kimley-Horn, the hardcopy shall govern. Only printed copies of documents conveyed by Kimley-Horn may be relied upon. Any use of the information obtained or derived from these electronic files will be at the Receiving Party's sole risk. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the Receiving Party agrees that it has 60 days to perform acceptance tests, after which it shall be deemed to have accepted the data transferred. Receiving Party accepts the Files on an "as is" basis with all faults. There are no express warranties made by Kimley-Horn with respect to the Files, and any implied warranties are excluded.

CONTENTS

Contents iii
Tables iv
Figures v
Executive Summary i
1. Introduction 1
2. Local Transporation Analysis Methodology 4
Study Area 4
Traffic Conditions 7
Level of Service Standards 7
Level of Service Thresholds 9
Queuing 11
Transit Delay 12
Report Organization 12
3. Existing Conditions 13
Existing Roadway Network 13
Existing Transit Facilities 15
Existing Pedestrian Facilities 16
Existing Bicycle Facilities 16
Existing Lane Configuration and Traffic Control 19
Existing Peak Hour Turning Movement Volumes 19
Existing Intersection Level of Service 22
4. Project Conditions 24
Proposed Site Use 24
Trip Generation 25
Project Trip Distribution and Assignment 28
5. Near-Term Traffic Conditions 33
Near-Term Transportation Improvements 33
Near-Term Traffic Volumes 33
Near-Term Intersection Level of Service 34
Near-Term Plus Project Transportation Improvements 40
Near-Term Plus Project Intersection Level of Service 41
6. Cumulative Traffic Conditions 46
Cumulative Transportation Improvements 46
Cumulative Traffic Volume 47
Cumulative Intersections Level of Service 47
Cumulative Plus Project Transportation Improvements 52
Cumulative Plus Project Traffic Volumes 52
Cumulative Plus Project Intersection Level of Service 52

7. Alameda County Transportation Commission Land Use Analysis Program 59
Year 2020 and Year 2040 Conditions 59
Year 2020 and Year 2040 Plus Project Conditions 59
8. Signal Warrant Evaluation 61
9. Freeway On-Ramp Metering Analysis 62
Baseline Conditions 62
Plus Project Conditions 62
10. Vehicle Queuing and Site Access and Circulation 65
Vehicle Queuing 65
Site Access and Circulation 67
11. Public Transit, Bicycle, and Pedestrian Facilities 68
Transit Facilities 68
Bicycle Facilities 69
Pedestrian Facilities 69
12. Summary of Intersection LOS Deficiencies and Recommended Improvements 70
13. Summary of Queuing Deficiencies and Recommended Improvements 72
APPENDIX 74

TABLES

Table 1 – Study Intersections 4
Table 2 – Study MTS Freeway Segments 5
Table 3 – Study MTS Roadway Segments 5
Table 4 – Study On-Ramp Metering Locations 5
Table 5 - Intersection Level of Service Definitions 8
Table 6 - Freeway and Roadway Segment Level of Service Criteria 9
Table 7 - Existing Intersection Level of Service Summary – Weekday 22
Table 8 - Existing Intersection Level of Service Summary – Saturday 23
Table 9 - Trip Reductions from School Walking Trips 28
Table 10 - Project Trip Generation – Weekday 29
Table 11 - Project Trip Generation – Saturday 30
Table 12 – Near-Term Intersection Level of Service Summary – Weekday 38
Table 13 – Near-Term Intersection Level of Service Summary – Saturday 39
Table 14 – Near-Term Plus Project Intersection Level of Service Summary – Weekday 44
Table 15 - Near-Term Plus Project Intersection Level of Service Summary – Saturday 45
Table 16 - Cumulative Intersection Level of Service Summary – Weekday 50
Table 17 – Cumulative Intersection Level of Service Summary – Saturday 51
Table 18 – Cumulative Plus Project Intersection Level of Service Summary – Weekday 56
Table 19 – Cumulative Plus Project Intersection Level of Service Summary – Saturday 58
Table 20 – Baseline Conditions Freeway On-Ramp Queuing Analysis (I-580) 64
Table 21 – Plus Project Conditions Freeway On-Ramp Queuing Analysis (I-580) 64
Table 22 – Intersection Queuing Deficiencies 65
Table 23 – 95th Percentile Queueing at Project Driveways 66

Table 24 – Transit Delay Summary 69
Table 25 – Intersection Deficiencies Summary 70
Table 26 – Intersection Queuing Deficiencies Summary 72

FIGURES

Figure 1 – Project Site Plan 3
Figure 2 – Project Location and Study Intersections 6
Figure 3 – Existing Transit Facilities 17
Figure 4 – Existing Bicycle Facilities 18
Figure 5 – Existing Condition Lane Geometry and Traffic Control 20
Figure 6 – Existing Condition Peak Hour Turning Movement Volumes 21
Figure 7 – Project Trip Distribution 31
Figure 8 – Project Generated Peak Hour Turning Movement Volumes 32
Figure 9 – Near-Term Condition Lane Geometry and Traffic Control 35
Figure 10 – Approved Project Locations 36
Figure 11 – Near-Term Condition Peak Hour Turning Movement Volumes 37
Figure 12 – Near-Term Plus Project Condition Lane Geometry and Traffic Control 42
Figure 13 – Near-Term Plus Project Condition Peak Hour Turning Movement Volumes 43
Figure 14 – Cumulative Condition Lane Geometry and Traffic Control 48
Figure 15 – Cumulative Condition Peak Hour Turning Movement Volumes 49
Figure 16 – Cumulative Plus Project Condition Lane Geometry and Traffic Control 54
Figure 17 – Cumulative Plus Project Condition Peak Hour Turning Movement Volumes 55

EXECUTIVE SUMMARY

SCS Dublin ("Project") proposes to construct a 76.2-acre mixed-use development located in the City of Dublin, CA. The project site is currently vacant and is located to the north of Interstate 580 between Tassajara Road and Brannigan Street and extends just north of Gleason Drive. The project proposes a mixed-use development consisting of commercial/retail, hotel, and residential uses and is divided into four planning areas, as described below. The proposed project is an amendment to the City of Dublin's (City) General Plan and Eastern Dublin Specific Plan to modify the existing land use designations and to accommodate a proposed mixed-use development that would allow up to 265,000 square feet of commercial uses and up to 650 residential units.

- **Planning Area 1 – South of Dublin Boulevard**
  - Family Entertainment Use (Bowling) – 30,000 SF
  - Retail Shops – 16,000 SF
  - Restaurants – 24,000 SF
  - Hotel – 140 rooms
  - Recreational Facility (Topgolf) – 120 Hitting Bays
  - *Planning Area Access* – access to this planning area is provided by three unsignalized driveways with one right-in/right-out access on Tassajara Road, one right-in/right-out access on Dublin Boulevard, and one full-access on Brannigan Street.
- **Planning Area 2 – North of Dublin Boulevard and south of Central Parkway**
  - Retail Shops – 36,000 SF
  - Restaurants – 24,000 SF
  - Attached residential Units – 290 Dwelling Units
  - Shop-House Mixed Use Townhomes – 40 Dwelling Units
  - Multifamily Affordable Housing – 100 Dwelling Units
  - Park/Recreation – 0.8 acres
  - *Planning Area Access* – access to this planning area is provided by two unsignalized, right-in/right-out driveways and one full-access, signalized driveway on Tassajara Road, one right-in/right-out access on Central Parkway, and two unsignalized, full access driveways on Brannigan Street.
- **Planning Area 3 – North of Central Parkway and south of Gleason Drive**
  - Single Family Detached Housing – 135 Dwelling Units
  - Townhomes/Condominiums – 70 Dwelling Units
  - Park/Recreation – 1.7 acres
  - *Planning Area Access* – access to this planning area is provided by four unsignalized driveways with two right-in/right-out accesses on Tassajara Road, one right-in/right-out access on Central Parkway, and one full-access on Brannigan Street.
- **Planning Area 4 – North of Gleason Drive**
  - Single Family Detached Housing – 15 Dwelling Units
  - *Planning Area Access* – access to this planning area is provided by one unsignalized, right-in/right-out access on Gleason Drive.

This transportation study was prepared to determine potential operational deficiencies related to the project based on standards and methodologies set forth by the City of Dublin (City), City of Pleasanton, California Department of Transportation (Caltrans) and Alameda County Transportation Commission (ACTC). This study evaluates the intersection level of service (LOS) and 95th percentile queuing for the weekday AM and PM peak hour traffic conditions at 32 existing intersections and 11 future project driveways, as well as site

access and circulation. LOS and 95th percentile queuing were also evaluated for the Saturday peak hour traffic conditions at two existing intersections. This study also addresses the potential transportation effects of the proposed project to assist the City with project planning and the identification of potential conditions of approval for the project. These evaluations include on-ramp evaluations at the I-580 interchanges, roadway segment analysis, freeway segment analysis, transit delay evaluation, and signal warrant analyses. Potential transportation impacts, as it relates to the California Environmental Quality Act (CEQA), are discussed in the Draft Environmental Impact Report (DEIR). This includes an analysis of the project's potential impacts on vehicle miles traveled (VMT), geometric design hazards, emergency access, and consistency with programs, plans, ordinances, or policies.

PROJECT TRIP ESTIMATES

Trip generation for the project was estimated based on data published in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual, 11th Edition* for all land uses with the exception of the Topgolf in Planning Area 1. Trip generation data derived from the *North Central Roseville Traffic Impact Analysis (January 2015)* was used to develop the trip generation for the proposed Topgolf. Trip generation for the weekday Daily, AM, and PM peak hours as well as Saturday peak hour was developed. In addition, internal capture, pass-by, and school trip reductions were applied to account for the potential interaction among the uses within each planning area, trips that are already on the roadway and will stop by or divert to the site, and increase in schooling, walking, or bicycling trips due to the proximity of the nearby elementary school, middle school, and high school. During weekdays, the project is anticipated to generate +10,983 daily trips, +644 trips in the AM peak hour (332 In / 312 Out), and +777 trips in the PM peak hour (443 In / 334 Out). During Saturdays, the project is anticipated to generate +1,307 Saturday peak hour trips (690 In / 617 Out).

INTERSECTION LEVEL OF SERVICE AND RECOMMEDED IMPROVEMENTS

This study includes a level of service (LOS) analysis of the weekday AM and PM peak hour and Saturday peak hour traffic conditions for 32 existing intersections and 11 future project driveways and was analyzed in *Synchro* software for signalized and unsignalized intersections. The following intersections result in a LOS deficiency under plus project conditions. Recommended improvements for the LOS deficiencies are shown below and are summarized in **Table E1.**

Intersection #2 (Dublin Boulevard / Hacienda Drive)

- Near-Term Plus Project – Weekday AM peak hour
    - This intersection operates at an unacceptable LOS F in the AM peak hour under baseline conditions. With the project, the intersection continues to operate at an unacceptable LOS F with an increase in the critical movement v/c by greater than 0.05. This results in a project deficiency.
    - To address the deficiency, the intersection signal timing splits should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (48.1 seconds of delay) in the AM peak hour.

Intersection #17 (Santa Rita Road / Las Positas Boulevard)

- Near-Term Plus Project – Weekday AM peak hour
    - This intersection operates at an unacceptable LOS E in the AM peak hour under baseline conditions. With the project, greater than 10 peak hour project trips are added to the study intersection. This results in a project deficiency.

- To address the deficiency, the intersection signal timing splits should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (45.3 seconds of delay) in the AM peak hour.

Intersection #26 (Brannigan Street / Central Parkway)

- Cumulative Plus Project – Weekday PM peak hour
  - This intersection operates at an acceptable LOS D in the PM peak hour under baseline conditions. With the project, the intersection degrades to an unacceptable LOS E. This results in a project deficiency.
  - To address the deficiency, the intersection cycle length should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (37.3 seconds of delay) in the PM peak hour.

Intersection #31 (Dublin Boulevard / Keegan Street)

- Near-Term Plus Project – Weekday AM peak hour
  - This intersection operates at an unacceptable LOS E in the AM peak hour under baseline conditions. With the project, the total intersection average delay is increased by more than six (6) seconds. This results in a project deficiency.
  - To address the deficiency, the intersection cycle should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS C (25.0 seconds of delay) in the AM peak hour.

Table E1 – Summary of Intersection Deficiencies and Recommended Improvements

#	Intersection	Scenario Deficiency	Recommended Improvements
2	Dublin Boulevard / Hacienda Drive	Near-Term Plus Project – Weekday AM peak hour	Optimize intersection signal timing splits.
17	Santa Rita Road / Las Positas Boulevard	Near-Term Plus Project – Weekday AM peak hour	Optimize intersection signal timing splits.
26	Brannigan Street / Central Parkway	Cumulative Plus Project – Weekday PM peak hour	Optimize intersection cycle length.
31	Dublin Boulevard / Keegan Street	Near-Term Plus Project – Weekday AM peak hour	Optimize intersection cycle length.

VEHICLE QUEUING

This study also included a vehicle queuing analysis where the 95th percentile queue was determined for exclusive left turn lanes at study intersections where the project is expected to add a significant number of trips. As a result of the analysis, several queue lengths exceeded the available storage length. In some cases, the inadequate queue lengths are associated with the project as the project adds vehicles trips that would either: 1) Increase the 95th percentile queue of a movement contained within the available storage lane under no project conditions and cause the 95th percentile queue to spill out of the turn pocket under plus project conditions or 2) Increase the 95th percentile queue of a movement already spilling out of the turn pocket by 25 feet or more (one or more vehicle). The following left turn lanes exceed the available storage with the proposed project. Recommended improvements for the queuing deficiencies are also shown below and are summarized in **Table E2**.

Intersection #2 (Dublin Boulevard / Hacienda Drive) – Westbound Left Turn

- Near-Term Plus Project – Weekday AM peak hour
    - To address the deficiency, the intersection signal timing splits should be optimized (same improvement that addresses the LOS deficiency in Near-Term Plus Project Conditions). With the recommended improvements, the westbound left turn queue is 512 feet in the weekday AM. The queue reduces to better than without project conditions and would no longer be considered a queuing deficiency.

Intersection #13 (Dublin Boulevard / Tassajara Road)

- Near-Term Plus Project – Weekday PM peak hour
    - In Near-Term conditions, the eastbound left turn queue of 294 feet in the weekday AM peak hour extends beyond the available storage length of 215 feet. With the proposed project, the eastbound left turn queue increases to 364 feet, adding 70 feet (or three vehicles) to the queue. This results in a queuing deficiency.
    - To address the deficiency, the inside westbound left turn lane at Glynnis Rose Drive and Dublin Boulevard should be removed to allow the outer eastbound left turn lane at Intersection #13 to extend back to Glynnis Rose Drive for additional storage. The 95th percentile queue for the westbound left turn queue at Glynnis Rose Drive and Dublin Boulevard was analyzed with the removal of one westbound left turn storage. Under Near-Term Plus Project Conditions, the westbound left turn queue is 122 feet in the PM peak hour and is contained within the available storage length of 200 feet. With the extension of the eastbound left turn storage at Intersection #13, the storage extends to 390 feet and the 95th percentile queue of 364 feet is contained within the storage. This would no longer be considered a queuing deficiency.
- Cumulative Plus Project – Saturday peak hour
    - In Cumulative conditions, the westbound left turn queue of 450 feet in the Saturday peak hour extends beyond the available storage length of 350 feet. With the proposed project, the westbound left turn queue increases to 625 feet, adding 175 feet (or seven vehicles) to the queue. This results in a queuing deficiency.
    - To address the deficiency, the intersection splits should be adjusted to provide additional green time for the westbound left turn movement. With the recommended improvements, the westbound left turn queue is 474 feet in the Saturday peak hour. The queue increases by less than 25 feet from without project conditions and would no longer be considered a queuing deficiency.

Table E2 – Summary of Queuing Deficiencies and Recommended Improvements

#	Intersection	Scenario Deficiency	Movement	Recommended Improvements
2	Dublin Boulevard / Hacienda Drive	Near-Term Plus Project – Weekday AM peak hour	WBL	*Westbound Left Turn* – Optimize intersection signal timing splits.
13	Dublin Boulevard / Tassajara Road	Near-Term Plus Project – Weekday PM peak hour	EBL	*Eastbound Left Turn* – Remove the inside westbound left turn lane at Glynnis Rose Drive and Dublin Boulevard to allow the outer eastbound left turn lane at Intersection #13 to extend back to Glynnis Rose Drive for additional storage.
		Cumulative Plus Project – Saturday peak hour	WBL	*Westbound Left Turn* – Adjust intersection splits to provide additional green time for the westbound left turn.

ALAMEDA COUNTY TRANSPORTATION COMMISSION LAND USE ANALYSIS PROGRAM

The Alameda County Transportation Commission Land Use analysis was performed to comply with its congestion management plan (CMP) Land Use Analysis Program. The analysis was evaluated along the MTS roadways of I-580, I-680, Dublin Boulevard, and Tassajara Road. Roadway segments operating at LOS F under plus project conditions are noted below.

Year 2020 Plus Project Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road
  - Increase in v/c of greater than 0.02 – **Deficiency**

Year 2040 Plus Project Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road
  - With the addition of the project trips and taking a trip credit for the land uses assumed as part the General Plan buildout, this results in an increase in v/c of less than 0.02 – **Not a Deficiency**

It is unlikely that Dublin Boulevard can be widened from three lanes to four lanes in each direction to provide additional capacity and to address the deficiency above. Therefore, a Transportation Demand Management (TDM) plan proposed. The Project is proposing a TDM plan to address CEQA impacts and to reduce mobile emissions for all uses. The TDM plan would discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. With the implementation of the TDM plan, the Project would reduce its single-occupancy vehicle trips and minimize its impact on the adjacent roadways, including eastbound Dublin Boulevard, which is identified as a deficiency under Year 2020 Plus Project Conditions. A trip reduction of approximately 4.5 percent in the PM peak hour would result in a v/c increase of less than 0.02 along eastbound Dublin Boulevard between Hacienda Drive and Tassajara Road in Year 2020 Plus Project Conditions and would no longer be considered a deficiency.

SIGNAL WARRANT EVALUTION

Traffic volumes at unsignalized study intersections were compared against the peak hour warrant in the 2014 California Manual on Uniform Traffic Control Devices (CA MUTCD) . Traffic Signal Warrant #3 – Peak Hour Volume Warrant is satisfied when traffic volumes on the major and minor approaches exceed thresholds for one hour of the day. The peak hour traffic signal warrant for each unsignalized intersection was analyzed under all scenarios. Based on the results, no study intersections met the peak hour signal warrant.

FREEWAY ON-RAMP METERING ANALYSIS

Freeway on-ramps were analyzed at the Hacienda Drive, Tassajara Road, and El Charro Road interchanges to determine the extent of the on-ramp queues due to ramp metering at each ramp. On-ramps were analyzed in the direction and peak periods when the ramp meters are active, with westbound diagonal on-ramps analyzed in the AM peak hour and eastbound loop on-ramps analyzed in the PM peak hour. Vehicles at the following on-ramps extend beyond the available ramp storage in plus project conditions:

Near-Term Plus Project Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – El Charro Road Loop On-Ramp (PM Peak Hour)

Cumulative Plus Project Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Tassajara Road Loop On-Ramp (PM Peak Hour)

SITE ACCESS AND CIRCULATION

As shown in the project site plan, the proposed development is divided into the following four planning areas:

- **Planning Area 1**
  - Access to this planning area is provided by three unsignalized driveways with one right-in/ right-out access on Tassajara Road (Intersection #44), one right-in/right-out access on Dublin Boulevard (Intersection #23), and one full-access on Brannigan Street (Intersection #29).
  - Planning Area 1 consist of the commercial and retail uses including retail shops, restaurants, Topgolf, the hotel, and the bowling alley.
- **Planning Area 2**
  - Access to this planning area is provided by two unsignalized, right-in/right-out driveways (Intersections #10 and #12) and one full-access, signalized driveway (Intersection #11) on Tassajara Road, one right-in/right-out access on Central Parkway (Intersection #18), and two unsignalized, full access driveways on Brannigan Street (Intersections #27 and #43).
  - Intersections #10, #12, #18, and #43 provide direct access to the residential units. Intersections #11 and #27 along Finnian Way provide direct access to the retail shops and Shop Houses.
- **Planning Area 3**
  - Access to this planning area is provided by four unsignalized driveways with two right-in/right-out accesses on Tassajara Road (Intersections #7 and #8), one right-in/right-out access on Central Parkway (Intersection #18), and one full-access on Brannigan Street Intersection #25).
- **Planning Area 4**
  - Access to this planning area is provided by one unsignalized, right-in/right-out access (Intersection #22) on Gleason Drive.

It should be noted that the project site plan is a conceptual development and therefore does not provide further details regarding site circulation. It is recommended that the project review vehicular site access to the project site to ensure adequate sight distance and emergency access when developing the detailed and final site plan.

PUBLIC TRANSIT, BICYCLE, AND PEDESTRIAN FACILITIES

Transit Facilities

The project proposes access for pedestrians to use public transit. Sidewalks and crosswalks are proposed adjacent to the project site to allow for pedestrians to access existing and future bus stops nearby. Route 2 has its closest bus stop on Central Parkway at Glynnis Rose Drive. Route 30R has its closest bus stop on Dublin Boulevard at Glynnis Rose Drive and Grafton Street. Route 501 has its closest bus stop area at the intersections along Gleason Drive at Central Parkway and Tassajara Road, and at the intersection of Central Parkway at Glynnis Rose Drive. Route 502 has its closest bus stop along Central Parkway at Glynnis Rose Drive and Dublin Boulevard at Brannigan Street. Route 504 has its closest bus stops on Gleason Drive at Tassajara Road and at Brannigan Street. It is anticipated that in coordination with the Livermore Amador Valley Transit Authority (LAVTA) on the future Site Development Review Permit, additional bus stops will be provided along the project frontage, including but not limited to the frontage along Dublin Boulevard. Each of these existing and future bus stops are accessible to the project site via pedestrian walkways. Therefore, the project would not conflict with the City's existing transit programs, plans, ordinances, or policies.

Transit vehicle delay was also considered for Tri-Valley Wheels bus routes that operate within the study area. Transit vehicles for the transit routes in the study area are expected to use the shared right-of-way with other motorists. Since the proposed project is anticipated to increase the vehicle delay at study intersections, transit vehicle delay may increase. In the Near-Term Plus Project condition, the maximum increase in transit vehicle delay is 44.9 seconds for Route 502 during the PM peak hour in the westbound direction. In the PM peak, Route 502 operates on Mondays, Tuesdays, and Thursdays between 4:05 PM and 4:44 PM, on Wednesdays between 3:06 PM and 3:45 PM, and on Fridays between 2:41 PM to 3:20 PM. With an increase of 44.9 seconds to the 39-minute transit route, this would result in an increased travel time of approximately 2 percent. In the Cumulative Plus Project condition, the maximum increase in transit delay is 23.1 seconds for Route 501C during the PM peak hour in the eastbound direction. These increases in transit vehicle delay should not significantly affect the overall schedule for the transit routes.

Bicycle Facilities

The project is proposing to construct Class II bicycle lanes along Gleason Drive between Tassajara Road and Brannigan Street to fill in the gaps in the bicycle network. The project is not proposing nor responsible for providing any bicycle facilities on Tassajara Road between the I-580 westbound and eastbound ramps to connect the City of Dublin bicycle network to the City of Pleasanton bicycle network. This is consistent with the proposed bicycle network outlined in the City's Bicycle and Pedestrian Master Plan. In addition, the project is not proposing to alter existing bicycle facilities. Therefore, the project would not conflict with the City's existing bicycle programs, plans, ordinances, or policies.

Pedestrian Facilities

The project is proposing to construct sidewalks along its frontage to fill in the gaps in the pedestrian network. These proposed sidewalks connect to the existing sidewalks and crosswalks adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the project site. In addition, the project is not proposing to alter existing pedestrian facilities. Therefore, the project would not conflict with the City's existing plans, ordinances, or policies as it relates to pedestrian facilities.

1. INTRODUCTION

This report presents the results of the Local Transportation Analysis (LTA) for the proposed 76.2-acre SCS Dublin Project ("Project") located in the City of Dublin, CA. The project site is currently vacant and is located to the north of Interstate 580 between Tassajara Road and Brannigan Street and extends just north of Gleason Drive. The project proposes a mixed-use development consisting of commercial/retail, hotel, and residential uses and is divided into four planning areas, as described below. The proposed project is an amendment to the City of Dublin's (City) General Plan and Eastern Dublin Specific Plan to modify the existing land use designations and to accommodate a proposed mixed-use development that would allow up to 265,000 square feet of commercial uses and up to 650 residential units.

- **Planning Area 1 – South of Dublin Boulevard**
  - Family Entertainment Use (Bowling) – 30,000 SF
  - Retail Shops – 16,000 SF
  - Restaurants – 24,000 SF
  - Hotel – 140 rooms
  - Recreational Facility (Topgolf) – 120 Hitting Bays
  - *Planning Area Access* – access to this planning area is provided by three unsignalized driveways with one right-in/right-out access on Tassajara Road, one right-in/right-out access on Dublin Boulevard, and one full-access on Brannigan Street.
- **Planning Area 2 – North of Dublin Boulevard and south of Central Parkway**
  - Retail Shops – 36,000 SF
  - Restaurants – 24,000 SF
  - Attached residential Units – 290 Dwelling Units
  - Shop-House Mixed Use Townhomes – 40 Dwelling Units
  - Multifamily Affordable Housing – 100 Dwelling Units
  - Park/Recreation – 0.8 acres
  - *Planning Area Access* – access to this planning area is provided by two unsignalized, right-in/right-out driveways and one full-access, signalized driveway on Tassajara Road, one right-in/right-out access on Central Parkway, and two unsignalized, full access driveways on Brannigan Street.
- **Planning Area 3 – North of Central Parkway and south of Gleason Drive**
  - Single Family Detached Housing – 135 Dwelling Units
  - Townhomes/Condominiums – 70 Dwelling Units
  - Park/Recreation – 1.7 acres
  - *Planning Area Access* – access to this planning area is provided by four unsignalized driveways with two right-in/right-out accesses on Tassajara Road, one right-in/right-out access on Central Parkway, and one full-access on Brannigan Street.
- **Planning Area 4 – North of Gleason Drive**
  - Single Family Detached Housing – 15 Dwelling Units
  - *Planning Area Access* – access to this planning area is provided by one unsignalized, right-in/right-out access on Gleason Drive.

A summary of the proposed land use and size of the various uses within each planning area is shown in the preferred plan in **Figure 1**.

This transportation study was prepared to determine potential operational deficiencies related to the project based on standards and methodologies set forth by the City of Dublin (City), City of Pleasanton, California

Department of Transportation (Caltrans) and Alameda County Transportation Commission (ACTC). This study evaluates the intersection level of service (LOS) and 95th percentile queuing for the weekday AM and PM peak hour traffic conditions at 32 existing intersections and 11 future project driveways, as well as site access and circulation. LOS and 95th percentile queuing were also evaluated for the Saturday peak hour traffic conditions at two existing intersections. This study also addresses the potential transportation effects of the proposed project to assist the City with project planning and the identification of potential conditions of approval for the project. These evaluations include on-ramp evaluations at the I-580 interchanges, roadway segment analysis, freeway segment analysis, transit delay evaluation, and signal warrant analyses. Potential transportation impacts, as it relates to the California Environmental Quality Act (CEQA), are discussed in the Draft Environmental Impact Report (DEIR). This includes an analysis of the project's potential impacts on vehicle miles traveled (VMT), geometric design hazards, emergency access, and consistency with programs, plans, ordinances, or policies.

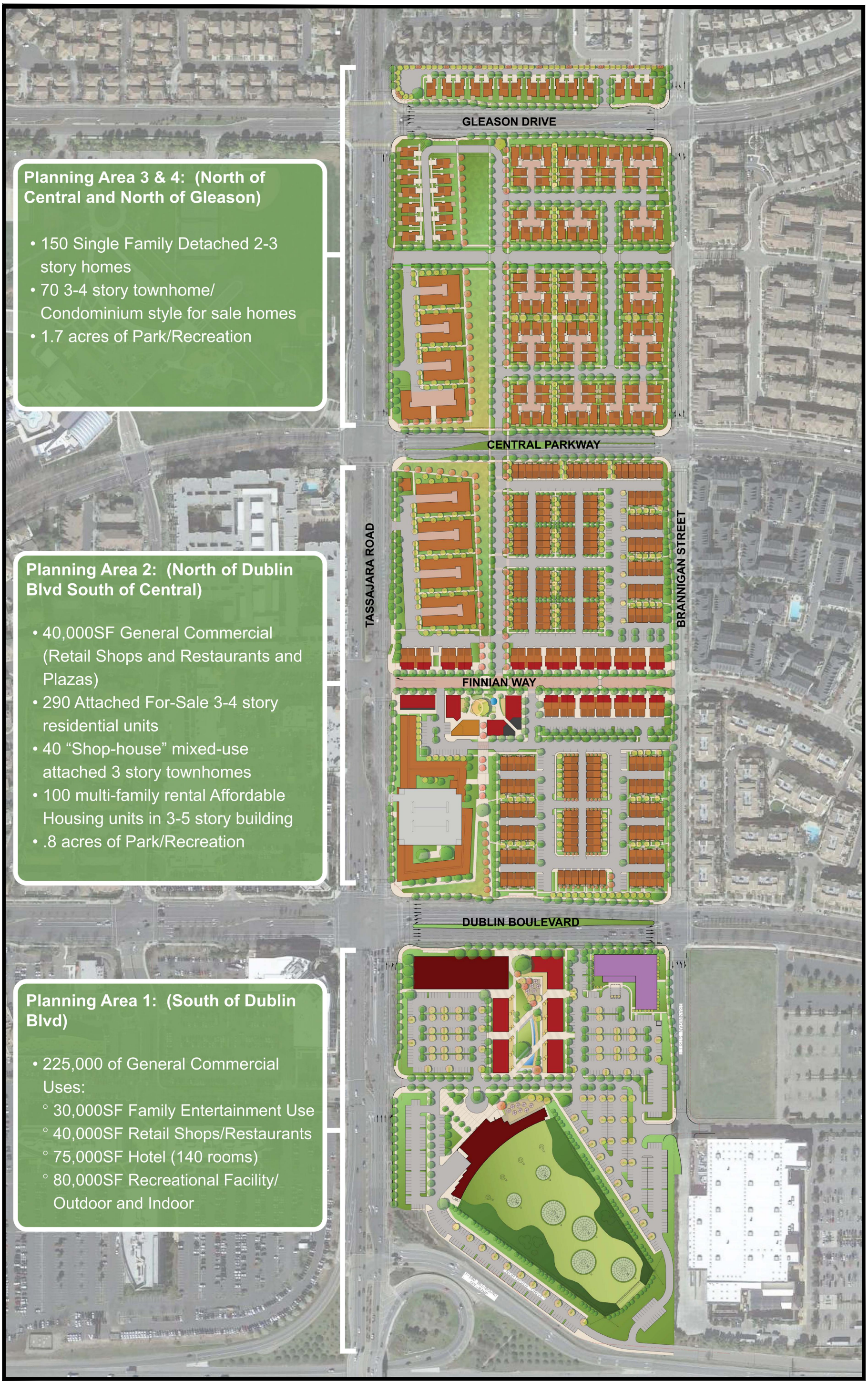


Figure 1
Project Site Plan
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

2. LOCAL TRANSPORATION ANALYSIS METHODOLOGY

This chapter presents the methodology for the local transportation analysis to evaluate level of service, queuing, roadway and freeway segments, transit delay, and site access and circulation.

STUDY AREA

The proposed project would generate vehicular trips that would increase traffic volumes on the existing nearby street network. To assess changes in traffic conditions associated with the proposed project, the following intersections in **Table 1** were evaluated. These study intersections were selected because the project would contribute a significant number of vehicle trips to the intersections and were approved by the City. Study freeway segments and roadway segments were also evaluated, as required by the ACTC Land Use Analysis Program and are shown in **Table 2** and **Table 3**, respectively. The study segments were selected as required by the ACTC Land Use Analysis Program to determine impacts on roadways within the Metropolitan Transportation System (MTS). It should be noted that the ACTC Congestion Management Program (CMP) network for routes of regional significance is utilized for monitoring conformance based on LOS standards while the MTS network is used for the Land Use Analysis Program. Therefore, this study will focus on the MTS network and not the CMP network. The project's effect on ramp metering at on-ramps along I-580 were also reviewed. **Table 4** summarizes the on-ramps that were analyzed to evaluate the project's operational deficiencies. **Figure 2** illustrates the location of each intersection relative to the project site.

Table 1 – Study Intersections

Intersection Locations	
1. Hacienda Dr / Central Pkwy [DUB]	23. Project Dwy (South Side) / Dublin Blvd [DUB]
2. Dublin Blvd / Hacienda Dr [DUB]	24. Brannigan St / Gleason Dr [DUB]
3. Hacienda Dr / I-580 WB ramps [CAL]	25. Project Dwy / Aviano Way / Brannigan St [DUB]
4. Hacienda Dr / I-580 EB ramps [CAL]	26. Brannigan St / Central Pkwy [DUB]
5. Hacienda Dr / Owens Dr [PLS]	27. Project Dwy / Finnian Way / Brannigan St [DUB]
6. Tassajara Rd / Gleason Dr [DUB]	28. Brannigan St / Dublin Blvd [DUB]
7. Project Dwy / Aviano Way / Tassajara Road [DUB]	29. Project Dwy / Brannigan St [DUB]
8. Project Dwy (North Entry Level Townhomes) / Tassajara Rd [DUB]	30. Dublin Blvd / Grafton St [DUB]
9. Tassajara Rd. / Central Pkwy [DUB]	31. Dublin Blvd / Keegan St [DUB]
10. Project Dwy (South Entry Level Townhomes) / Tassajara Rd. [DUB]	32. Dublin Blvd / Lockhart St [DUB]
11. Project Dwy / Tassajara Rd / The Shops [DUB] *	33. Fallon Rd / Tassajara Rd [DUB]
12. Project Dwy (Affordable Housing) / Tassajara Rd [DUB]	34. Gleason Dr / Fallon Rd [DUB]
13. Tassajara Rd / Dublin Blvd [DUB] *	35. Dublin Blvd / Fallon Rd [DUB]
14. Project Dwy / Tassajara Rd / Dublin Corporate Way [DUB]	36. Fallon Rd / I-580 WB Ramps [CAL]
15. Tassajara Rd / I-580 WB Ramps [CAL]	37. Fallon Rd / I-580 EB Ramps [CAL]

Intersection Locations	
16. Tassajara Rd / Santa Rita Rd / I-580 EB Ramps – Pimlico Dr [CAL]	38. El Charro Rd / Stoneridge Dr / Jack London Blvd [PLS]
17. Santa Rita Rd / Las Positas Blvd [PLS]	39. Gleason Dr / Grafton St [DUB]
18. Project Dwy (North Side) / Central Pkwy [DUB]	40. Central Pkwy / Chancery Ln [DUB]
19. Project Dwy (South Side) / Central Pkwy [DUB]	41. Grafton St / Central Pkwy [DUB]
20. Project Dwy (North Family Townhomes) / Finnian Way [DUB]	42. Central Pkwy / Fallon Rd [DUB]
21. Project Dwy (South Family Townhomes) / Finnian Way [DUB]	43. Brannigan / South Family Homes Driveway [DUB]
22. Project Dwy / Gleason Dr [DUB]	

** Includes both weekday and weekend intersection analysis.*

[DUB] - City of Dublin, [PLS] - City of Pleasanton, [CAL] – California Department of Transportation (Caltrans)

Table 2 – Study MTS Freeway Segments

MTS Freeway Locations	
a. I-580 from I-680 to Dougherty Road [CAL]	e. I-580 from Fallon Road to Airway Boulevard [CAL]
b. I-580 from Dougherty Road to Hacienda Drive [CAL]	f. I-580 from Airway Boulevard to State Route 84 [CAL]
c. I-580 from Hacienda Drive to Tassajara Road [CAL]	g. I-680 from Alcosta Boulevard to I-580 [CAL]
d. I-580 from Tassajara Road to Fallon Road [CAL]	h. I-680 from I-580 to Stoneridge Drive [CAL]

[CAL] – California Department of Transportation (Caltrans)

Table 3 – Study MTS Roadway Segments

MTS Roadway Locations
Dublin Blvd (Eastbound and Westbound)
Tassajara Road to Hacienda Drive
Santa Rita Rd/Tassajara Rd (Northbound and Southbound)
Fallon Road to Las Positas Boulevard

**Overall study roadway study boundaries are depicted in this table. Traffic study will evaluate segments of each study roadway.*

Table 4 – Study On-Ramp Metering Locations

On-ramp Metering Locations
AM Peak Hour
WB I-580 Diagonal On-ramp from Hacienda Drive
WB I-580 Diagonal On-ramp from Tassajara Road
WB I-580 Diagonal On-ramp from Fallon Road
PM Peak Hour
EB I-580 Loop On-ramp from Hacienda Drive
EB I-580 Loop On-ramp from Tassajara Road
EB I-580 Loop On-ramp from El Charro Road

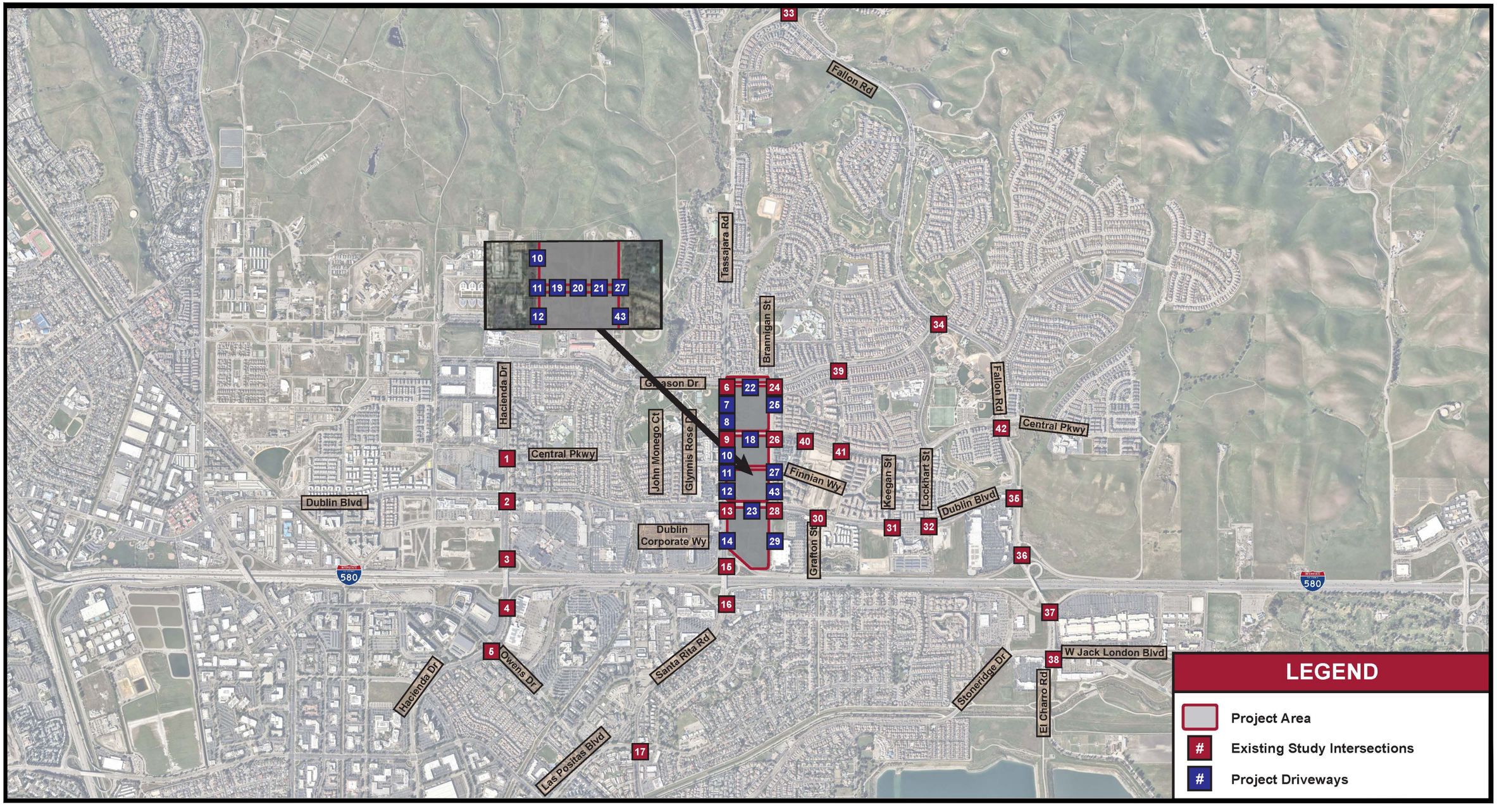


Figure 2

Project Location and Study Intersections
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

TRAFFIC CONDITIONS

This LTA evaluates the following scenarios:

- *Existing Conditions* – Traffic counts were collected in March 2022. However, due to COVID-19 and its effect on traffic patterns, counts were compared to historical traffic counts from other traffic studies in Dublin to determine whether historical counts should be used instead of the March 2022 counts. Historical counts used in this comparison were obtained from various studies such as the A*t Dublin Environmental Impact Report (EIR)* and the *New Comprehensive Dublin High School Project EIR*. Volumes from these studies were collected in June 2016, December 2017, January 2018, and November 2019. The volumes collected in March 2022 were compared to the historical counts and the higher volumes were used for the analysis as a conservative approach. This scenario assumes 2022 roadway geometry and traffic control.
- *Near-Term Conditions* – Based on existing traffic volumes plus traffic generated from a list of approved projects provided by the City and a one (1) percent annual growth rate to account for background growth. This scenario assumes roadway improvements anticipated to be in place at the same time the Project is to be completed, including the Dublin Boulevard extension.
- *Near-Term Plus Project Conditions* – Based on Near-Term traffic conditions and traffic generated by the Project. This scenario assumes roadway improvements anticipated to be in place at the same time the Project is to be completed, as well as roadway improvements as part of this project.
- *Cumulative Conditions* – Based on future year (2040) traffic forecasts from the City's travel demand model. This horizon year assumes full build-out of the City's General Plan. This scenario assumes roadway improvements to be in place in the future year (2040).
- *Cumulative Plus Project Conditions* – Based on Cumulative traffic conditions plus traffic generated by the Project. Trip credits for the assumed land uses in the Eastern Dublin Specific Plan are assumed for the project site. This scenario assumes roadway improvements to be in place in the future year (2040), as well as roadway improvements as part of this project.

Cumulative (2040) Conditions assumes full buildout of the City's General Plan, which assumes land uses to be constructed on the project site. Therefore, a trip credit for these land uses is taken for the project site prior to the addition of the project in Cumulative Plus Project Conditions.

LEVEL OF SERVICE STANDARDS

Analysis of intersection deficiencies were based on the concept of level of service (LOS). The LOS of an intersection is a qualitative measure used to describe operational conditions. LOS ranges from A (best), which represents minimal delay, to F (worst), which represents heavy delay and a facility that is operating at or near its functional capacity. Levels of service for this study were determined using methods defined in the *Highway Capacity Manual, 6th Edition* (HCM) within Synchro 11 analysis software for signalized and unsignalized intersections with the exception of five study intersections. Due to the configuration of these intersections, HCM 6th Edition does not have the capability to analyze these intersections and therefore, HCM 2000 methodology was used instead. ACTC MTS roadway and freeway study segments were analyzed based on methodology within the ACTC Congestion Management Program (CMP)[1] Land Use Analysis Program.

[1] *Congestion Management Program*, Alameda County Transportation System, September 2019.

Intersection Level of Service

HCM includes procedures for analyzing side street stop controlled (SSSC), all-way stop controlled (AWSC), and signalized intersections. The SSSC procedure defines LOS as a function of average control delay for the worst minor street movement. Conversely, the AWSC and signalized intersection procedures define LOS as a function of average control delay for the intersection as a whole. **Table 5** relates the operational characteristics associated with each LOS category for signalized and unsignalized intersections.

Table 5 - Intersection Level of Service Definitions

Level of Service	Description	Signalized (Avg. control delay per vehicle sec/veh.)	Unsignalized (Avg. control delay per vehicle sec/veh.)
A	Free flow with no delays. Users are virtually unaffected by others in the traffic stream	≤ 10	≤ 10
B	Stable traffic. Traffic flows smoothly with few delays.	> 10 – 20	> 10 – 15
C	Stable flow but the operation of individual users becomes affected by other vehicles. Modest delays.	> 20 – 35	> 15 – 25
D	Approaching unstable flow. Operation of individual users becomes significantly affected by other vehicles. Delays may be more than one cycle during peak hours.	> 35 – 55	> 25 – 35
E	Unstable flow with operating conditions at or near the capacity level. Long delays and vehicle queuing.	> 55 – 80	> 35 – 50
F	Forced or breakdown flow that causes reduced capacity. Stop and go traffic conditions. Excessive long delays and vehicle queuing.	> 80	> 50

Sources: Transportation Research Board, Highway Capacity Manual 6th Edition, National Research Council, 2016.

Alameda CTC Freeway and Roadway Segments

Freeway and roadway segments were analyzed based on volume to capacity (v/c) methodology consistent with the 2019 Alameda CTC CMP Land Use Analysis Program. **Table 6** shows the LOS category based on the v/c ratio for freeway segments and roadway segments.

Table 6 - Freeway and Roadway Segment Level of Service Criteria

Level of Service	Volume to Capacity (v/c) Ratio
A	≤ 0.35
B	> 0.35 to 0.58
C	> 0.58 to 0.75
D	> 0.75 to 0.90
E	> 0.90 to 1.0
F	> 1.0

Source: Alameda CTC Congestion Management Program, 2019

LEVEL OF SERVICE THRESHOLDS

Project traffic that causes or exacerbates operational deficiencies were determined by comparing conditions with and without the Project. Deficiencies at intersections would occur if traffic from the Project causes the LOS to fall below the maintaining agency's LOS threshold or causes already deficient intersections to deteriorate further (typically beyond a defined threshold). Intersections evaluated in this study are located in and maintained by various agencies including the City of Dublin, City of Pleasanton, Caltrans, and Alameda CTC. Each agency has developed their own level of service standards and thresholds of significance, which are summarized below.

City of Dublin

As outlined in the City of Dublin *General Plan*[2]*,* the LOS standard is LOS D for all intersections with the exception of those located within the Downtown Dublin Specific Plan area, which may operate at LOS E or worse under the condition that pedestrian and bicyclist safety is maintained and impacts to transit travel speeds are minimized. Since all City of Dublin study intersections are located outside of the Downtown Dublin Specific Plan area, the LOS criteria is LOS D. Consistent with the City's Traffic Impact Analysis (TIA) Guidelines[3], a deficiency would occur if the proposed project caused the following:

Signalized Intersections

- For signalized intersections located outside of the Downtown Dublin Specific Plan, a deficiency would be assessed if the addition of Project traffic results in the deterioration of the intersection from LOS D (or better) to LOS E or LOS F.
- For signalized intersections located in the Downtown Dublin Specific Plan area, a deficiency would be assessed if the addition of Project traffic results in the deterioration of the intersection from LOS E (or better) to LOS F.
- For signalized intersections located outside of the Downtown Dublin Specific Plan, a deficiency would be assessed at an intersection projected to operate at LOS E prior to the addition of Project traffic and the project causes the total intersection average vehicle delay to increase by six (6) seconds or more.

[2] *City of Dublin General Plan, Land Use and Circulation,* City of Dublin, Amended February 15, 2022.

[3] *Transportation Impact Analysis Guidelines,* City of Dublin, July 15, 2021.

- For signalized intersections projected to operate at LOS F, a deficiency would be assessed if the project causes: a) the overall volume to capacity (V/C) ratio to increase 0.03 or more or b) the critical movement V/C ratio to increase by 0.05 or more.

Unsignalized Intersections

- For unsignalized intersections located outside of the Downtown Dublin Specific Plan, a deficiency would be assessed if the addition of Project traffic results in the deterioration of the intersection from LOS D (or better) to LOS E or LOS F and Project traffic results in the peak hour signal warrant being met.
- For unsignalized intersections located in the Downtown Dublin Specific Plan area, a deficiency would be assessed if the addition of Project traffic results in the deterioration of the intersection from LOS E (or better) to LOS F and Project traffic results in the peak hour signal warrant being met.
- For unsignalized intersections projected to operate at below the LOS threshold prior to the addition of Project traffic, a deficiency would be assessed if the project would add ten (10) or more vehicles to the critical movement and Project traffic results in the peak hour signal warrant being met.

City of Pleasanton

As outlined in the City of Pleasanton *General Plan*[4]*,* the LOS standard is LOS D for all intersections with the exception of those located within the Downtown Area and at the City of Pleasanton gateway intersections. The LOS for these intersections may fall below the LOS D standard when no reasonable improvements exist or the necessary improvement is contrary to other goals and policies of the City. A deficiency would occur if the proposed project caused the following:

Signalized Intersections

- For signalized intersections located in Pleasanton, a deficiency would be assessed if the addition of Project traffic results in the deterioration of a signalized intersection from LOS D (or better) to LOS E or LOS F.
- For signalized intersections located in Pleasanton, a deficiency would be assessed at an intersection projected to operate at LOS E or F prior to the addition of Project traffic, if the project adds 10 or more peak hour trips.

Unsignalized Intersections

- For unsignalized intersections located in Pleasanton, a deficiency would be assessed at an intersection if the operations of a controlled movement were to worsen from LOS E to LOS F or at an intersection where the controlled movement already operates at LOS F if one of the following were true:
    - Project traffic results in the peak hour signal warrant being met
    - Project traffic increases the minor movement delay by more than 30 seconds
    - Where the peak hour signal warrant is met without the project and the project increases the traffic by 10 or more vehicles per lane on the controlled approach.

[4] *City of Pleasanton General Plan 2005-2025, Circulation Element,* City of Pleasanton, Amended August 20, 2019.

Caltrans

Caltrans has released an updated version of their Transportation Impact Study Guide that focuses on VMT, rather than intersection LOS. Therefore, this guide no longer references any LOS targets or thresholds. However, since this study includes intersection LOS, the previous 2002 Traffic Impact Study Guide[5] will be referenced. In that document, Caltrans endeavors to maintain a target LOS at the transition between LOS C and LOS D on State Highway facilities (Guide for the Preparation of Traffic Studies, Caltrans, December 2002); however, Caltrans recognizes that achieving LOS C/LOS D may not always be feasible. A standard of LOS E or better on a peak hour basis was used as the planning objective for the evaluation of potential impacts of this development on Caltrans facilities as that is the standard set for Caltrans facilities in the study area by the Alameda CTC. The following criteria were used to evaluate potential impacts to Caltrans facilities:

- If a Caltrans facility (intersection/mainline/ramp) is projected to operate at LOS E or better without the project and the project is expected to cause the facility to operate at LOS F, the impact may be considered significant; or
- If a Caltrans facility is projected to operate at LOS F without the project and the project is expected to increase density, the impact may be considered significant.

Alameda County Transportation Commission

The Alameda CTC does not have adopted thresholds of significance for Congestion Management Plan land use analysis purposes. Past analyses within the City of Dublin have used the following criteria to assess roadway segment impacts:

- For a roadway segment of the Alameda CTC Congestion Management Program Network, the project would cause (a) the LOS to degrade from LOS E or better to LOS F or (b) the V/C ratio to increase 0.02 or more for a roadway segment that would operate at LOS F without the project.

QUEUING

The effects of vehicle queuing were analyzed and the 95th percentile queue is reported for study intersections where the project is expected to add a significant number of trips to left turn lanes. The 95th percentile queue length represents a condition where 95 percent of the time during the peak hour, traffic queues will be less than or equal to the queue length determined by the analysis. This is referred to as the "95th percentile queue." Average queuing is generally less.

Queues that exceed the turn pocket length can create potentially hazardous conditions by blocking or disrupting through traffic in adjacent travel lanes. The cities of Dublin and Pleasanton do not have standards for queuing and for the purpose of this analysis, queuing deficiencies would be considered as operational issues. Thus, operational deficiencies were considered to occur under conditions where project traffic causes the queue to extend beyond the turn pocket by 25 feet or more (i.e., the length of one vehicle) into adjacent traffic lanes that operate separately from the left turn lane. Where the vehicle queue already exceeds that turn pocket length under pre-project conditions, a queuing deficiency would occur if project traffic lengthens the queue by 25 feet or more.

[5] *Caltrans Guide for the Preparation of Traffic Impact Studies,* State of California Department of Transportation, December 2002

TRANSIT DELAY

Transit delay was evaluated to determine the effects of the project on the transit system. The transit analysis evaluated existing Tri-Valley Wheels bus routes that currently operate within the study area, particularly through a study intersection. Deficiencies to the transit system as a result of the project, such as a possible increase in demand or vehicle delay was analyzed. It should be noted that the City's TIA guidelines do not have threshold for transit impacts, therefore the transit analysis is stated for informational purposes only.

REPORT ORGANIZATION

The remainder of the report is divided into the following chapters for the local transportation analysis:

- Chapter 3: Existing Conditions – describes existing conditions on the roadway network, transit system, pedestrian facilities, and bicycle facilities.
- Chapter 4: Project Conditions – describes the proposed project, trip generation, trip distribution, and trip assignment on the street network.
- Chapter 5: Near-Term Conditions – describes the traffic conditions under Near-Term Conditions with and without the proposed project.
- Chapter 6: Cumulative Conditions – describes the traffic conditions under Cumulative Conditions with and without the proposed project.
- Chapter 7: Alameda CTC Land Use Analysis – describes the existing and future conditions of the Metropolitan Transportation System roadway segments and estimated deficiency on the roadways segments as a result of the project.
- Chapter 8: Signal Warrant Evaluation – describes the results of the peak hour signal warrant evaluation at unsignalized study intersections.
- Chapter 9: Freeway On-Ramp Metering Analysis – describes the freeway on-ramp queuing analysis along I-580 at the Hacienda Drive, Tassajara Road, and El Charro Road interchanges.
- Chapter 10: Vehicle Queuing and Site Access and Circulation - describes vehicle queuing analysis at the study intersections, as well as site access and circulation for the project.
- Chapter 11: Public Transit, Bicycle, and Pedestrian Facilities – describes potential effects the proposed project may have on the transit system, pedestrian facilities, and bicycle facilities
- Chapter 12: Summary of Intersection LOS Deficiencies and Recommended Improvements – summarizes potential intersection LOS deficiencies of the proposed project and improvements, if necessary.
- Chapter 13: Summary of Queuing Deficiencies and Recommended Improvements – summarizes potential queuing deficiencies of the proposed project and recommended improvements, if necessary.

3. EXISTING CONDITIONS

This chapter describes the existing conditions of the roadway network, transit service, pedestrian facilities, and bicycle facilities within the vicinity of the project site. The chapter also presents existing turning movement volumes and intersection levels of service.

EXISTING ROADWAY NETWORK

This section provides a description of the specific roadways included in this study.

Interstate 580 (I-580) is part of the interstate freeway system and is located directly to the south of the project site. I-580 extends east-west connecting the project to the San Francisco Bay Area in the west and the City of Livermore and Interstate 5 in the east. The posted speed limit on I-580 is 65 miles per hour (mph) in the project area. I-580 express lanes were opened in 2016 and are in operation Monday through Friday from 5:00 AM to 8:00 PM. I-580 is a designated route of regional significance in the Tri-Valley Transportation Plan and Action Plan for Routes of Regional Significance.

Dublin Boulevard is an east-west roadway that bisects the southern portion of the project site. It is classified as an arterial west of Tassajara Road and a collector east of Tassajara Road. This roadway serves existing residential, office, and retail land uses. Phase 1A of the Kaiser medical office building was constructed on the parcel south of Dublin Boulevard between Keegan Street/Kaiser Road and Lockhart Street. A portion of Phase 1B is under construction and is located on the vacant parcels south of Dublin Boulevard between Carnmore Place and Kaiser Road. The remaining Phase 2 to Phase 3 will be located on the parking area south of the existing Kaiser Medical Center and the vacant parcels south of Dublin Boulevard between Kaiser Road and the existing Fallon Gateway retail center. In addition, the Emerald High School is currently under construction and will be located to the east of the project site bounded by Central Parkway to the north, Dublin Boulevard to the south, Chancery Lane and Finnian Way to the west, and residential homes to the east. Primary vehicle access will be provided via Central Parkway with secondary access to the athletic field parking lot off Dublin Boulevard.

On-street parking is not permitted along this roadway and the posted speed limit is 45 mph in the project area. Dublin Boulevard is a divided roadway with five to six lanes in the project area. Sidewalks exist along both sides of the roadway in the project area, except for along the project frontage. Class II bike lanes also exist along Dublin Boulevard. The Dublin Boulevard Extension project to extend Dublin Boulevard 1.5 miles from Fallon Road to North Canyons Parkway in Livermore is currently in the design phase. The extension is planned to have four to six travel lanes with a median, Class II buffered bike lanes, sidewalks, a shared use path on the north, curb and gutter, traffic signals, street lighting, landscaped raised median islands, bus stops, and all city street utilities.

Fallon Road is a north-south arterial extending east of the project site near the City of Dublin eastern border. The roadway primarily serves residential land uses, with retail located at the south end near the I-580 ramps. Westbound and eastbound ramps provide access to I-580. On-street parking is not permitted along this roadway and the posted speed limit is 45 mph north of the I-580 ramps. The speed limit is 40 mph north of Bent Tree Drive (through Tassajara Road). Fallon Road is a divided roadway in the project area and varies from four lanes in between the I-580 ramps and Central Parkway, six lanes from Central Parkway to Gleason Drive, and four lanes from Gleason Drive to Tassajara Road. Sidewalks exist along both sides of Fallon Road from south of Central Parkway to Signal Hill Drive/Kingsmill Terrace. Gaps exist in the sidewalk on Fallon Road, including north of Signal Hill Drive/Kingsmill Terrace, and near Dublin Boulevard to south of Stoneridge Drive/Jack London Boulevard. Class II bike lanes exist along this roadway

from north of the I-580 ramps to Tassajara Road. A Class IB sidepath also exists along this roadway between Gleason Drive and Tassajara Road. No bike lanes exist south of the I-580 ramps.

Tassajara Road is a north-south principal arterial extending along the project site (west side). It provides access to Camino Tassajara to the north, which connects to the City of San Ramon and unincorporated Contra Costa County. I-580 eastbound and westbound ramps are located on this roadway. On-street parking is not permitted on this road and the posted speed limit is 45 mph in the project area. North of Somerset Lane, the roadway varies between four divided lanes and two undivided lanes. It is a five-lane divided roadway from Somerset Lane to Cascade Creek Lane/Dublin Ranch Drive (two northbound lanes, three southbound lanes), a four-lane divided roadway from Cascade Creek Lane/Dublin Ranch Drive to Central Parkway, a five-lane divided roadway (two northbound lanes, three southbound lanes) from Central Parkway to I-580 ramps, and a six-lane divided roadway from I-580 ramps south into Pleasanton. Sidewalks and Class II bike lanes exist along most of Tassajara Road. No sidewalks exist along the project frontage.

Brannigan Street is a two-lane, north-south minor arterial extending along the project site (east side). The roadway extends approximately 0.75 miles and primarily serves residential land uses, with a Lowes Home Improvement center and retail located south of Dublin Boulevard. On-street parking is striped and permitted along approximately 0.25 miles of this roadway and the posted speed limit is 25 mph in the project area. Sidewalk exists along Brannigan Street, except along the project frontage and along the undeveloped parcel south of Dublin Boulevard where Brannigan Street is a private street. A Class IB Sidepath exists along this roadway between Dublin Boulevard and Kohnen Way.

Central Parkway is a three-mile two-lane divided east-west minor arterial that extends through the northern portion of the project site and serves residential land uses, as well as the offices located at the west end, Emerald Glen Park just west of Tassajara Road, James Dougherty Elementary School located east of Hacienda Drive, and Cottonwood Creek Elementary at the east end. On-street parking is not permitted along this roadway except for a few short segments near residential uses on the east end of the roadway and in front of James Dougherty Elementary School. The posted speed limit is 35 mph in the project area. Sidewalks exist along both sides of Central Parkway for a majority of the roadway except along both sides of the project frontages. Class II bike lanes exist along both sides of Central Parkway and a Class IB Sidepath exists exist along the roadway between Brannigan Street and Lockhart Street.

Gleason Drive is two-mile east-west minor arterial that extends through the northern portion of the project site. The roadway primarily serves residential land uses, as well as the offices located at the west end of the road and Emerald Glen Park west of Tassajara Road. On-street parking is not permitted along this roadway and the posted speed limit is 40 mph. Gleason Drive is a four-lane divided roadway, except for a one-block stretch along the project frontage, where it is a two-lane divided roadway. Sidewalks and Class II bike lanes exist along Gleason Drive, except for along the project frontage, where no sidewalks or bike facilities exist.

Hacienda Drive is a north-south collector located west of the project site and extends approximately two and a half miles from the City of Dublin in the north, to the City of Pleasanton in the south. Hacienda Drive is classified as an arterial south of Dublin Boulevard. The roadway connects nearby offices, corporate campuses, and retail to local single family and multifamily residential land uses. I-580 eastbound and westbound ramps are located on this roadway. A new IKEA store was approved in 2018 (not constructed) west of Hacienda Drive, east of Arnold Road, and between Martinelli Way to the north and I-580 to the south. On-street parking is not permitted on this road and the posted speed limit is 35 mph. It is a three-lane divided roadway (two northbound lanes, one southbound lane) from Gleason Drive to Central Parkway, a five-lane divided roadway (two northbound lanes, three southbound lanes) from Central Parkway to Dublin

Boulevard, and a six-lane divided roadway from Dublin Boulevard south into Pleasanton. Sidewalks and Class II bike lanes exist along both sides of this roadway.

EXISTING TRANSIT FACILITIES

Tri-Valley Wheels has multiple transit routes in the cities of Pleasanton, Dublin, and Livermore. Many routes (such as Route 1, 3, 10R, etc.) operate within the project area, but do not operate near the project site. Only routes that service the nearby area of the project are described in this section. **Figure 3** shows the transit facilities in the project area. Schedules for each route are current as of May 2022, but may change due to COVID-19 or other external factors.

Route 2 is a local bus route that operates between the East Dublin/Pleasanton BART Station and Positano Hill. In the project area, Route 2 operates on Central Parkway, Tassajara Road, Brannigan Street, and Gleason Drive. On weekdays, Route 2 operates between 7:33 AM and 8:20 AM and between 3:15 PM and 3:45 PM. Route 2 only operates a single trip in the morning and afternoon to serve Fallon Middle School and does not operate on Saturdays or Sundays. The closest bus stop is on Central Parkway at Glynnis Rose Drive.

Route 30R is a local bus route that operates between the West Dublin/Pleasanton BART Station and the Sandia Laboratory in Livermore, CA. In the vicinity of the project site, Route 30R operates on Dublin Boulevard. On weekdays, Route 30R operates between 5:14 AM and 10:50 PM in 30-minute headways. On weekends, Route 30R operates between 5:16 AM and 10:53 PM in 60-minute headways. The closest bus stop is on Dublin Boulevard at Glynnis Rose Drive and Grafton Street.

Route 501a, 501b, and 501c are Dublin School Routes that operate between Dublin High School and Positano Hill. In the vicinity of the project site, Route 501a operates on Gleason Drive, Tassajara Road, and Fallon Road, Route 501b operates on Gleason Drive, Tassajara Road, Central Parkway, and Fallon Road, and Route 501c operates on Dublin Boulevard and Fallon Road. In the morning, it operates between 7:38 AM and 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM and 4:40 PM. On Wednesday afternoons, it operates between 3:06 PM and 3:41 PM. On Friday afternoons, it operates between 2:41 PM and 3:16 PM. The service is only provided on school days. The closest bus stop area is at the intersections along Gleason Street at Central Parkway and Tassajara Road and Central Parkway at Glynnis Rose Drive.

Route 502 is a Dublin School Route that operates between Dublin High School and the intersection of Central Parkway and Panorama Drive. In the vicinity of the project site, Route 502 operates on Tassajara Road, Dublin Boulevard, and Central Parkway. In the morning, it operates between 7:32 AM and 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM and 4:44 PM. On Wednesday afternoons, it operates between 3:06 PM and 3:45 PM. On Friday afternoons, it operates between 2:41 PM and 3:20 PM. The service is only provided on school days. Near the project site, there is a bus stop at the intersections along Central Parkway at Glynnis Rose Drive and Dublin Boulevard at Brannigan Street.

Route 504 is a Dublin School Route that operates between Dublin High School and the intersection of Gleason Drive and Brannigan Street. In the vicinity of the project site, Route 504 operates on Dublin Boulevard, Tassajara Road, Fallon Road, and Gleason Drive. In the morning, it operates between 7:41 AM and 8:10 AM. On Monday, Tuesday, and Thursday afternoons, it operates between 4:05 PM and 4:36 PM. On Wednesday afternoons, it operates between 3:06 PM and 3:37 PM. On Friday afternoons, it operates between 2:41 PM and 3:12 PM. The service is only provided on school days. The closest bus stops are along Gleason Drive at Tassajara Road and Brannigan Street.

EXISTING PEDESTRIAN FACILITIES

Existing pedestrian facilities in the project area include sidewalks along the west side of Tassajara Road and on the east side of Brannigan Street from Dublin Boulevard to beyond the northern project site boundary. Sidewalks also exist on both sides of Gleason Drive, Central Parkway, and Dublin Boulevard from Tassajara Road on the west to Brannigan Street on the east. No sidewalks currently exist along the project frontage.

EXISTING BICYCLE FACILITIES

Bicycle facilities are divided into four classes. Class I bike paths are physically separated from motor vehicle lanes and are further divided into Class IA Multi-use Paths and Class IB Sidepaths. Class II bike lanes on roadways are marked by signage and pavement striping. Painted buffers may separate the vehicle travel lanes from the bike lane and green bike lane pavement coloring are used to highlight potential conflict zones between vehicles and cyclists. Class III bike routes share the travel lane with motor vehicles and have signs and sharrow striping to guide bicyclists on paved routes. Class IV bike facilities are protected cycle tracks that provide a physical barrier between motor vehicles and cyclists. **Figure 4** shows the bicycle facilities in the project area.

Direct access to bicycle facilities is provided adjacent to the project site including Class IB Sidepaths along Brannigan Street, Finnian Way, Central Parkway, and Dublin Boulevard and Class II bike lanes along Tassajara Road, Gleason Drive, Central Parkway, and Dublin Boulevard.

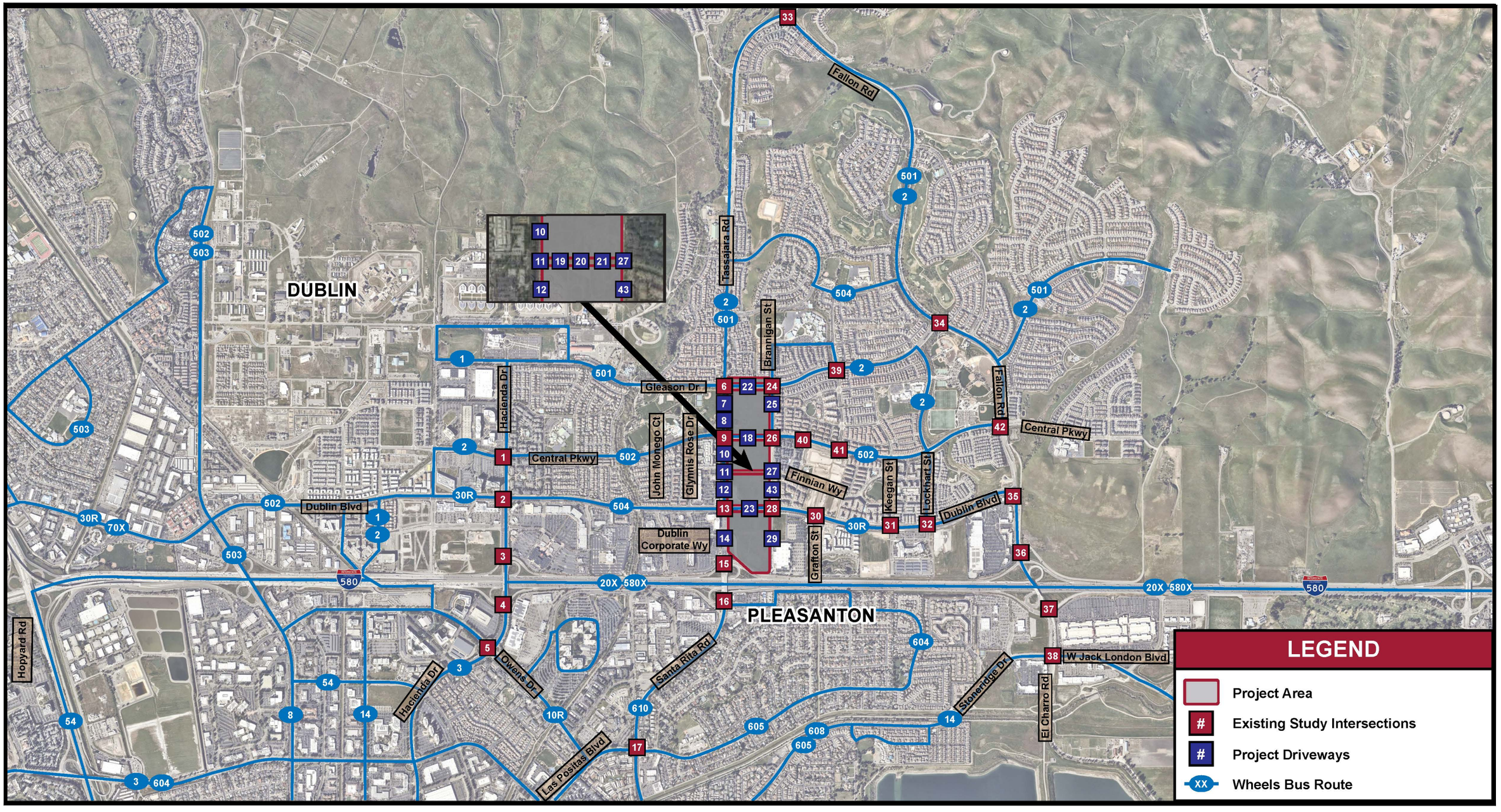


Figure 3
Existing Transit Facilities
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

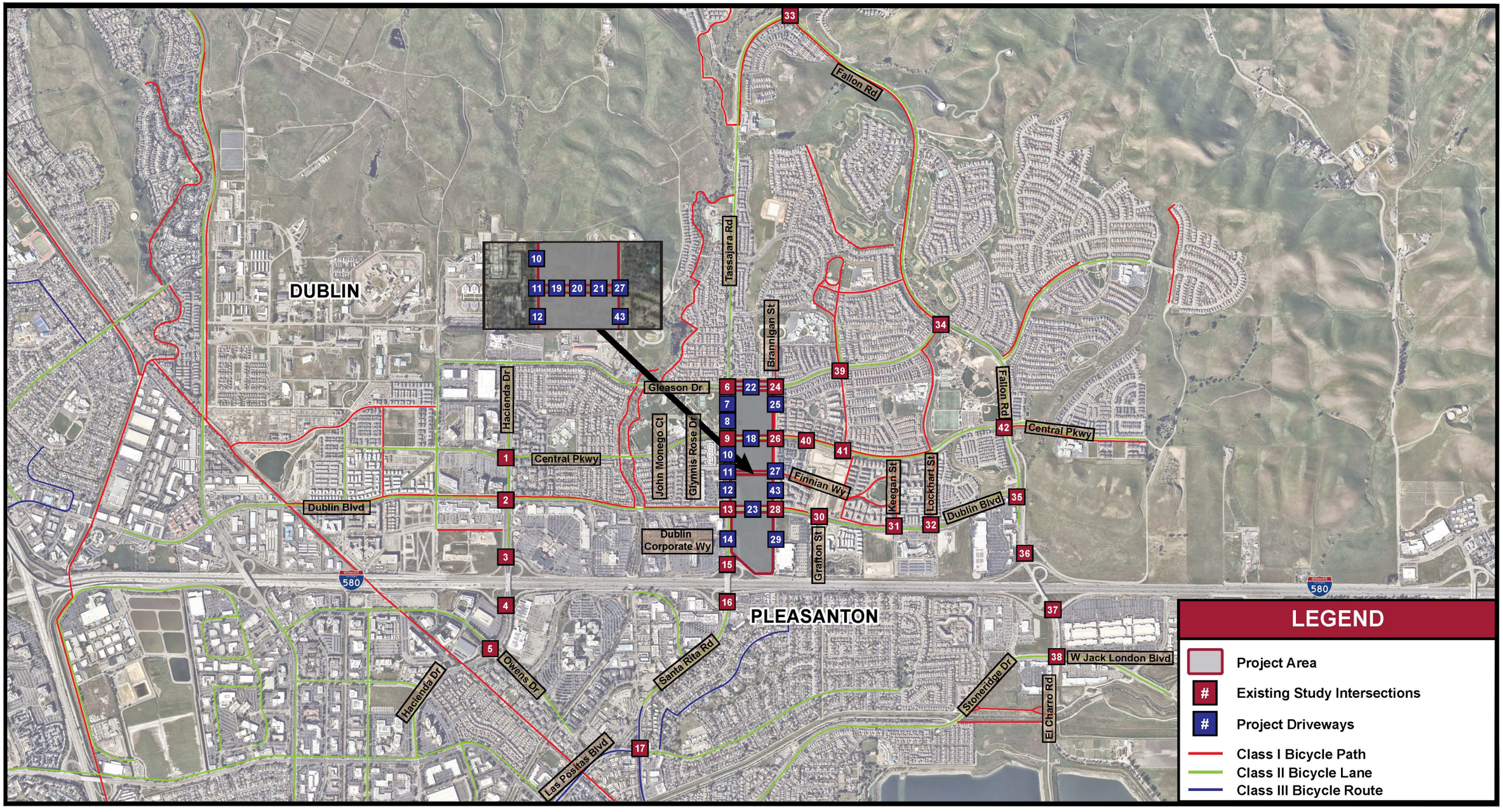


Figure 4

Existing Bicycle Facilities
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

EXISTING LANE CONFIGURATION AND TRAFFIC CONTROL

Existing intersection lane configuration and traffic controls are illustrated in **Figure 5**.

EXISTING PEAK HOUR TURNING MOVEMENT VOLUMES

Weekday intersection turning movement volumes were collected in March 2022 for the AM and PM peak hours. However, due to COVID-19 and its effect on traffic patterns, these counts were compared to historical traffic volumes from other traffic studies in Dublin to determine whether the collected counts were within reason or if they were affected by COVID-19. Historical volumes that were used in this comparison were obtained from the following studies:

- *At Dublin EIR* – counts collected in June 2016, December 2017, and January 2018
    - June 2016 counts within the At Dublin EIR were derived from the *Dublin IKEA Final Transportation Assessment*
- *New Comprehensive Dublin High School Project EIR* – counts collected in November 2019

The March 2022 counts were compared to the historical traffic counts and as a conservative approach, the higher volume was used for the analysis.

Saturday intersection turning movement volumes were also collected in March 2022 for two study intersections at Intersections #11 and #13. Similar to the approach for weekday AM and PM peak hour turning movement volumes, these volumes were compared to historical traffic counts and the higher volumes were used for the analysis.

Intersection volume data sheets are provided in the **Appendix**. Peak hour turning movement volumes are shown in **Figure 6**.

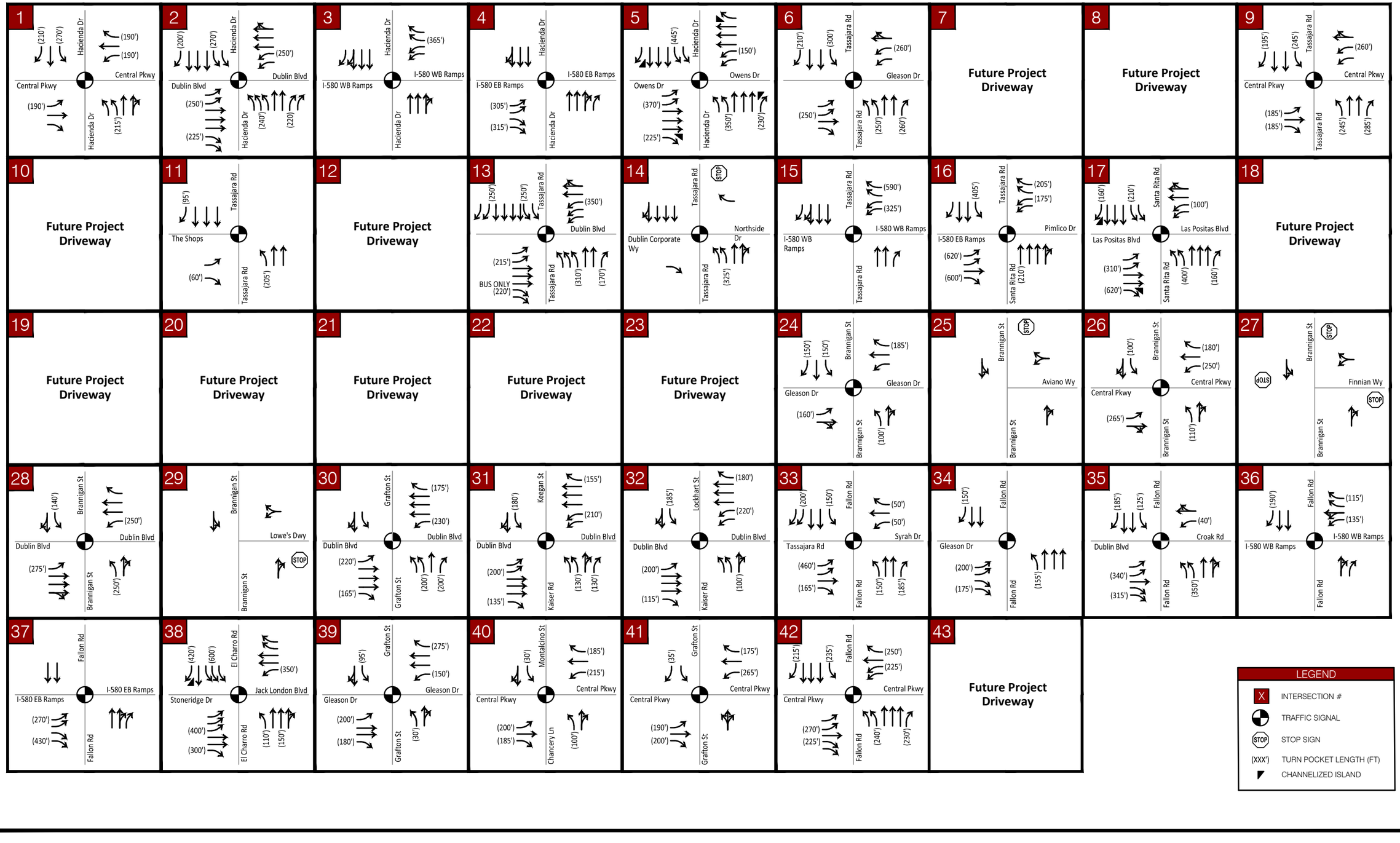


Figure 5

Existing Condition Lane Geometry and Traffic Control

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

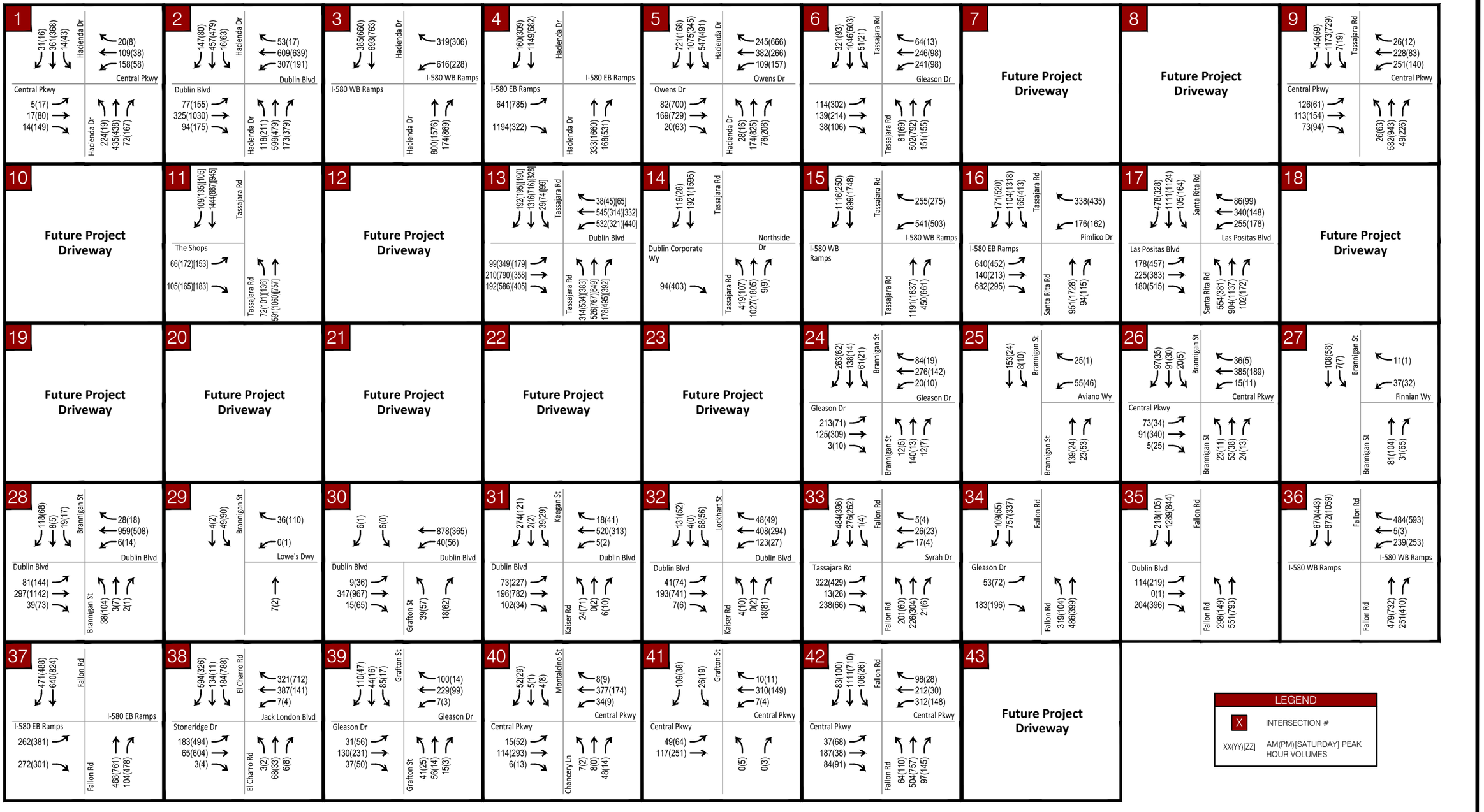


Figure 6

Existing Condition Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

EXISTING INTERSECTION LEVEL OF SERVICE

Traffic operations were evaluated at the study intersections under Existing traffic conditions. Intersection LOS results of the analysis are presented in **Table 7** and **Table 8** for the weekday and Saturday peak hours, respectively. Locations operating unacceptably are bolded. **Table 7** and **Table 8** list the LOS criteria, municipal jurisdiction, intersection control, and LOS/delay for each intersection. It should be noted that Intersection #14 was analyzed as two separate intersections due to its configuration as a signalized intersection at Dublin Corporate Way and as a side-street stop-controlled intersection at Northside Drive/Project Driveway. This intersection was analyzed as Intersection #14 and Intersection #44.

Table 7 - Existing Intersection Level of Service Summary – Weekday

#	Intersection	LOS Criteria	Jurisdiction	Control	Existing Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
1	Hacienda Dr / Central Pkwy	D	Dublin	Signal	B	17.9	B	18.1
2	Dublin Blvd / Hacienda Dr	D	Dublin	Signal	D	48.7	D	39.4
3	Hacienda Dr / I-580 WB ramps	D*	Caltrans[4]	Signal	B	11.0	A	8.6
4	Hacienda Dr / I-580 EB ramps[1]	D*	Caltrans[4]	Signal	C	20.3	B	14.2
5	Hacienda Dr / Owens Dr	D*	Pleasanton	Signal	B	18.4	D	40.2
6	Tassajara Rd / Gleason Dr	D	Dublin	Signal	C	34.8	D	35.4
7	Project Dwy / Aviano Way / Tassajara Road	D	Dublin	SSSC	Future Project Driveway			
8	Project Dwy (North Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
9	Tassajara Rd / Central Pkwy	D	Dublin	Signal	C	21.5	D	35.9
10	Project Dwy (South Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
11	The Shops / Tassajara Rd	D	Dublin	Signal	A	3.5	B	12.1
12	Project Dwy (Affordable Housing) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	D	38.0	D	43.2
14	Tassajara Rd / Dublin Corporate Way[1,3]	D	Dublin	Signal	A	7.5	C	22.9
15	Tassajara Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	B	14.5	B	16.3
16	Tassajara Rd /Santa Rita Rd / I-580 EB Ramps – Pimlico Dr	D*	Caltrans[4]	Signal	C	21.4	C	33.7
17	Santa Rita Rd / Las Positas Blvd	D	Pleasanton	Signal	D	51.0	D	43.9
18	Project Dwy (North Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway			
19	Project Dwy (South Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway			
20	Project Dwy (North Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
21	Project Dwy (South Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
22	Project Dwy / Gleason Dr	D	Dublin	SSSC	Future Project Driveway			
23	Project Dwy (South Side) / Dublin Blvd	D	Dublin	SSSC	Future Project Driveway			
24	Brannigan St / Gleason Dr	D	Dublin	Signal	C	31.3	B	11.2
25	Aviano Way / Brannigan St	D	Dublin	SSSC	A	3.0	A	3.2
	Worst Approach				B	13.9	A	9.3

#	Intersection	LOS Criteria	Jurisdiction	Control	Existing Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
26	Brannigan St / Central Pkwy	D	Dublin	Signal	B	19.4	B	11.6
27	Finnian Way / Brannigan St	D	Dublin	AWSC	A	7.9	A	8.1
28	Brannigan St / Dublin Blvd	D	Dublin	Signal	B	10.5	B	11.4
29	Brannigan St Bend/Lowe's Truck Access	D	Dublin	SSSC	A	0.0	A	0.0
	Worst Approach				A	0.0	A	0.0
30	Dublin Blvd / Grafton St	D	Dublin	Signal	A	8.1	A	7.1
31	Dublin Blvd / Keegan St	D	Dublin	Signal	B	13.1	B	13.8
32	Dublin Blvd / Lockhart St	D	Dublin	Signal	B	12.0	B	11.6
33	Fallon Rd / Tassajara Rd	D	Dublin	Signal	B	18.4	B	16.5
34	Gleason Dr / Fallon Rd[1]	D	Dublin	Signal	C	24.6	B	14.5
35	Dublin Blvd / Fallon Rd	D	Dublin	Signal	B	15.1	B	12.4
36	Fallon Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	A	6.1	A	7.3
37	Fallon Rd / I-580 EB Ramps	D*	Caltrans[4]	Signal	A	5.7	A	6.6
38	El Charro Rd / Stoneridge Dr / Jack London Blvd	D	Pleasanton	Signal	B	15.7	B	16.6
39	Gleason Dr / Grafton St	D	Dublin	Signal	C	20.5	B	11.8
40	Central Pkwy / Chancery Ln	D	Dublin	Signal	B	13.1	B	11.2
41	Grafton St / Central Pkwy[1]	D	Dublin	Signal	B	12.1	A	9.2
42	Central Pkwy / Fallon Rd	D	Dublin	Signal	D	36.5	C	21.9
43	Brannigan / South Family Homes Dwy	D	Dublin	SSSC	Future Project Driveway			
44	Tassajara Rd / Project Dwy[3]	D	Dublin	SSSC	A	0.0	A	0.0
	Worst Approach				A	0.0	A	0.0

* City of Pleasanton Gateway intersection. Intersections operating unacceptably are shown in **bold.**

1. Intersection analyzed using HCM 2000 methodology instead of HCM 6th Edition.
2. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.
3. Due to the configuration of this intersection, it was analyzed as two separate intersections (Intersection #14 and Intersection #44).
4. Caltrans intersection maintained by the City of Pleasanton.

Table 8 - Existing Intersection Level of Service Summary – Saturday

#	Intersection	LOS Criteria	Jurisdiction	Control	Existing Saturday	
					Saturday Peak	
					LOS	Delay[1] (sec)
11	The Shops / Tassajara Rd	D	Dublin	Signal	A	9.7
13	Tassajara Rd. / Dublin Blvd	D	Dublin	Signal	C	32.8

Intersections operating unacceptably are shown in **bold.**

1. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

All study intersections function within acceptable LOS standards in Existing Conditions under the weekday and Saturday scenarios. Analysis sheets are provided in the **Appendix**.

4. PROJECT CONDITIONS

This chapter presents a description of the proposed project's site use, trip generation, trip distribution, and trip assignment.

PROPOSED SITE USE

The project proposes a mixed-used development consisting of commercial/retail, hotel, and residential uses and is divided into four planning areas, as described below. It should be noted that the retail shop/restaurant land uses do not distinguish the specific type of retail use. Therefore, a mix of retail shops, fast casual restaurant, and fast-food restaurant without drive-through land uses were assumed to be conservative.

- **Planning Area 1 – South of Dublin Boulevard**
  - Family Entertainment Use (Bowling) – 30,000 SF
  - Retail Shops – 16,000 SF
  - Restaurants – 24,000 SF
  - Hotel – 140 rooms
  - Recreational Facility (Topgolf) – 120 Hitting Bays
  - *Planning Area Access* – access to this planning area is provided by three unsignalized driveways with one right-in/right-out access on Tassajara Road, one right-in/right-out access on Dublin Boulevard, and one full-access on Brannigan Street.
- **Planning Area 2 – North of Dublin Boulevard and south of Central Parkway**
  - Retail Shops – 36,000 SF
  - Restaurants – 24,000 SF
  - Attached residential Units – 290 Dwelling Units
  - Shop-House Mixed Use Townhomes – 40 Dwelling Units
  - Multifamily Affordable Housing – 100 Dwelling Units
  - Park/Recreation – 0.8 acres
  - *Planning Area Access* – access to this planning area is provided by two unsignalized, right-in/right-out driveways and one full-access, signalized driveway on Tassajara Road, one right-in/right-out access on Central Parkway, and two unsignalized, full access driveways on Brannigan Street.
- **Planning Area 3 – North of Central Parkway and south of Gleason Drive**
  - Single Family Detached Housing – 135 Dwelling Units
  - Townhomes/Condominiums – 70 Dwelling Units
  - Park/Recreation – 1.7 acres
  - *Planning Area Access* – access to this planning area is provided by four unsignalized driveways with two right-in/right-out accesses on Tassajara Road, one right-in/right-out access on Central Parkway, and one full-access on Brannigan Street.
- **Planning Area 4 – North of Gleason Drive**
  - Single Family Detached Housing – 15 Dwelling Units
  - *Planning Area Access* – access to this planning area is provided by one unsignalized, right-in/right-out access on Gleason Drive.

TRIP GENERATION

Trip generation for projects is typically calculated based on information contained in the Institute of Transportation Engineer's (ITE) publication, *Trip Generation Manual, 11th Edition*[6]. The manual is a standard reference used by jurisdictions throughout the country for the estimation of trip generation potential of proposed projects. A trip is defined in the *Trip Generation Manual* as a single or one-directional vehicle movement with either the origin or destination at the project site. In other words, a trip can be either "to" or "from" the site and therefore, a single visitor to a site is counted as two trips.

For purposes of determining the worst-case deficiency of traffic on the surrounding street network, the trips generated by the proposed project are estimated for the weekday AM peak hour (between 7:00 AM and 9:00 AM), and for the weekday PM peak hour (between 4:00 PM and 6:00 PM) on a typical weekday. As the ITE Trip Generation Manual does not specify a time frame for the Saturday peak hour, trip generation rates for the Saturday peak hour were applied to all uses, regardless of whether the Saturday peak hour occurs at different time periods for each use, as the worst-case deficiency on traffic. ITE methodology dictates that the fitted curve equation should be used if there are 20 or more data points, or if the R^2 value is greater than 0.75 (the R^2 value shows how close the data is to the fitted curve, with 1.0 being the best fit, and 0.0 showing no fit) and the weighted average rate should be used if the weighted standard deviation is less than or equal to 55 percent of the weighted average rate.

Weekday and Saturday Trip Generation

The following describes the methodology used to develop the weekday and Saturday trip generation for each planning area:

- **Planning Area 1**
  - Fitted Curve Equation used for:
    - ITE 310 (Hotel) for hotel use.
  - Average Rates used for:
    - ITE 437 (Bowling Alley) for the family entertainment use, ITE 822 (Strip Retail Plaza <40 KSF) for retail shop uses, and ITE 930 (Fast Casual Restaurant) and ITE 933 (Fast Food Restaurant without Drive-Through) for the restaurant uses.
  - Trip generates rates for the Topgolf (recreational facility) were derived from the *North Central Roseville Traffic Impact Analysis*[7] dated January 2015 and used to determine the trips generated for the proposed Project.
- **Planning Area 2**
  - Average Rates used for:
    - ITE 822 (Strip Retail Plaza <40 KSF) for retail shop uses, ITE 930 (Fast Casual Restaurant) and ITE 933 (Fast Food Restaurant without Drive-Through) for the restaurant uses, ITE 220 (Multifamily Housing Low-Rise) for the attached residential units and shop-house mixed-use townhomes, ITE 223 (Affordable Housing) for the multifamily affordable housing, and ITE 411 (Recreational) for the park/recreation use.

[6] *Trip Generation Manual, 11th Edition*, Institute of Transportation Engineers, 2021

[7] *Transportation Impact Study Report for North Central Roseville Specific Plan – Parcel 49*, Fehr & Peers, January 23, 2015.

- **Planning Area 3**
    - Average Rates used for:
        - ITE 210 (Single-Family Detached Housing) for the single-family residential units, ITE 220 (Multifamily Housing Low-Rise) for the townhomes/condominiums, and ITE 411 (Recreational) for the park/recreation use.
- **Planning Area 4**
    - Average Rates used for:
        - ITE 210 (Single-Family Detached Housing) for the single-family residential units.

Internal Capture Reduction

With a multi-use development, there is potential for interaction among the uses within each development area. These types of trips are considered internal to the site and are "captured" within the site. The standard engineering reference for determining internal capture reductions for the proposed land uses is the ITE *Trip Generation Handbook, 3rd Edition*[8]. Following ITE methodology, the total internal capture reduction for the Project would result in 29 percent, 17 percent, and 42 percent for the weekday daily, AM peak hour, and PM peak hour, respectively. It should be noted that daily internal capture reduction rates are not provided and therefore were determined from an average of the AM and PM peak hour internal capture reduction rates.

As the ITE Trip Generation Handbook does not provide internal capture reduction rates for a Saturday peak hour, the PM internal capture reduction methodology was applied instead and results in a total internal capture reduction of 40 percent for the Saturday peak hour.

Pass-By Reductions

Pass-by trip reductions are considered to account for trips that were already on the road and will likely stop as they pass by the site. Pass-by reductions would be applicable to the commercial/retail uses in Planning Areas 1 and 2 and were derived from the ITE *Trip Generation Manual, 11th Edition*. Where pass-by reductions are not available for the ITE land use code used to develop the trip generation, the most similar ITE land use code available was used. Pass-by trips reductions for ITE 821 (Shopping Plaza) were used for the retail uses and results in a reduction of 0 percent in the AM peak hour and 40 percent in the PM peak hour. Pass-by trips reductions for ITE 932 (High Turn-Over Sit-Down Restaurant) was used for the restaurant use and results in a reduction of 0 percent in the AM peak hour and 43 percent in the PM peak hour. Pass-by trips reductions for ITE 934 (Food Restaurant with Drive-Through) was used for the fast-food use and results in a reduction of 50 percent in the AM peak hour and 55 percent in the PM peak hour. Daily pass-by reduction rates are not provided and therefore were determined from an average of the AM and PM peak hour pass-by reduction rates. The total pass-by reduction for the project results in 15 percent, 20 percent, and 16 percent for the weekday daily, AM peak hour, and PM peak hour, respectively.

For the Saturday peak hour, pass-by trips reductions for ITE 821 (Shopping Plaza) were used for the retail uses and results in a reduction of 31 percent in the Saturday peak hour. Pass-by trips reductions for a Saturday peak hour is not available for ITE 932 (High Turn-Over Sit-Down Restaurant) and ITE 934 (Food Restaurant with Drive-Through), therefore the PM peak hour rates were used and results in a reduction of 43 percent and 55 percent, respectively.

[8] *Trip Generation Handbook, 3rd Edition*, Institute of Transportation Engineers, 2017.

School Trip Reductions (Weekday Only)

It is assumed that the residential trip rates within the ITE *Trip Generation Manual* take into consideration a reduction in vehicular trips between residential units and schools as some students will walk or bike to school during the weekday. However, due to the Project's close proximity to local schools including Kolb Elementary School, Eleanor Murray Fallon Middle School, and the future Emerald High School, it is expected that there will be additional vehicle trips reduced from the residential units as more students walk or bike to and from the nearby schools. To determine this additional school walking trip reduction, the following steps were taken and are summarized in **Table 9.** The additional school walking trip reduction was applied to the weekday AM and PM peak hour trip generation only.

1. Determined the national average distance students travel to school and compared with the average distance students will travel from the Project site to the nearby City of Dublin schools. The average travel distance for the Project is less than the national average.
2. Determined the percent of students that would walk to school based on the national average distance (this percent is assumed to be accounted for in the ITE residential trip rates). Determined the percent of students that would walk based on the Project's average distance. The difference in these percentages (or the additional number of students that would walk since the Project is closer to schools on average) were used to determine the additional total student walking trip reduction.
3. Total number of students generated from the residential units were determined based on student yield factors for single family detached homes and condominiums/townhomes within the *Dublin Unified School's 7-Year District Student Population Projects Packets*.
4. Note that all the school walking trip reductions were applied to the AM outbound trips. Since some of these trips would have been made from parents dropping off students on their way to their final destination, only a portion of these trips were applied to AM inbound trips. Also, a portion of these trips were applied to the PM peak hour since the majority of the trips would be applied to the School PM peak hour which occurs typically from 2:00 PM to 4:00 PM.

Table 9 - Trip Reductions from School Walking Trips

National Average vs Project Average	Elementary and Middle School	High School
National Average		
Distance Traveled to School[1]	3.6 miles	6.0 miles
Percent of Students Walking/Other Methods of Transportation Excluding Private Vehicle[2]	35.8 percent	35.8 percent
Project Average		
Distance Traveled to School	0.85 miles	0.32 miles
Percent of Students Walking/Other Methods of Transportation Excluding Private Vehicle[2]	41.3 percent	74.6 percent
Difference Between National and Project Average in Percent of Students walking to school (A)	5.5 percent	38.8 percent
Total Students Generated from Project's Residential Units (B)[3]	283 students	71 students
Total Students Walk Trips not accounted for in ITE Trip Generation Residential Rates (A*B)	16 students	28 students

1. NHTS Brief National Household Travel Survey, US Department of Transportation Federal Highway Administration, 2008
2. Travel to School in California National Household Travel Survey, Active Living Research, 2013
3. Dublin Unified School District, 7-Year Student Population Projections Packet, 2019

Table 10 presents the weekday peak hour trip generation for the proposed project. The project will generate +10,983 daily trips, +644 trips in the AM peak hour (332 In / 312 Out), and +777 trips in the PM peak hour (443 In / 334 Out).

Table 11 presents the Saturday peak hour trip generation for the proposed project. The project will generate +1,307 Saturday peak hour trips (690 In / 617 Out).

PROJECT TRIP DISTRIBUTION AND ASSIGNMENT

A select zone analysis was completed using the City's travel demand model for the traffic analysis zones (TAZs) that make up the Project site to assist in developing the Project's trip distribution. Adjustments were made to the select zone analysis based on existing traffic count information, previous traffic studies within the area, the general orientation of population sources to the site, and future roadway improvements (i.e. the Dublin Boulevard Extension) as the trip distribution is developed for Near-Term and Cumulative conditions. **Figure 7** presents the trip distribution assumed in Near-Term Plus Project Conditions and Cumulative Plus Project Conditions.

Based on the assumed trip distributions, the new vehicle trips generated by the project were assigned to the street network and the trip assignment is shown in **Figure 8.**

Table 10 - Project Trip Generation – Weekday

Land Use	ITE Land Use Code[1]	Size	Unit	Daily	AM Peak Hour			PM Peak Hour		
					Total	In	Out	Total	In	Out
Planning Area 1										
Family Entertainment Use (Bowling)[3,5]	437	30	KSF	328	24	23	1	35	23	12
Retail Shops (Strip Retail Plaza <40k)[3]	822	16	KSF	871	38	23	15	105	53	52
Fast Casual Restaurant[3]	930	18	KSF	1,749	26	13	13	226	124	102
Fast Food without Drive Thru[3]	933	6	KSF	2,703	259	150	109	199	100	99
Hotel[4]	310	140	Rooms	1,094	63	35	28	76	39	37
Recreational Facility (Topgolf)	N/A[2]	120	Hitting Bays	2,160	37	32	5	216	108	108
Subtotal Trips Before Reductions (Planning Area 1)				8,905	447	276	171	857	447	410
Internal Capture Reductions (Planning Area 1)[6]				-2,054	-52	-35	-17	-297	-146	-151
Retail/Restaurant Pass-by Reductions (Planning Area 1)[7]				-1,515	-115	-62	-53	-159	-91	-68
Subtotal Trips After Reductions (Planning Area 1)				***5,336***	***280***	***179***	***101***	***401***	***210***	***191***
Planning Area 2										
Retail Shops (Strip Retail Plaza <40k)[3]	822	36	KSF	1,960	85	51	34	237	119	118
Fast Casual Restaurant[3]	930	18	KSF	1,749	26	13	13	226	124	102
Fast Food without Drive Thru[3]	933	6	KSF	2,703	259	150	109	199	100	99
Attached Residential Units (3-4 Story)[3]	220	290	DU	1,955	116	28	88	148	93	55
Shop House Mixed Used Townhomes[3]	220	40	DU	270	16	4	12	20	13	7
Multifamily Affordable Housing[3]	223	100	DU	481	36	10	26	46	27	19
Park/Recreation[3]	411	0.8	Acres	1	0	0	0	0	0	0
Subtotal Trips Before Reductions (Planning Area 2)				9,119	538	256	282	876	476	400
Internal Capture Reductions (Planning Area 2)[6]				-3,335	-116	-55	-61	-458	-227	-231
Retail/Restaurant Pass-by Reductions (Planning Area 2)[7]				-1,487	-107	-57	-50	-153	-89	-64
School Walking Trip Reductions (Planning Area 2)[8]				-84	-42	-14	-28	-10	-6	-4
Subtotal Trips After Reductions (Planning Area 2)				**4,213**	**273**	**130**	**143**	**255**	**154**	**101**
Planning Area 3										
Single Family Detached Housing[3]	210	135	DU	1,273	95	25	70	127	80	47
Townhomes/Condos[3]	220	70	DU	472	28	7	21	36	23	13
Park/Recreation[3]	411	1.7	Acres	1	0	0	0	0	0	0
Subtotal Trips Before Reductions (Planning Area 3)				1,746	123	32	91	163	103	60
Internal Capture Reductions (Planning Area 3)[6]				-373	-17	-3	-14	-47	-28	-19
School Walking Trip Reductions (Planning Area 3)[8]				-46	-23	-8	-15	-5	-3	-2
Subtotal Trips After Reductions (Planning Area 3)				***1,327***	***83***	***21***	***62***	***111***	***72***	***39***
Planning Area 4										
Single Family Detached Housing[3]	210	15	DU	141	11	3	8	14	9	5
Subtotal Trips Before Reductions (Planning Area 4)				141	11	3	8	14	9	5
Internal Capture Reductions (Planning Area 4)[6]				-30	-1	0	-1	-4	-2	-2
School Walking Trip Reductions (Planning Area 4)[8]				-4	-2	-1	-1	0	0	0
Subtotal Trips After Reductions (Planning Area 4)				***107***	***8***	***2***	***6***	***10***	***7***	***3***
Total Trips Before Reductions				*19,911*	*1,119*	*567*	*552*	*1,910*	*1,035*	*875*
Total Internal Capture Reductions (29% Daily, 17% AM, 42% PM)				*-5,792*	*-186*	*-93*	*-93*	*-806*	*-403*	*-403*
Total Pass-By Reductions (15% Daily, 20% AM, 16% PM)				*-3,002*	*-222*	*-119*	*-103*	*-312*	*-180*	*-132*
School Walking Trip Reductions				*-134*	*-67*	*-23*	*-44*	*-15*	*-9*	*-6*
Total External Trips				***10,983***	***644***	***332***	***312***	***777***	***443***	***334***

Notes:
KSF = 1,000 square feet, DU = Dwelling Units
1. Trip generation developed based on the ITE *Trip Generation Manual, 11th Edition* for all land uses with the exception of the Topgolf in Planning Area 1.
2. Trip generation rates for Topgolf were derived from the *North Central Roseville Traffic Impact Analysis*, dated January 2015.
3. ITE Trip Generation average rates used for ITE Land Use Codes 437, 822, 930, 933, 220, 223, 411, and 210.
4. ITE Trip Generation fitted curve equation used for ITE Land Use Codes 310.
5. Daily trip generation rate not provided for ITE Land Use 437 within the ITE *Trip Generation Manual, 11th Edition*. Therefore, a ratio of the PM to Daily trip rate derived from the ITE Trip Generation Manual, 9th Edition was applied to develop a daily rate.
6. Internal capture based on rates in the ITE *Trip Generation Handbook, 3rd Edition*. Daily rates are not provided, therefore rates were developed based on an average of the AM and PM peak hour reduction rates.
7. Pass-by reductions derived from the ITE *Trip Generation Manual, 11th Edition*. Pass-by reductions are not provided for ITE 822, 930, and 933; therefore pass-by reductions for ITE 821, 932, and 934 were used instead. Daily rates are not provided and therefore were developed based on an average of the AM and PM peak hour reduction rates.
8. School walking trip reductions are based on the Dublin Unified School District's *7 Year Student Population Projections Packet* and the Active Living Research's *Travel to School in California Survey*.

Table 11 - Project Trip Generation – Saturday

Land Use	ITE Land Use Code[1]	Size	Unit	Saturday		
				Total	In	Out
Planning Area 1						
Family Entertainment Use (Bowling)[3,5]	437	30	KSF	65	25	40
Retail Shops (Strip Retail Plaza <40k)[3]	822	16	KSF	105	54	51
Fast Casual Restaurant[3]	930	18	KSF	588	323	265
Fast Food without Drive Thru[3]	933	6	KSF	328	161	167
Hotel[4]	310	140	Rooms	103	58	45
Recreational Facility (Topgolf)[3]	N/A[2]	120	Hitting Bays	367	189	178
Subtotal Trips Before Reductions (Planning Area 1)				1,556	810	746
Internal Capture Reductions (Planning Area 1)[6]				-492	-252	-240
Retail/Restaurant Pass-by Reductions (Planning Area 1)[7]				-315	-179	-136
Subtotal Trips After Reductions (Planning Area 1)				***749***	***379***	***370***
Planning Area 2						
Retail Shops (Strip Retail Plaza <40k)[3]	822	36	KSF	237	121	116
Fast Casual Restaurant[3]	930	18	KSF	588	323	265
Fast Food without Drive Thru[3]	933	6	KSF	328	161	167
Attached Residential Units (3-4 Story)[3]	220	290	DU	119	60	59
Shop House Mixed Used Townhomes[3]	220	40	DU	16	8	8
Multifamily Affordable Housing[3]	223	100	DU	128	76	52
Park/Recreation[3]	411	0.8	Acres	0	0	0
Subtotal Trips Before Reductions (Planning Area 2)				1,416	749	667
Internal Capture Reductions (Planning Area 2)[6]				-702	-344	-358
Retail/Restaurant Pass-by Reductions (Planning Area 2)[7]				-275	-159	-116
Subtotal Trips After Reductions (Planning Area 2)				**439**	**246**	**193**
Planning Area 3						
Single Family Detached Housing[3]	210	135	DU	124	67	57
Townhomes/Condos[3]	220	70	DU	29	15	14
Park/Recreation[3]	411	1.7	Acres	0	0	0
Subtotal Trips Before Reductions (Planning Area 3)				153	82	71
Internal Capture Reductions (Planning Area 3)[6]				-44	-23	-21
Subtotal Trips After Reductions (Planning Area 3)				***109***	***59***	***50***
Planning Area 4						
Single Family Detached Housing[3]	210	15	DU	14	8	6
Subtotal Trips Before Reductions (Planning Area 4)				14	8	6
Internal Capture Reductions (Planning Area 4)[6]				-4	-2	-2
Subtotal Trips After Reductions (Planning Area 4)				***10***	***6***	***4***
Total Trips Before Reductions				*3,139*	*1,649*	*1,490*
Total Internal Capture Reductions (40% Saturday)				*-1,242*	*-621*	*-621*
Total Pass-By Reductions (19% Saturday)				*-590*	*-338*	*-252*
Total External Trips				***1,307***	***690***	***617***

Notes:
KSF = 1,000 square feet, DU = Dwelling Units

1. Trip generation developed based on the ITE *Trip Generation Manual, 11th Edition* for all land uses with the exception of the Topgolf in Planning Area 1.
2. Trip generation rates for Topgolf were derived from the *North Central Roseville Traffic Impact Analysis*, dated January 2015.
3. ITE Trip Generation average rates used for ITE Land Use Codes 437, 822, 930, 933, 220, 223, 411, and 210.
4. ITE Trip Generation fitted curve equation used for ITE Land Use Codes 310.
5. Saturday trip generation rates not provided for ITE 437 for the independent variable of 1 KSF. A ratio of the PM to Saturday rate for the independent variable of bowling alley was applied to determine a Saturday rate for the independent variable of 1 KSF.
6. Internal capture rates for Saturday are not provided in the ITE *Trip Generation Handbook, 3rd Edition*. PM internal capture reduction percentages were applied.
7. Pass-by reductions derived from the ITE *Trip Generation Manual, 11th Edition*. Pass-by reductions are not provided for ITE 822, 930, and 933; therefore pass-by reductions for ITE 821, 932, and 934 were used instead. Saturday rates are not provided for ITE 932 and 934 and PM pass-by reduction percentages were applied.

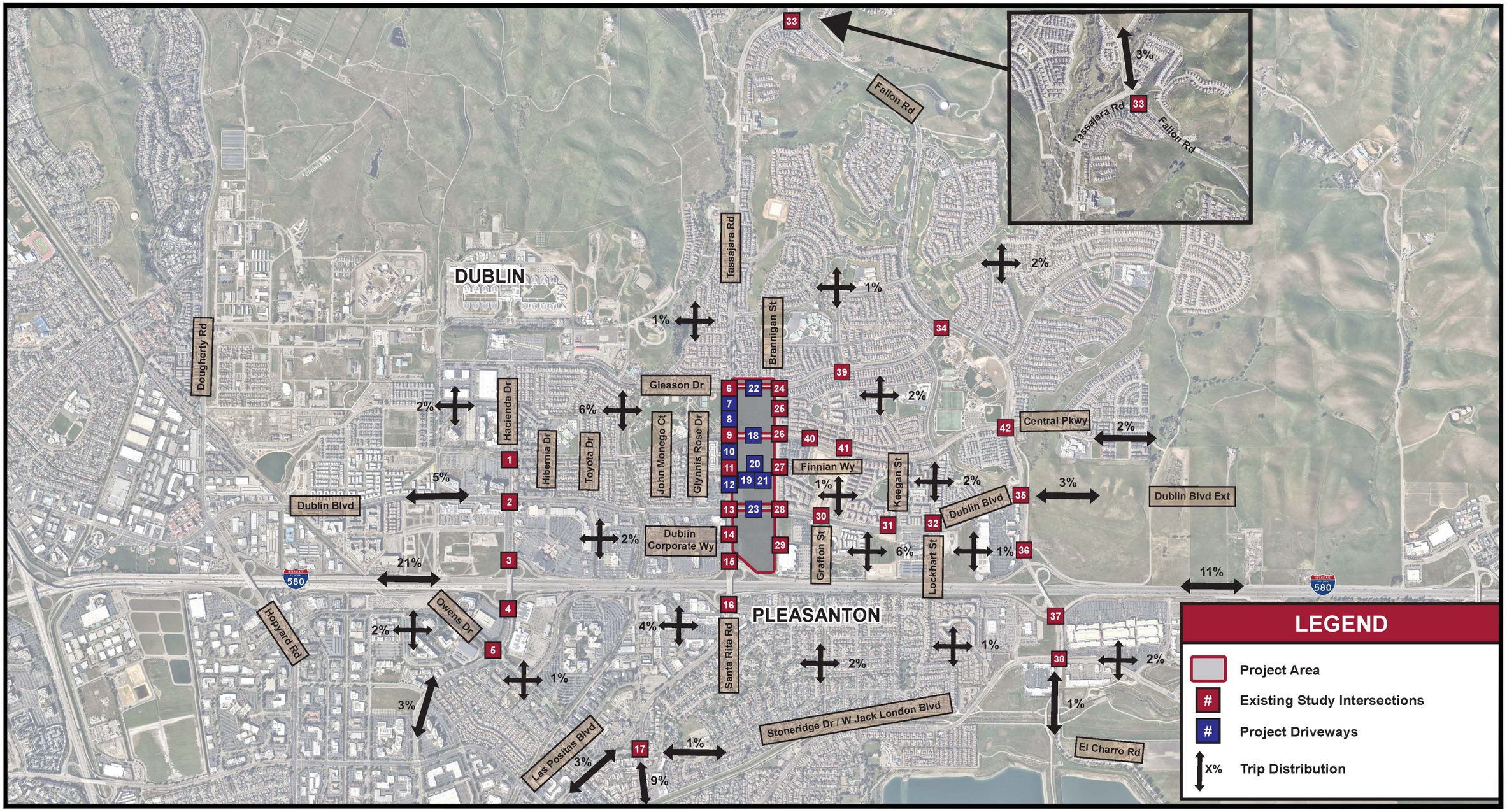


Figure 7

Project Trip Distribution
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

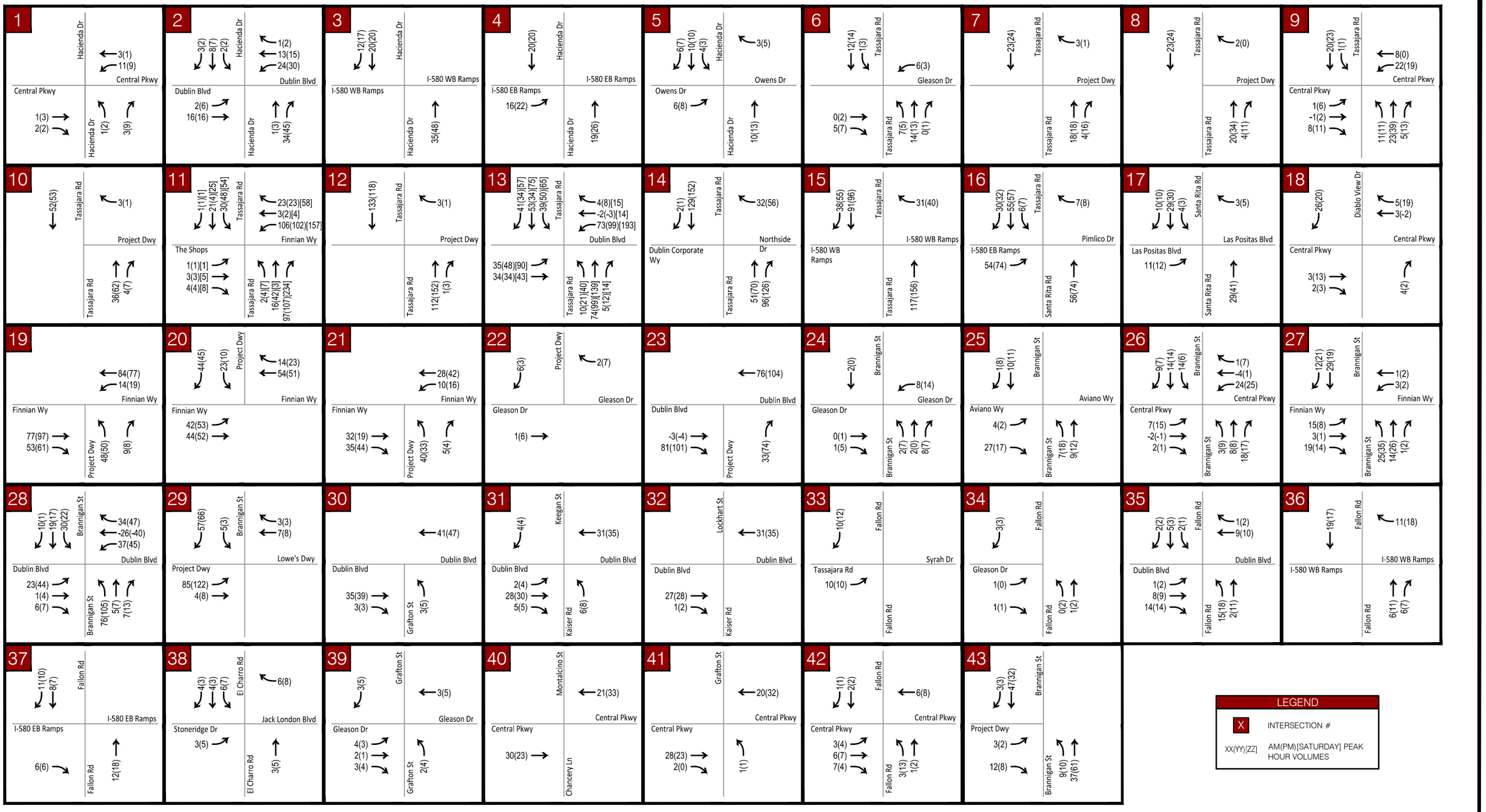


Figure 8

Project Generated Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

5. NEAR-TERM TRAFFIC CONDITIONS

This chapter will discuss the traffic conditions under Near-Term and Near-Term Plus Project Conditions.

NEAR-TERM TRANSPORTATION IMPROVEMENTS

The following roadway improvements were assumed in the Near-Term (2025) Conditions without the Project.

- Intersection #16 – Tassajara Road-Santa Rita Road / I-580 EB Ramps
  - Add a second southbound left turn lane.
- Intersection #30 – Dublin Boulevard / Grafton Street
  - Remove the north leg – access to the future Emerald High School along Dublin Boulevard will be provided through a right-in/right-out access to the east of Dublin Boulevard and Grafton Street. Existing volumes at this north leg are attributed to construction traffic and will be removed in Near-Term Conditions.
- Intersection #35 – Dublin Boulevard / Fallon Road
  - Extend Dublin Boulevard from Fallon Road to North Canyons Parkway
  - Reconfigure the westbound approach to be three left turn lanes, three through lanes, and one right turn lane
  - Widen eastbound approach to three eastbound through lanes
  - Add a second southbound left turn lane
  - Convert the shared northbound through/right turn lane into one through lane and one right turn lane and add a second northbound right turn lane.
- Intersection #36 – Fallon Road / I-580 WB Ramps
  - Widen to three through lanes in each direction on Fallon Road.
- Intersection #41 – Grafton Street / Central Parkway
  - Add a south leg to the intersection with one northbound left turn lane and one shared northbound through/right turn lane

Figure 9 presents the intersection lane geometry and traffic control in the Near-Term Conditions.

NEAR-TERM TRAFFIC VOLUMES

A list of approved development projects to be included in this scenario was provided by the City. These approved projects are expected to be developed at the time the Project is constructed and were included as part of the Near-Term Conditions. To achieve Near-Term traffic volumes, the approved projects were assigned to the roadway network and added to the Existing traffic volumes. **Figure 10** shows the locations of the approved projects. In addition, a one (1) percent annual growth rate was applied to the Existing volumes to account for regional growth outside of the City. The Dublin Boulevard Extension is assumed to be constructed in this scenario. As a result, more vehicles are expected to adjust their travel patterns and reroute to Dublin Boulevard as an alternative route, such as vehicles rerouting from I-580 to the parallel roadway of Dublin Boulevard. To account for this change in travel pattern, Near-Term volumes were

adjusted based on the Near-Term Plus Dublin Boulevard Extension Condition volumes in the *Dublin Boulevard – North Canyons Parkway Extension TIA*[9]*.*

To determine Near-Term Saturday peak hour volumes, a ratio of the Near-Term to Existing weekday PM peak hour volumes was determined. These ratios were then applied to the Existing Saturday peak hour volumes to determine Near-Term Saturday peak hour volumes.

NEAR-TERM INTERSECTION LEVEL OF SERVICE

Near-Term volumes were evaluated at the study intersections and are presented in **Figure 11**. Intersection LOS results are presented in **Table 12** and **Table 13** for the weekday and Saturday peak hours, respectively. Locations operating unacceptably are bolded. All study intersections function within acceptable LOS standards in Near-Term Conditions under the weekday and Saturday scenarios with the exception of the following intersections:

- Int #2 (Dublin Boulevard / Hacienda Drive) – Weekday AM peak hour
- Int #13 (Tassajara Road / Dublin Boulevard) – Weekday AM and PM peak hours
- Int #17 (Santa Rita Road / Las Positas Boulevard) – Weekday AM peak hour
- Int #28 (Brannigan Street / Dublin Boulevard) – Weekday AM peak hour
- Int #31 (Dublin Boulevard / Keegan Street) – Weekday AM peak hour
- Int #35 (Dublin Boulevard / Fallon Road) – Weekday AM and PM peak hours

Analysis sheets are provided in the **Appendix**.

[9] *Dublin Boulevard – North Canyons Parkway Extension Traffic Impact Analysis,* Kittelson & Associates, Inc., *August 2018*

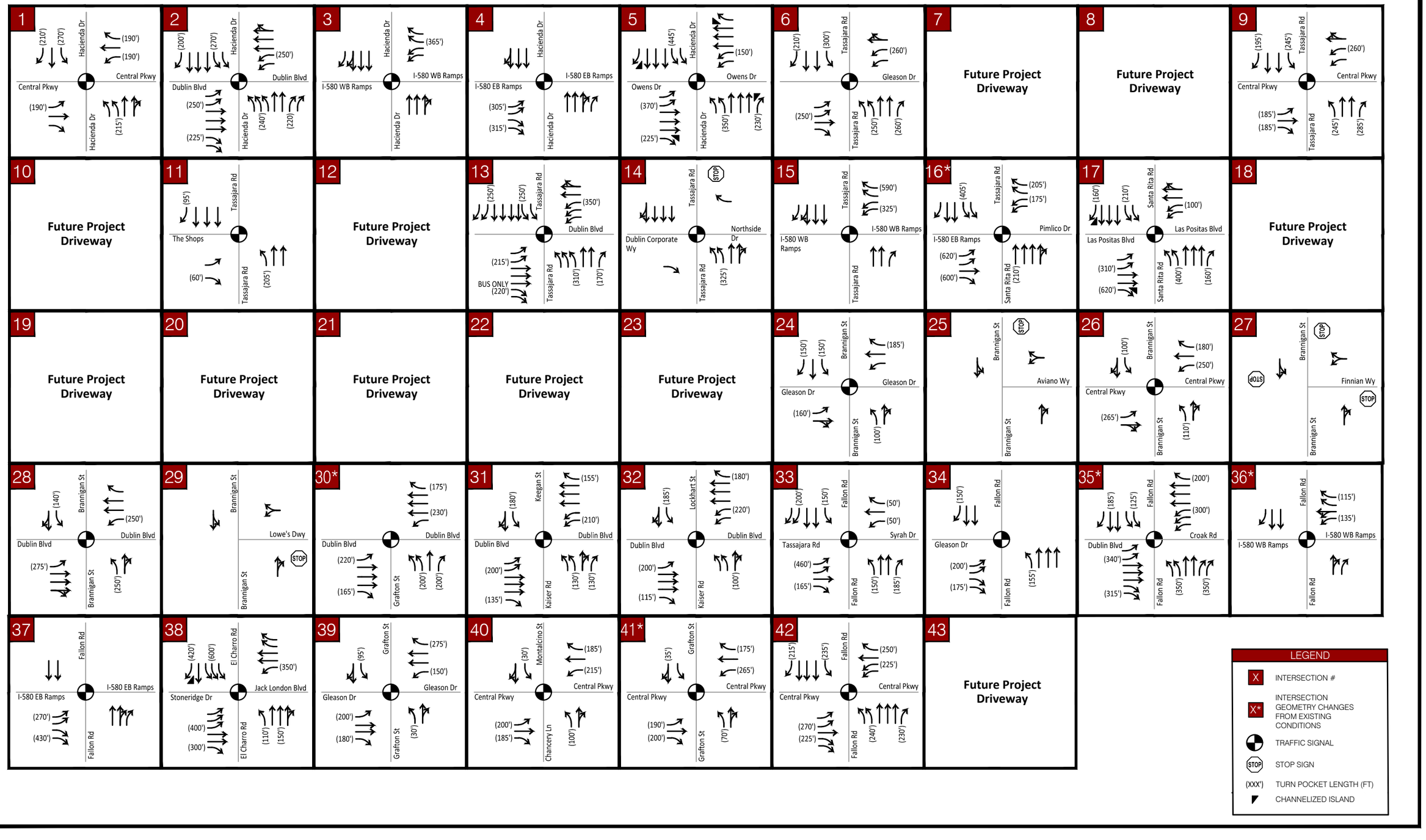


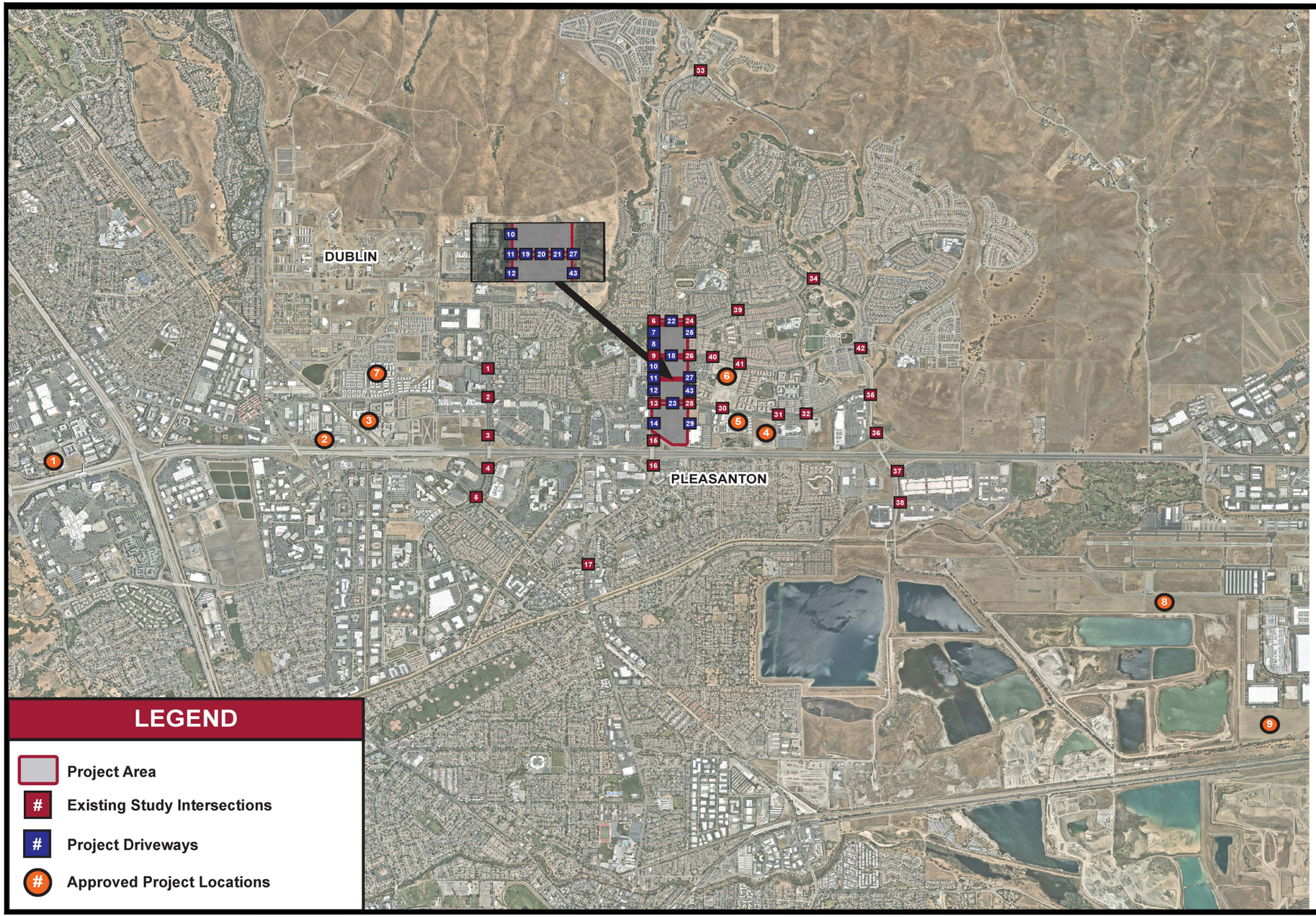
Figure 9

Near-Term Condition Lane Geometry and Traffic Control

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.



Approved Project Locations

1. St. Patrick Way
2. Quarry Lane Preschool
3. Ashton
4. Nissian Dealership
5. Tivoli Plaza
6. Emerald High School
7. Boulevard
8. SMP 39
9. SMP 40

Figure 10

Approved Project Locations
SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

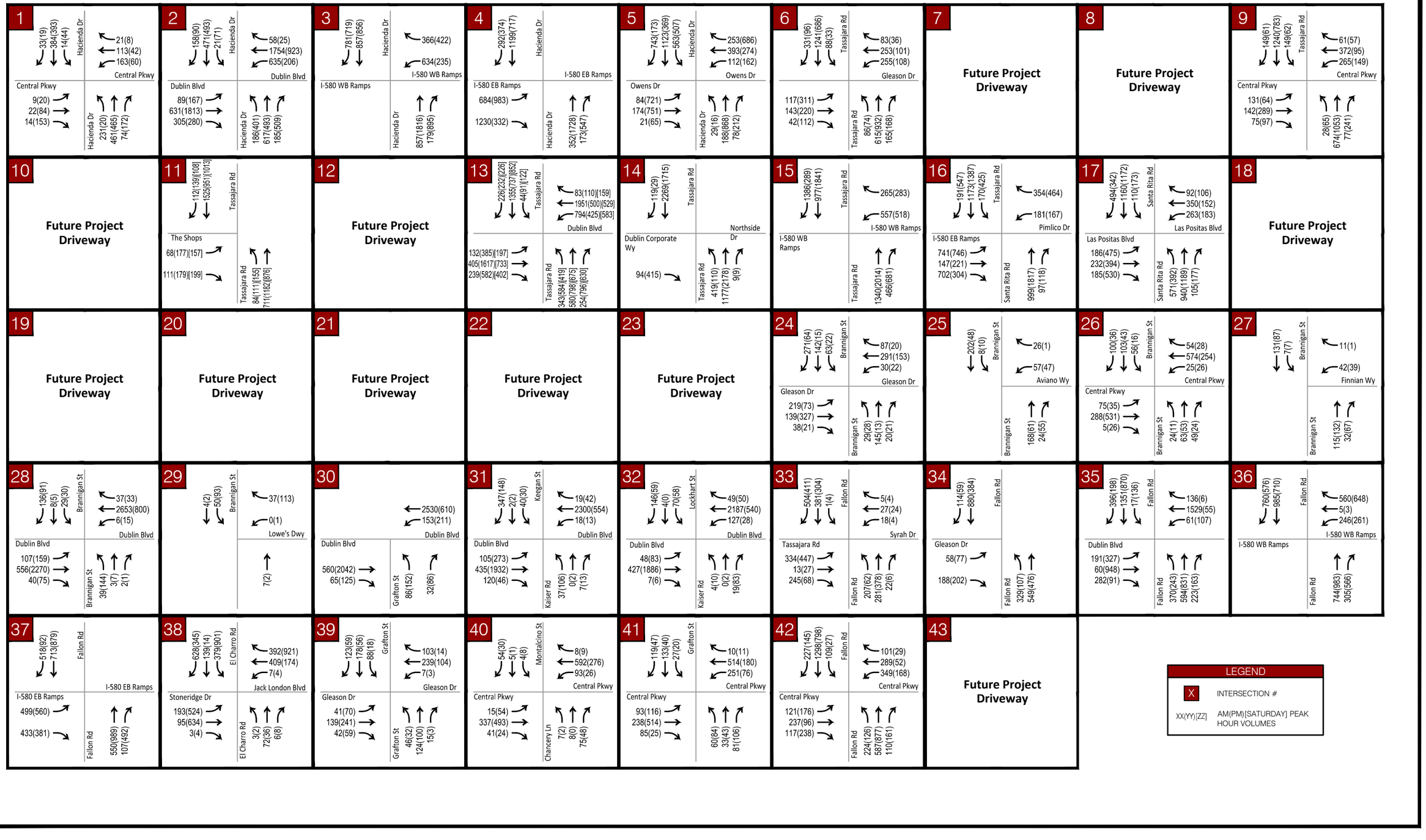


Figure 11

Near-Term Condition Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

Table 12 – Near-Term Intersection Level of Service Summary – Weekday

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
1	Hacienda Dr / Central Pkwy	D	Dublin	Signal	B	18.7	B	18.5
2	Dublin Blvd / Hacienda Dr	D	Dublin	Signal	**F**	**105.3**	D	40.7
3	Hacienda Dr / I-580 WB ramps	D*	Caltrans[4]	Signal	B	11.5	B	10.4
4	Hacienda Dr / I-580 EB ramps[1]	D*	Caltrans[4]	Signal	C	24.6	C	21.6
5	Hacienda Dr / Owens Dr	D*	Pleasanton	Signal	B	18.9	D	43.1
6	Tassajara Rd / Gleason Dr	D	Dublin	Signal	D	38.6	D	36.5
7	Project Dwy / Aviano Way / Tassajara Road	D	Dublin	SSSC	Future Project Driveway			
8	Project Dwy (North Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
9	Tassajara Rd / Central Pkwy	D	Dublin	Signal	D	35.2	D	40.1
10	Project Dwy (South Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
11	The Shops / Tassajara Rd	D	Dublin	Signal	A	3.8	B	12.6
12	Project Dwy (Affordable Housing) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	**F**	**196.7**	**F**	**136.5**
14	Tassajara Rd / Dublin Corporate Way[1,3]	D	Dublin	Signal	A	7.7	C	25.0
15	Tassajara Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	B	15.0	C	26.9
16	Tassajara Rd /Santa Rita Rd / I-580 EB Ramps – Pimlico Dr	D*	Caltrans[4]	Signal	C	22.4	C	26.9
17	Santa Rita Rd / Las Positas Blvd	D	Pleasanton	Signal	**E**	**55.2**	D	44.9
18	Project Dwy (North Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway			
19	Project Dwy (South Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway			
20	Project Dwy (North Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
21	Project Dwy (South Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
22	Project Dwy / Gleason Dr	D	Dublin	SSSC	Future Project Driveway			
23	Project Dwy (South Side) / Dublin Blvd	D	Dublin	SSSC	Future Project Driveway			
24	Brannigan St / Gleason Dr	D	Dublin	Signal	D	36.1	B	12.5
25	Aviano Way / Brannigan St	D	Dublin	SSSC	A	3.0	A	2.5
	Worst Approach				C	16.3	A	9.8
26	Brannigan St / Central Pkwy	D	Dublin	Signal	C	27.2	B	13.6
27	Finnian Way / Brannigan St	D	Dublin	AWSC	A	8.3	A	8.6
28	Brannigan St / Dublin Blvd	D	Dublin	Signal	**F**	**183.8**	C	20.6
29	Brannigan St Bend/Lowe's Truck Access	D	Dublin	SSSC	A	0.0	A	0.0
	Worst Approach				A	0.0	A	0.0
30	Dublin Blvd / Grafton St	D	Dublin	Signal	A	7.6	B	12.9
31	Dublin Blvd / Keegan St	D	Dublin	Signal	**E**	**79.3**	C	21.7
32	Dublin Blvd / Lockhart St	D	Dublin	Signal	B	16.5	B	14.0
33	Fallon Rd / Tassajara Rd	D	Dublin	Signal	B	19.2	B	16.8
34	Gleason Dr / Fallon Rd[1]	D	Dublin	Signal	C	27.0	B	14.6
35	Dublin Blvd / Fallon Rd	D	Dublin	Signal	**E**	**79.3**	**E**	**59.8**
36	Fallon Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	A	6.8	B	10.5

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
37	Fallon Rd / I-580 EB Ramps	D*	Caltrans[4]	Signal	A	7.3	A	7.9
38	El Charro Rd / Stoneridge Dr / Jack London Blvd	D	Pleasanton	Signal	B	16.0	B	17.7
39	Gleason Dr / Grafton St	D	Dublin	Signal	C	20.7	B	14.1
40	Central Pkwy / Chancery Ln	D	Dublin	Signal	B	19.0	B	15.0
41	Grafton St / Central Pkwy	D	Dublin	Signal	D	39.2	C	20.6
42	Central Pkwy / Fallon Rd	D	Dublin	Signal	D	54.2	C	23.1
43	Brannigan / South Family Homes Dwy	D	Dublin	SSSC	Future Project Driveway			
44	Tassajara Rd / Project Driveway[1,3]	D	Dublin	SSSC	A	0.0	A	0.0
	Worst Approach				A	0.0	A	0.0

* City of Pleasanton Gateway intersection. Intersections operating unacceptably are shown in **bold.**

1. Intersection analyzed using HCM 2000 methodology instead of HCM 6th Edition.
2. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.
3. Due to the configuration of this intersection, it was analyzed as two separate intersections (Intersection #14 and Intersection #44).
4. Caltrans intersection maintained by the City of Pleasanton.

Table 13 – Near-Term Intersection Level of Service Summary – Saturday

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Saturday	
					Saturday Peak	
					LOS	Delay[1] (sec)
11	The Shops / Tassajara Rd	D	Dublin	Signal	B	10.0
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	D	43.5

Intersections operating unacceptably are shown in **bold.**

1. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

NEAR-TERM PLUS PROJECT TRANSPORTATION IMPROVEMENTS

The following lists the roadway improvements assumed in Near-Term Plus Project that have changed from Near-Term Conditions. These roadway improvements are located adjacent to the Project along Tassajara Road, Dublin Boulevard, Gleason Drive, and Brannigan Street and will be constructed by the Project.

- Intersection #6 – Tassajara Road / Gleason Drive
    - Add a third northbound through lane
    - Add a second eastbound through lane
    - Reconfigure the westbound approach to be two left turn lanes, two through lanes, and one right turn lane
- Intersection #9 – Tassajara Road / Central Parkway
    - Add a third northbound through lane
    - Convert the westbound shared through/right lane into a separate through lane and a separate right turn lane
- Intersection #11 – Tassajara Road / The Shops
    - Add a third northbound through lane
    - Add one northbound right turn lane and one southbound left turn lane
    - Convert the eastbound right turn lane into a shared eastbound through/right turn lane
    - Construct the westbound approach to be one left turn lane and one shared through/right turn lane
- Intersection #13 – Tassajara Road / Dublin Boulevard
    - Widen to three eastbound through lanes (with a fourth eastbound receiving lane)
    - Widen to three northbound through lanes and two northbound right turn lanes
    - Add a third westbound through lane
- Intersection #14 – Tassajara Road / Dublin Corporate Way
    - Widen northbound approach to two left turn lanes, three through lanes, and one right turn lane
- Intersection #24 – Brannigan Street / Gleason Drive
    - Reconfigure the eastbound approach to one left turn lane, two through lanes, and one right turn lane
- Intersection #25 – Brannigan Street / Aviano Way
    - Construct the eastbound approach to be one shared left/through/right turn lane
    - Convert the northbound, southbound, and westbound approaches to be one shared left/through/right turn lane
- Intersection #27 – Brannigan Street / Finnian Way
    - Construct the eastbound approach to be one shared left/through/right turn lane
    - Convert the northbound, southbound, and westbound approaches to be one shared left/through/right turn lane
- Intersection #28 – Brannigan Street / Dublin Boulevard
    - Add a westbound through lane
    - Convert the southbound shared through/right lane into a separate through lane and a separate right turn lane
    - Reconfigure the eastbound approach to one left turn lane, three through lanes, and one right turn lane
    - Add a second northbound left turn lane
- Intersection #29 – Brannigan Street / Lowe's Driveway
    - Construct the eastbound approach to be one shared left/through/right turn lane

- Convert the northbound, southbound, and westbound approaches to be one shared left/through/right turn lane

Figure 12 presents the intersection lane geometry and traffic control in the Near-Term Plus Project Conditions.

NEAR-TERM PLUS PROJECT INTERSECTION LEVEL OF SERVICE

Near-Term Plus Project traffic conditions were evaluated at the study intersections and are presented in **Figure 13**. Intersection LOS results are presented in **Table 14** and **Table 15** for the weekday and Saturday peak hours, respectively. Intersections operating unacceptably are bolded and project deficiencies are highlighted. The following intersections would operate at an unacceptable level of service in the Near-Term Plus Project Conditions:

- Int #2 (Dublin Boulevard / Hacienda Drive)
  - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS F without the project and the addition of the project increases the critical movement v/c by greater than 0.05 – **Deficiency**
- Int #13 (Tassajara Road / Dublin Boulevard)
  - *Weekday AM and PM peak hours* – Intersection operating at an unacceptable LOS F without the project and the addition of the project decreases the overall v/c and increases the critical movement v/c by less than 0.05 – **Not a Deficiency**
- Int #17 (Santa Rita Road / Las Positas Boulevard)
  - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS E without the project and the project adds greater than 10 peak hour trips to the intersection – **Deficiency**
- Int #31 (Dublin Boulevard / Keegan Street)
  - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS E without the project and the project increases the total intersection average delay by more than six (6) seconds – **Deficiency**
- Int #35 (Dublin Boulevard / Fallon Road) – Weekday AM and PM peak hours
  - *Weekday AM and PM peak hours* – Intersection operating at an unacceptable LOS E without the project and the project increases the total intersection average delay by less than six (6) seconds – **Not a Deficiency**

Analysis sheets are provided in the **Appendix**.

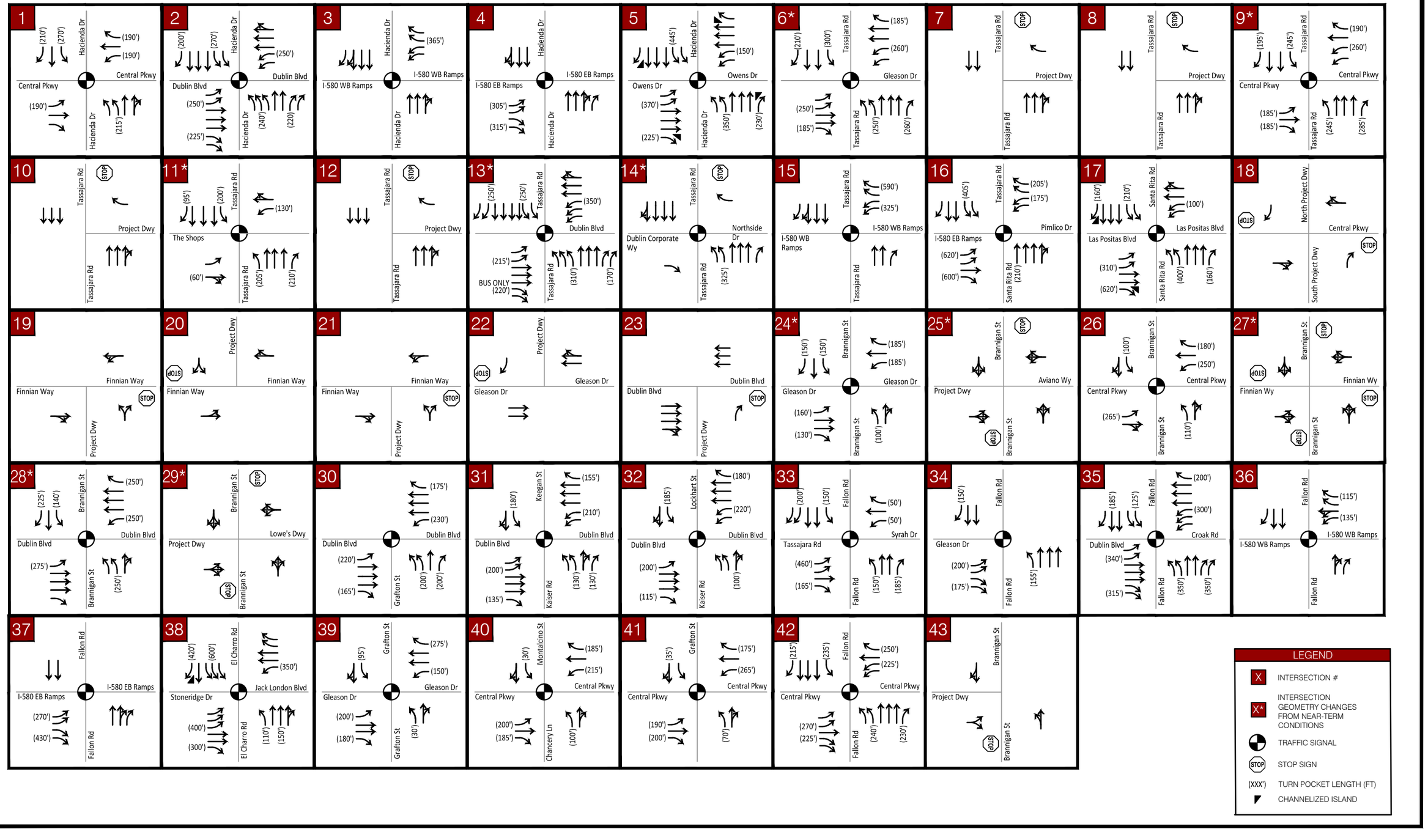


Figure 12

Near-Term Plus Project Condition Lane Geometry and Traffic Control

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

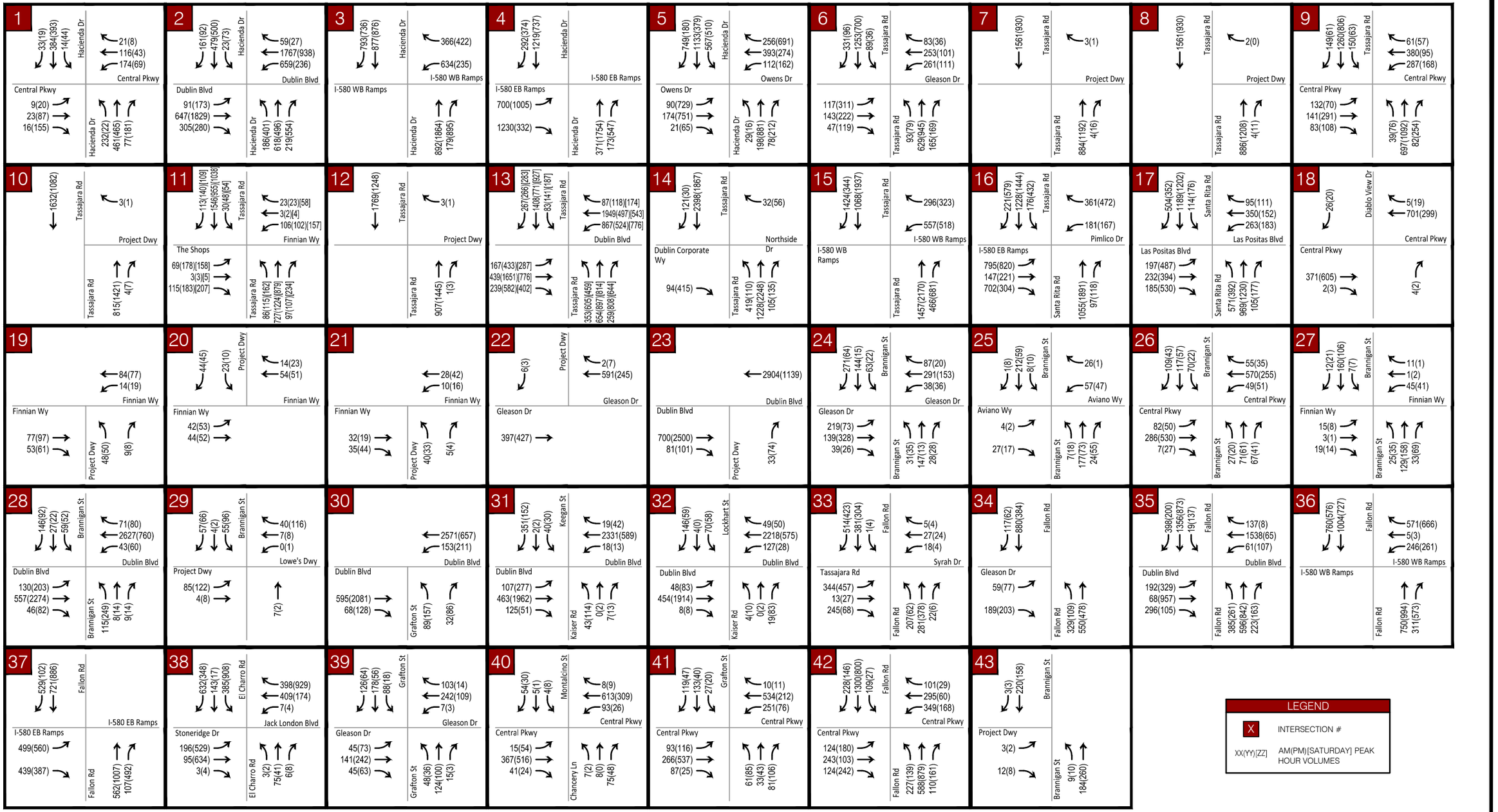


Figure 13

Near-Term Plus Project Condition Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

Table 14 – Near-Term Plus Project Intersection Level of Service Summary – Weekday

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Weekday				Near-Term Plus Project Weekday					
					AM Peak		PM Peak		AM Peak			PM Peak		
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	Delay Var	LOS	Delay[2] (sec)	Delay Var
1	Hacienda Dr / Central Pkwy	D	Dublin	Signal	B	18.7	B	18.5	B	19.1	0.4	B	19.0	0.5
2	Dublin Blvd / Hacienda Dr	D	Dublin	Signal	**F**	**105.3**	D	40.7	**F**	**111.3**	**6.0**	D	41.5	0.8
					Overall v/c	**0.97**	-	-	**Overall v/c**	**0.98**	**0.01**	-	-	-
					Crit v/c	**2.08**	-	-	**Crit v/c**	**2.16**	**0.08**	-	-	-
3	Hacienda Dr / I-580 WB ramps	D*	Caltrans[4]	Signal	B	11.5	B	10.4	B	11.4	-0.1	B	10.5	0.1
4	Hacienda Dr / I-580 EB ramps[1]	D*	Caltrans[4]	Signal	C	24.6	C	21.6	C	25.4	0.8	C	23.5	1.9
5	Hacienda Dr / Owens Dr	D*	Pleasanton	Signal	B	18.9	D	43.1	B	19.0	0.1	D	43.8	0.7
6	Tassajara Rd / Gleason Dr	D	Dublin	Signal	D	38.6	D	36.5	C	32.0	-6.6	C	34.5	-2.0
7	Project Dwy / Aviano Way / Tassajara Road	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.1	13.1	C	16.0	16.0
8	Project Dwy (North Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.1	13.1	A	0.0	0.0
9	Tassajara Rd / Central Pkwy	D	Dublin	Signal	D	35.2	D	40.1	C	31.8	-3.4	C	31.3	-8.8
10	Project Dwy (South Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	12.9	12.9	C	20.7	20.7
11	The Shops / Tassajara Rd	D	Dublin	Signal	A	3.8	B	12.6	D	38.4	34.6	C	34.5	21.9
12	Project Dwy (Affordable Housing) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.6	13.6	C	22.0	22.0
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	**F**	**196.7**	**F**	**136.5**	**F**	**106.1**	**-90.6**	**E**	**79.0**	**-57.5**
					Overall v/c	**1.25**	**Overall v/c**	**1.30**	**Overall v/c**	**1.02**	**-0.23**	**Overall v/c**	**0.95**	**-0.35**
					Crit v/c	**0.62**	**Crit v/c**	**0.84**	**Crit v/c**	**0.65**	**0.03**	**Crit v/c**	**0.87**	**0.03**
14	Tassajara Rd / Dublin Corporate Way[1,3]	D	Dublin	Signal	A	7.7	C	25.0	A	7.6	-0.1	C	24.5	-0.5
15	Tassajara Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	B	15.0	C	26.9	B	15.5	0.5	D	40.0	13.1
16	Tassajara Rd /Santa Rita Rd / I-580 EB Ramps – Pimlico Dr	D*	Caltrans[4]	Signal	C	22.4	C	26.9	C	23.6	1.2	C	30.3	3.4
17	Santa Rita Rd / Las Positas Blvd	D	Pleasanton	Signal	**E**	**55.2**	D	44.9	**E**	**57.4**	**2.2**	D	45.5	0.6
									Project Trips Added		**86**	-	-	-
18	Project Dwy (North Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway				A	0.4	0.4	A	0.2	0.2
	Worst Approach								B	14.6	14.6	B	12.8	12.8
19	Project Dwy (South Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway				A	2.4	2.4	A	2.4	2.4
	Worst Approach								B	10.1	10.1	B	10.4	10.4
20	Project Dwy (North Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway				A	4.3	4.3	A	3.8	3.8
	Worst Approach								A	9.4	9.4	A	9.1	9.1
21	Project Dwy (South Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway				A	3.2	3.2	A	2.9	2.9
	Worst Approach								A	9.2	9.2	A	9.3	9.3
22	Project Dwy / Gleason Dr	D	Dublin	SSSC	Future Project Driveway				A	0.1	0.1	A	0.0	0.0
	Worst Approach								B	10.4	10.4	A	9.1	9.1
23	Project Dwy (South Side) / Dublin Blvd[1]	D	Dublin	SSSC	Future Project Driveway				A	0.1	0.1	A	0.2	0.2
	Worst Approach								A	8.6	8.6	B	10.0	10.0

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Weekday				Near-Term Plus Project Weekday					
					AM Peak		PM Peak		AM Peak			PM Peak		
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	Delay Var	LOS	Delay[2] (sec)	Delay Var
24	Brannigan St / Gleason Dr	D	Dublin	Signal	D	36.1	B	12.5	D	38.6	2.5	B	12.2	-0.3
25	Aviano Way / Brannigan St	D	Dublin	SSSC	A	3.0	A	2.5	A	4.6	1.6	A	3.1	0.6
	Worst Approach				C	16.3	A	9.8	C	23.6	7.3	B	10.8	1.0
26	Brannigan St / Central Pkwy	D	Dublin	Signal	C	27.2	B	13.6	D	39.8	12.6	C	22.0	8.4
27	Finnian Way / Brannigan St	D	Dublin	AWSC	A	8.3	A	8.6	A	9.0	0.7	A	9.8	1.2
28	Brannigan St / Dublin Blvd	D	Dublin	Signal	**F**	**183.8**	C	20.6	C	32.4	-151.4	D	45.1	24.5
29	Brannigan St Bend/Lowe's Truck Access	D	Dublin	SSSC	A	0.0	A	0.0	A	7.5	7.5	A	9.1	9.1
	Worst Approach				A	0.0	A	0.0	B	12.4	12.4	C	15.3	15.3
30	Dublin Blvd / Grafton St	D	Dublin	Signal	A	7.6	B	12.9	A	7.9	0.3	B	13.1	0.2
31	Dublin Blvd / Keegan St	D	Dublin	Signal	**E**	**79.3**	C	21.7	**F**	**85.7**	**6.4**	C	22.6	0.9
32	Dublin Blvd / Lockhart St	D	Dublin	Signal	B	16.5	B	14.0	B	17.1	0.6	B	14.2	0.2
33	Fallon Rd / Tassajara Rd	D	Dublin	Signal	B	19.2	B	16.8	B	19.2	0.0	B	16.8	0.0
34	Gleason Dr / Fallon Rd[1]	D	Dublin	Signal	C	27.0	B	14.6	C	27.1	0.1	B	14.6	0.0
35	Dublin Blvd / Fallon Rd	D	Dublin	Signal	**E**	**79.3**	**E**	**59.8**	**F**	**81.4**	**2.1**	**E**	**61.2**	**1.4**
36	Fallon Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	A	6.8	B	10.5	A	6.8	0.0	B	11.2	0.7
37	Fallon Rd / I-580 EB Ramps	D*	Caltrans[4]	Signal	A	7.3	A	7.9	A	7.3	0.0	A	7.9	0.0
38	El Charro Rd / Stoneridge Dr / Jack London Blvd	D	Pleasanton	Signal	B	16.0	B	17.7	B	16.1	0.1	B	18.0	0.3
39	Gleason Dr / Grafton St	D	Dublin	Signal	C	20.7	B	14.1	C	21.5	0.8	B	14.3	0.2
40	Central Pkwy / Chancery Ln	D	Dublin	Signal	B	19.0	B	15.0	C	20.0	1.0	B	15.3	0.3
41	Grafton St / Central Pkwy	D	Dublin	Signal	D	39.2	C	20.6	D	41.5	2.3	C	21.2	0.6
42	Central Pkwy / Fallon Rd	D	Dublin	Signal	D	54.2	C	23.1	D	54.6	0.4	C	23.2	0.1
43	Brannigan / South Family Homes Driveway	D	Dublin	SSSC	Future Project Driveway				A	0.5	0.5	A	0.4	0.4
	Worst Approach								B	10.6	10.6	B	11.7	11.7
44	Tassajara Rd / Project Driveway[1,3]	D	Dublin	SSSC	A	0.0	A	0.0	A	0.1	0.1	A	0.2	0.2
	Worst Approach				A	0.0	A	0.0	B	11.8	11.8	C	18.8	18.8

* City of Pleasanton Gateway intersection. Intersections operating unacceptably are shown in **bold** and project deficiencies are highlighted.
1. Intersection analyzed using HCM 2000 methodology instead of HCM 6th Edition.
2. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.
3. Due to the configuration of this intersection, it was analyzed as two separate intersections (Intersection #14 and Intersection #44).
4. Caltrans intersection maintained by the City of Pleasanton.

Table 15 - Near-Term Plus Project Intersection Level of Service Summary – Saturday

#	Intersection	LOS Criteria	Jurisdiction	Control	Near-Term Saturday		Near-Term Plus Project Saturday		
					Saturday Peak		Saturday Peak		
					LOS	Delay[1] (sec)	LOS	Delay[1] (sec)	Delay Var
11	The Shops / Tassajara Rd	D	Dublin	Signal	B	10.0	B	18.4	8.4
13	Tassajara Rd. / Dublin Blvd	D	Dublin	Signal	D	43.5	D	39.0	-4.5

Intersections operating unacceptably are shown in **bold.**
1. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

6. CUMULATIVE TRAFFIC CONDITIONS

This chapter will discuss the traffic conditions under the Cumulative and Cumulative Plus Project Conditions.

CUMULATIVE TRANSPORTATION IMPROVEMENTS

The following lists the roadway improvements assumed in Cumulative (2040) Conditions without the Project that have changed from Near-Term Conditions. As mentioned previously, Cumulative Conditions assumes full buildout of the City's General Plan, which assumes land use designations on the Project site. Therefore, certain project driveways are to be constructed under Cumulative Conditions and are consistent with the assumptions in the City's travel demand model. However, these project driveways from the Cumulative baseline conditions may not reflect the driveways proposed by the current version of the Project.

- Intersection #1 – Hacienda Drive / Central Parkway
    - Add a second southbound through lane
    - Convert the shared northbound through/right turn lane into one through lane and one right turn lane
- Intersection #5 – Hacienda Drive / Owens Drive
    - Convert southbound through lane to a third southbound left turn lane and convert eastbound through lane to a third eastbound left turn lane
- Intersection #6 – Tassajara Road / Gleason Drive
    - Add a third northbound through and southbound through lane
- Intersection #9 – Tassajara Road / Central Parkway
    - Add a third northbound through and southbound through lane
- Intersection #11 – Tassajara Road / The Shops
    - Add a third northbound through and southbound through lane
    - Add one northbound right turn lane and one southbound right turn lane
    - Convert the eastbound right turn lane into a shared eastbound through/right turn lane
    - Construct the westbound approach to be one left turn lane and one shared through/right turn lane
- Intersection #13 – Tassajara Road / Dublin Boulevard
    - Add a third eastbound through, northbound through, and westbound through lane
- Intersection #14 – Tassajara Road / Dublin Corporate Way
    - Widen northbound approach to two left turn lanes, three through lanes, and one right turn lane
- Intersection #18 – Project Driveway / Central Pkwy
    - Construct project driveway on the south leg
- Intersection #23 – Project Driveway / Dublin Blvd
    - Construct project driveway on the north and south legs
- Intersection #25 – Aviano Way / Brannigan Street
    - Construct project driveway on the west leg
- Intersection #27 – Finnian Way / Brannigan Street
    - Construct project driveway on the west leg
- Intersection #28 – Brannigan Street / Dublin Boulevard
    - Add a westbound through lane

- Intersection #29 – Brannigan Street Bend/Lowe's Truck Access
    - Construct project driveway on the west leg
- Intersection #35 – Dublin Boulevard / Fallon Road
    - Add a third northbound through lane and a second northbound left turn lane
    - Add a third southbound lane
- Intersection #36 – Fallon Road / I-580 WB Ramps
    - Add one southbound through lane
    - Widen northbound to three through lanes and one right turn lane
- Intersection #37 – Fallon Road / I-580 EB Ramps
    - Add one northbound through lane and one southbound through lane
- Intersection #38 – El Charro Road / Stoneridge Drive – Jack London Boulevard
    - Add one southbound through lane
    - Reconfigure northbound approach to one northbound left turn lane, three northbound through lanes, and two northbound right turn lanes

Figure 14 presents the intersection lane geometry and traffic control in the Cumulative Conditions.

CUMULATIVE TRAFFIC VOLUME

The City's travel demand model was utilized to estimate future volume growth in the study area. Year 2040 turning movement volumes from the City's Travel Demand Forecast model were obtained for the Cumulative (2040) traffic volume growth estimates. Turning movement volumes were adjusted to restrict left turns and right turns at intersections where these movements are not allowed. Model base year (2020) and horizon year (2040) were compared to determine the annual incremental growth in traffic volumes at the study intersection movements. Year 2040 turning movement volumes were calculated by adding the growth increment to the existing traffic volumes to calculate the final adjusted turning movement volume.

As Saturday model volumes are not provided, Cumulative Saturday peak hour volumes were derived using a similar approach to Near-Term Saturday peak hour volumes. A ratio of the Cumulative to Existing weekday PM peak hour volumes was determined. These ratios were then applied to the Existing Saturday peak hour volumes to determine Cumulative Saturday peak hour volumes.

CUMULATIVE INTERSECTIONS LEVEL OF SERVICE

Cumulative volumes were evaluated at the study intersections and are presented in **Figure 15**. Intersection LOS results are presented in **Table 16** and **Table 17** for the weekday and Saturday peak hours, respectively. Locations operating unacceptably are bolded. All study intersections function within acceptable LOS standards in Cumulative Conditions under the weekday and Saturday scenarios with the exception of the following intersections. Analysis sheets are provided in the **Appendix**.

- Int #2 (Dublin Boulevard / Hacienda Drive) – Weekday AM peak hour
- Int #5 (Hacienda Drive / Owens Drive) – Weekday PM peak hour
- Int #13 (Tassajara Road / Dublin Boulevard) – Weekday AM and PM peak hours
- Int #25 (Aviano Way / Brannigan Street) – Weekday AM peak hour
- Int #28 (Brannigan Street / Dublin Boulevard) – Weekday AM peak hour
- Int #31 (Dublin Boulevard / Keegan Street) – Weekday AM peak hour
- Int #35 (Dublin Boulevard / Fallon Road) – Weekday PM peak hour
- Int #38 (El Charro Road-Stoneridge Drive / Jack London Boulevard) – Weekday PM peak hour
- Int #41 (Grafton Street / Central Parkway) – Weekday PM peak hour

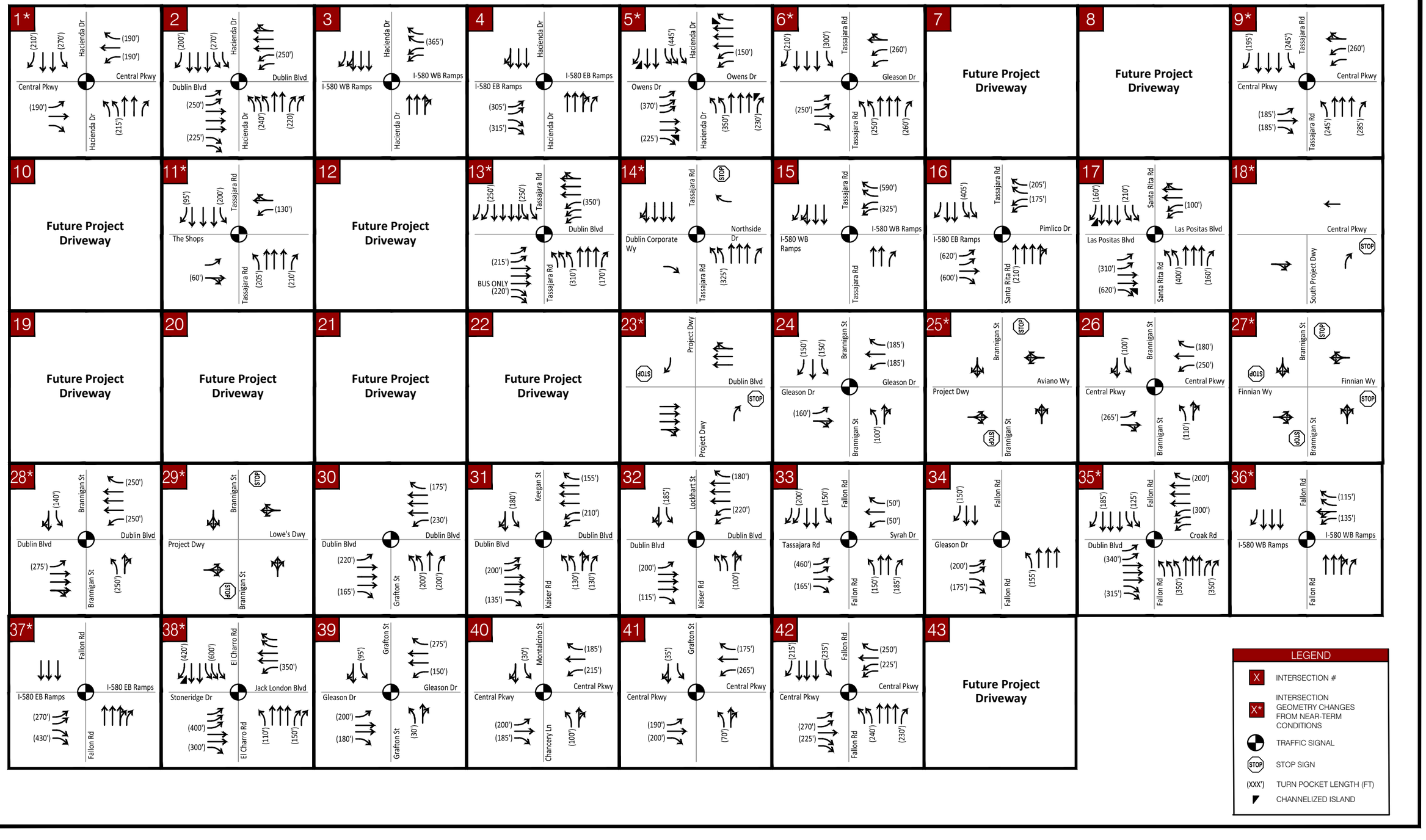


Figure 14

Cumulative Condition Lane Geometry and Traffic Control

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

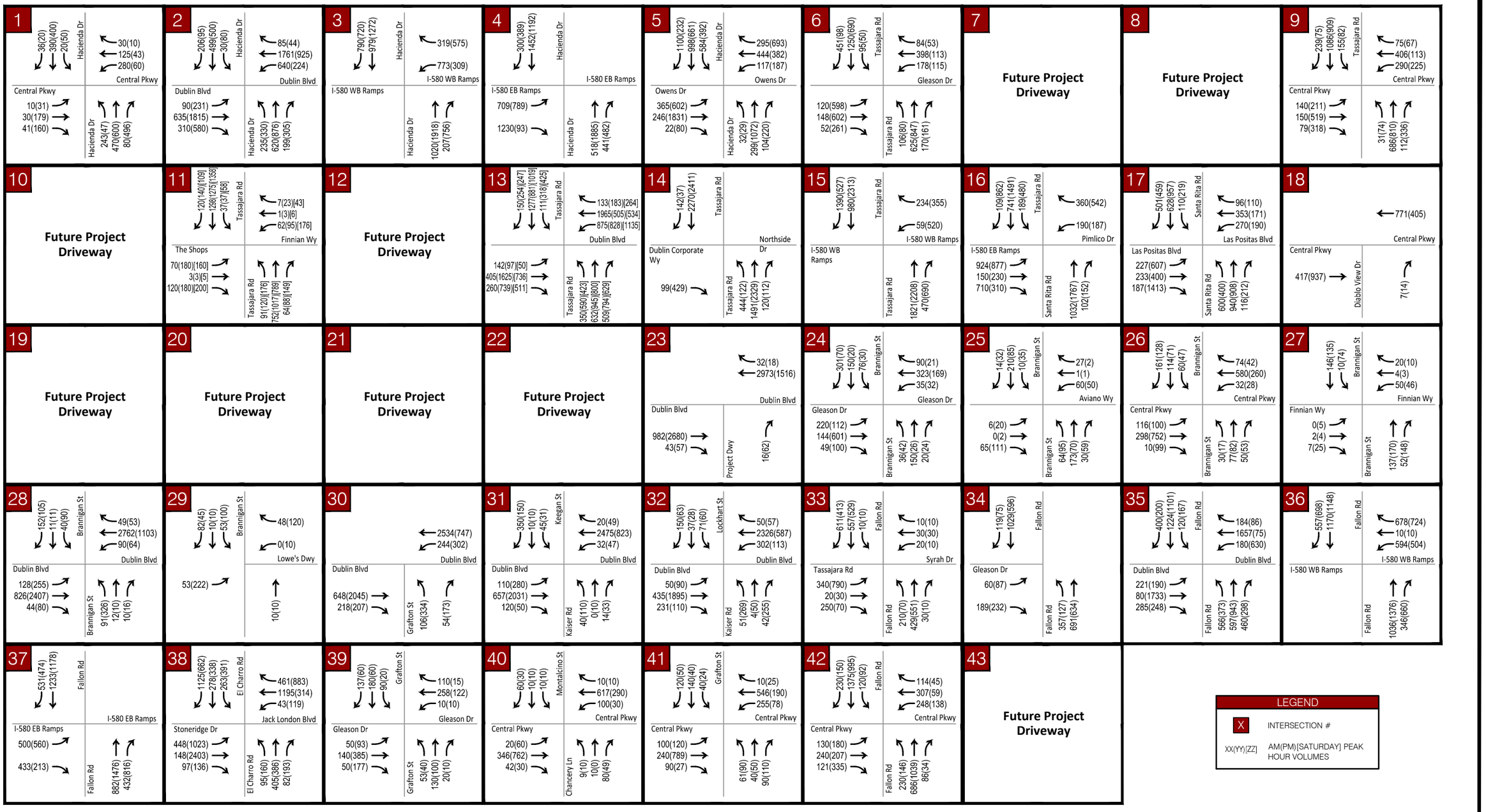


Figure 15

Cumulative Condition Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

Table 16 - Cumulative Intersection Level of Service Summary – Weekday

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
1	Hacienda Dr / Central Pkwy	D	Dublin	Signal	C	21.9	D	40.9
2	Dublin Blvd / Hacienda Dr	D	Dublin	Signal	**F**	**96.1**	D	44.2
3	Hacienda Dr / I-580 WB ramps	D*	Caltrans[4]	Signal	B	16.0	B	12.7
4	Hacienda Dr / I-580 EB ramps[1]	D*	Caltrans[4]	Signal	D	43.2	B	17.2
5	Hacienda Dr / Owens Dr	D*	Pleasanton	Signal	C	24.9	**E**	**68.9**
6	Tassajara Rd / Gleason Dr	D	Dublin	Signal	D	41.5	D	43.2
7	Project Dwy / Aviano Way / Tassajara Road	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
8	Project Dwy (North Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
9	Tassajara Rd / Central Pkwy	D	Dublin	Signal	D	35.2	D	42.5
10	Project Dwy (South Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
11	The Shops / Tassajara Rd	D	Dublin	Signal	C	27.3	B	19.6
12	Project Dwy (Affordable Housing) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	**F**	**82.9**	**F**	**95.5**
14	Tassajara Rd / Dublin Corporate Way[1,3]	D	Dublin	Signal	A	6.9	C	26.3
15	Tassajara Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	B	10.3	D	43.2
16	Tassajara Rd /Santa Rita Rd / I-580 EB Ramps – Pimlico Dr	D*	Caltrans[4]	Signal	D	40.9	C	34.9
17	Santa Rita Rd / Las Positas Blvd	D	Pleasanton	Signal	D	49.0	D	44.6
18	Project Dwy (North Side) / Central Pkwy	D	Dublin	Project SSSC	A	0.1	A	0.2
	Worst Approach				B	11.0	C	18.2
19	Project Dwy (South Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
20	Project Dwy (North Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
21	Project Dwy (South Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
22	Project Dwy / Gleason Dr	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
23	Project Dwy (South Side) / Dublin Blvd[1]	D	Dublin	SSSC	A	0	A	0.1
	Worst Approach				A	9.3	A	9.9
24	Brannigan St / Gleason Dr	D	Dublin	Signal	D	42.7	B	15.9
25	Aviano Way / Brannigan St	D	Dublin	SSSC	B	11.5	A	6.0
	Worst Approach				**F**	**68.0**	C	17.9
26	Brannigan St / Central Pkwy	D	Dublin	Signal	D	43.7	D	38.1
27	Finnian Way / Brannigan St	D	Dublin	AWSC	A	8.7	B	11.6

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Weekday			
					AM Peak		PM Peak	
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)
28	Brannigan St / Dublin Blvd	D	Dublin	Signal	**E**	**68.1**	D	43.4
29	Brannigan St Bend/Lowe's Truck Access	D	Dublin	SSSC	A	5.6	B	12.6
	Worst Approach				B	12.0	C	20.6
30	Dublin Blvd / Grafton St	D	Dublin	Signal	A	8.7	C	22.7
31	Dublin Blvd / Keegan St	D	Dublin	Signal	**F**	**82.0**	C	29.4
32	Dublin Blvd / Lockhart St	D	Dublin	Signal	C	27.3	D	45.8
33	Fallon Rd / Tassajara Rd	D	Dublin	Signal	C	20.4	C	24.2
34	Gleason Dr / Fallon Rd[1]	D	Dublin	Signal	D	39.6	B	15.1
35	Dublin Blvd / Fallon Rd	D	Dublin	Signal	D	54.3	**E**	**71.6**
36	Fallon Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	A	7.1	A	7.0
37	Fallon Rd / I-580 EB Ramps	D*	Caltrans[4]	Signal	A	7.2	A	7.6
38	El Charro Rd / Stoneridge Dr / Jack London Blvd	D	Pleasanton	Signal	C	32.9	**F**	**94.4**
39	Gleason Dr / Grafton St	D	Dublin	Signal	C	21.5	B	13.7
40	Central Pkwy / Chancery Ln	D	Dublin	Signal	C	22.5	C	31.7
41	Grafton St / Central Pkwy	D	Dublin	Signal	D	44.6	**E**	**59.7**
42	Central Pkwy / Fallon Rd	D	Dublin	Signal	D	54.5	C	26.5
43	Brannigan / South Family Homes Dwy	D	Dublin	SSSC	Future Project Driveway			
	Worst Approach							
44	Tassajara Rd / Project Driveway[1,3]	D	Dublin	SSSC	A	0.0	A	0.0
	Worst Approach				A	0.0	A	0.0

* City of Pleasanton Gateway intersection. Intersections operating unacceptably are shown in **bold.**

1. Intersection analyzed using HCM 2000 methodology instead of HCM 6th Edition.

2. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

3. Due to the configuration of this intersection, it was analyzed as two separate intersections (Intersection #14 and Intersection #44).

4. Caltrans intersection maintained by the City of Pleasanton.

Table 17 – Cumulative Intersection Level of Service Summary – Saturday

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Saturday	
					Saturday Peak	
					LOS	Delay[1] (sec)
11	The Shops / Tassajara Rd	D	Dublin	Signal	B	19.4
13	Tassajara Rd. / Dublin Blvd	D	Dublin	Signal	D	53.1

Intersections operating unacceptably are shown in **bold.**

1. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

CUMULATIVE PLUS PROJECT TRANSPORTATION IMPROVEMENTS

The following lists the roadway improvements assumed in Cumulative (2040) Plus Project that have changed from Cumulative Conditions. These roadway improvements are located adjacent to the Project along Tassajara Road, Dublin Boulevard, Gleason Drive, and Brannigan Street and will be constructed by the Project.

- Intersection #6 – Tassajara Road / Gleason Drive
    - Add a second eastbound through lane
    - Reconfigure the westbound approach to be two left turn lanes, two through lanes, and one right turn lane.
- Intersection #9 – Tassajara Road / Central Parkway
    - Convert the westbound shared through-right lane into a separate through lane and a separate right turn lane.
- Intersection #13 – Tassajara Road / Dublin Boulevard
    - Add a fourth eastbound receiving lane
    - Add a second northbound right turn lane
- Intersection #23 – Dublin Boulevard / Project Driveway
    - Remove southbound approach
- Intersection #24 – Brannigan Street / Gleason Drive
    - Reconfigure the eastbound approach to one left turn lane, two through lanes, and one right turn lane
- Intersection #28 – Brannigan Street / Dublin Boulevard
    - Convert the southbound shared through-right lane into a separate through lane and a separate right turn lane
    - Reconfigure the eastbound approach to one left turn lane, three through lanes, and one right turn lane
    - Add a second northbound left turn lane

Figure 16 presents the intersection lane geometry and traffic control in the Cumulative Plus Project Conditions.

CUMULATIVE PLUS PROJECT TRAFFIC VOLUMES

Trip credits for the assumed land uses on the Project site were taken under Cumulative Plus Project Conditions. Trips generated by these land uses under Cumulative Conditions were determined based on the TAZs associated with the Project site from the City's travel demand model. These volumes were removed from the Cumulative Conditions turning movement volumes and the proposed Project trips were then added to generate Cumulative Plus Project volumes. Evaluation of the assumed land uses under full buildout of the General Plan showed a greater volume than the proposed Project and therefore resulted in a decrease in volumes at many of the study intersections when comparing the Cumulative and Cumulative plus Project volumes.

CUMULATIVE PLUS PROJECT INTERSECTION LEVEL OF SERVICE

Cumulative Plus Project traffic conditions were evaluated at the study intersections and are presented in **Figure 17**. Results are presented in **Table 18** and **Table 19** for the weekday and Saturday peak hours, respectively. Intersections operating unacceptably are bolded and project deficiencies are highlighted. The

following intersections would operate at an unacceptable level of service in the Cumulative Plus Project Conditions:

- Int #2 (Dublin Boulevard / Hacienda Drive)
    - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS F without the project and the addition of the project decreases the overall v/c and increases the critical movement v/c by less than 0.05 – **Not a Deficiency**
- Int #5 (Hacienda Drive / Owens Drive)
    - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS E without the project and the project adds fewer than 10 trips to the intersection. Trips added to the intersection are the difference in trips added by the proposed Project and the trips removed that are associated with the land use on the project site assumed in the General Plan – **Not a Deficiency**
- Int #13 (Tassajara Road / Dublin Boulevard)
    - *Weekday AM and PM peak hours* – Intersection operating at an unacceptable LOS F without the project and the addition of the project decreases the overall v/c and increases the critical movement v/c by less than 0.05 – **Not a Deficiency**
- Int #26 (Brannigan Street / Central Parkway)
    - *Weekday PM peak hour* – Intersection operating at an acceptable LOS D without the project and the addition of the project degrades the intersection to an unacceptable LOS E – **Deficiency**
- Int #31 (Dublin Boulevard / Keegan Street)
    - *Weekday AM peak hour* – Intersection operating at an unacceptable LOS F without the project and the addition of the project decreases the overall v/c and increases the critical movement v/c by less than 0.05 – **Not a Deficiency**
- Int #35 (Dublin Boulevard / Fallon Road)
    - *Weekday PM peak hour* – Intersection operating at an unacceptable LOS E without the project and the project increases the total intersection average delay by less than six (6) seconds – **Not a Deficiency**
- Int #38 (El Charro Road-Stoneridge Drive / Jack London Boulevard)
    - *Weekday PM peak hour* – Intersection operating at an unacceptable LOS F without the project and the addition of the project does not change the overall v/c or critical movement v/c – **Not a Deficiency**

Many of the intersections decrease in delay with the addition of the Project. This is because the land uses assumed on the Project site within the City's travel demand model have a higher intensity than the Project itself.

Analysis sheets are provided in the **Appendix**.

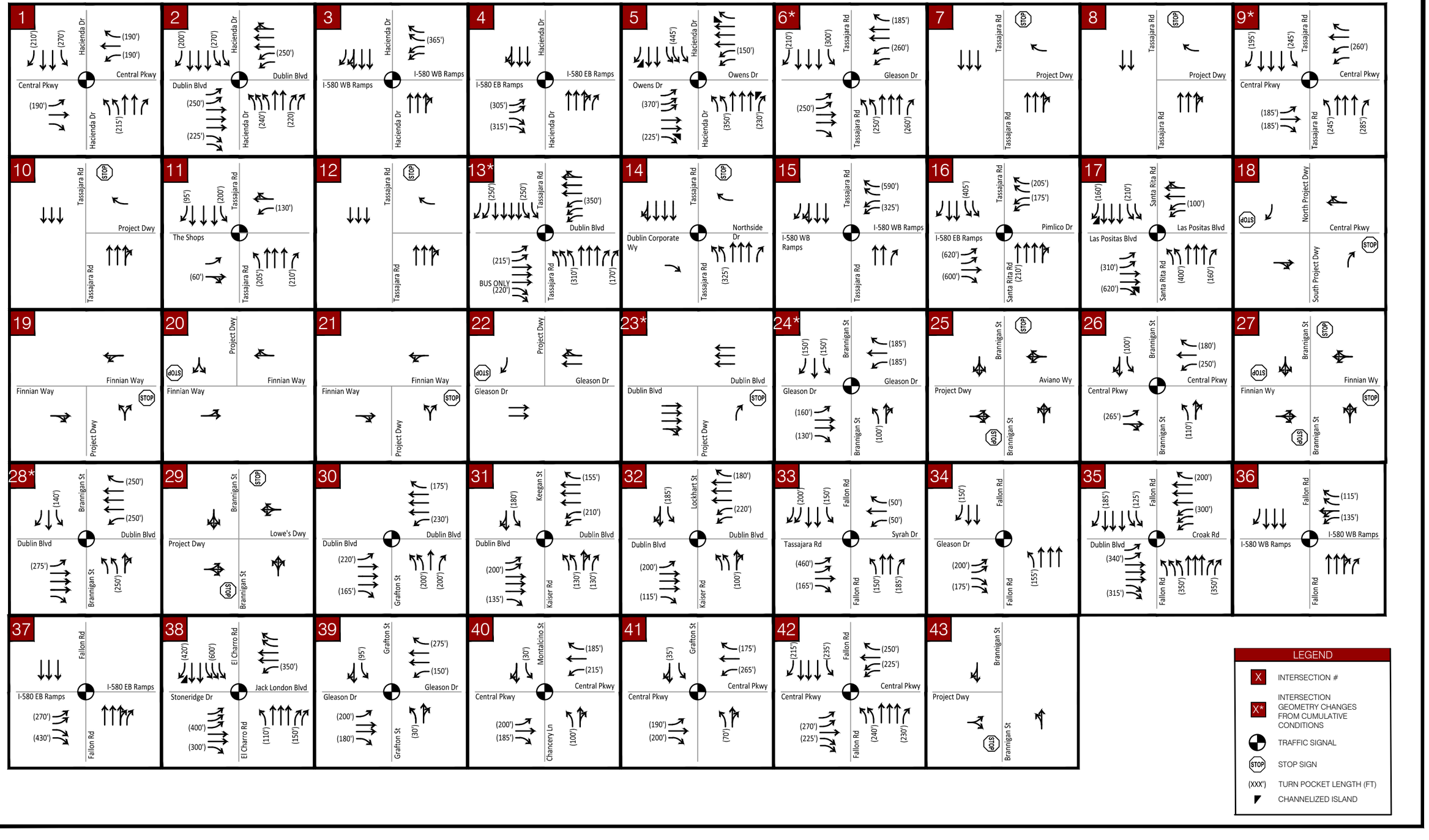


Figure 16

Cumulative Plus Project Condition Lane Geometry and Traffic Control

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

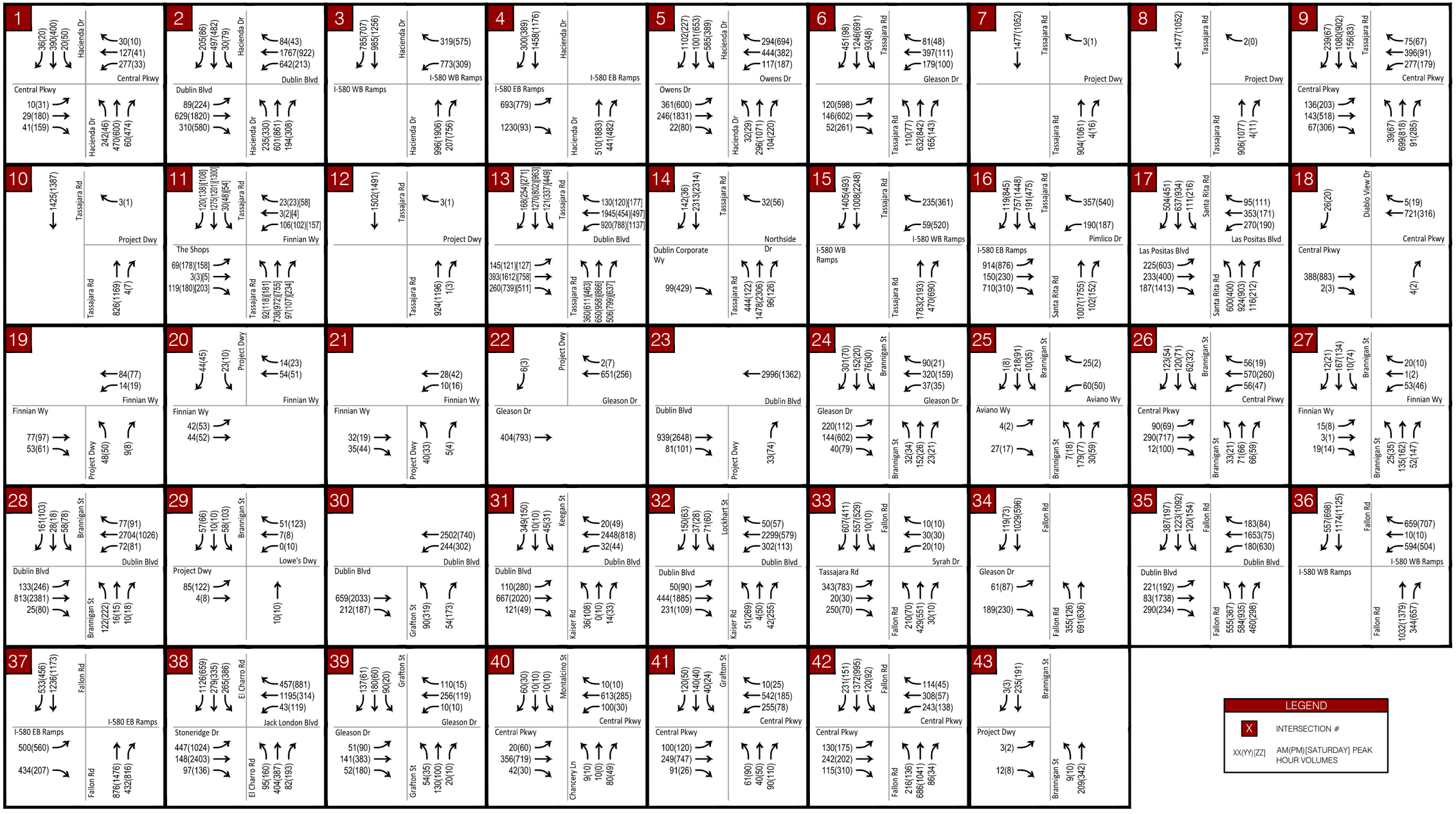


Figure 17

Cumulative Plus Project Condition Peak Hour Turning Movement Volumes

SCS Dublin

Not to scale

Kimley»Horn
Expect More. Experience Better.

Table 18 – Cumulative Plus Project Intersection Level of Service Summary – Weekday

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Weekday				Cumulative Plus Project Weekday					
					AM Peak		PM Peak		AM Peak			PM Peak		
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	Delay Var	LOS	Delay[2] (sec)	Delay Var
1	Hacienda Dr / Central Pkwy	D	Dublin	Signal	C	21.9	D	40.9	C	21.8	-0.1	C	31.7	-9.2
2	Dublin Blvd / Hacienda Dr	D	Dublin	Signal	**F**	**96.1**	D	44.2	**F**	**96.6**	**0.5**	D	43.3	-0.9
					Overall v/c	**0.93**	-	-	**Overall v/c**	**0.92**	**-0.01**	-	-	-
					Crit v/c	**0.44**	-	-	**Crit v/c**	**0.45**	**0.01**	-	-	-
3	Hacienda Dr / I-580 WB ramps	D*	Caltrans[4]	Signal	B	16.0	B	12.7	B	16.0	0.0	B	12.6	-0.1
4	Hacienda Dr / I-580 EB ramps[1]	D*	Caltrans[4]	Signal	D	43.2	B	17.2	D	44.0	0.8	B	16.8	-0.4
5	Hacienda Dr / Owens Dr	D*	Pleasanton	Signal	C	24.9	**E**	**68.9**	C	24.9	0.0	**E**	**68.6**	**-0.3**
									-	-	-	**Project Trips**		**-64**
6	Tassajara Rd / Gleason Dr	D	Dublin	Signal	D	41.5	D	43.2	C	31.3	-10.2	D	40.9	-2.3
7	Project Dwy / Aviano Way / Tassajara Road	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.2	13.2	B	14.9	14.9
8	Project Dwy (North Entry Level Townhomes) / Tassajara Rd	D	Dublin	Project SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.2	13.2	A	0.0	0.0
9	Tassajara Rd / Central Pkwy	D	Dublin	Signal	D	35.2	D	42.5	C	30.8	-4.4	D	40.6	-1.9
10	Project Dwy (South Entry Level Townhomes) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.0	13.0	C	17.7	17.7
11	The Shops / Tassajara Rd	D	Dublin	Signal	C	27.3	B	19.6	C	20.4	-6.9	C	20.0	0.4
12	Project Dwy (Affordable Housing) / Tassajara Rd	D	Dublin	SSSC	Future Project Driveway				A	0.0	0.0	A	0.0	0.0
	Worst Approach								B	13.7	13.7	C	18.8	18.8
13	Tassajara Rd / Dublin Blvd	D	Dublin	Signal	**F**	**82.9**	**F**	**95.5**	**E**	**79.8**	**-3.1**	**F**	**86.2**	**-9.3**
					Overall v/c	**0.96**	**Overall v/c**	**1.24**	**Overall v/c**	**0.95**	**-0.01**	**Overall v/c**	**1.00**	**-0.24**
					Crit v/c	**0.66**	**Crit v/c**	**0.83**	**Crit v/c**	**0.67**	**0.01**	**Crit v/c**	**0.85**	**0.02**
14	Tassajara Rd / Dublin Corporate Way[1,3]	D	Dublin	Signal	A	6.9	C	26.3	A	7.0	0.1	C	26.4	0.1
15	Tassajara Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	B	10.3	D	43.2	B	10.3	0.0	D	42.0	-1.2
16	Tassajara Rd /Santa Rita Rd / I-580 EB Ramps – Pimlico Dr	D*	Caltrans[4]	Signal	D	40.9	C	34.9	D	39.3	-1.6	D	35.0	0.1
17	Santa Rita Rd / Las Positas Blvd	D	Pleasanton	Signal	D	49.0	D	44.6	D	49.1	0.1	D	44.5	-0.1
18	Project Dwy (North Side) / Central Pkwy	D	Dublin	SSSC	A	0.1	A	0.2	A	0.4	0.3	A	0.2	0.0
	Worst Approach				B	11.0	C	18.2	B	14.9	3.9	C	16.7	-1.5
19	Project Dwy (South Side) / Central Pkwy	D	Dublin	SSSC	Future Project Driveway				A	2.4	2.4	A	2.4	2.4
	Worst Approach								B	10.1	10.1	B	10.4	10.4
20	Project Dwy (North Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway				A	4.3	4.3	A	3.8	3.8
	Worst Approach								A	9.4	9.4	A	9.1	9.1
21	Project Dwy (South Family Townhomes) / Finnian Way	D	Dublin	SSSC	Future Project Driveway				A	3.2	3.2	A	2.9	2.9
	Worst Approach								A	9.2	9.2	A	9.3	9.3
22	Project Dwy / Gleason Dr	D	Dublin	SSSC	Future Project Driveway				A	0.1	0.1	A	0.0	0.0
	Worst Approach								B	10.7	10.7	A	9.1	9.1

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Weekday				Cumulative Plus Project Weekday					
					AM Peak		PM Peak		AM Peak			PM Peak		
					LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	LOS	Delay[2] (sec)	Delay Var	LOS	Delay[2] (sec)	Delay Var
23	Project Dwy (South Side) / Dublin Blvd	D	Dublin	SSSC	A	0.0	A	0.1	A	0.1	0.1	A	0.2	0.1
	Worst Approach				A	9.3	A	9.9	A	9.1	-0.2	A	9.9	0.0
24	Brannigan St / Gleason Dr	D	Dublin	Signal	D	42.7	B	15.9	D	50.2	7.5	B	12.7	-3.2
25	Aviano Way / Brannigan St	D	Dublin	SSSC	B	11.5	A	6.0	A	5.0	-6.5	A	3.4	-2.6
	Worst Approach				**F**	**68.0**	C	17.9	D	26.0	-42.0	B	12.0	-5.9
26	Brannigan St / Central Pkwy	D	Dublin	Signal	D	43.7	D	38.1	D	42.7	-1.0	**E**	**61.3**	**23.2**
27	Finnian Way / Brannigan St	D	Dublin	AWSC	A	8.7	B	11.6	A	9.3	0.6	B	12.3	0.7
28	Brannigan St / Dublin Blvd	D	Dublin	Signal	**E**	**68.1**	D	43.4	C	34.1	-34.0	D	46.7	3.3
29	Brannigan St Bend/Lowe's Truck Access	D	Dublin	SSSC	A	5.6	B	12.6	A	7.5	1.9	A	9.2	-3.4
	Worst Approach				B	12.0	C	20.6	B	13.0	1.0	C	16.5	-4.1
30	Dublin Blvd / Grafton St	D	Dublin	Signal	A	8.7	C	22.7	A	8.3	-0.4	C	22.3	-0.4
31	Dublin Blvd / Keegan St	D	Dublin	Signal	**F**	**82.0**	C	29.4	**E**	**76.5**	**-5.5**	C	28.4	-1.0
					Overall v/c	**0.82**	-	-	**Overall v/c**	**0.81**	**-0.01**	-	-	-
					Crit v/c	**0.29**	-	-	**Crit v/c**	**0.29**	**0.00**	-	-	-
32	Dublin Blvd / Lockhart St	D	Dublin	Signal	C	27.3	D	45.8	C	25.5	-1.8	D	44.8	-1.0
33	Fallon Rd / Tassajara Rd	D	Dublin	Signal	C	20.4	C	24.2	C	20.5	0.1	C	24.1	-0.1
34	Gleason Dr / Fallon Rd[1]	D	Dublin	Signal	D	39.6	B	15.1	D	39.8	0.2	B	15.1	0.0
35	Dublin Blvd / Fallon Rd	D	Dublin	Signal	D	54.3	**E**	**71.6**	D	53.7	-0.6	**E**	**71.4**	**-0.2**
36	Fallon Rd / I-580 WB Ramps	D*	Caltrans[4]	Signal	A	7.1	A	7.0	A	7.1	0.0	A	7.0	0.0
37	Fallon Rd / I-580 EB Ramps	D*	Caltrans[4]	Signal	A	7.2	A	7.6	A	7.2	0.0	A	7.6	0.0
38	El Charro Rd / Stoneridge Dr / Jack London Blvd	D	Pleasanton	Signal	C	32.9	**F**	**94.4**	C	32.9	0.0	**F**	**93.7**	**-0.7**
					-	**-**	**Overall v/c**	**1.17**	**-**	**-**	**-**	**Overall v/c**	**1.17**	**0.00**
					-	**-**	**Crit v/c**	**1.41**	**-**	**-**	**-**	**Crit v/c**	**1.41**	**0.00**
39	Gleason Dr / Grafton St	D	Dublin	Signal	C	21.5	B	13.7	C	22.2	0.7	B	13.6	-0.1
40	Central Pkwy / Chancery Ln	D	Dublin	Signal	C	22.5	C	31.7	C	22.3	-0.2	C	25.7	-6.0
41	Grafton St / Central Pkwy	D	Dublin	Signal	D	44.6	**E**	**59.7**	D	44.1	-0.5	D	47.4	-12.3
42	Central Pkwy / Fallon Rd	D	Dublin	Signal	D	54.5	C	26.5	D	53.2	-1.3	C	26.2	-0.3
43	Brannigan / South Family Homes Driveway	D	Dublin	SSSC	Future Project Driveway				A	0.5	0.5	A	0.3	0.3
	Worst Approach								B	10.8	10.8	B	12.3	12.3
44	Tassajara Rd / Project Driveway[1,3]	D	Dublin	SSSC	A	0.0	A	0.0	A	0.1	0.1	A	0.2	0.2
	Worst Approach				A	0.0	A	0.0	B	12.9	12.9	C	19.4	19.4

* City of Pleasanton Gateway intersection. Intersections operating unacceptably are shown in **bold** and project deficiencies are highlighted.

1. Intersection analyzed using HCM 2000 methodology instead of HCM 6th Edition.
2. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.
3. Due to the configuration of this intersection, it was analyzed as two separate intersections (Intersection #14 and Intersection #44).
4. Caltrans intersection maintained by the City of Pleasanton.

Table 19 – Cumulative Plus Project Intersection Level of Service Summary – Saturday

#	Intersection	LOS Criteria	Jurisdiction	Control	Cumulative Saturday		Cumulative Plus Project Saturday		
					Saturday Peak		Saturday Peak		
					LOS	Delay[1] (sec)	LOS	Delay[1] (sec)	Delay Var
11	The Shops / Tassajara Rd	D	Dublin	Signal	B	19.4	B	18.8	-0.6
13	Tassajara Rd. / Dublin Blvd	D	Dublin	Signal	D	53.1	D	51.7	-1.4

Intersections operating unacceptably are shown in **bold.**

1. The average control delay is reported for signalized and AWSC intersections. The delay for the worst movement is reported for SSSC intersections.

7. ALAMEDA COUNTY TRANSPORTATION COMMISSION LAND USE ANALYSIS PROGRAM

This chapter presents the results of the Alameda CTC Land Use analysis under Year 2020 and Year 2040 Conditions, with and without the Project, in the PM peak hour.

YEAR 2020 AND YEAR 2040 CONDITIONS

The Alameda CTC Land Use analysis was performed to comply with its congestion management plan (CMP) Land Use Analysis Program. In the CMP, development projects generating more than 100 PM net new peak hour trips are analyzed to determine its impact on Metropolitan Transportation System (MTS) roadways. Since the ACTC Land Use Analysis Program's 100-trip criteria is in the PM peak hour and the project generates greater project trips in the PM peak hour than the AM peak hour, the analysis was evaluated in the PM peak hour only.

The Almeda CTC travel demand model for Year 2020 and Year 2040 was used to determine 2020 and 2040 traffic volumes in the PM peak hour along the MTS roadways of I-580, I-680, Dublin Boulevard, and Tassajara Road. Traffic volumes and the number of lanes in each direction were used to determine the segment v/c ratio. It is assumed that the capacity of the freeway segment is 2,000 vehicles per hour per lane (vphpl) and the capacity of the roadway segment is 800 vphpl. Analysis sheets are provided in the **Appendix**.

Based on the analysis, the following MTS roadway segments operate at an unacceptable LOS F in Year 2020 and Year 2040 Conditions during the PM peak hour:

Year 2020 Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road

Year 2040 Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road

In the PM peak period, EB I-580 is congested upstream of Tassajara Road from Tassajara Road to beyond the beginning of the study limits of the I-680 interchange. Therefore, the volume throughput along EB I-580 at each study segment in both Year 2020 and Year 2040 Conditions may not be representative of the demand upstream of the study corridor and actual demand volumes may result in congestion of the study segments.

YEAR 2020 AND YEAR 2040 PLUS PROJECT CONDITIONS

Project trips during the PM peak hour were added to the roadway segments under Year 2020 and Year 2040 Conditions to determine the v/c ratio under Plus Project Conditions. Based on the analysis, the following roadway segments continue to operate at an unacceptable LOS F in Plus Project Conditions:

Year 2020 Plus Project Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road
    - Increase in v/c of greater than 0.02 – **Deficiency**

Year 2040 Plus Project Conditions

- Eastbound Dublin Boulevard: Between Hacienda Drive and Tassajara Road
    - With the addition of the project trips and taking a trip credit for the land uses assumed as part the General Plan buildout, this results in an increase in v/c of less than 0.02 – **Not a Deficiency**

It is unlikely that Dublin Boulevard can be widened from three lanes to four lanes in each direction to provide additional capacity and to address the deficiency above. Therefore, a Transportation Demand Management (TDM) plan proposed. The Project is proposing a TDM plan to address CEQA impacts and to reduce mobile emissions for all uses. The TDM plan would discourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking. With the implementation of the TDM plan, the Project would reduce its single-occupancy vehicle trips and minimize its impact on the adjacent roadways, including eastbound Dublin Boulevard, which is identified as a deficiency under Year 2020 Plus Project Conditions. A trip reduction of approximately 4.5 percent in the PM peak hour would result in a v/c increase of less than 0.02 along eastbound Dublin Boulevard between Hacienda Drive and Tassajara Road in Year 2020 Plus Project Conditions and would no longer be considered a deficiency.

8. SIGNAL WARRANT EVALUATION

Traffic volumes at unsignalized study intersections were compared against the peak hour warrant in the *2014 California Manual on Uniform Traffic Control Devices* (CA MUTCD)[10]. Traffic Signal Warrant #3 – Peak Hour Volume Warrant is satisfied when traffic volumes on the major and minor approaches exceed thresholds for one hour of the day. The Peak Hour Warrant is generally the first warrant to be satisfied.

The peak hour traffic signal warrant for each unsignalized intersection was analyzed under all scenarios. Based on the results, no study intersections met the peak hour signal warrant. Analysis sheets are provided in the **Appendix**.

[10] *California Manual on Uniform Traffic Control Devices, (FHWA's MUTCD 2009 Edition, as amended for use in California), November 7, 2014*

9. FREEWAY ON-RAMP METERING ANALYSIS

Freeway on-ramps were analyzed at the Hacienda Drive, Tassajara Road, and El Charro Road interchanges to determine the extent of the on-ramp queues due to ramp metering at each ramp. On-ramps were analyzed in the direction and peak periods when the ramp meters are active, with westbound diagonal on-ramps analyzed in the AM peak hour and eastbound loop on-ramps analyzed in the PM peak hour. On-ramp volumes were obtained from the intersection turning movement volumes. For locations with a high occupancy vehicle (HOV) lane, on-ramp volumes were adjusted to reflect single occupancy vehicles (SOV) only. HOV occupancy data were derived from the Caltrans' Performance Measurement System (PeMS) Data Source with the exception of the westbound I-580 Hacienda Drive Diagonal On-Ramp which was derived from the Caltrans *2011 Bay Area HOV Lanes*[11] report due to the lack of PeMS data at this location. The on-ramp metering rates were provided by the City of Dublin for each on-ramp location and the storage lengths were measured using Google aerial maps.

BASELINE CONDITIONS

The on-ramp queuing analysis for Existing, Near-Term, and Cumulative conditions are presented in **Table 20**. As shown, the vehicles for on-ramps with ramp metering are contained within the available ramp storage except at the following locations:

Existing Conditions

- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)

Near-Term Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)

Cumulative Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Tassajara Road Loop On-Ramp (PM Peak Hour)

PLUS PROJECT CONDITIONS

The on-ramp queuing analysis for Near-Term Plus Project and Cumulative Plus Project conditions are presented in **Table 21**. As shown, the vehicles for on-ramps with ramp metering are contained within the available ramp storage except at the following locations:

Near-Term Plus Project Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – El Charro Road Loop On-Ramp (PM Peak Hour)

[11] *2011 Bay Area HOV Lanes*, Caltrans, 2011.

Cumulative Plus Project Conditions

- Westbound I-580 – Hacienda Drive Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Hacienda Drive Loop On-Ramp (PM Peak Hour)
- Westbound I-580 – Tassajara Road Diagonal On-Ramp (AM Peak Hour)
- Eastbound I-580 – Tassajara Road Loop On-Ramp (PM Peak Hour)

Table 20 – Baseline Conditions Freeway On-Ramp Queuing Analysis (I-580)

On-Ramp	Peak Hour	Storage Length (ft)	Meter Rate (vph)	Existing				Near-Term				Cumulative			
				Total Volume (vph)	SOV %	SOV Volume (vph)	Max Queue (ft)	Total Volume (vph)	SOV %	SOV Volume (vph)	Max Queue (ft)	Total Volume (vph)	SOV %	SOV Volume (vph)	Max Queue (ft)
WB I-580 Hacienda Dr Diagonal On-Ramp	AM	700	540	385	90%	347	0	781	90%	703	**4,075**	790	90%	711	**4,275**
EB I-580 Hacienda Dr Loop On-Ramp	PM	490	300	309	100%	309	225	374	100%	374	**1,850**	389	100%	389	**2,225**
WB I-580 Tassajara Rd Diagonal On-Ramp	AM	1,080	480	1,116	57%	636	**3,900**	1,386	57%	790	**7,750**	1,390	57%	792	**7,800**
EB I-580 Tassajara Rd Loop On-Ramp	PM	830	450	520	71%	369	0	547	71%	388	0	862	71%	612	**4,050**
WB I-580 Fallon Rd Diagonal On-Ramp	AM	685	300	670	43%	288	0	760	43%	327	675	557	43%	240	0
EB I-580 El Charro Rd Loop On-Ramp	PM	890	240	488	56%	273	825	92	56%	52	0	474	56%	265	625

Notes:
1. SOV = Single-occupancy vehicles; Ramp meter analysis was performed for SOV lanes only. HOV lanes were assumed to operate with a 900 vph metering rate and therefore would not have any queues extend onto the arterial.
2. SOV volumes were calculated based on HOV to SOV ratios from PeMS on-ramp volumes with the exception of the westbound I-580 Hacienda Drive Diagonal On-Ramp which were derived from the Caltrans *2011 Bay Area HOV Lanes* report.
3. Ramps with vehicle queues exceeding the on-ramp storage and extending onto the adjacent arterial are shown with **bold** text.

Table 21 – Plus Project Conditions Freeway On-Ramp Queuing Analysis (I-580)

On-Ramp	Peak Hour	Storage Length (ft)	Meter Rate (vph)	Near-Term + Project				Cumulative + Project			
				Total Volume (vph)	SOV %	SOV Volume (vph)	Max Queue (ft)	Total Volume (vph)	SOV %	SOV Volume (vph)	Max Queue (ft)
WB I-580 Hacienda Dr Diagonal On-Ramp	AM	700	540	793	90%	714	**4,350**	785	90%	707	**4,175**
EB I-580 Hacienda Dr Loop On-Ramp	PM	490	300	374	100%	374	**1,850**	389	100%	389	**2,225**
WB I-580 Tassajara Rd Diagonal On-Ramp	AM	1,080	480	1,424	57%	812	**8,300**	1,405	57%	801	**8,025**
EB I-580 Tassajara Rd Loop On-Ramp	PM	830	450	579	71%	411	0	845	71%	600	**3,750**
WB I-580 Fallon Rd Diagonal On-Ramp	AM	685	300	760	43%	327	675	557	43%	240	0
EB I-580 El Charro Rd Loop On-Ramp	PM	890	240	576	56%	323	**2,075**	456	56%	255	375

Notes:
1. SOV = Single-occupancy vehicles; Ramp meter analysis was performed for SOV lanes only. HOV lanes were assumed to operate with a 900 vph metering rate and therefore would not have any queues extend onto the arterial.
2. SOV volumes were calculated based on HOV to SOV ratios from PeMS on-ramp volumes with the exception of the westbound I-580 Hacienda Drive Diagonal On-Ramp which were derived from the Caltrans *2011 Bay Area HOV Lanes* report.
3. Ramps with vehicle queues exceeding the on-ramp storage and extending onto the adjacent arterial are shown with **bold** text.

10. VEHICLE QUEUING AND SITE ACCESS AND CIRCULATION

This chapter presents the results of the vehicle queuing analysis completed for the study intersections where the project would generate a significant number of trips to the left turn lanes and for project driveways to determine whether the project would create on-site circulation issues. In addition, the following includes a discussion of site access and circulation for the proposed project site.

VEHICLE QUEUING

As congestion increases, it is common for traffic at intersections to form lines of stopped (or queued) vehicles. Queue lengths were determined for left turn lanes where the project would add a significant number of trips and measure the distance that vehicles will back up in each direction approaching an intersection. Synchro software calculates the 95th percentile queues based on Synchro methodology. The 95th percentile queue is used to account for fluctuations in traffic and represents a condition where 95 percent of the time during the peak period, traffic volumes will be less than or equal to the queue determined by the analysis. It is used as a benchmark for determining deficiencies as a standard transportation engineering practice. A typical vehicle length of 25 feet was used in the queuing analysis. An operational deficiency was assumed to occur if the queue increases by one or more vehicles and the vehicle queue exceeds the turn pocket length. A summary of the queuing results is included in the **Appendix**.

The analysis showed that several turn bay storage lengths were exceeded under each analysis scenario for Near-Term and Cumulative Conditions with and without the project. In most cases, the inadequate queue lengths are not associated with the project, but are a result of pre-existing deficiencies. For example, the 95th percentile eastbound left turn queue at Intersection #5 (Hacienda Drive/Owens Drive) is 496 feet during the PM peak hour in Near-Term Conditions and 506 feet during the PM peak hour in Near-Term Plus Project Conditions. Although the turn pocket length is 370 feet long and the queues spills out of the turn pocket, the result is a pre-existing deficiency not associated with the project since the project did not increase the queue by at least one vehicle length (i.e. 25 feet). Locations where the left turn queue results in a project-deficiencies are shown in **Table 22.**

95th percentile vehicle queuing at the project driveways were also evaluated to determine whether the project would result in queues extending into the site and conflict with internal driveways. Available storage lengths for the project driveways were measured at the intersection to the next internal driveway on-site. A summary of the 95th percentile queues at the project driveways is shown in **Table 23**. As shown in the table, all driveway queues are contained within the available storage and would not conflict with internal driveways.

Table 22 – Intersection Queuing Deficiencies

#	Intersection	Scenario	Peak Period	Turning Movement	Storage Length (feet)	Queue Length (feet)		Variance
						Without Project	With Project	
2	Dublin Blvd / Hacienda Dr	Near-Term	AM	WBL	250	675	**704**	29 feet (1 veh)
13	Dublin Blvd / Tassajara Rd	Near-Term	PM	EBL	215	294	**364**	70 feet (3 veh)
		Cumulative	Sat	WBL	350	450	**625**	175 feet (7 veh)

Note: Queuing operational deficiencies are **bolded** and highlighted.

Table 23 – 95th Percentile Queueing at Project Driveways

#	Intersection	Storage Length	Turning Movement	Queue Length (feet)					
				Near-Term Plus Project			Cumulative Plus Project		
				AM	PM	Sat	AM	PM	Sat
7	Tassajara Rd / Project Dwy - Aviano Wy	25	WBR	<25	<25		<25	<25	
8	Tassajara Rd / Project Dwy - North Entry Level Townhomes	50	WBR	<25	<25		<25	<25	
10	Tassajara Rd / Project Dwy - South Entry Level Townhomes	25	WBR	<25	<25		<25	<25	
11	Tassajara Rd / Project Dwy - Finnian Wy	130	WBL	128	103	145	153	145	153
		130	WBT/R	26	<25	35	32	32	46
		200	SBL	35	75	67	45	82	84
12	Tassajara Rd / Project Dwy - Affordable Housing	25	WBR	<25	<25		<25	<25	
14	Tassajara Rd / Project Dwy - Northside Drive	90	WBR	<25	<25		<25	<25	
18	Central Pkwy / Project Dwy	75	NBR	<25	<25		<25	<25	
		160	SBR	<25	<25		<25	<25	
19	Finnian Wy / Project Dwy - Retail	105	NBL/R	<25	<25		<25	<25	
20	Finnian Wy / Project Dwy - North Family Townhomes	100	SBL/R	<25	<25		<25	<25	
21	Finnian Wy / Project Dwy - South Family Townhomes	85	NBL/R	<25	<25		<25	<25	
22	Gleason Dr / Project Dwy	100	SBR	<25	<25		<25	<25	
23	Dublin Blvd / Project Dwy	50	NBR	<25	<25		<25	<25	
25	Aviano Wy / Project Dwy	180	EBL/T/R	<25	<25		<25	<25	
27	Finnian Wy / Project Dwy - Retail	420	EBL/T/R	<25	<25		<25	<25	
29	Brannigan St / Project Wy	90	EBL/T/R	<25	33		<25	35	
43	Finnian Wy / Project Dwy - South Family Townhomes	75	EBL/R	<25	<25		<25	<25	

Note: 95th percentile queues that extend beyond the available storage length by 25 feet (one vehicle) or more is shown in **bold**.

SITE ACCESS AND CIRCULATION

As shown in **Figure 1** of the site plan, the proposed development is divided into the following four planning areas:

- **Planning Area 1**
  - Access to this planning area is provided by three unsignalized driveways with one right-in/ right-out access on Tassajara Road (Intersection #44), one right-in/right-out access on Dublin Boulevard (Intersection #23), and one full-access on Brannigan Street (Intersection #29).
  - Planning Area 1 consist of the commercial and retail uses including retail shops, restaurants, Topgolf, the hotel, and the bowling alley.
- **Planning Area 2**
  - Access to this planning area is provided by two unsignalized, right-in/right-out driveways (Intersections #10 and #12) and one full-access, signalized driveway (Intersection #11) on Tassajara Road, one right-in/right-out access on Central Parkway (Intersection #18), and two unsignalized, full access driveways on Brannigan Street (Intersections #27 and #43).
  - Intersections #10, #12, #18, and #43 provide direct access to the residential units. Intersections #11 and #27 along Finnian Way provide direct access to the retail shops and Shop Houses.
- **Planning Area 3**
  - Access to this planning area is provided by four unsignalized driveways with two right-in/right-out accesses on Tassajara Road (Intersections #7 and #8), one right-in/right-out access on Central Parkway (Intersection #18), and one full-access on Brannigan Street Intersection #25).
- **Planning Area 4**
  - Access to this planning area is provided by one unsignalized, right-in/right-out access (Intersection #22) on Gleason Drive.

It should be noted that the project site plan is a conceptual development and therefore does not provide further details regarding site circulation. It is recommended that the project review vehicular site access to the project site to ensure adequate sight distance and emergency access when developing the detailed and final site plan.

11. PUBLIC TRANSIT, BICYCLE, AND PEDESTRIAN FACILITIES

The proposed project was evaluated to review the project's access and connectivity to transit, pedestrian, and bicycle facilities.

TRANSIT FACILITIES

The project proposes access for pedestrians to use public transit. Sidewalks and crosswalks are proposed adjacent to the project site to allow for pedestrians to access existing and future bus stops nearby. Route 2 has its closest bus stop on Central Parkway at Glynnis Rose Drive. Route 30R has its closest bus stop on Dublin Boulevard at Glynnis Rose Drive and Grafton Street. Route 501 has its closest bus stop area at the intersections along Gleason Drive at Central Parkway and Tassajara Road, and at the intersection of Central Parkway at Glynnis Rose Drive. Route 502 has its closest bus stop along Central Parkway at Glynnis Rose Drive and Dublin Boulevard at Brannigan Street. Route 504 has its closest bus stops on Gleason Drive at Tassajara Road and at Brannigan Street. It is anticipated that in coordination with the Livermore Amador Valley Transit Authority (LAVTA) on the future Site Development Review Permit, additional bus stops will be provided along the project frontage, including but not limited to the frontage along Dublin Boulevard. Each of these existing and future bus stops are accessible to the project site via pedestrian walkways. Therefore, the project would not conflict with the City's existing transit programs, plans, ordinances, or policies.

Transit Delay

Transit vehicle delay was also considered for Tri-Valley Wheels bus routes that operate within the study area. Transit vehicles for the transit routes in the study area are expected to use the shared right-of-way with other motorists. Since the proposed project is anticipated to increase the vehicle delay at study intersections, transit vehicle delay may increase. The increase in transit vehicle delay was calculated from the intersection level of service outputs from Synchro. For each transit route, the study intersections and specific movements along the route were identified. The vehicle delay at each movement for each study intersection along the route was summed to determine the transit vehicle delay in the study area. **Table 24** summarizes the transit delay for the Tri-Valley Wheels bus routes within our study area.

In the Near-Term Plus Project condition, the maximum increase in transit vehicle delay is 44.9 seconds for Route 502 during the PM peak hour in the westbound direction. In the PM peak hour, Route 502 operates on Mondays, Tuesdays, and Thursdays between 4:05 PM and 4:44 PM, on Wednesdays between 3:06 PM and 3:45 PM, and on Fridays between 2:41 PM to 3:20 PM. With an increase of 44.9 seconds to the 39-minute transit route, this would result in an increased travel time of approximately 2 percent. In the Cumulative Plus Project condition, the maximum increase in transit delay is 23.1 seconds for Route 501C during the PM peak hour in the eastbound direction. These increases in transit vehicle delay should not significantly affect the overall schedule for the transit routes.

Table 24 – Transit Delay Summary

Route	Direction[1]		Change in Delay (sec)							
			Near-Term Plus Project				Cumulative Plus Project			
			AM Peak		PM Peak		AM Peak		PM Peak	
	1	2	1	2	1	2	1	2	1	2
1	NB	SB	0.2	0.2	1.4	0.2	-0.1	-0.2	-8.6	-0.9
2	EB	WB	-8.0	6.5	-3.3	-5.4	-0.1	0.0	-1.3	0.2
3	WB	EB	0.0	0.2	0.0	0.7	0.0	0.0	0.0	0.0
14	EB	WB	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
54	NB	SB	0.0	0.2	0.0	0.7	0.0	0.0	0.0	-0.1
10r	EB	WB	0.1	0.2	0.2	0.7	0.1	0.0	-0.1	0.2
604	WB	EB	0.4	-0.2	0.5	0.3	0.0	0.1	-0.1	-0.1
605	SB	NB	0.0	1.5	0.0	2.7	0.0	-0.2	0.0	-0.3
610	WB	EB	0.4	0.9	0.5	2.3	0.0	0.0	-0.1	-0.4
501A	WB	EB	-5.7	0.3	0.1	1.5	-14.7	-3.7	-1.0	-8.6
501B	WB	EB	0.4	-2.5	3.7	-1.9	-2.9	-9.2	-0.2	-48.6
501C	WB	EB	-450.3	10.1	17.9	-146.5	-76.4	1.0	3.8	23.1
502	WB	EB	-454.3	10.6	44.9	32.5	-66.5	8.5	0.1	-20.3
504	WB	EB	-13.9	-9.0	-0.6	-16.8	-20.7	-18.2	-2.8	-10.9

Note:
[1] NB - Northbound, SB - Southbound, EB - Eastbound, WB – Westbound
Changes in delay are compared to each condition's respective without project condition.

BICYCLE FACILITIES

The project is proposing to construct Class II bicycle lanes along Gleason Drive between Tassajara Road and Brannigan Street to fill in the gaps in the bicycle network. The project is not proposing nor responsible for providing any bicycle facilities on Tassajara Road between the I-580 westbound and eastbound ramps to connect the City of Dublin bicycle network to the City of Pleasanton bicycle network. This is consistent with the proposed bicycle network outlined in the City's Bicycle and Pedestrian Master Plan. In addition, the project is not proposing to alter existing bicycle facilities. Therefore, the project would not conflict with the City's existing bicycle programs, plans, ordinances, or policies.

PEDESTRIAN FACILITIES

The project is proposing to construct sidewalks along its frontage to fill in the gaps in the pedestrian network. These proposed sidewalks connect to the existing sidewalks and crosswalks adjacent the site to allow residents, employees, and patrons access to nearby transit facilities, as well as residential and commercial uses surrounding the project site. In addition, the project is not proposing to alter existing pedestrian facilities. Therefore, the project would not conflict with the City's existing plans, ordinances, or policies as it relates to pedestrian facilities.

12. SUMMARY OF INTERSECTION LOS DEFICIENCIES AND RECOMMENDED IMPROVEMENTS

Based on the results of the traffic analysis and evaluation of the proposed project, the following intersection level of service deficiencies, as summarized in **Table 25**, would occur with the Project.

Table 25 – Intersection Deficiencies Summary

#	Intersection	Scenario
2	Dublin Boulevard / Hacienda Drive	Near-Term Plus Project – Weekday AM peak hour
17	Santa Rita Road / Las Positas Boulevard	Near-Term Plus Project – Weekday AM peak hour
26	Brannigan Street / Central Parkway	Cumulative Plus Project – Weekday PM peak hour
31	Dublin Boulevard / Keegan Street	Near-Term Plus Project – Weekday AM peak hour

Intersection and roadway improvements to address the LOS deficiencies are summarized below. Analysis sheets are provided in the **Appendix**.

Intersection #2 (Dublin Boulevard / Hacienda Drive)

- Near-Term Plus Project – Weekday AM peak hour
  - This intersection operates at an unacceptable LOS F in the AM peak hour under baseline conditions. With the project, the intersection continues to operate at an unacceptable LOS F with an increase in the critical movement v/c by greater than 0.05. This results in a project deficiency.
  - To address the deficiency, the intersection signal timing splits should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (48.1 seconds of delay) in the AM peak hour.

Intersection #17 (Santa Rita Road / Las Positas Boulevard)

- Near-Term Plus Project – Weekday AM peak hour
  - This intersection operates at an unacceptable LOS E in the AM peak hour under baseline conditions. With the project, greater than 10 peak hour project trips are added to the study intersection. This results in a project deficiency.
  - To address the deficiency, the intersection signal timing splits should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (45.3 seconds of delay) in the AM peak hour.

Intersection #26 (Brannigan Street / Central Parkway)

- Cumulative Plus Project – Weekday PM peak hour
  - This intersection operates at an acceptable LOS D in the PM peak hour under baseline conditions. With the project, the intersection degrades to an unacceptable LOS E. This results in a project deficiency.
  - To address the deficiency, the intersection cycle length should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS D (37.3 seconds of delay) in the PM peak hour.

Intersection #31 (Dublin Boulevard / Keegan Street)

- Near-Term Plus Project – Weekday AM peak hour
    - This intersection operates at an unacceptable LOS E in the AM peak hour under baseline conditions. With the project, the total intersection average delay is increased by more than six (6) seconds. This results in a project deficiency.
    - To address the deficiency, the intersection cycle should be optimized. With the recommended improvement, the intersection would operate at an acceptable LOS C (25.0 seconds of delay) in the AM peak hour.

13. SUMMARY OF QUEUING DEFICIENCIES AND RECOMMENDED IMPROVEMENTS

Based on the results of the traffic analysis and evaluation of the proposed project, the following queuing deficiencies, summarized in **Table 26**, would occur with the Project.

Table 26 – Intersection Queuing Deficiencies Summary

#	Intersection	Scenario	Movement
2	Dublin Boulevard / Hacienda Drive	Near-Term Plus Project – Weekday AM peak hour	WBL
13	Dublin Boulevard / Tassajara Road	Near-Term Plus Project – Weekday PM peak hour Cumulative Plus Project – Saturday peak hour	EBL WBL

Intersection and roadway improvements to address the queuing deficiencies are summarized below. Analysis sheets are provided in the **Appendix**.

Intersection #2 (Dublin Boulevard / Hacienda Drive)

- Near-Term Plus Project – Weekday AM peak hour
  - In Near-Term conditions, the westbound left turn queue of 675 feet in the weekday AM peak hour extends beyond the available storage length of 250 feet. With the proposed project, the westbound left turn queue increases to 704 feet, adding 29 feet (or one vehicle) to the queue. This results in a queuing deficiency.
  - To address the deficiency, the intersection signal timing splits should be optimized (same improvement that addresses the LOS deficiency in Near-Term Plus Project Conditions). With the recommended improvements, the westbound left turn queue is 512 feet in the weekday AM. The queue reduces to better than without project conditions and would no longer be considered a queuing deficiency.

Intersection #13 (Dublin Boulevard / Tassajara Road)

- Near-Term Plus Project – Weekday PM peak hour
  - In Near-Term conditions, the eastbound left turn queue of 294 feet in the weekday AM peak hour extends beyond the available storage length of 215 feet. With the proposed project, the eastbound left turn queue increases to 364 feet, adding 70 feet (or three vehicles) to the queue. This results in a queuing deficiency.
  - To address the deficiency, the inside westbound left turn lane at Glynnis Rose Drive and Dublin Boulevard should be removed to allow the outer eastbound left turn lane at Intersection #13 to extend back to Glynnis Rose Drive for additional storage. The 95th percentile queue for the westbound left turn queue at Glynnis Rose Drive and Dublin Boulevard was analyzed with the removal of one westbound left turn storage. Under Near-Term Plus Project Conditions, the westbound left turn queue is 199 feet in the PM peak hour and is contained within the available storage length of 200 feet. With the extension of the eastbound left turn storage at Intersection #13, the storage extends to 390 feet and the 95th percentile queue of 364 feet is contained within the storage. This would no longer be considered a queuing deficiency.
- Cumulative Plus Project – Saturday peak hour
  - In Cumulative conditions, the westbound left turn queue of 450 feet in the Saturday peak hour extends beyond the available storage length of 350 feet. With the proposed project,

the westbound left turn queue increases to 625 feet, adding 175 feet (or seven vehicles) to the queue. This results in a queuing deficiency.

- To address the deficiency, the intersection splits should be adjusted to provide additional green time for the westbound left turn movement. With the recommended improvements, the westbound left turn queue is 474 feet in the Saturday peak hour. The queue increases by less than 25 feet from without project conditions and would no longer be considered a queuing deficiency.

APPENDIX

A – TURNING MOVEMENT COUNTS

B – VOLUME PROCESSING FOR EXISTING TRAFFIC COUNTS

C – EXISTING TRAFFIC CONDITIONS

D – NEAR-TERM TRAFFIC CONDITIONS

E – NEAR-TERM PLUS PROJECT TRAFFIC CONDITIONS

F – CUMULATIVE TRAFFIC CONDITIONS

G – CUMULATIVE PLUS PROJECT TRAFFIC CONDITIONS

H – ACTC ROADWAY ANALYSIS

I – SIGNAL WARRANTS

J – QUEUING SUMMARY

K – SYNCHRO IMPROVEMENT OUTPUTS

Appendices available for review on the City's Development Activity webpage under the SCS Dublin project: https://dublin-development.icitywork.com/.

RESOLUTION NO. 22-13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF DUBLIN

RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT AND APPROVE AMENDMENTS TO THE GENERAL PLAN AND EASTERN DUBLIN SPECIFIC PLAN, A PLANNED DEVELOPMENT ZONING DISTRICT WITH STAGE 1 AND 2 DEVELOPMENT PLANS AND A DEVELOPMENT AGREEMENT RELATED TO THE SCS DUBLIN PROJECT (PLPA-2022-00005) (APNS 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, AND 985-0052-025)

WHEREAS, the Property Owner, SCS Development Company, is requesting approval of the SCS Dublin Project including up to 550 market rate residential units and up to 100 affordable units, up to 265,000 square feet of retail commercial development, and related infrastructure and landscape improvements. Requested land use approvals include a General Plan Amendment and Eastern Dublin Specific Plan Amendment, a Planned Development Zoning District with Stage 1 and 2 Development Plans, and a Development Agreement, among other related actions. These planning and implementing actions are collectively known as the "SCS Dublin Project" or the "Project;" and

WHEREAS, the Project site is approximately 76.2 acres generally bounded by Tassajara Road, Gleason Drive, Brannigan Street and I-580 (APNs 985-0051-004, 985-0051-005, 985-0051-006, 985-0052-024, and 985-0052-025); and

WHEREAS, on February 15, 2022, City Council approved the Preferred Plan for the SCS Property, which stemmed from an extensive City-led Community Outreach process to engage the community on appropriate land uses for the property; and

WHEREAS, the proposed project takes the first step in implementing the Preferred Plan for the SCS Property; and

WHEREAS, the existing General Plan and Eastern Dublin Specific Plan land use designations for the project site are Neighborhood Commercial, General Commercial, Medium-Density Residential, Medium/High-Density Residential, High-Density Residential, and Public/Semi-Public; and

WHEREAS, the Project site is located within Planned Development Ordinance No. 104-94, which states that development of the property is subject to the Interim Agricultural Designation until a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans is adopted; and

WHEREAS, the Project site is located within the Dublin Town Center Priority Development Area (PDA), which includes a mix of housing types including single-family detached, townhomes, condominiums and apartments. The Town Center PDA is envisioned as a walkable area with locally serving businesses within walking distance or a short ride from residential neighborhoods, conveniently served by transit; and

WHEREAS, the California Environmental Quality Act (CEQA), together with the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, pursuant to the requirements of CEQA, the CEQA Guidelines and City of Dublin CEQA Guidelines and Procedures, the City prepared a Draft Environmental Impact Report (EIR) dated July 2022, and a Final EIR dated October 2022, for the proposed Project, which reflected the City's independent judgment and analysis of the potential environmental impacts of the Project; and

WHEREAS, the Draft EIR identified potentially significant impacts to aesthetics, air quality, biological resources, cultural and tribal resources, geology and soils, hazards and hazardous materials, noise, and transportation, most of which can be substantially reduced through mitigation measures; and

WHEREAS, the Draft EIR was circulated for 45 days for public comment from July 22, 2022, to September 6, 2022. Comments received on the Draft EIR were responded to in the Final EIR dated October 2022. The Draft EIR, comments and associated responses, and changes and clarifications to the Draft EIR constitute the Final EIR; and

WHEREAS, a Staff Report, dated October 25, 2022, and incorporated herein by reference, described and analyzed the Project, including the General Plan and Eastern Dublin Specific Plan Amendments, Planned Development Zoning District with Stage 1 and Stage 2 Development Plans, Development Agreement and Final EIR; and

WHEREAS, the Planning Commission held a properly noticed public hearing on the Project, on October 25, 2022, at which time all interested parties had the opportunity to be heard; and

NOW, THEREFORE, BE IT RESOLVED that the foregoing recitals are true and correct and made a part of this Resolution.

BE IT FURTHER RESOLVED that the City of Dublin Planning Commission recommends that the City Council certify the EIR for the SCS Dublin Project.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council approve the Resolution attached as **Exhibit A** approving the General Plan and Eastern Dublin Specific Plan Amendments, based on the findings, as set forth in **Exhibit A**.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt an Ordinance attached as **Exhibit B** approving a Planned Development Zoning District with Stage 1 and Stage 2 Development Plans based on findings, as set forth in **Exhibit B**.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the City Council adopt an Ordinance attached as **Exhibit C** approving a Development Agreement between the City of Dublin and SCS Development Company based on findings, as set forth in **Exhibit C**.

PASSED, APPROVED, AND ADOPTED this 25th day of October, 2022 by the following vote:

AYES: Grier, Qaadri, Thalblum, Tyer, Wright

NOES:

ABSENT:

ABSTAIN:

ATTEST:

DocuSigned by:
Cathryn Grier
3EAC72E0ACF74BD...
Planning Commission Chair

DocuSigned by:
Kristie Wheeler
9EDB9DB87254493...
Assistant Community Development Director

DUBLIN
CALIFORNIA

SCS Dublin
Item 6.2

City Council
November 15, 2022

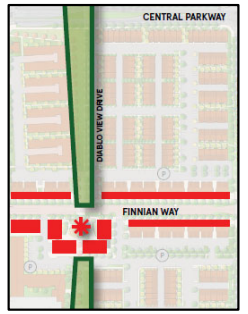
Project Location



Background

- SCS Community Outreach - 2021
- Preferred Plan – February 15, 2022
  - Integrate Paseo and Town Square
  - Improve Visibility and Access to the Paseo
  - Diversify Housing Types
  - Dedicated Affordable Housing Site
  - Pedestrian Focused Entertainment







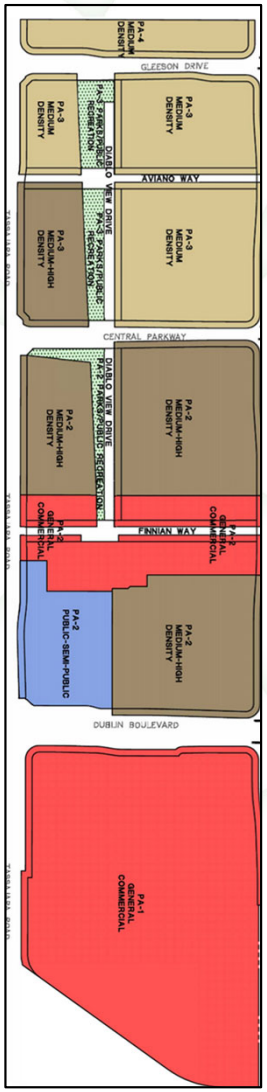




Proposed Project

Preferred Plan

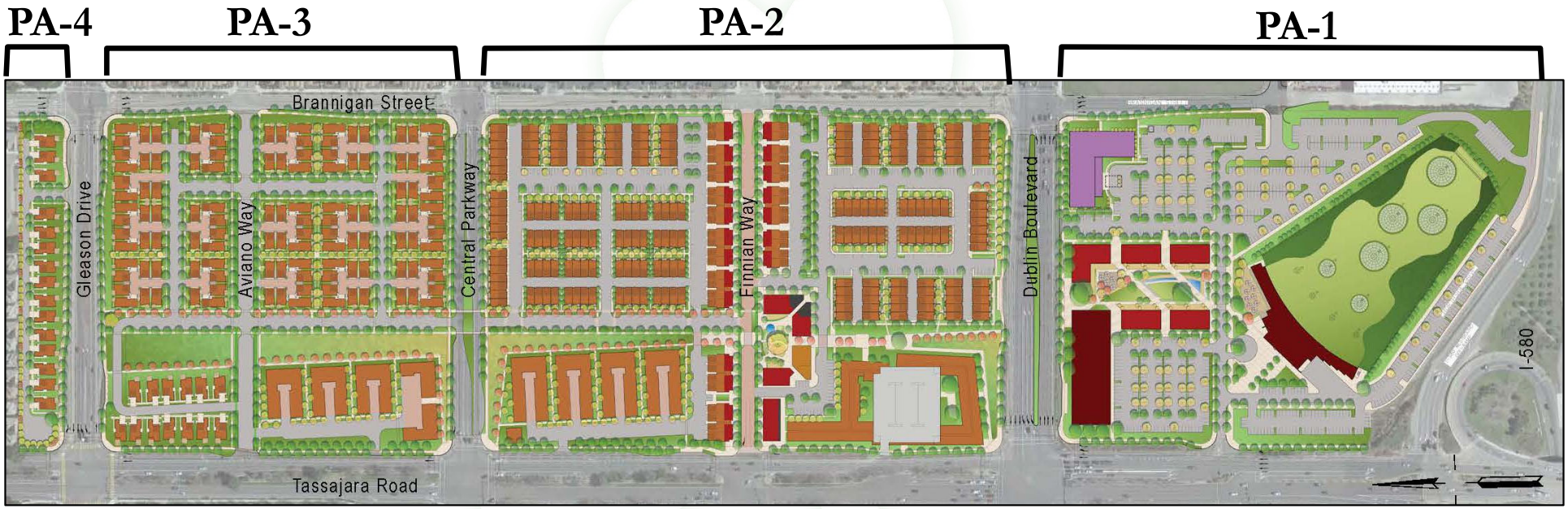






Proposed Project

Proposed Project



PA – 3 and 4

- 150 Single Family
- 70 Townhomes
- Grand Paseo

PA – 2

- 290 Townhomes
- 40,000 SF Commercial
- 40 Shophouses
- Grand Paseo
- Main Street and Town Square

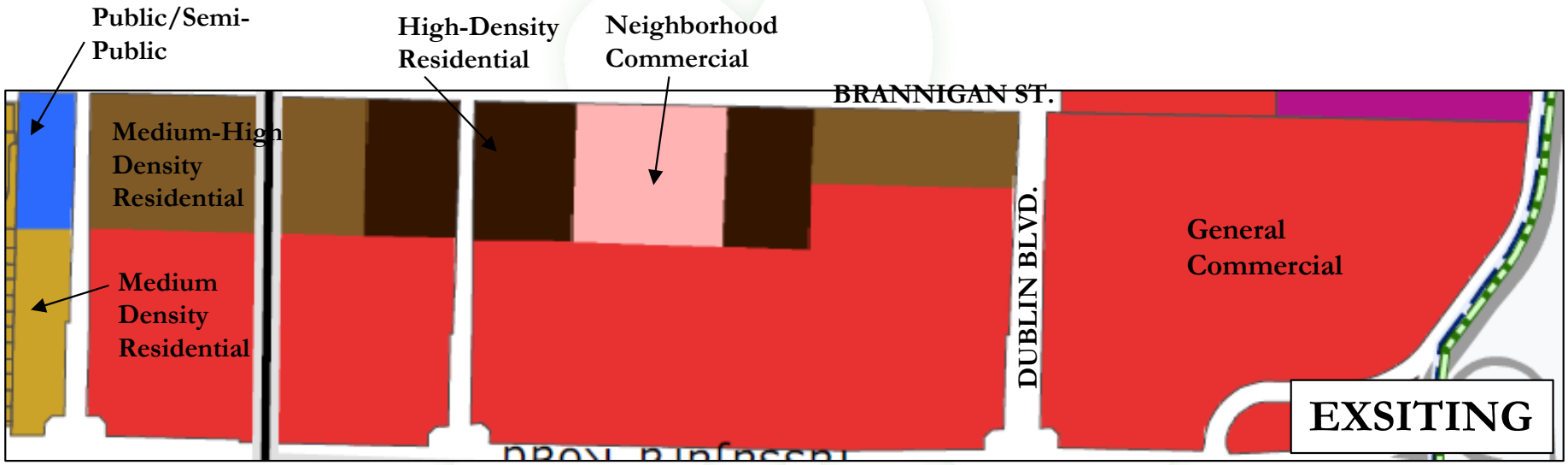
PA – 1

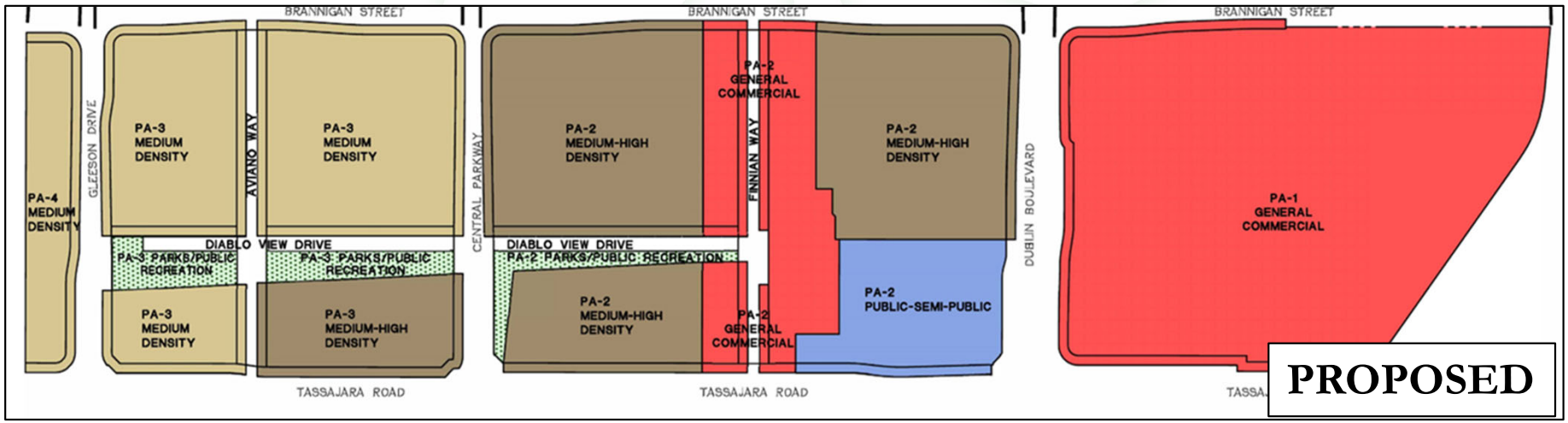
- 225,000 SF Commercial
- Large Plaza
- Entertainment Uses

Project Applications

- General Plan / Eastern Dublin Specific Plan Amendment
- Planned Development Rezone
  - Stage 1 & 2 Development Plan
- Development Agreement

General Plan / ESDP Amendment





Planned Development Rezone
Stage 1 and 2 Development Plan

- Site Area & Densities
- Proposed Uses
- Development Standards
- Architectural Standards
- Preliminary Landscape Plan
- Project Phasing
- Inclusionary Housing

Land Use Designations	Gross Acres	Res. Units	Du/Acre	Floor Area Ratio	Commercial sq. ft.
General Commercial	29.4	40	--	0.19 - 0.38	265,000
Medium Density Residential	17	150	8.8		--
Medium High Density Residential	21.1	360	17.1		--
Parks/Public Recreation	2.5	--	--		--
Public/Semi-Public	3.8	100	26.3		--
Total	**73.8**	**650**			**265,000**

Allowable Uses

Planning Area (PA)	Permitted Uses	Conditional Uses	Temporary Uses
PA-1	Restaurants, Retail, Indoor/Outdoor Recreation, Offices Hotel/Motel	Animal Hospital, Car Wash/Detail, Nightclub	Arts & Crafts Fair, Christmas Tree Lots, Farmer's Markets
PA-2	Residential, Restaurants, Retail, Day Care, Office, Personal Services	Animal Day Care, Comedy Club	Arts & Crafts Fair, Christmas Tree Lots, Farmer's Markets, Model Homes
PA-3 & PA-4	Residential, Accessory Dwelling Units, Home Occupations, Large Family Day Care	Bed & Breakfast	Model Homes

Architectural Standards







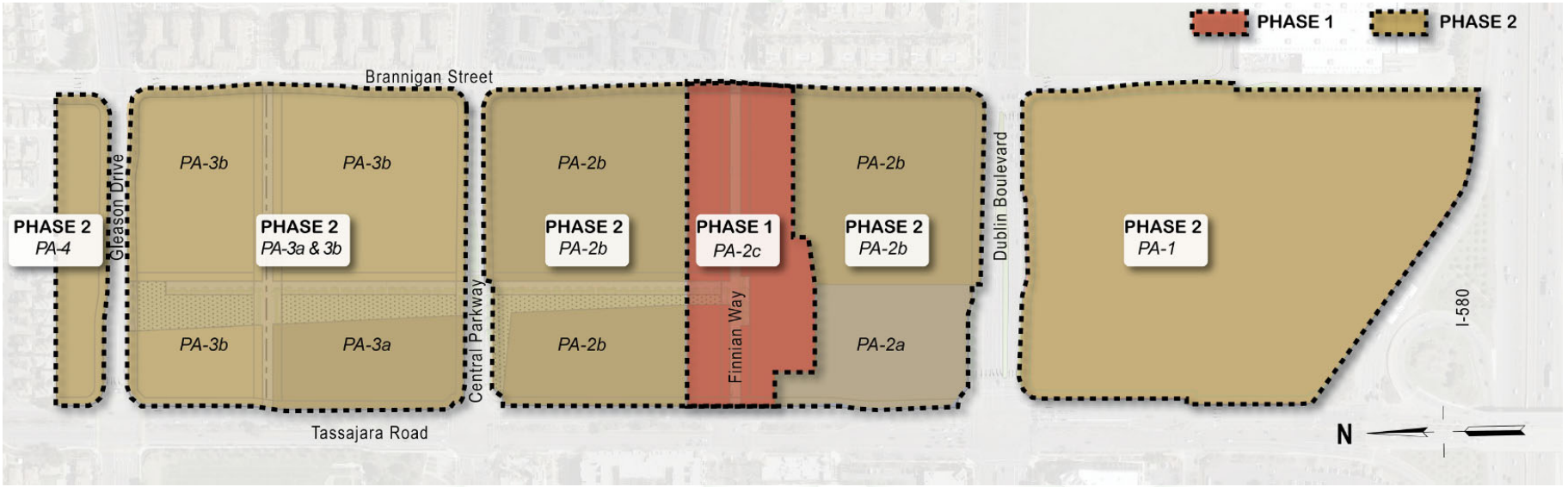


Preliminary Landscape Plan



- Finnian Square (PA-2)
  - Outdoor seating
  - Gathering spaces
- Grand Paseo (PA-2 and PA-3)
  - Widen to the north
  - Multi-use
  - Shade trees and bio-diversity
- Tassajara Place (PA-1)
  - Programable design
  - Gathering spaces
  - Outdoor seating
- Year-round landscape with seasonality and color

Project Phasing



- Two Phases
- No building permits for development for market-rate residential until a building permit for Phase 1 (Finnian Way Commercial) has been issued

Development Agreement

- Affordable Housing
  - Public/Semi-Public Site
  - 5 moderate-income on-site or $2 million payment to first-time homebuyer program for the project
  - Detached accessory dwelling units (approx. 100)
- Community Benefit Payment
  - $1.5 million
  - 10% of bonds for CFD, if approved
- Community Center/Event Space
- Vacation/Acquisition of Northside Drive
- Extension of Brannigan Street

Fiscal Analysis

- Fiscal Surplus
  - $3.6 million estimated surplus
    - $3.4 million new annual revenue
  - $41 million one-time construction-related revenues

Environmental Review

- Environmental Impact Report
- DEIR Circulated July 22 – September 6
- Potential Environmental Impacts:
  - Aesthetics
  - Biological Resources
  - Cultural and Tribal Resources
  - Geology and Soils
  - Noise & Vibration
  - Hazards and Hazardous Materials
  - *Air Quality*
  - *Transportation*
  - Energy
  - Greenhouse Gas Emissions
  - Hydrology
  - Land Use
  - Population and Housing
  - Public Services and Utilities
- Final Environmental Impact Report

Planning Commission Review

- September 27, 2022 Study Session
- October 25, 2022 Public Hearing
- Adopted Resolution No. 22-13 recommending approval

Recommendation

Conduct a public hearing, deliberate and take the following actions:

a) adopt the **Resolution** Certifying an Environmental Impact Report and Adopting Environmental Impact Findings, Findings Regarding Alternatives, a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program for the SCS Dublin Project;

b) adopt the **Resolution** Amending the General Plan and Eastern Dublin Specific Plan Related to the SCS Dublin Project;

c) waive the reading and INTRODUCE the **Ordinance** Amending the Zoning Map and Approving a Planned Development Zoning District with Related Stage 1 and Stage 2 Development Plans; and

d) waive the reading and INTRODUCE the **Ordinance** Approving a Development Agreement Between the City of Dublin and SCS Development Company Related to the SCS Dublin Project.

November 15, 2022

SB 343

Senate Bill 343 mandates supplemental materials that have been received by the City Clerk's office that relate to an agenda item after the agenda packets have been distributed to the City Council be available to the public.

The attached documents were received in the City Clerk's office after distribution of the November 15, 2022, Regular City Council meeting agenda packet.

Item 6.2

INNOVATION TRI VALLEY
leadership group
• DANVILLE • DUBLIN • LIVERMORE • PLEASANTON • SAN RAMON

November 14, 2022

Re: SCS Dublin Project Proposal

Dear Honorable Mayor and Councilmembers:

On behalf of the Innovation Tri-Valley Leadership Group (ITV), we wish to express our support for the SCS Dublin Project proposal, which envisions a mixed-use development consisting of up to 265,000 square feet of commercial space and up to 650 residential units of diverse housing options.

This is the next step to implement the Preferred Plan that was adopted by the City Council. The project team has been working with the Dublin community and stakeholders since May 2021 on molding this concept. The proposed development has gone through several iterations, resulting in a finely crafted vision that reflects community feedback while maintaining realistic, economically viable, and physically feasible options.

The proposed development includes welcoming community-focused concepts that contribute to the City's healthy, safe, and productive lifestyle while striking a balance between the number of housing units and beneficial amenities. The addition of this development would bring about $3.4 million of net new tax revenues to the City's General Fund annually. The project would also generate about $41 million of one-time construction-related revenues to the City. This development would create over 500 full-time jobs during construction activities and about 700 full-time equivalent permanent employees at local businesses.

As you are aware, SCS property has been vacant and underutilized for years. It is time to move forward to provide Dublin with a development that builds community, supports social interaction and recreation, generates revenue, and creates jobs. will be enjoyed now and by future generations to come.

Among the many highlights of the project:

- Finian Square – includes standalone retail, restaurants, and mixed-use shop houses

5960 Inglewood Dr., Suite 201, Pleasanton, CA 94588 | Office: 925.989.0188

- Integrated Grand Paseo – provides a variety of civic-centered activities, such as recreation, public gardening, and native plant/pollinator meadows
- Pedestrian-Focused Entertainment District – offers a centralized pedestrian plaza, creating a regional dining and family entertainment district, including diverse seating options, spatial experiences, and catering to variety of group sizes of all ages
- Top Golf – delivers a premiere golfing and entertainment destination
- Diverse Housing Options – Meets community needs and includes 493 various market-rate options from entry-level to family residential housing
- Affordable Housing – Offers a large, dedicated parcel for the construction of up to 100 affordable units
- Suitable Land Use - revitalizes prominent 77-acre site that is vacant and underutilized

A tremendous amount of time and effort was spent by the community and City to develop a preferred plan for this property. It is doubtful this will ever happen again, and we do not want to lose this opportunity. A development of this caliber presents a unique, one-time opportunity to invest in our community.

Thank you in advance for your consideration, and we urge you to support the SCS Dublin proposal and approve this transformational project.

Sincerely,

Lynn Wallace Naylor
CEO
Innovation Tri-Valley Leadership Group

Sblend A. Sblendorio (Nov 14, 2022 14:15 PST)

Sblend Sblendorio
HIT Committee Chair
Innovation Tri-Valley Leadership Group

Amy Million

From: Tim Sbranti <tsbranti@gmail.com>
Sent: Saturday, November 12, 2022 3:31 PM
To: Amy Million
Cc: Cathy Wells; Linda Smith
Subject: Re: Planning Commission Agenda Item 6.1 - Tuesday 10/25

Hi Amy-

I just wanted to check in again to ensure that the email I sent to the Planning Commission regarding the SCS Development will also be forwarded to the Mayor and Council Members as they consider the item for Tuesday's Council meeting. If that hasn't happened yet, can you please make sure it is forwarded to them. Thank you very much.

Tim Sbranti

On Mon, Oct 24, 2022 at 8:07 AM Amy Million <Amy.Million@dublin.ca.gov> wrote:

> Hi Tim,
>
> Yes, we have received your email and will provide it to the Commissioners.
>
> Regards,

Amy E. Million

Principal Planner

City of Dublin

100 Civic Plaza, Dublin, CA 94568

(925) 833-6610 | (925) 833-6628 FAX

amy.million@dublin.ca.gov | www.dublin.ca.gov

Mission Statement: *The City of Dublin promotes and supports a high quality of life, ensures a safe and secure environment, fosters new opportunities, provides equity across all programs, and champion a culture of diversity and inclusion.*

From: Tim Sbranti <tsbranti@gmail.com>
Sent: Saturday, October 22, 2022 3:50 PM
To: Amy Million <Amy.Million@dublin.ca.gov>; Cathy Wells <Cathy.Wells@dublin.ca.gov>
Subject: Planning Commission Agenda Item 6.1 - Tuesday 10/25

Good Afternoon-

I have provided an email (see below)l for the Planning Commission in regards to agenda item 7.1 at their upcoming meeting on October 25th. Please confirm receipt and that this will be forwarded to the Commissioners in advance of the meeting.Thank you.

Tim Sbranti

Dear Honorable Planning Commissioners-

As someone who was involved in planning of the SCS area for nearly 12 years during my time as Dublin Mayor and Council Member, lived in the neighborhood for nearly 7 years, and most recently served on the SCS Community Advisory Committee, I wanted to reach out today to share my perspective and ask for your support of the Staff Recommendation.

The SCS Development has several benefits. First and foremost, it creates the potential for a vibrant "Main St." style ground floor commercial development by extending Finnian Way from Brannigan to the Waterford Plaza. This type of concept is not found anywhere else in our city, and I am pleased to see a substantial amount of commercial space frontage along with a town square concept to anchor the shops and restaurants on Finnian Way.

Located on the grand paseo opening with views to Mt. Diablo, this also connects the square to the residential areas south and north of Finnian way, which is something I surely would have taken advantage of during the many years I lived in the adjacent Dublin Ranch Villages. Pedestrian-oriented connections to Tassajara Road and ultimately Emerald Glen Park that the neighbors can take advantage of is further enhanced with the extension of Aviano Way. The overall sidewalk and related infrastructure enhancements will be a vast improvement over the current unimproved semi-rural conditions of Central Parkway, which will be completely inadequate for connecting to Emerald High School the moment it opens.

Beyond the immediate benefits to the neighborhood, the entertainment district that is envisioned south of Dublin Boulevard set around a large pedestrian plaza creates a regional dining and family destination center in one of the region's most visible and accessible locations with direct access off of I-580. There is a lot of potential for multiple high-profile attractions which can enhance Dublin's prestige, generate revenue, create jobs, and lead to greater investments and opportunity in our City. The Public/Semi-Public site identified at the corner of Dublin Blvd/Tassajara along with the proposed Community Benefit are additional benefits of the SCS Development.

Personally, I would have preferred to see more housing on the site. However, after much deliberation the Community Advisory Committee settled on a fair compromise to make a recommendation not to exceed 550 market-rate residential units. These housing types will be at different price points to meet different preferences and needs, including entry level housing, affordable housing, and family housing with lower density single-family homes, courtyard homes, townhomes, and affordable apartments.

I recognize that some residents in our community are strongly opposed to housing or want to limit it as much as possible. However, given the depth of the housing crisis we are facing, the reality is we have a responsibility to both present and future generations who wish to call Dublin home to provide opportunities for upward mobility, particularly on prime and centrally located properties as the one being discussed this evening. As someone who currently does some consulting with the Innovation Tri-Valley Leadership Group, the number one challenge we hear from local employers that is limiting their ability to attract or retain a talented workforce is an inability to find housing for their employees.

The numbers put out by the Silicon Valley Leadership Group and Bay Area Council paint a similarly grim picture of the future of our region if we continue to fail in our obligations to provide a mixture of affordable and market rate housing. In addition, as someone who works at Dublin High School and serves as a Trustee for the Chabot-Las Positas Community College District, I see the frustration from those who grew up here that realize they are being priced out of the opportunity to remain in Dublin given the low supply and high demand of housing. This frustration will not be completely solved of course through the SCS Development, but it does help to address the real need that exists.

I also want to point out that the original plan for the SCS property contemplated 261 units, while the "Promenade" property where Emerald High School is being constructed called for 181 units for a total of 442 units. Thus, the total of 650 units being contemplated now for the neighborhood is within a very similar range. For a mere 208-unit increase, the Preferred Plan provides all of the amenities described above. Furthermore, traffic mitigations have already been put in place for 442 units. If you combine the 442 units and over 1,000,000 square feet of commercial growth originally envisioned between the SCS property and current Emerald High School site (formerly the Promenade), traffic will be significantly reduced with the SCS Development from the original EDSP. In addition, there will be less demand for water with the reduced development currently being contemplated for the site as well.

Some argue the schools are overcrowded and cannot handle more growth. The reality is if you take a closer look at the enrollment numbers for Dublin USD, it is already beginning to level off and is not increasing nearly as much as in previous years as the city approaches build-out. Declining enrollment over time leads to budget cuts and reduced educational services, something our students cannot afford.

Others argue that they want to see the amount of commercial square footage that was part of the original vision (or something approaching it). Please keep in mind that 900,000 square feet of commercial envisioned for the SCS in the EDSP is greater than the size of the Livermore Outlets, which hardly seems appropriate at this juncture. Even if you cut that amount in half, that would still be larger than Hacienda Crossings (which is struggling to fill several vacant sites on the property). The question I would pose to the Planning Commission is whether commercial developments of either size are appropriate. I would argue it is way beyond the scale for an in-fill site (which is what SCS is at this point), and even if we said we wanted to hold out for this larger grand commercial vision, the reality is that the market no longer will support that level of commercial development. There was already a growth in e-commerce and a decline of brick-and-mortar commercial before the pandemic.....trends which have only been exacerbated in the last 2 years.

In the final analysis, this is the last and best chance to connect and complete the Dublin Ranch community and the center of the EDSP. The SCS Development is one that the market can actually support. Further inaction and waiting for something better to come along will likely lead to ABAG and/or state-mandated housing construction that may double or triple the unit count of what is currently being presented.....with very few of the amenities the SCS Development offers

Thank you again for your consideration of these comments and best of luck to you all in your deliberations.

Sincerely,

Tim Sbranti

Former Dublin Mayor

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Agenda Item 6.3

STAFF REPORT
CITY COUNCIL

DATE: November 15, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Updates to the City's Construction and Fire Codes in Accordance with Requirements of State Law
Prepared by: Gregory Shreeve Sr., Chief Building Official

EXECUTIVE SUMMARY:

The City Council will consider adopting an Ordinance repealing the 2019 California Building Standards Code and adopting the 2022 California Building Code. In connection with this action, the City Council will be asked to approve findings relating to the City's local amendments to the California Building Standards Code. The 2022 Edition of the California Building Standards Code was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an Ordinance incorporating the updated provisions to ensure accuracy and alignment with state law. On November 1, 2022, the City Council waived the first reading and introduced the ordinance and the City Council is now being asked to adopt the Ordinance.

STAFF RECOMMENDATION:

Conduct the public hearing, deliberate and: 1) Adopt the **Resolution** Approving Findings Regarding the Need for Local Amendments to Provisions in the California Building Standards Code as Adopted by the State of California, in the California Code of Regulations, Title 24, to be Adopted by Reference in the Dublin Municipal Code; and 2) Waive the second reading and adopt the **Ordinance** Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Building Regulation Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter 7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations) and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal Code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.45 (Swimming Pool and Spa Code) to the Dublin Municipal Code in Order to Adopt by Reference and Amend Provisions of the 2021 Edition of the International Swimming Pool and Spa Code.

FINANCIAL IMPACT:

The cost associated with implementing the new codes, such as materials and training, have been included in the Fiscal Year 2022-23 Budget.

DESCRIPTION:

Background

The California Building Standards Commission, along with other State agencies, reviews and amends Title 24 of the California Building Standards Code (CBSC) approximately every three years. The CBSC contains several codes including the California Building Code and the California Electrical Code. Each of these codes are applicable and enforceable at the local level. The 2022 Edition of the CBSC was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an ordinance incorporating the updated provisions to ensure accuracy and alignment with state law.

Local jurisdictions may amend the provisions of the CBSC with the adoption of a resolution finding that the changes are necessary to account for local climatic, geological, or topographical conditions. However, these amendments must be at least as stringent as those outlined in the CBSC.

The City Council made several such amendments with the adoption of the 2019 Edition of the codes. These previously adopted local amendments have been incorporated into the proposed code update adopting the 2022 Edition, with several modifications as discussed later in this Staff Report.

Proposed Ordinance

The proposed Ordinance will amend Chapters 5.08, 7.24, 7.28, 7.32, 7.34, 7.36, 7.40, 7.44, 7.48 and 7.94 of the Dublin Municipal Code (DMC) and add Chapters 7.45 and 7.46 to the DMC. The proposed Ordinance does not adopt the permit fee tables in the codes, thus maintaining the City's current permit fees. The proposed Ordinance will supersede and replace the previously adopted codes, and will benefit the City by:

1. Ensuring the City's compliance with the States building standards laws;
2. Ensuring consistency with neighboring jurisdictions and the Bay Area;
3. Providing internally consistent, coherent, and easier-to-use codes; and
4. Making it easier for the public to review and to understand the model code requirements.

This report focuses on Staff-recommended local amendments to the 2022 Edition of the code, and modifications to local amendments that were previously adopted by the City Council during the last code update.

On November 1, 2022, the City Council waived the first reading and introduced an ordinance repealing and replacing sections of the Dublin Municipal Code (DMC) that address the construction and fire codes. The City Council is now being requested to conduct a public hearing and adopt the Ordinance amending the DMC along with a Resolution approving findings regarding

the need for local amendments to the California Building Standards Code.

Analysis

The following is an overview of the proposed local amendments to the Dublin Municipal Code. Attachments 1 and 2 provide a complete list of all proposed local amendments to the Construction and Fire Codes, and associated findings. The draft Ordinance is provided as Attachment 3.

Fire Code – DMC Chapter 5.08

The amendments to the Fire Code (Attachment 4) are required to adopt the latest California Fire Codes. Staff recommends deleting the following local amendment that was previously adopted by the City Council:

1. Section 5.08.120, the table for separation distances between wood pallet stacks and buildings. *This requirement is now in the California Fire Code.*

Floodplain Management Regulations (Formally the Flood Control Chapter) – DMC Chapter 7.24

The adoption of the Floodplain Management Regulations is required as a replacement for the Flood Control Chapter. The City's existing Flood Control Chapter is based on an outdated version of the Floodplain Management Regulations of the Federal Emergency Management Agency (FEMA) and the California Department of Water Resources (DWR).

Staff recommends the following higher standards for the model Floodplain Management Regulations be included in this code:

1. Cumulative Substantial Improvement — These amendments will require a review of the 10-year history of permitted work on a property. The 10-year period will begin January 1, 2023. This is a change from current practice of reviewing a three-year history of permits. As the beginning date of the review period changes to January 1, 2023, this new requirement will not affect projects until after January 1, 2026. *One of the objectives of the National Flood Insurance Program (NFIP) is to reduce the long-term exposure of buildings to flood damage. To achieve this objective, the NFIP requires that existing buildings be brought into compliance if improvements, including additions and repairs, are determined to be Substantial Improvement. If the cost of proposed improvements equals or exceeds 50 percent of the market value of the building before improvements are started, the building will be required to be brought into compliance for new construction.*

2. Dwelling Design — new one- and two-family dwellings and substantial improvements to these buildings that are located in a flood hazard area will be required to be designed to a higher standard to account for the potential for flood loads. *This modification is necessary to account for rising sea levels that have the potential to create conditions such as fast-moving floodwater, flood depths greater than a few feet, wave action, and potential scour and erosion.*

3. Nonconversion agreements — these amendments will require builders of elevated buildings located in a flood plain to record a nonconversion agreement. The nonconversion agreement is used to inform buyers of the property that the area below the elevated

building is limited to parking of vehicles, storage, and building access. *NFIP flood insurance coverage is more expensive if buildings have enclosed areas and coverage of enclosures is limited. This regulation will require builders and or property owners to record a signed nonconversion agreement to acknowledge the restrictions on use of enclosures below elevated buildings and to agree not to modify or convert the enclosures. The objective is to reduce the likelihood that owners, including future owners, might convert enclosures to uses other than those permitted.*

4. Repetitive Flood Damage loss — one of the objectives of the NFIP is to break the cycle of damage, repair, and damage again. *To achieve this objective, the NFIP requires that existing buildings be brought into compliance when they incur Substantial Damage. A building is determined to have incurred Substantial Damage if it is damaged by any cause and the cost to repair the building to its pre-damage condition equals or exceeds the 50 percent of the market value of the building before the damage occurred. Per the NFIP, when communities adopt a definition for Substantial Damage that includes "repetitive loss," owners of NFIP – insured structures that sustain repetitive flood damage may also be eligible to apply for Increased Cost of Compliance funds even if the damage does not meet the standard 50 percent threshold for Substantial Damage by a single-event. For property owners to qualify, communities must adopt and enforce the repetitive loss provision on all buildings, not just those that are covered by NFIP flood insurance.*

5. Determination of Base Flood Elevation (BFE) — Dublin has areas within the City where the Flood Insurance Rate Map (FIRM) does not show the base flood elevations. These areas are called "unnumbered Zone A" or "approximate Zone A." The NFIP regulations state that where flood elevation data has not been provided, communities must "obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source." However, some data from other sources is old and out of date and may not reasonably represent current flood hazards. *This modification will require the applicant to include base flood elevation data prepared by a qualified professional engineer in accordance with accepted techniques. The modification is necessary to reasonable protect new construction from flood damage caused by rising sea levels.*

The DWR, on behalf of the State and FEMA, has reviewed and approved the proposed regulations.

Building Regulations Administration Code – DMC Chapter 7.28

The amendments to the Building Regulations Administrative Code (Attachment 6) are required to remain current with State Law. Staff recommends the following modifications and additions to local amendments previously adopted by the City Council:

1. Sections 7.28.100 and 7.28.110 — add definitions and process requirements for determining substantially improved and substantially damaged existing buildings in a flood hazard zone*. This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

2. Section 7.28.120 — add the Swimming Pool and Spa Code and the Existing Building Code regulated by the Building Regulations Administration Code. *The modification is necessary*

to codify the administration regulations for these two codes.

3. Section 7.28.260 — add the Swimming Pool and Spa Code and the Existing Building Code to the Code Conflicts section. *The modification is necessary to codify the administration regulations for potential conflicts between the State Codes and City amendments.*

4. Section 7.28.330 — modify the permit application submittal process to require all plans to be submitted in an electronic format. *This modification is necessary to codify current practices*.

5. Section 7.28.390 — add a requirement for the owner or the owner's authorized agent to post the live loads of floors under prescribed conditions. *This addition is necessary to remain current with State Law.*

6. Section 7.28.600 — amend the notifications of inspections as follows:
    a. Inspection #F, Lowest Floor Elevation clarifying that the requirement is triggered by either the Floodplain Management Regulations (7.24) requirements, the Building Code (7.32) or Residential Code (7.34). *The requirements do not change.*
    b. Inspection #M, adding the requirement for tall wood buildings connection protection inspection. *This is necessary to remain current with State Law and does not change the requirement.*
    c. Inspection #Q, adding a requirement for Fire and Smoke – Resistant Penetrations inspections. *This is necessary to remain current with State Law and does not change the requirement*.
    d. Inspection #U, adding a requirement for Flood Hazard Documentation. *This is necessary to remain current with State Law and Federal Regulations. This does not change the current requirement.*

Building Code – DMC Chapter 7.32

The amendments to the Building Code (Attachment 7) are required to adopt the latest California Building Codes. Staff recommends a modification to the following local amendment that was previously adopted by the City Council:

1. Section 7.32.230 — update Wall Bracing requirements to include newly adopted forms of seismic sheathing of walls. *This modification is necessary to address Dublin's seismic risk and to be consistent with neighboring jurisdictions*.

In addition, Staff recommends the following new local amendments to this code:

1. Section 7.32.120 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

2. Section 7.32.290 — modify to update the proper procedures for violations of the Floodplain Management Regulations requirements chapter in this code. *This is necessary*

to maintain consistency in the DMC.

3. Section 7.32.300 — modify to designate the floodplain administrator. *This is necessary to maintain consistency in the DMC.*

Residential Code – DMC Chapter 7.34

The amendments to the Residential Code (Attachment 8) are required to adopt the latest California Residential Code. Staff recommends the following modifications to local amendments previously adopted by the City Council:

1. Section 7.34.040 — modify to update the live/work exception. *This modification is necessary to remain consistent with State Law*.

2. Section 7.34.070C — modify to include an exception to the separate gas and electrical meter requirement by adding an exception for Junior Accessory Dwelling Units. *This modification is necessary to remain consistent with State Law.*

3. Section 7.34.120 — modify to update the design standards for buildings constructed under this code. *This modification is necessary to remain consistent with State Law*.

In addition, Staff recommends the following new local amendments to this code:

1. Section 7.34.110 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations*.

2. Sections 7.34.130 and 7.34.170 — modify to update the design requirements in flood hazard areas. *This action is necessary to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

Further, Staff recommends deleting the following local amendment that was previously adopted by the City Council:

1. Section 7.34.140 — originally deleted the fire sprinkler provisions in this code and referenced the Fire Code. *This deletion is no longer necessary as the two codes are now consistent*.

Electrical Code – DMC Chapter 7.36

The amendments to the Electrical Code (Attachment 9) are required to adopt the latest California Electrical Codes. The existing modification setting standards for the location of electrical receptacles in office spaces has been brought forward.

Plumbing Code – DMC Chapter 7.40

The amendments to the Plumbing Code (Attachment 10) are required to adopt the latest

California Plumbing Codes. The existing local amendment restricting the installation of water piping under a concrete slab has been brought forward. Staff recommends one deletion from this code:

1. Section 7.40.090 — originally deleted the fire sprinkler provisions in this code and referenced the Fire Code. *This deletion is no longer necessary as the two codes are now consistent.*

Mechanical Code – DMC Chapter 7.44

The amendments to the Mechanical Code (Attachment 11) are required to adopt the latest California Mechanical Codes. The existing local amendment deleting the administrative chapter has been brought forward.

Swimming Pool and Spa Code – DMC Chapter 7.45

The adoption of the Swimming Pool and Spa Code (Attachment 12) is required to adopt the International Swimming Pool and Spa Code (ISPSC) as a replacement for the swimming pool construction and safety codes that have been removed from the International Building Code, which is the basis for the California Building Code, and placed in this new code. Staff recommends the following modifications to the ISPSC to address conflicts with City and State Codes:

1. 7.45.060 — add this to modify the references to the International and National Codes to the California Codes. *This is necessary to stay current with State Law.*

2. 7.45.070 — modify to delete administrative sections of the ISPSC. *This is necessary to be consistent within the City's codes.*

3. 7.45.080 — modify to add definitions that are found in State Law that are missing from the ISPSC. *This is necessary to remain consistent with State Law.*

4. 7.45.090 — modify to amend definitions that are different between the ISPSC and State Law. *This is necessary to remain consistent with State Law.*

5. 7.45.100 — modify to amend the energy requirements in the ISPSC in favor of the California Energy Code. *This is necessary to remain consistent with State Law and the 2022 California Energy Code.*

6. 7.45.110 — modify to clarify the requirements of swimming pools and spas located in a flood hazard area. *This is necessary to remain consistent with chapter 7.24 Floodplain Management Regulations.*

7. 7.45.120 — modify to require all swimming pools to have barriers installed. *This amendment is necessary to remain consistent with State Law.*

8. 7.45.130 — modify to include water conservation efficiency in residential and public pools and spas. *This is necessary because of the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought and this*

amendment is necessary to remain consistent with State Law.

9. 7.45.140 — modify to delete chapter 9 for permanent spas. *This is necessary because this chapter provides exceptions from code requirements that are in conflict with State Law.*

10. 7.45.150 — add this to adopt the referenced codes and standards listed in the ISPSC. *This is necessary to provide the tools necessary for the contractor and staff to properly enforce this code.*

11. 7.45.160 — modify to clarify that where the code references the Residential Code, those provision are related to systems in detached one- and two-family dwellings and townhouses not more than threes stories in height. *This amendment is necessary to remain consistent with State Law.*

12. 7.45.170 — add this to adopt the American National Standard for Water conservation efficiency in pools and spas. *This is necessary because of the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought and this amendment is necessary to remain consistent with State Law.*

Existing Building Code – DMC Chapter 7.46

The amendments to the Existing Building Code (Attachment 13) are required to adopt the California Existing Building Code (CEBC). Staff is recommending the following modification to this code:

1. Section 7.46.080 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

Building Maintenance Code – DMC Chapter 7.48

The amendments to the Building Maintenance Code (Attachment 14) are required to adopt the latest International Property Maintenance Codes. The existing local amendments have been brought forward.

Green Building Code – DMC Chapter 7.94

The amendments to the Green Building Code (Attachment 15) are required to adopt the latest California Green Building Standards Code. The City's amendment for Electric Vehicle (EV) Parking to be installed at the Tier 2 has been brought forward. Bringing this amendment forward will meet and, in some cases, exceed the City's Climate Action Plan (CAP) requirements under measure SM-1. Staff recommends the following new amendments to this code:

1. Section 7.94.050, 7.94.070 and 7.94.100 — add these to include requirements for new buildings to be all electric with exceptions. The exceptions in the recommendations include: a) multi-family and commercial projects where the design team has provided evidence that an all-electric building is unable to meet established requirements under the California Building Energy Efficiency Standards; and b) commercial buildings containing

kitchens or having the potential to contain kitchens, upon application, may install gas to the building for use in the kitchen areas. *These modifications are necessary to limit the greenhouse gas (GHG) emissions from natural gas. It is estimated that without the requirement for all-electric buildings, new construction will add over three million therms of natural gas use in Dublin by 2045. In addition, all-electric buildings have been found to be less expensive to construct and operate in Dublin's climate zone compared to constructing buildings with both gas and electric utilities, especially when paired with solar photovoltaic (PV) installations. Coupled with the communitywide 100% carbon-free energy of Measure CF-1 in the CAP, new building electrification will result in homes and businesses that emit no GHGs. In addition, this amendment will meet the requirements of measure EE-1 of the CAP.*

STRATEGIC PLAN INITIATIVE:

None

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

In accordance with Government Code Sections 50022.3 and 6066, notice of the public hearing was be published on November 5, 2022 and November 12, 2022 in the *East Bay Times*. Attachments were made available for public review prior to this public hearing in accordance with Government Code Sections 50022.1 et. Seq. and 6066. The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving Amendments to the California Building Standards Code
2) Exhibit A to the Resolution - 2022 California Building Standards Code Findings
3) Ordinance Amending Sections of the California Building Standards Code
4) Exhibit A to the Ordinance - DMC Chapter 5.08 Fire Code
5) Exhibit B to the Ordinance – DMC Chapter 7.24 Floodplain Management Regulations
6) Exhibit C to the Ordinance - DMC Chapter 7.28 Building Administration Code
7) Exhibit D to the Ordinance - DMC Chapter 7.32 Building Code
8) Exhibit E to the Ordinance - DMC Chapter 7.34 Residential Code
9) Exhibit F to the Ordinance - DMC Chapter 7.36 Electrical Code
10) Exhibit G to the Ordinance - DMC Chapter 7.40 Plumbing Code
11) Exhibit H to the Ordinance - DMC Chapter 7.44 Mechanical Code
12) Exhibit I to the Ordinance - DMC Chapter 7.45 Swimming Pool and Spa Code
13) Exhibit J to the Ordinance - DMC Chapter 7.46 Existing Building Code
14) Exhibit K to the Ordinance - DMC Chapter 7.48 Building Maintenance Code
15) Exhibit L to the Ordinance - DMC Chapter 7.94 Green Building Code

RESOLUTION NO. XX-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DUBLIN

APPROVING FINDINGS REGARDING THE NEED FOR LOCAL AMENDMENTS TO PROVISIONS IN THE CALIFORNIA BUILDING STANDARDS CODE AS ADOPTED BY THE STATE OF CALIFORNIA, IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, TO BE ADOPTED BY REFERENCE IN THE DUBLIN MUNICIPAL CODE

WHEREAS, Health and Safety Code Section 18938 makes provisions published in the California Building Standards Code pursuant to Health and Safety Code Section 17922 applicable to all occupancies throughout the State and effective one hundred and eighty days after publication by the California Building Standards Commission (the "Commission"), or at a later date established by the Commission; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, under Health and Safety Code Section 17958.7, changes pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings, and the changes, have been filed with the California Building Standards Commission; and

WHEREAS, Government Code Section 50022.2 permits enactment of City Ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

WHEREAS, notice of the Ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and that such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof; and

WHEREAS, the City Council of the City of Dublin intends to adopt an Ordinance adopting by reference provisions of the California Building Standards Code, with local amendments; and

WHEREAS, the City Council has reviewed the reasons for proposed changes to the California Building Standards Code set forth in **Exhibit A,** attached hereto and hereinafter incorporated by reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby declare and find that the local amendments to the provisions of the California Building Standards Code set forth in **Exhibit A** are reasonably necessary because of local climatic, geologic, or topographical conditions in accordance with Health and Safety Code Section 17958.7 as further set forth in **Exhibit A**.

BE IT FURTHER RESOLVED that a copy of this Resolution, including **Exhibit A**, shall be filed with the California Building Standards Commission in accordance with Health and Safety Code Section 17958.7.

PASSED, APPROVED AND ADOPTED this 15th day of November 2022, by the following votes.

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Exhibit A

FINDINGS FOR LOCAL AMENDMENTS TO THE 2022 EDITIONS OF THE CALIFORNIA FIRE CODE, CALIFORNIA BUILDING CODE, CALIFORNIA RESIDENTIAL CODE, CALIFORNIA ELECTRICAL CODE, CALIFORNIA PLUMBING CODE, CALIFORNIA MECHANICAL CODE, CALIFORNIA EXISTING BUILDING CODE, AND CALIFORNIA GREEN BUILDING CODE, AS SET FORTH IN THE 2022 CALIFORNIA BUILDING STANDARDS CODE AND THE INTERNATIONAL SWIMMING POOL AND SPA CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE

A. General Findings. The Dublin City Council makes the following general findings regarding local climatic, geologic, and topographical conditions, which the City Council finds necessitates the local modifications to the California Building Standards Code set forth below:

1. Local climatic conditions include a low amount of average yearly rainfall, which tends to be concentrated from October through April. From May through September, a dry period occurs where daily temperatures remain high and there is little measurable precipitation. In addition, the local climate frequently includes high winds which sweep down through the valley. As a result of the high summer temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). As a result of the low precipitation, the area is subject to occasional drought.

   In developed areas of the City, fires can occur in buildings, rubbish, automobiles, and grass fires on vacant lots. In the undeveloped areas of the City, there is a risk of large brush and grass fires. If a fire occurs in either a developed or undeveloped area of the City, the local dry conditions combined with high winds, creates the risk of a potential fire storm.

   In addition, local residential development is occurring in previously undeveloped areas adjacent to wildfire hazard areas. These new developments increase the chance of fire while simultaneously being located further from fire stations, delaying critical response times. This potential problem can be mitigated by requiring initial fire control through the installation of automatic fire protection systems.

2. Local geologic conditions include a risk of earthquake. A number of earthquake faults are located either within or in close proximity to the City. Those with the most direct and potentially destructive impact are the San Andreas, Calaveras, Hayward, Greenville and Concord-Green Valley Faults. History of earthquake activity indicates that there is a likelihood of a major earthquake in the area. The largest recorded earthquake in this immediate area occurred on the San Andreas Fault on October 17, 1989, a 7.1 magnitude. This area had a sequence of earthquakes on the Greenville Fault in January and February of 1980; these earthquakes had a magnitude of 5.5 to 5.9 on the Richter Scale and in July 2019 the Greenville Fault had an earthquake of 4.3. The U.S. Geological Survey (USGS) has identified a 72% probability of a major (6.7 or larger) earthquake occurring in the region within the next 20 years (Source – USGS UCERF3 report). Recent earthquake damage studies, including the 1994 Northridge earthquake, have indicated the lack of adequate

design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants.

In the event of an earthquake, damage to structures can be expected. In residential and commercial areas, this could include significant damage or collapse of buildings. Secondary impacts could include ruptured electric or gas connections and/or breaks in water distribution lines. The potential for a major seismic event would create a City-wide demand for emergency response and fire protection service which would exceed staff response capacity. This potential problem can be mitigated by requiring initial fire control through the installation of automatic fire protection systems.

3. Local topographical conditions include hills on the western and eastern boarders and flat area in the center of the City. Interstate 680 divides the City into two sections, and circulation between areas of the City rely on freeway overpasses. In addition, local traffic must also pass over railroad tracks, creeks, and bridges (to cross arroyos).

   During peak a.m. and p.m. traffic periods, the City experiences heavy traffic congestion at key intersections, and near many freeway on-ramp and off-ramps. In the event of an accident or emergency at one of these key intersections, bridges, or other circulation corridors, sections of the City could become isolated and response times increased beyond ideal levels. Again, this potential problem can be mitigated by requiring initial fire control through the installation of automatic fire protection systems.

4. Based on the local climatic, geologic, and topographical conditions outlined above, there is a real risk that emergency response could be significantly delayed in the event of an accident or emergency. Therefore, it is necessary to address this problem through the requirement of additional mitigation measures to: (i) prevent the chance of accident or injury by requiring standards more stringent than required by the current codes; and (ii) requiring additional built-in automatic fire protection systems which will provide for early detection and initial fire control.

5. The burning of fossil fuels used to heat structures, heat water for cooking, and for other uses is a significant contributor to greenhouse gas emissions and climate change. Combustion of natural gas and petroleum products for heating and cooking needs emit carbon dioxide, methane, and nitrous oxide. Emissions from natural gas consumption represented 46% of the total annual U.S. energy related CO2 emissions in 2021. (See U.S. Energy Information Administration, “Where Greenhouse Gases Come From”, 2021.) Scientists attribute the global warming trend observed since the mid-20th century to the human expansion of the ‘greenhouse effect’ warming that results when the atmosphere traps heat radiating from Earth towards space. Long lived gasses such as carbon dioxide can persist in the atmosphere for more than 100 years, even with efforts to reduce emissions today. Nitrous oxide, carbon dioxide, and methane are gases that contribute to the greenhouse gas effect. (See NASA, Causes of Climate Change, as of November 25, 2020.)

   Global climate change imposes substantial and local impacts and risks on the San Francisco Bay Area, and thus the City of Dublin, including rising temperatures, changing precipitation patterns and amounts, sea level rise, flooding, drought, and wildfire, A general

summary of climate risks facing the San Francisco Bay Area and the City of Dublin are as follows:

- **Increased temperatures and extreme heat events.** The Bay Area is expected to see an increase in average annual temperature of 2.7°F by 2050, and 3.5°F to 11°F by 2100.
- **Reduction in the Quality and Supply of Water in the Sierra Snowpack.** If heat-trapping emissions continue unabated, more precipitation will fall as rain instead of snow, and the snow that does fall will melt earlier, reducing the Sierra Nevada spring snowpack by as much as 70% to 90%. This can lead to challenges in securing adequate water supplies. It can also lead to a potential reduction in hydropower.
- **Changes in Rainfall Intensity.** By mid-century, more precipitation is projected to occur in winter in the form of less frequent but larger events. Most climate models predict drying trends across the State by 2100.
- **Increased Risk of Large Wildfires.** A hotter, drier climate could promote up to 90% more Northern California fires by the end of the century by drying out and increasing the flammability of forest vegetation.
- **Exacerbation of Air Quality Problems.** If temperatures rise to the medium warming range, there could be 75% to 85% more days with weather conducive to ozone formation, relative to today's conditions. This is more than twice the increase expected if rising temperatures remain in the lower warming range. This increase in air quality problems could result in an increase in asthma and other health-related problems. The average air quality index in Dublin has consistently worsened over time and is lower than the State and national averages; it also worsens during extreme heat and wildfire events, As the air quality index increases, and increasingly large percentage of the Dublin population is likely to experience increasingly adverse health effects.

All-electric construction has a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). Reduction of total and peak energy use because of incremental conservation measures required by this ordinance will have local benefits in the additional available system energy capacity. Furthermore, the reduction of greenhouse gas emissions from all-electric buildings will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding, thus making these amendments reasonably necessary because of local climactic reasons.

6. The San Francisco Bay area region is densely populated and located in an area of high seismic activities. Concern for fire-life safety associated with gas appliances and associated piping located in the ground and in buildings increases with the risk of

explosion or fire if there is a structural failure due to a seismic event considering the increasing number of buildings in the region.

The risk of natural gas infrastructure and pipeline explosions and fires are magnified in cases of major earthquakes, for example, the 2010 San Bruno pipeline explosion. Severe seismic events could disrupt communications, damage gas mains, and place increased demands on the dispersed resources of the Fire Department necessary for the life safety needs of the community Eliminating gas infrastructure in future construction will also reduce the risks of fires and explosions, particularly after seismic events, which will further save the City money by reducing disaster response and recovery costs. The elimination of gas infrastructure in future construction will reduce risk of geologic risk via natural gas infrastructure, making these amendments necessary because of local geologic/ seismic reasons.

B. Specific Findings: The Dublin City Council makes the following specific findings, which, in addition to the general findings regarding local climatic, geologic, and topographical conditions set forth above, the City Council finds necessitate the local modifications to the California Building Standards Code set forth below:

1. California Fire Code.

5.08.110 Chapter 2 Definitions-Amended.

Chapter 2 is amended by adding the following definitions to Section 202:

Section 202 General Definitions.

City Council shall mean the governing body of the City of Dublin.

City Manager shall mean the City Manager of the City of Dublin or his or her designee.

Fire Trail means a graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break means a wide strip or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning into it can be more readily controlled.

FINDING: These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code. In addition, these modifications will make Chapter 5.08 consistent with Chapters 7.28, 7.32 and 7.34 of the Dublin Municipal code. Definitions clarify the title of Fire Chief and City Council as specific to the City of Dublin. These modifications will provide guidelines for Fire Department access locations and roadway preparation. The modifications also provide specific language to insure adequate access to fire hydrants and fire appliances.

5.08.120 Section 503.2.9 Specifications-Added.

Section 503.2.9 is added to read as follows:

503.2.9 Fire and Emergency Access Roads approved for construction sites shall be designed to meet the requirements of Section 503.2. The access shall be approved by the Fire Department prior to commencement of combustible storage or vertical combustible construction on the site.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code. In addition, these modifications will make Chapter 5.08 consistent with Chapters 7.28, 7.32 and 7.34 of the Dublin Municipal code. These modifications will provide guidelines for Fire Department access locations and roadway preparation. The modifications also provide specific language to insure adequate access to fire hydrants and fire appliances.**

5.08.130 Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 - Added.

Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted; Sections 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11., are amended to read as follows; and Sections 903.2.13 and 903.2.30 are added to read as follows:

903.2.1.1 **Group A-1 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.2 **Group A-2 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30.3 **Group A-3 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30.3.1 **Group A-4 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30 **Group E Occupancies.**

1. Throughout all Group E fire areas greater than 3,000 square feet (279 m²).

903.2.4 **Group F Occupancies.**

An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

903. A Group F fire area exceeds 2,500 square feet (232 m²).

903.2.7 **Group M Occupancies.**

1. A Group M fire area exceeds 2,500 square feet (232 m²).

903.2.9 **Group S Occupancies.**

An automatic sprinkler system shall be installed in all Group S occupancies as follows:

1. The fire area exceeds 2,500 square feet (232 m²);
2. Buildings with repair garages servicing vehicles parked in basements.

903.2.11.3 **Buildings Three Or More Stories in Height.**

An automatic sprinkler system shall be installed in all occupancies, regardless of type of construction, if the building is three or more stories or more than 35 feet in height measured from the pad grade level to the highest point of the building. An automatic sprinkler system shall be installed in all other occupancies as may be required by the 2022 California Building and Residential Code.

903.2.13 **Group B Occupancies.**

An automatic fire-extinguishing system shall be installed in Group B occupancies where the floor area exceeds 3,000 square feet (279 m²).

903.2.30 **All Occupancies.**

An automatic fire-extinguishing system shall be installed in all occupancies located more than one and one half (1½) miles from a fire station providing fire protection to that location. Said distance shall be measured in a straight line.

Buildings containing portions which are required to have an automatic fire extinguishing system because of the number of stories shall have the automatic fire extinguishing system installed throughout and fire walls as set forth in Section 706 shall not be considered as creating separate buildings for the purpose of this section.

Whenever an addition is made to an existing building, automatic fire-extinguishing systems shall be installed if the existing building plus the addition exceeds the area or height limitations set forth in this section. Whenever the use of an existing building or portion thereof is changed in any manner so as to require the installation of an automatic fire-extinguishing system, said system shall be installed in that portion of the building housing the new use.

(Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted)

FINDING: The amendment is needed due to local climatic and topographical conditions.

These modifications are necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

5.08.140 Section 903.6-Amended; Sections 903.6.2 and 903.6.3-Added.

Section 903.6 is amended, and Section 903.6.2 and 903.6.3 are added to read as follows:

903.6 **Existing Buildings.** All changes of occupancy classification in existing buildings shall comply with the requirements contained in Section 903.2 of this Code and Table 506.2 of the California Building Code.

903.6.2 When an addition to an existing building causes the total square footage of the building to exceed the maximum floor area specified in Table 506.2 of the California Building Code, fire sprinklers shall be installed throughout the entire building. Addition or alteration that removes 50% or more of the existing exterior walls of a building shall be considered a new building for the purposes of Section 903.

903.6.3 Existing buildings which do not conform to Current Building Code or Fire Code requirements may be required to install an automatic fire extinguishing system when an interior alteration or remodeling occurs, regardless of whether the floor area is increased or use changed. It shall be the responsibility of the Fire Code Official and the Building Official to evaluate the work being performed, non-complying features, and determine if an automatic fire extinguishing system will be required.

FINDING: The amendment is needed due to local climatic and topographical conditions.

These modifications are necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

5.08.150 Section 907.1-Amended; Sections 907.11, 907.11.1, 907.11.2 and 907.11.3-Added.

Section 907.1 is amended and Sections 907.11, 907.11.1, 907.11.2 and 907.11.3 are added to read as follows:

907.1 **General.** This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures. In the event of a conflict between this section and the provisions of Chapter 5.20 of the Dublin Municipal Code, the provisions of this section shall control.

907.11 **False Alarms**.

907.11.1 **Excessive False Alarms.** Malfunctions, or mechanical trip of any sprinkler alarm or other fire protection or detection system resulting in an alarm and emergency dispatch of the Fire Department shall be subject to a false alarm charge as established by this Code.

Exception: During a thirty (30) day period following the installation of any new fire alarm system, the Fire Chief shall determine if the false alarms emanating from said new installation are excessive.

907.11.2 **Charges.** After the initial thirty (30) day period following the installation of a new system, two (2) false alarms within a consecutive ninety (90) day period shall be deemed excessive and will be charged as false alarms.

907.11.3 **False Alarm charges are as follows:**

1st false alarm -	Warning Letter
2nd false alarm in any 90 day period-	$100.00
3rd and subsequent false alarms in any 90 day period-	$200.00

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code. In addition, these modifications will make Chapter 5.08 consistent with Chapters 7.28, 7.32 and 7.34 of the Dublin Municipal Code.**

5.08.160 Section 5003.2.4.2 Hazardous Materials General Provisions-Amended.

Section 5003.2.4.2 is amended to read as follows:

5003.2.4.2 Above-ground tanks. Above-ground stationary tanks used for the storage of hazardous materials shall be located and protected in accordance with the requirements for outdoor storage of the particular material involved. Notwithstanding the foregoing, above-ground stationary tanks used for the storage of flammable or combustible liquids is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

Exception: Above-ground tanks that are installed in vaults complying with Section 5303.16 or 5704.2.8 shall not be required to comply with location and protection requirements for outdoor storage.

5703.2.4.2.1 Marking. Above-ground stationary tanks shall be marked as required by Section 5003.5.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code.**

5.08.170 Section 5601.1.3 Fireworks-Amended.

Section 5601.1.3 is amended to add a fifth exception as follows:

5. The sale, use and discharge of fireworks are allowed in accordance with Chapter 5.24 of the Dublin Municipal Code.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code. In addition, these modifications will make Chapter 5.08 consistent with Chapters 7.28 and 7.32 of the Dublin Municipal code.**

5.08.180 Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited-Amended.

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code and permitted locations of above ground tanks. In addition, these modifications will make Chapter 5.08 consistent with Chapter 8 of the Dublin Municipal code.**

5.08.190 Section 5706.2.4.4 Locations where above-ground tanks are prohibited – Amended.

Section 5706.2.4.4 is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code and permitted locations of above ground tanks. In addition, these modifications will make Chapter 5.08 consistent with Chapter 8 of the Dublin Municipal code.**

5.08.200 Section 5806.2 Limitations-Amended.

Section 5806.2 is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law and in any area zoned for other than commercial, industrial, or agricultural use.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code and permitted locations of above ground tanks. In addition, these modifications will make Chapter 5.08 consistent with Chapter 8 of the Dublin Municipal code.**

5.08.210 Section 6104.2 Maximum capacity within established limits-Amended.

Section 6140.2 is amended to read as follows:

6104.2 Maximum Capacity Within Established Limits. The limits referred to in Section 6104.2 of the 2022 California Fire Code in which storage of compressed natural gas is prohibited, are hereby established as follows: Any area zoned for other than commercial, industrial, or agricultural use.

FINDING: **This modification is necessary to adopt the most current State standard and to clarify specific areas of the code and permitted locations of above ground tanks. In addition, these modifications will make Chapter 5.08 consistent with Chapter 8 of the Dublin Municipal code.**

2. California Building Code.

7.32.120 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement – Added.

The definitions of "Substantial Damage" and "Substantial Improvement" in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

FINDINGS The amendment is needed due to local climatic and topographical conditions.

This modification is necessary because the City of Dublin is a densely populated area having buildings and structures constructed near and within flood prone areas. The City codes require a definition for Substantial Damage and Substantial Improvement that includes repetitive lossand repetitive flood damage. Local climatic and topographical conditions include a average yearly rainfall, which tends to be concentrated from October to April.

7.32.130 Sections 502.2.1, 502.2.2, 502.2.3, 502.2.4, Chapter 5, Address illumination – Added.

Sections 502.2.1, 502.2.2, 502.2.3, 502.2.4 are added to read:

502.2.1 The address number(s) shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled by a photoelectric device.

502.2.2 Exterior doors in commercial tenant space numbers shall be addressed as required in section 502.1. Exception, dual doors may have the addresses on one door or centered above the doors. In addition, all rear doors or service doors will have the name of the business in 4-inch-high lettering.

502.2.3 No other number may be affixed to a structure that might be mistaken for, or confused with, the number assigned to the structure.

502.2.4 The assigned address, including the suite number, shall be displayed on all electric meters in accordance with utility company standards.

FINDINGS The amendment is needed due to local geological and topographical conditions.

These modifications are necessary due to the topographical nature of the City and the easy access to freeways described in Section A of these Findings. In light of said conditions, it is necessary to adopt these requirements to enhance crime prevention. Additionally, this will bring the code into conformance with the City of Dublin Police Department requirements.

7.32.140 Section 507.14, Chapter 5, Frontage Restriction-Added.

A new Section 507.14 is added to read:

507.14 Frontage Restriction. The increase in area permitted by Sections 506.3, 507.1 through 507.13 of this Section shall not be allowed unless or until the owner of the required yard shall file an agreement binding such owner, his heirs, and assignees, to set aside the required yard as unobstructed space having no improvements. Such agreement shall be recorded in the Alameda County Recorder's Office.

Exception: When using the public way for frontage increase.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.150 Section 706.1, Chapter 7, Fire Walls-Amended.

Section 706.1 is amended by adding a new subsection 706.1.2 to read:

706.1.2 Fire walls shall not be considered to create separate buildings for the purpose of automatic fire-sprinkler system requirements as set forth in Chapter 9.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification is necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.160 Section 701A.1, Chapter 7A, Scope-Amended.

Section 701A.1 is amended to read:

701A.1 Scope. This Chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface (WUI) Fire Area as defined in Section 702A or adjacent to open space or undeveloped land.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.170 Section 702A, Chapter 7A, Definitions-Amended.

Section 702A is amended to add the following definitions:

Adjacent to Open Space. Shall mean commercial parcels and residential lots which have a point of contact with open space.

Adjacent to Undeveloped Land. Shall mean commercial parcels and residential lots which have a point of contact with Undeveloped Land.

Open Space. For the purpose of this Chapter, Open Space shall mean those lands set aside to remain permanently undeveloped.

Undeveloped Land. For the purpose of this Chapter, Undeveloped Land shall mean land which is available for development, but no Tentative Map, Master Tentative Map or Development Agreement has been approved, and any land designated for government use for which no development plan has been approved.

FINDING: The amendment is needed due to local climatic and topographical conditions.

These modifications are necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or

exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.180 Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 -Added.

Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted; Sections 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11, are amended to read as follows; and Sections 903.2.13 and 903.2.30 are added to read as follows:

903.2.1.1 **Group A-1 Occupancies.**

2. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.3 **Group A-2 Occupancies.**

2. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.3 **Group A-3 Occupancies.**

2. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.4 **Group A-4 Occupancies.**

2. The fire area exceeds 3,000 square feet (279 m²).

903.2.3 **Group E Occupancies.**

2. Throughout all Group E fire areas greater than 3,000 square feet (279 m²).

903.2.4 **Group F Occupancies.**

An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. A Group F fire area exceeds 2,500 square feet (232 m²).

903.2.7 **Group M Occupancies.**

1. A Group M fire area exceeds 2,500 square feet (232 m²).

903.2.9 **Group S Occupancies.**

An automatic sprinkler system shall be installed in all Group S occupancies as follows:

3. The fire area exceeds 2,500 square feet (232 m²);
4. Buildings with repair garages servicing vehicles parked in basements.

903.2.11.3 **Buildings Three Or More Stories in Height.**

An automatic sprinkler system shall be installed in all occupancies, regardless of type of construction, if the building is three or more stories or more than 35 feet in height measured from the pad grade level to the highest point of the building. An automatic sprinkler system shall be installed in all other occupancies as may be required by the 2022 California Building and Residential Code.

903.2.13 **Group B Occupancies.**

An automatic fire-extinguishing system shall be installed in Group B occupancies where the floor area exceeds 3,000 square feet (279 m²).

903.2.30 **All Occupancies.**

An automatic fire-extinguishing system shall be installed in all occupancies located more than one and one half (1½) miles from a fire station providing fire protection to that location. Said distance shall be measured in a straight line.

Buildings containing portions which are required to have an automatic fire extinguishing system because of the number of stories shall have the automatic fire extinguishing system installed throughout and fire walls as set forth in Section 706 shall not be considered as creating separate buildings for the purpose of this section.

Whenever an addition is made to an existing building, automatic fire-extinguishing systems shall be installed if the existing building plus the addition exceeds the area or height limitations set forth in this section. Whenever the use of an existing building or portion thereof is changed in any manner so as to require the installation of an automatic fire-extinguishing system, said system shall be installed in that portion of the building housing the new use.

(Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted)

FINDING: The amendment is needed due to local climatic and topographical conditions.

These modifications are necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.190 Section 1505.1, Chapter 15, Fire Classification-Amended.

Section 1505.1 is amended to read:

1505.1 General. Roof Assemblies shall be divided into the classes defined below. Class A, B, and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on buildings shall comply with the following:

1. **Map of Fire Safe Roof Areas.** Figure 15-1* is a map of Fire Safe Roof areas. Said map may be amended from time to time by including areas which are annexed to the City within one of the two roofing areas. Said amendments may be made by the Building Official after consultation, with the Chief of the Fire Department having jurisdiction.

2. **Roofing Area 1.** Any new roof and any alteration, repair or replacement for buildings housing R & U occupancies in Roofing Area 1 shall use roof covering material that conforms to Class B or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

3. **Roofing Area 2.** Any new roof for buildings using roof covering material that conforms to Class C or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

4. **Other Occupancies.** Any new roof covering and any alterations, repairs or replacement of roof covering material for buildings housing all other occupancies shall conform to the requirements as set forth in Roofing Area 1.

* Editor's Note: Figure 15-1 is on file in the office of the City Clerk.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.32.200 Table 1607.1, Chapter 16, Minimum Uniformly Distributed Live Loads, L_o, and Minimum Concentrated Live Loads -Amended.

Table 1607.1 is amended by adding a new Footnote e to read:

e. Bridges for vehicular traffic shall be designed for H20 loading as designated by the American Association of State Highway Officials.

FINDING: The amendment is needed due to local geological, climatic and topographical conditions.

This modification was necessary because bridges were not addressed by the Building Code. Additionally due to the City's terrain a number of bridges and overpasses may be required.

7.32.210 Section 1705.3 Exception 1, Chapter 17, Concrete Construction – Amended.

Section, 1705.3 Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based

on a specified compressive strength, f'c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

FINDINGS: The amendment is needed due to local geological conditions.

Results from studies after the 1994 Northridge earthquake indicated that a lot of the damage was attributable to the lack of quality control during construction and therefore needs to be incorporated into the Code. Revise CBC Section 1705.3 exception No. 1 to allow special inspection not to be required for isolated spread footings where the structural design of the footing is based on a specified compressive strength, f'c no greater than 2,500 psi.

7.32.220 Section 1905.1.7, Chapter 19, ACI 318, Section 14.1.4-Amended.

Section 1905.1.7, Delete ACI 318, Section 14.1.4 and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.
14.1.4.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception:
In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:
In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

FINDINGS: The amendment is needed due to local geological, climatic and topographical conditions.

This amendment addresses the problem of poor performance of plain or under reinforced concrete footings during a seismic event. This amendment reflects the recommendations by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Joint Task Force that investigated the poor performance of plain and under-reinforced concrete footings observed in the 1994 Northridge earthquake.

The San Francisco Bay area region is densely populated and/or located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. The City of Dublin is a densely populated area having buildings constructed near potentially active faults. The Association of Bay Area Governments (ABAG) roughly estimates the probability of a serious earthquake along the Hayward Fault as one-in-four in the next 20 years, while the USGS predict the probability of a powerful quake in the next 20 years at 72%. The proposed modification to ensure that the design of slender wall must satisfy both strength and serviceability requirements need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the International Building Code.

7.32.230 Table 2308.6.1, Chapter 23, Wall Bracing Requirements–Amended.

Table 2308.6.1 is amended by adding new footnotes "f" and "g" to read:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Category D and E.
g. Methods GB, DWB and PCP are not permitted in Seismic Design Category E.

FINDINGS: The amendment is needed due to local geological conditions.

This amendment addresses the problem of poor performance of wall bracing materials in high seismic areas. Shear walls sheathed with lath, plaster or gypsum board are less ductile than plywood shear walls. The poor performance of such shear walls in the 1994 Northridge earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC) with the Los Angels City Task Force and formed the basis for this amendment. This amendment is consistent with shear wall restrictions by the American Wood Council (Section 4.3.47 SDPWS) and ICC ESR-1338 for Gypsum Board.

7.32.240 Section 2308.6.9, Attachment of Sheathing-Amended.

Section 2308.6.9, is amended by adding a second paragraph:

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum

24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing.

FINDINGS: The amendment is needed due to local geological, climatic and topographical conditions.

The San Francisco Bay area region is densely populated and/or located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. The City of Dublin is a densely populated area having buildings constructed near potentially active faults. The Association of Bay Area Governments (ABAG) roughly estimates the probability of a serious earthquake along the Hayward Fault as one-in-four in the next 20 years, while the USGS predict the probability of a powerful quake in the next 20 years at 72%. The proposed modification to ensure that the design of slender wall must satisfy both strength and serviceability requirements need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the International Building Code.

7.32.250 Section 3116.1, Chapter 31, Prohibited Installations-Added.

A new Section 3115.1 is added to read:

3116.1 Prohibited Installations. It shall be unlawful to install a wood burning fireplace or wood burning appliance that is not one of the following:

1) Pellet-fueled wood heater,
2) EPA certified wood heater,
3) Fireplace certified by EPA

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because fireplaces and wood stoves generate 40 percent of the particulate matter in the Bay Area during the winter months. Of greater concern are the fine particles, which can lodge deep in the lungs causing permanent lung damage and increasing mortality. Burning wood also generates carbon monoxide, nitrogen dioxide, volatile organic and toxic air pollutants.

7.32.260 Section 3203, Chapter 32, Signs-Added.

A new Section 3203 is added to read:

3203 Signs. Signs when placed flat against the wall of a building shall not project beyond the front property line more than 12 inches (305mm).

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary due to the City of Dublin's basic wind speed requirement relating to the high winds described in Section A of these Findings.

7.32.270 Section H101.2, Signs exempt from permits -Deleted.

Section H101.2 is deleted.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary due to the City of Dublin's basic wind speed requirement relating to the high winds described in Section A of these Findings.

7.32.280 Section 1010, Appendix Chapter 10, Building security – Added.

Appendix Chapter 10 is added to read:

Section 1010 building security shall be in accordance with the *Uniform Building Security Code* in addition to the following:

* *Editor's Note: See Chapter 7.34 Residential Code for single family or townhouse requirements.*

(A) **Addressing.** All buildings shall be addressed as follows:

(1) Walkways serving six (6) or more individual units where the front entrance is not parallel to the street and driveways servicing six (6) or more individual dwelling units shall have minimum of 4-inch-high identification numbers, noting the range of unit numbers placed at the entrance to each driveway at a height between thirty-six (36) and forty-two (42) inches above grade. The address numbers shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled only by a photoelectric device.

(2) There shall be positioned at each street entrance of a multi- family complex having more than one structure, an illuminated diagrammatic representation (map) of the complex that shows the location of the viewer and the unit designations within the complex. It shall be lighted during the hours of darkness utilizing a light source, which is constructed of weather and vandal resistant materials and provided with an uninterruptible AC power source or controlled by a photoelectric device. Nothing in this section shall preclude the requirement for circuit protection devices where applicable.

(3) If the building is adjacent to an alley, the number shall also be placed on or adjacent to the rear gate accessing the alley. Any building with vehicular access to the rear through a public or private alley shall display, in a clearly visible location, a highly reflective or illuminated address number a minimum of four (4) inches in height.

(4) Where more than one (1) building is accessed by a common street entrance or there are multiple buildings on the same lot, each principal building shall display the number or letter

assigned to that building on each corner of the building, as determined by the Building Official. These numbers shall be made visible during the hours of darkness. The street name may also be required when there is a secondary street frontage.

(5) Addressing shall not be obstructed by architectural structures such as trellises, arbors, balconies, light fixtures and or landscaping.

(6) In Commercial Day Care or Education facilities, all interior and exterior doors shall be provided with a room number on the door. A map of the facilities detailing location of all rooms and their uses shall be kept on file at the facilities on-site office.

(B) **Exterior Openings.** Exterior opening shall be as follows:

(1) Swinging exterior wood and steel doors shall be equipped as follows:

(a) A single or double door shall be equipped with a double- or single-cylinder deadbolt. The bolt shall have a minimum projection of one (1) inch and be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least three-fourths (3/4) inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard, a minimum of five pin tumblers and shall be connected to the inner portion of the lock by connecting screws of at least one-fourth (1/4) inch in diameter. The provisions of this paragraph do not apply where: (a) panic hardware is required, (b) conflicts with emergency egress requirements of the building and fire codes or (C) an equivalent device is approved by the authority having jurisdiction.

(b) Doorstop on a wooden jamb for an in-swing door shall be of one-piece construction with the jamb joined by a rabbet.

(c) For the purpose of this section, doors leading from garage areas into a dwelling are exterior doors.

(2) Double doors shall be equipped as follows:

(a) The inactive leaf of double door(s) shall be equipped with metal flush bolts that have a minimum embedment of five-eighths (5/8) inch into the head and threshold of the doorframe.

(b) Double doors shall have an astragal constructed of steel a minimum of .125 inch thick, which will cover the opening between the doors. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached. The astragal shall be attached to the outside of the active door by means of welding or with non-removable bolts spaced apart on not more than ten (10) inch centers. (The door to which such an astragal is attached must be determined by the fire safety codes adopted by the enforcing authority.)

(3) Aluminum frame swinging doors shall be equipped as follows:

(a) The jamb on all aluminum frame-swinging doors shall be so constructed or protected to withstand 1,600 pounds of pressure in both a vertical distance of three (3) inches and

a horizontal distance of one (1) inch each side of the strike, to prevent violation of the strike.

(b) A single or double door shall be equipped with a double cylinder deadbolt with a bolt projection exceeding one (1) inch, or a hook shaped or expanding dog bolt that engages the strike sufficiently to prevent spreading. The deadbolt lock shall have a minimum of five pin tumblers and a cylinder guard.

(4) Panic hardware, whenever required by the California Building Code or Title 19, California Administration Code, shall be installed as follows:

(a) Panic hardware shall contain a minimum of two (2) locking points on each door; or

(b) On single doors, panic hardware may have one locking point, which is not to be located at either the top or bottom frame. The door shall have an astragal constructed of steel .125 inch thick, which shall be attached with non-removable pins to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.

(c) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point, which will close the opening between them, but not interfere with the operation of either door. (The astragal shall not interfere with the safe operation of emergency egress).

(5) Horizontal or Sliding Doors shall be installed as follows:

(a) In commercial occupancies, horizontal sliding doors shall be equipped with a metal guide track at top and bottom and a cylinder lock and/or padlock with a hardened steel shackle which locks at both heel and toe, and a minimum five pin tumbler operation with non-removable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position.

(b) In residential occupancies, locks shall be provided on all sliding patio doors. The lock bolt on all glass patio doors shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

(c) Sliding patio glass doors opening onto patios or balconies which are less than one story above grade or are otherwise accessible from the outside shall have the moveable section of the door sliding on the inside of the fixed portion of the door or possess an approved secondary lock mounted on interior of moveable section.

(6) In office buildings (multiple occupancy), all entrance doors to individual office suites shall meet the construction and locking requirements for exterior doors.

(7) In commercial occupancies, windows shall be deemed accessible if less than twelve (12) feet above the ground. Accessible windows having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches and not visible from a public or private thoroughfare shall be protected with burglary resistant glazing or other approved methods as determined by the Building Official.

(8) Side or rear windows of the type that can be opened shall, where applicable, be secured on the inside with either a slide bar, bolt, crossbar, auxiliary locking device, and/or padlock with a hardened steel shackle, a minimum four pin tumbler operation.

(9) Protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be operable by the California Building Code.

(10) All exterior transoms exceeding ninety-six (96) square inches on the side and rear of any building or premises used for business purposes shall be protected with burglary resistant glazing or other approved methods as determined by the Building Official.

(11) Roof openings shall be equipped as follows:

(a) All skylights on the roof of any building or premises used by business purposes shall be provided with:

(1) Rated burglary resistant glazing; or

(2) Iron bars of at least one-half (1/2) inch round or one by one-fourth (1 x ¼) inch flat steel material under the skylight and securely fastened; or

(3) Steel grills of at least one-eighth (1/8) inch material with a maximum two (2) inches mesh under the skylight and securely fastened.

(4) A monitored intrusion alarm system. The system shall be kept operable at all times. The Chief of Police may require periodic testing of the alarm system to verify proper operation.

(b) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:

(1) If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen (16) U.S. gauge sheet metal, or its equivalent, attached with screws.

(2) The hatchway shall be secured from the inside with a slide bar or slide bolts. (Fire Department approval may be desired.)

(3) Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.

(c) All air duct or air vent openings exceeding ninety-six (96) square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with either of the following:

(1) Iron bars of at least one-half (1/2) inch round or one by one-fourth (1 x ¼) inch flat steel material spaced no more than five (5) inches apart and securely fastened; or

(2) Iron or steel grills of at least one-eighth (1/8) inch material with a maximum two (2) inch mesh and securely fastened.

(3) If the barrier is on the outside, it shall be secured with bolts which are non-removable from the exterior.

(4) The above must not interfere with venting requirements creating a potentially hazardous condition to health and safety or conflict with the provisions of the California Building Code or Title 19, California Administrative Code.

(12) Exterior roof ladders shall not be permitted.

(13) Exterior electrical or phone panels are not permitted in commercial occupancies.

(14) Separation walls for individual commercial tenant spaces housed within a common structure shall be solid with sheathing and continuous from the structure's foundation to roof or floor / ceiling assembly. If both sides of the tenant spaces are accessible, then each side shall be sheathed.

(15) Intrusion Devices.

(a) If the enforcing authority determines that the security measures and locking devices described in this Chapter do not adequately secure the building, due to special conditions, he/she may require the installation and maintenance of an intrusion device (burglar alarm system).

(C) **Landscaping.**

(1) Shrubs and ground cover shall not directly cover windows and doorways.

(2) River rock used near parking lots or buildings shall be permanently affixed.

(3) Open space and buildings shall be arranged to afford visibility and opportunity for surveillance by on-site users and passers-by.

(4) Barriers, both real and symbolic, shall be designed to afford opportunities for surveillance through the barrier.

(5) For residential development, backyard gates shall be the full height of the wall or fence adjacent and capable of being locked.

(6) For residential development, walls or fences, if installed, shall be a minimum of 6 feet in height when adjacent to any of the following:

Reverse frontage
Retention/detention areas
Parks
Commercial areas
Industrial areas
Bike paths

(D) **Lighting.** Lighting of buildings or complexes shall at a minimum be illuminated as follows:

(1) A site plan shall be provided showing buildings, parking areas, walkways, detailed landscaping and a point-by-point photometric calculation of the required light levels.

(2) All exterior entrances shall be illuminated with a uniformly maintained minimum level of one foot candle of light between ground level and 6 vertical feet within a minimum radius of 15 feet from the center of the entrance between sunset and sunrise.

(3) Postal Service “gang boxes” (group postal boxes) shall be illuminated with a uniformly maintained minimum level of one foot candle of light.

(4) Lighting of all exterior areas shall be designed to maximize surveillance and reduce conflicts with building design, mature landscaping, and to minimize glare.

(5) Open stairways shall be illuminated with a minimum maintained five-tenths (0.5) foot-candle of light in all landings and stair treads between sunset and sunrise. Enclosed stairways and enclosed common corridors shall be illuminated at all times with a minimum maintained one-foot candle of light on all landings and stair treads.

(6) Private streets, alleys, and emergency access roads shall be illuminated using the same standards as established for public thoroughfares.

(7) Aisles, passageways, pedestrian walkways and recessed areas related to and within a building, a building complex, or providing access to a building or building complex from a parking lot or right of way shall be illuminated with a minimum uniformly maintained minimum level of one foot candle of light between ground level and six vertical feet between sunset and sunrise or other methods approved by the Building Official.

(8) Open parking lot and/or carport and refuse areas shall be provided with and maintained to a minimum of one foot-candle of light on the parking surface. The Building Official may approve a lower light level, if it can be demonstrated that the lower level provides for sufficient security lighting.

(9) Covered parking lots or covered portions of parking lots shall be illuminated with a uniformly maintained minimum level of one-foot candle of light between ground level and 6

vertical feet between sunset and sunrise. Lighting shall be designed so that architectural or structural features do not obstruct the minimum light coverage.

(10) Parking structures or enclosed or partially enclosed parking lots shall be illuminated with a uniformly maintained minimum level of two-foot candles of light between ground level and 6 vertical feet between sunrise and sunset (daylight hours).

(11) Lighting fixtures shall be so arranged as to illuminate light uniformly over the parking surface and be tamper resistant.

(12) Public rest rooms, rooms identified for the general public and children's recreation areas shall be provided with emergency lighting meeting section 1006 of this Code.

All light sources required by this section shall be: (a) controlled by a photocell device or a time clock that will turn the lights on at dusk and off at dawn and (b) protected by weather and vandal resistant covers.

(E) **Garage Type (Vehicle) Doors.** Garage-type doors, which are either rolling overhead, solid overhead, swinging, sliding, or accordion style doors shall conform to the following standards:

(1) Wood doors shall have panels a minimum of five-sixteenths (5/16) inch in thickness with the locking hardware being attached to the support framing.

(2) Aluminum doors shall be a minimum thickness of .0215 inches and riveted together a minimum of 18 inches on center along the outside seams. There shall be a full width horizontal beam attached to the main door structure which shall meet the pilot, or pedestrian access, door framing within 3 inches of the strike area of the pilot or pedestrian access door.

(3) Fiberglass doors shall have panels a minimum density of 6 ounces per square foot from the bottom of the door to a height of 7 feet. Panels above 7 feet and panels in residential structures shall have a density not less than 5 ounces per square foot.

(4) Doors utilizing a cylinder lock shall have a lock receiving point at each outer edge of the door; or, if the door does not exceed 19 feet, a single bolt may be used if placed in the center of the door with the locking point located either at the floor or door frame header.

(5) Doors with slide bolt assemblies shall have frames a minimum of .120 inches of thickness, with a minimum bolt diameter of one half (1/2) inch and protrude at least one and one half (1 ½) inches into the receiving guide. A bolt diameter of three-eighths (3/8) inch may be used in a residential building. The slide bolt shall be attached to the door with non-removable bolts from the outside. Rivets shall not be used to attach slide bolt assemblies.

(6) Padlocks used with exterior mounted slide bolts shall have a hardened steel shackle locking at both heel and toe and a minimum five pin tumbler operation with non-removable key when in an unlocked position. Padlocks used with interior mounted slide bolts shall have a hardened steel shackle with a minimum 4-pin tumbler operation.

(F) **Emergency Access**

(1) Private roads and parking areas or structures controlled by unmanned mechanical parking type gates shall provide for emergency access as follows:

Radio frequency access or by providing the gate access code for distribution to emergency responders. When an access code is to be utilized, an illuminated control box is to be mounted on a control pedestal consisting of a metal post/pipe, which shall be installed at a height of 42 inches and a minimum of 15 feet (4.6m) from the entry/exit gate. It shall be located on the driver's side of the road or driveway and accessible in such a manner as to not require a person to exit their vehicle to reach it, nor to drive on the wrong side of the road or driveway, nor to require any back-up movements in order to enter/exit the gate.

(2) Non-residential multi-tenant buildings utilizing electronic access control systems on the main entry doors, and enclosed retail shopping centers shall be provided with a means to allow for police emergency access.

(3) Pedestrian gates/doors using an electromagnetic type lock shall install a key switch within a telephone/intercom console or in a control housing, or other method approved by the Building Official that will provide for police emergency access. Options include radio frequency access or providing the gate access code for distribution to emergency responders.

(4) All lockable pedestrian gates to residential recreation areas serving 6 or more dwelling units, and gates or doors to common walkways or hallways of residential complexes where there are 4 or more dwelling units within the complex, shall provide for police emergency access utilizing an approved key switch device or approved Knox box. The Knox box shall be installed adjacent to each gate/door, securely attaching it to a fence or wall or location approved by the Building Official.

(5) Pedestrian gate doors utilizing mechanical locks shall install a Knox box adjacent to each gate/door, securely attaching it to a fence or wall

(G) **Keying requirements**

Upon occupancy by the owner or proprietor, each single unit in a tract or commercial development, constructed under the same site development review, shall have locks using combinations that are interchange free from locks used in all other separate dwellings, proprietorships, or similar distinct occupancies.

(H) **Laundry rooms or areas:** Common area laundry rooms in multi-family complexes shall be designed and protected as follows:

(1) Entry doors shall have:

(a) A minimum six hundred (600) square inch clear vision panel in the upper half of the door, consisting of ¼" tempered glass;

(b) Automatic, hydraulic door closures;

(c) Self-locking door locks equipped with a deadlocking latch allowing exiting by a single motion and openable from the inside without the use of a key or any special knowledge or effort;

(d) Non-removable hinge pins for out-swinging doors to preclude removal of the door from the exterior by removing the hinge pins; and

(e) A latch protector consisting of minimum 0.125-inch-thick steel attached to the door's exterior by non-removable bolts from the exterior. It shall be two (2) inches wide and extend a minimum of five inches above and below the strike opening and extend a minimum of one (1) inch beyond the edge of the door. It shall have a metal anti-spread pin a minimum of one-half (1/2) inch in length.

(2) The laundry room shall be illuminated at all times with a minimum maintained one-foot candle of light at floor level, using a non-interruptible power source. There shall be no light switches inside the room that control light fixtures used to meet this lighting requirement.

(3) Any portion of an openable window which is within eight (8) feet vertically or six (6) feet horizontally from any accessible surface or any adjoining roof, balcony, landing, stair tread, platform, or similar surface, or any climbable pole or tree, or any surface providing a foothold, shall be secured as required by section 1018 of the Uniform Building Security Code.

(4) The interior of laundry rooms shall be visible from the exterior along common walking or driving surfaces. Perimeter windows and interior mirrors may be utilized to meet this requirement. Laundry rooms are to be located in high activity areas with natural surveillance opportunities and not in remote or isolated locations.

(I) **Elevators**

Elevators shall be designed as follows:

Elevator cabs, the interiors of which are not completely visible when the door is open from a point centered on the 36 inches away from the door shall have shatter resistant mirrors or other equally reflective material so placed as to make visible the entire elevator cab from this point. The elevator cab shall be illuminated at all times with a minimum maintained 2-foot candles of light at floor level.

(J) **Stairways**

Except for private stairways, Stairways shall be designed as follows:

(1) Interior doors shall have glazing panels a minimum of 5 inches wide and 20 inches in height and meet requirements of the California Building Code.

(2) Areas beneath stairways at or below ground level shall be fully enclosed or access to them restricted.

(3) Enclosed stairways shall have shatter resistant mirrors or other equally reflective material at each level and landing and be designed or placed in such manner as to provide visibility around corners.

(K) **Parking structures.**

(1) Parking structures shall be designed to restrict unauthorized access.

(2) Outside stairwells shall be open and not obstructed from view

(3) Security telephones with monitoring capability shall be located on every level adjacent to pedestrian ingress/egress points. If pedestrian ingress/egress points are more than 200 feet but less than 300 feet apart, additional security telephones shall be located at the midpoint between pedestrian ingress/egress points. If pedestrian ingress/egress points are more than 300 feet apart, security telephones will be located at 100-foot intervals. Security telephones shall be visible from all vehicular and pedestrian ingress/egress points and identified with appropriate signage.

(4) Blind corners shall be provided with shatterproof convex mirrors to improve visibility for both operators of vehicles and pedestrians.

(5) Doors shall be labeled with signage meeting the requirements of section 501.2

(6) Parking structures shall have the ceiling area of each floor or tier painted and maintained white or other reflective color approved by the Building Official.

(L) **Other requirements**

(1) Storage Areas. Exterior storage area attached to a dwelling, apartment or condominium and enclosed by a door shall comply with this section or have a minimum 3/8" diameter hardened padlock hasp.

(2) Side Gates. Side gates shall be the full height of the adjacent fence or wall and be capable of being locked. Side gates shall be secured with a slide bolt mounted on the inside of the gate. The slide bolt shall have a bolt diameter of three-eighths (3/8) inch and protrude at least one and one-half (1 ½) inches into the receiving guide. The slide bolt shall be attached to the gate with non-removable bolts. Rivets shall not be used to attach slide bolt assemblies. The slide bolt shall be mounted at a height that is not accessible by reaching over the gate.

FINDINGS The amendment is needed due to local geological and topographical conditions.

These modifications are necessary due to the topographical nature of the City and the easy access to freeways described in Section A of these Findings. In light of said conditions, it is necessary to adopt these requirements to enhance crime prevention. Additionally, this will bring the code into conformance with the City of Dublin Police Department requirements.

3. <u>California Residential Code</u>.

7.34.110 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.

The definitions of "Substantial Damage" and "Substantial Improvement" in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

3. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

<u>FINDINGS The amendment is needed due to local climatic and topographical conditions.</u>

<u>This modification is necessary because the City of Dublin is a densely populated area having buildings and structures constructed near and within flood prone areas. The City codes require a definition for Substantial Damage and Substantial Improvement that includes repetitive lose and repetitive flood damage. Local climatic and topographical conditions include a average yearly rainfall, which tends to be concentrated from October to April.</u>

7.34.130 Section R301.2.4 Floodplain Construction – Amended.

Section R301.2.4 is amended to read:

Buildings and structures constructed in whole or in part in flood hazard areas (including A or V Zones) as established in Table R301.2(1), and substantial improvement and repair of substantial damage of buildings and structures in floor hazard areas, shall be designed and constructed in accordance with ASCE24. Buildings and structures that are located in more than

one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.

FINDINGS The amendment is needed due to local climatic and topographical conditions.

Local climatic and topographical conditions include a average yearly rainfall, which tends to be concentrated from October to April.

7.34.140 Section R313.1 Exception, Chapter R3 Townhouse Automatic Fire Sprinkler Systems – Amended.

Section R313.1 Exception is amended to read:

Exception: An automatic sprinkler system shall not be required where additions or alteration are made to existing townhouses that do not have an automatic sprinkler system installed, provided that the total square footage of the existing building plus the addition does not exceed 3600 square feet (334m²). Additions or alteration that remove 50 percent or more of the existing exterior walls of a dwelling shall be considered a new dwelling for the purposes of Section R313.1.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.34.150 Section R313.2 Exception 1, Chapter R3 One and Two-family Dwellings Automatic Fire Sprinkler Systems – Amended.

Section R313.2 Exception 1 is amended to read:

Exception: 1. An automatic residential fire sprinkler system shall not be required for additions or alteration to existing building that are not already provided with an automatic residential sprinkler system, provided that the total square footage of the existing building plus the addition does not exceed 3600 square feet (334m²). Additions or alteration that remove 50 percent or more of the existing exterior walls of a dwelling shall be considered a new dwelling for the purposes of Section R313.2.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.34.160 Section R319.2, Chapter R3, Site Address - Added.

Section R319.2, is added to read:

R319.2 Address Location. Address shall be installed in the following locations:

1 Walkways serving six (6) or more individual units where the front entrance is not parallel to the street and driveways servicing six (6) or more individual dwelling units shall have minimum of four (4) inch high identification numbers, noting the range of unit numbers placed at the entrance to each driveway at a height between thirty-six (36) and forty-two (42) inches above grade. The address numbers shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled only by a photoelectric device or photovoltaic powered.

2. No other number may be affixed to a structure that might be mistaken for, or confused with, the number assigned to the structure.

3. If the building is adjacent to an alley, the number shall also be placed on or adjacent to the rear gate accessing the alley.

4. For multifamily buildings with recessed entryway over 2 feet, an additional lighted address shall be placed at the entryway to the recessed area. If the recessed area provides access to more than one dwelling unit, the range of units shall be displayed.

5. Each principal building of a multifamily complex shall display the number or letter assigned to that building on each corner of the building at a height that will prevent the number from being obscured by landscaping.

6. Any building with vehicular access to the rear through a public or private alley shall display, in a clearly visible location, a highly reflective or illuminated address number a minimum of four (4) inches in height.

7. Address numbers shall not be obstructed by architectural structures such as trellises, arbors, balconies, light fixtures and or landscaping.

FINDINGS The amendment is needed due to local geological and topographical conditions.

These modifications are necessary due to the topographical nature of the City and the easy access to freeways described in Section A of these Findings. In light of said conditions, it is necessary to adopt these requirements to enhance crime prevention. Additionally, this will bring the code into conformance with the City of Dublin Police Department requirements.

7.34.170 Section R322.1 Chapter R3, General – Amended.

Section R322.1 is amended to read:

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas, including A or V Zones and Coastal A Zones, as established in Table R301.2(1), and substantial improvement and repair of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with ASCE24 Buildings and

structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.

FINDINGS The amendment is needed due to local climatic and topographical conditions.

Local climatic and topographical conditions include a average yearly rainfall, which tends to be concentrated from October to April.

7.34.180 Section R337.1.1 Chapter R3, Scope – Amended.

Section R337.1.1 is amended to read:

R337.1.1 Scope. Section R337 and all subsections apply to building materials, systems and or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface (WUI) Fire Area as defined in Section R337.2 or adjacent to open space or undeveloped land.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.34.190 Section R337.2 Chapter R3, Definitions – Amended.

Section 337.2 is amended to add the following definitions:

Adjacent to Open Space. Shall mean commercial parcels and residential lots which have a point of contact with open space.

Adjacent to Undeveloped Land. Shall mean commercial parcels and residential lots which have a point of contact with Undeveloped Land.

Open Space. For the purpose of this Chapter, Open Space shall mean those lands set aside to remain permanently undeveloped.

Undeveloped Land. For the purpose of this Chapter, Undeveloped Land shall mean land which is available for development, but no Tentative Map, Master Tentative Map or Development Agreement has been approved, and any land designated for government use.

FINDING: The amendment is needed due to local climatic and topographical conditions.

These modifications are necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.34.200 Section R350, Chapter R3, Building Security – Added.

Section R350 is added to read:

R350.1 Building Security. Residential building security shall be in accordance with the *Uniform Building Security Code* in addition to the following:

R350.2 **Exterior doors: Each exterior door shall be secured as follows:**

1. Exterior doors (excluding glass patio doors) and doors leading from garage areas into dwellings shall be equipped with a dead bolt lock with one-inch (1") throw.

2. Pairs of doors shall have flush bolts with a minimum throw of five-eighths inch (5/8") at the head and foot (floor and ceiling) of the inactive leaf.

3. Doorstop on a wooden jamb for an in-swing door shall be of one-piece construction with the jamb joined by a rabbet.

4. Locks shall be provided on all sliding patio doors.

5. Sliding patio glass doors opening onto patios or balconies which are less than one story above grade or are otherwise accessible from the outside shall have the moveable section of the door sliding on the inside of the fixed portion of the door or possess an approved secondary lock mounted on interior of moveable section.

6. The lock bolt on all glass patio doors shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

R350.3 Landscaping.

1. Shrubs and ground cover shall not directly cover windows and doorways.

2. River rock used near parking lots or buildings shall be permanently affixed.

3. Backyard gates shall be the full height of the wall or fence adjacent and capable of being locked.

4. Open space and buildings shall be arranged to afford visibility and opportunity for surveillance by on-site users and passers-by.

5. Barriers, both real and symbolic, shall be designed to afford opportunities for surveillance through the barrier.

6. For residential development, walls or fences, if installed, shall be a minimum of 6 feet in height when adjacent to any of the following:
    - Reverse frontage,
    - Retention/detention areas,

- Parks, Commercial areas,
- Industrial areas, or
- Bike paths.

R350.4 Garage Type (Vehicle) Doors. Garage-type doors, which are either rolling overhead, solid overhead, swinging, sliding, or accordion style doors shall conform to the following standards;

1. Wood doors shall have panels a minimum of five-sixteenths (5/16) inch in thickness with the locking hardware being attached to the support framing.

2.Aluminum doors shall be a minimum thickness of .0215 inches and riveted together a minimum of 18 inches on center along the outside seams. There shall be a full width horizontal beam attached to the main door structure which shall meet the pilot, or pedestrian access, door framing within 3 inches of the strike area of the pilot or pedestrian access door.

3. Fiberglass doors shall have panels a minimum density of 6 ounces per square foot from the bottom of the door to a height of 7 feet. Panels above 7 feet and panels in residential structures shall have a density not less than 5 ounces per square foot.

4. Doors utilizing a cylinder lock shall have a lock receiving point at each outer edge of the door; or, if the door does not exceed 19 feet, a single bolt may be used if placed in the center of the door with the locking point located either at the floor or door frame header.

5. Doors with slide bolt assemblies shall have frames a minimum of .120 inches of thickness, with a minimum bolt diameter of one half (1/2) inch and protrude at least one and one half (1 ½) inches into the receiving guide. A bolt diameter of three-eighths (3/8) inch may be used in a residential building. The slide bolt shall be attached to the door with non-removable bolts from the outside. Rivets shall not be used to attach slide bolt assemblies.

R350.5 Emergency Access. Private roads and parking areas or structures controlled by unmanned mechanical parking type gates shall provide for police emergency access as follows:

1. Radio frequency access or by providing the gate access code for distribution to emergency responders. When an access code is to be utilized, an illuminated control box shall be mounted on a control pedestal consisting of a metal post/pipe which shall be installed at a height of 42 inches and a minimum of 15 feet (4.6m) from the entry/exit gate. It shall be located on the driver's side of the road or driveway and accessible in such a manner as to not require a person to exit their vehicle to reach it, nor to drive on the wrong side of the road or driveway, nor to require any back-up movements in order to enter/exit the gate.

2. All lockable pedestrian gates to residential recreation areas serving 6 or more dwelling units, and gates or doors to common walkways or hallways of residential complexes where there are 4 or more dwelling units within the complex, shall provide for police emergency access utilizing an approved key switch device or approved Knox box.

3. Pedestrian gates/doors using an electromagnetic type lock shall install a key switch within a telephone/intercom console or in a control housing, or other method approved by the Building Official that will provide for police emergency access. See 350.5.1 for options.

4. Pedestrian gate/doors (including pedestrian gates/doors in pool enclosures and recreational facilities) utilizing mechanical locks shall install a Knox box adjacent to each gate/door, securely attaching it to a fence or wall.

R350.6 Keying requirements. Upon occupancy by the owner or proprietor, each single unit in a tract constructed under the same site development review, shall have locks using combinations that are interchange free from locks used in all other separate dwellings, proprietorships, or similar distinct occupancies.

R350.7 Other requirements

1. Storage Areas. Any exterior storage area attached to a dwelling enclosed by a door shall comply with this section or have a minimum 3/8" diameter hardened padlock hasp.

2. Side Gates. Side gates shall be the full height of the adjacent fence or wall and be capable of being locked. Side gates shall be secured with a slide bolt mounted on the inside of the gate. The slide bolt shall have a bolt diameter of three-eighths (3/8) inch and protrude at least one and one-half (1 ½) inches into the receiving guide. The slide bolt shall be attached to the gate with non-removable bolts. The slide bolt shall be mounted at a height that is not accessible by reaching over the gate.

FINDINGS The amendment is needed due to local geological and topographical conditions.

This modification is necessary due to the topographical nature of the City and the easy access to freeways described in Section A of these Findings. In light of said conditions, it is necessary to adopt these requirements to enhance crime prevention. Additionally, this will bring the code into conformance with the City of Dublin Police Department requirements.

7.34.210 Section R403.1.3, Chapter R4, Footing and stem wall reinforcing in Seismic Design Categories D_0, D_1, D_2. – Amended.

Section R403.1.3 is amended to read:

R403.1.3 Footing and stem wall reinforcing in Seismic Design Categories D_0, D_1, D_2. Concrete footings located in Seismic Design Categories D_0, D_1 and D_2, as established in Table R301.2, shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

FINDINGS: The amendment is needed due to local geological, climatic and topographical conditions.

The San Francisco Bay Area region is densely populated and/or located in an area of high seismic activities as indicated by United States Geological Survey

and California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. The City of Dublin is a densely populated area having buildings constructed near potentially active faults. The Association of Bay Area Governments (ABAG) roughly estimates the probability of a serious earthquake along the Hayward Fault as one-in-four in the next 20 years, while the USGS predict the probability of a powerful quake in the next 20 years at 72%. The proposed modification to ensure that the design of slender wall must satisfy both strength and serviceability requirements need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the International Building Code.

7.34.220 Table R602.10.3(3), Chapter R6, Bracing Requirements – Amended.

Table R602.10.3(3) is amended by adding a new footnote "i" to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permit in Seismic Design Categories D_0, D_1, and D_2 .
j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D_0, D_1, and D_2 where S_1 is greater than or equal to 0.75.

Add the "i, j" footnote notation in the title of Table R602.10.3(3) to read:

TABLE R602.10.3(3)[i, j]

FINDINGS: The amendment is needed due to local geological, climatic and topographical conditions.

The amendment addresses the problem of poor performance of these bracing materials in high seismic areas to limit potential structural damage. Shear walls sheathed with lath, plaster or gypsum board are less ductile than plywood shear walls, The poor performance of such shear walls in the 1994 Northridge earthquake was investigated by the Structural Engineers Association of Southern California (SEAOSC) and the Los Angeles City Task Force and formed the basis for this amendment. This amendment is also consistent with the design limitations for similar shear walls found in Table 2308.6.1 of the 2022 California Building Code.

7.34.230 Section R602.10.4.5, Chapter R6, Limits on methods GB and PCP – Added.

A new Section R602.10.4.5 is added to read:

R602.10.4.5 Limits on methods GB and PCP. In Seismic Design Categories D_0, D_1, and D_2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite

side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D_0, D_1, and D_2, the use of Method PCP is limited to one-story single-family dwellings and accessory structures.

FINDINGS: The amendment is needed due to local geological, climatic and topographical conditions.

This section deletes the use of gypsum board for lateral bracing. This deletion is necessary because the City of Dublin is located in Seismic Zone D and E. Gypsum wallboard has performed poorly during recent California seismic events. The shear values for gypsum wallboard contained in the code are based on mono-directional testing. In addition, this section limits the use of portland cement plaster for lateral bracing to single story residential buildings. This limitation is necessary because the City of Dublin is located in Seismic Zone D and E. Exterior portland cement plaster has performed poorly during recent California seismic events. The shear values for portland cement stucco contained in the code are based on mono-directional testing. It is appropriate to limit the use of this product until cyclic loading tests are performed and evaluated.

The San Francisco Bay Area region is densely populated and/or located in an area of high seismic activities as indicated by United States Geological Survey and California Division of Mines and Geology. Recent earthquake activities, including the 1989 Loma Prieta earthquake, have indicated the lack of adequate design and detailing as a contributing factor to damages that reduced the protection of the life-safety of building occupants. The City of Dublin is a densely populated area having buildings constructed near potentially active faults. The Association of Bay Area Governments (ABAG) roughly estimates the probability of a serious earthquake along the Hayward Fault as one-in-four in the next 20 years, while the USGS predict the probability of a powerful quake in the next 20 years at 72%. The proposed modification to ensure that the design of slender wall must satisfy both strength and serviceability requirements need to be incorporated into the code to assure that new buildings and additions to existing buildings are designed and constructed in accordance with the scope and objectives of the International Building Code.

7.34.240 Section R902, Chapter 9, Fire Classification-Amended.

Section R902.1 is amended to read:

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A, B or C roofing shall be installed in areas as designated below or where the edge of the roof is less than 3 feet from a lot line. Class A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

1. **Map of Fire Safe Roof Areas.** Figure 15-1* is a map of Fire Safe Roof areas. Said map may be amended from time to time by including areas which are

annexed to the City within one of the two roofing areas. Said amendments may be made by the Building Official after consultation, with the Chief of the Fire Department or their designee having jurisdiction.

2. **Roofing Area 1.** Any new roof and any alteration, repair or replacement for buildings housing R & U-1 occupancies in Roofing Area 1 shall use roof covering material that conforms to Class B or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

3. **Roofing Area 2.** Any new roof for buildings using roof covering material that conforms to Class C or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

* Editor's Note: Figure 15-1 is on file in the office of the City Clerk.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, The area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.34.150 Section R1001.1.2 Chapter 10, Prohibited Installations—Added.

A new Section R1001.1.2 is added to read:

R1001.1.2 Prohibited Installations. It shall be unlawful to install a new wood burning fireplace or appliance that is not one of the following:

4) Pellet-fueled wood heater,
5) EPA certified wood heater,
6) Fireplace certified by EPA

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because fireplaces and wood stoves generate 40 percent of the particulate matter in the Bay Area during the winter months. Of greater concern are the fine particles, which can lodge deep in the lungs causing permanent lung damage and increasing mortality. Burning wood also generates carbon monoxide, nitrogen dioxide, volatile organic and toxic air pollutants.

4. California Electrical Code.

7.36.070 Section 210.53, Office receptacle outlets-Added.

Section 210.53 is added to read:

210.53 Office Receptacle Outlets. In office buildings or offices exceeding ten (10) percent of the floor area of the major use, receptacle outlets shall be installed in all permanent walls or partitions of each office so that no point along the floor line any wall space is more than six (6) feet (1.83m) measured horizontally, from an outlet in that space including any wall space two (2) feet (610 mm) or more in width and the wall space occupied by sliding panels in exterior walls.

As used in the section a "wall space" shall be considered a wall unbroken along the floor line by doorways, fireplaces and similar openings. Each wall space two (2) or more feet (610 mm) wide shall be treated individually and separately from other wall spaces within the room. A wall space shall be permitted to include two or more walls of a room (around corners) where unbroken at the floor line.

As used in this section “office space” means an enclosed office space with hard walls. Open office floor plans are not affected by this section.

Receptacle outlets shall, insofar as practicable be spaced equal distances apart. Receptacle outlets in floors shall not be counted as part of the required number of receptacle outlets unless located near the wall.

The receptacle outlets required by the section shall be in addition to any receptacle that is part of any lighting fixture or appliance, located within cabinets or cupboards, or located over five and one-half (5 ½) feet (1.68 m) above the floor.

FINDINGS: The amendment is needed due to local geological conditions.

This section requires additional receptacles. The City of Dublin is located in a highly active Seismic Zone D and E. In Office Buildings without these requirements extension codes are being used. Extension cords are not afforded the same protection from damage as wiring raceways. Damage to extension cords could occur in a seismic event, which increases the potential for a fire.

5. California Plumbing Code.

7.40.080 Section 609.3, Chapter 6, Under Concrete Slab–Amended.

Section 609.3, first paragraph, is amended by replacing it to read:

Section 609.3 Water piping shall not be installed in or under a concrete floor slab within a building without prior approval of the Building Official. When approved, such piping shall be installed in accordance with the following requirements:

FINDINGS The amendment is needed due to local geological conditions.

This section eliminates water piping in or under concrete floor slabs within a building. This amendment is necessary for the following reasons:

(1) Most of the surface soils in the City of Dublin are relatively young and unconsolidated sedimentary materials formed from a wide variety of parent materials. The varying chemical composition, degree of weathering and the relatively acid environment have created soils of varying types, which are particularly corrosive in nature.

(2) Much of the surface soil in the City of Dublin is highly expansive (i.e., shrink-swell behavior) and have low bearing strength.

(3) There are two types of expansive soils in the area:

a. the organic silty clays which are the recent bay muds; and
b. the plastic silty clays which weather from the shale found in the hills surrounding the City of Dublin

(4) The local climate is characterized by markedly delineated rainy and dry seasons, which tend to maximize the expansive characteristics of soil.

(5) Some parts of the City of Dublin have hard water, which is corrosive to ferrous pipe.

(6) The groundwater table is unusually high in many places.

(7) The City of Dublin is a highly active seismic area.

6. California Mechanical Code

No findings, beyond the general findings listed above, are necessary to justify the proposed amendments

7. California Existing Building Code

7.46.080 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.

The definitions of "Substantial Damage" and "Substantial Improvement" in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

FINDINGS The amendment is needed due to local climatic and topographical conditions.

This modification is necessary because the City of Dublin is a densely populated area having buildings and structures constructed near and within flood prone areas. The City codes require a definition for Substantial Damage and Substantial Improvement that includes repetitive lose and repetitive flood damage. Local climatic and topographical conditions include a average yearly rainfall, which tends to be concentrated from October to April.

7.46.090 Chapters 6 through 13-Deleted.

Chapters 6 through 13 are deleted.

8. California Green Building Code

7.94.050 Section 202, Chapter 2 Definitions – Amended.

The following definitions are hereby added to Section 202 of the State Code to read as follows:

ALL-ELECTRIC BUILDING. A building that contains no combustion equipment or plumbing for combustion equipment within the building or building property lines, and instead uses electric appliances for service.

COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT. Equipment used in a food establishment for heat-processing food or utensils and that produces grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilation system, as defined in the California Mechanical Code.

COMBUSTION EQUIPMENT. Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses fuel gas.

ELECTRIC HEATING APPLIANCE. A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

FUEL GAS. A gas that is natural, manufactured, liquefied petroleum, or a mixture of these.

FINDINGS The amendment is needed due to local climatic conditions.

All-electric construction has a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). Reduction of total and peak energy use because of incremental conservation measures required by this ordinance will have local benefits in the additional available system energy capacity. Furthermore, the reduction of greenhouse gas emissions from all-electric buildings will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding, thus making these amendments reasonably necessary because of local climactic reasons.

7.94.060 Section 4.106.4 Electric vehicle (EV) charging for new construction – Deleted and Replaced.

Section 4.106.4 is deleted and replaced with Section A4.106.8 to read:

A4.106.8 Electric vehicle (EV) charging for new construction is adopted as mandatory at the Tier 2 level.

FINDINGS The amendment is needed due to local climatic, topographical and environmental conditions.

This modification is necessary because the City of Dublin is a densely populated area having buildings and structures constructed within heavily traveled traffic corridors and highways (580 and 680), near and within flood prone areas. This impacts the quality of the air, causes higher decibel noise level, and increases the risk of rising sea or flood levels. The proposed modification to increase the number of EV charging spaces will help to address and significantly reduce local air and noise pollutions, greenhouse gas emissions, and will improve the health and welfare of the City's residents, businesses and visitors and reduce the rise in sea or flood levels that could put at risk the City's homes, businesses and public facilities at risk. Therefore, this amendment needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

7.94.070 Sections 4.106.5, 4.106.5.1, and 4.106.5.2 All Electric Buildings – Added.
Sections 4.106.5, 4.106.5.1, and 4.106.5.2 are added to read:

4.106.5 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 4.106.5.1 or 4.106.5.2 so that they do not use combustion equipment or are ready to accommodate installation of electric heating appliances.

4.106.5.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Qualifying alteration projects shall be limited to additions or alterations that remove 50 percent or more of the existing exterior walls of a dwelling and additions that increase the square footage of the structure by more than 50 percent.

The final determination whether a project meets the definition of a qualifying alteration project shall be made by the Building Official

Exception:

If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the Building Official may grant a modification. The applicant shall comply with the following and Section 4.106.5.2.

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, have a meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one

of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The Building Official shall have the authority to approve alternative materials and methods of construction as per the Dublin Municipal Code, Chapter 7.28.

4.106.5.2 Requirements for combustion equipment.
Where combustion equipment is allowed under subsection 4.106.5.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

FINDINGS The amendment is needed due to local climatic conditions.

All-electric construction has a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. “brownouts”). Reduction of total and peak energy use because of incremental conservation measures required by this ordinance

will have local benefits in the additional available system energy capacity. Furthermore, the reduction of greenhouse gas emissions from all-electric buildings will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding, thus making these amendments reasonably necessary because of local climactic reasons.

7.94.080 Section 4.107.1, Division 4.1, Chapter 4, Future access for solar systems- Added.

A new Section 4.107.1 is added to read:

4.107.1 Future Access for Solar Systems. A minimum one-inch (25.4 mm) electrical conduit shall be provided from the electrical service equipment to the solar zone as defined by the California Energy Code, Title 24, Part 6, Section 110.10. Where a solar zone is not required by the California Energy Code, the conduit location shall be subject to approval of the Building Official.

Exception: Where solar is installed as part of the original construction and prior to first occupancy.

FINDINGS The amendment is needed due to local climatic, topographical and environmental conditions.

Green building design, construction and operation can have a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). Reduction of total and peak energy use as a result of incremental conservation measures required by this ordinance will have local benefits in the additional available system energy capacity.

7.94.090 Sections 5.106.5.3 and 5.106.5.3.1 Electric vehicle (EV) charging. – Deleted and Replaced.

Sections 5.106.5.3 and 5.106.5.3.1 are deleted and replaced with Section A5.106.5.3 to read:

Section A5.106.5.3 Electric vehicle (EV) charging for new construction is adopted as mandatory at the Tier 2 level.

FINDINGS The amendment is needed due to local climatic, topographical and environmental conditions.

This modification is necessary because the City of Dublin is a densely populated area having buildings and structures constructed within heavily traveled traffic corridors and highways, near and within flood prone areas.

This impacts the quality of the air, causes higher decibel noise level, and increases the risk of rising sea or flood levels. The proposed modification to increase the number of EV charging spaces will help to address and significantly reduce local air and noise pollution and greenhouse gas emissions, will improve the health and welfare of the City's residents, businesses and visitors, and reduce the rise in sea or flood levels that could put the City's homes, businesses and public facilities at risk. Therefore, this amendment needs to be incorporated into the code to assure that new buildings and structures and additions or alterations to existing buildings or structures are designed and constructed in accordance with the scope and objectives of the California Green Building Standards Code.

7.94.100 Section 5.106.13, 5.106.13.1 and 5.106.13.2 All electric buildings. – Added.
Section 5.106.13, 5.106.13.1 and 5.106.13.5.2 are added to read:

5.106.13 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 5.106.13.1 or 5.106.13.2 so that they do not use combustion equipment or are ready to facilitate future electrification.

5.106.13.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Qualifying alteration projects shall be limited to additions or alterations that remove 50 percent or more of the existing exterior walls of a structure and additions that increase the square footage of the structure by more than 50 percent.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of qualifying alteration project shall be made by the Building Official.

Exceptions:

1. Nonresidential buildings containing kitchens located in a place of public accommodation, as defined in the California Building Code Chapter 2, may apply to the Building Official for a modification to install commercial food heat-processing equipment served by fuel gas. The Building Official may grant the modification, provided the following findings are made:
    a) The applicant has a business-related need to cook with combustion equipment; and
    b) The applicant has installed energy efficient equipment based on Energy Star or California Energy Wise qualifications, as available.
    c) The applicant will comply with Section 5.106.13.2.

2. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the Building Official may grant a modification. The applicant shall comply with following and Section 5.106.13.2

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, have a meter installed, or otherwise be used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The Building Official shall have the authority to approve alternative materials and methods of construction as per the Dublin Municipal Code, Chapter 7.28.

5.106.13.2. Requirements for combustion equipment.

Where combustion equipment is allowed under Subsection 5.106.13.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

FINDINGS The amendment is needed due to local climatic conditions.

All-electric construction has a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high

temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). Reduction of total and peak energy use because of incremental conservation measures required by this ordinance will have local benefits in the additional available system energy capacity. Furthermore, the reduction of greenhouse gas emissions from all-electric buildings will help mitigate climate change and its negative effects such as extreme heat events, droughts, intense storms, and flooding, thus making these amendments reasonably necessary because of local climactic reasons.

7.94.110 Section 5.107.1, Division 5.1, Chapter 5, Future access for solar systems- Added.

A new Section 5.107.1 is added to read:

5.107.1 Future Access for Solar Systems. Install conduit from the solar zone as defined by the California Energy Code, Title 24, Part 6, Section 110.10 to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter.

Exception: Where solar is installed as part of the original construction and prior to first occupancy.

FINDINGS The amendment is needed due to local climatic, topographical and environmental conditions.

Green building design, construction and operation can have a significant positive effect on energy resource efficiency, waste and pollution generation, and the health and productivity of building occupants over the life of the building. The City of Dublin has a dry, hot period of at least five months each year. As a result of the high temperatures, average load demand and peak load demand of energy used in Dublin are important factors impacting public safety and creating the potential for adverse economic impacts due to power outages or power reductions (i.e. "brownouts"). Reduction of total and peak energy use as a result of incremental conservation measures required by this ordinance will have local benefits in the additional available system energy capacity.

9. Dublin Swimming Pool and Spa Code

7.45.080 Chapter 2, Definitions - Added.
The following definitions are added to read:

ANSI/APSP Performance Standard. ANSI/APSP performance standard means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).

Approved Safety Pool Cover. Approved safety pool cover means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society of Testing and Materials (ASTM), in compliance with standard F1346-91.

Enclosure. Enclosure means a fence, wall, or other barrier that isolates a swimming pool from access to the home.

Exit Alarms. Exit alarms means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, in opened or is left ajar. Exist alarms may be battery operated or may be connected to the electrical wiring of the building.

Swimming Pool or Pool. Swimming pool of pool means any structure intended for swimming or recreational bathing that contains water over eighteen (18) inches deep. Swimming pool shall include in-ground and above ground structures and includes, but is not limited to, hot tubs, spaces, portable spas, and nonportable wading pools.

FINDING: These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code

7.45.090 Chapter 2, Definitions - Amend.
The following definitions are amended to read:

Public swimming pool. Public swimming pool means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the ground of a private single-family home.

Suction Outlet. Suction outlet means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.

FINDING: These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code

7.45.100 Section 303, Chapter 3, Energy - Amended.
Section 303. is deleted in its entirety and amended to read:

303 Energy. All pool and spa energy consumption shall meet the requirements in the California Energy Code.

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.110 Section 304.2, Chapter 3, Determination of impacts based on locations - Amended.

Section 304.2. is amended to read:

304.2 Determination of impacts based on location. Pools and spas in flood hazard areas indicated with in the City of Dublin shall comply with 304.2.1 or 304.2.2. The remainder of section 304.2 is unchanged.

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.120 Section 305.2, Chapter 3, Outdoor Swimming Pools and Spas - Amended.

Section 305.2 is amended to read:

305.2 Outdoor swimming pools and spas. Other than those facilities regulated by the Swimming Pool Safety Act (Health and Safety Codes Sections 115920 through 115929), all outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.130 Section 318.4, Chapter 3, Water Conservation - Added.

Section 318.4 is added to read:

318.4, Water conservation. Water conservation efficiency in residential and public pools, spas, portable spas, and swim spas shall be provided for in accordance with APSP 13.

FINDING: **The amendment is needed due to local climatic and topographical conditions.**

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of dryness, a rapidly burning grass fire or exterior building fire can quickly transfer to other buildings. These modifications are consistent with the Fire Authority having jurisdiction.

7.45.140 Section 901.2, Chapter 9, General - Deleted.

Section 901.2 is deleted.

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.150 Section 1101.1, Chapter 11, Referenced Codes and Standards - Added.

Section 1101.1 is added to read:

1101.1 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in this chapter and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provision of this code shall be the minimum requirements.

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.160 Section 1101.2, Chapter 11, Application of Codes- Added.

Section 1101.2 is added to read:

1101.2 Application of Codes. Where the Residential Code is referenced in this code, the provisions of the Residential Code shall apply to related systems in detached one- and two-family dwellings and townhouses not more than three stories in height. Other related systems shall comply with the applicable Code or referenced standard.

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

7.45.170 Chapter 11, Referenced Standard-ANSI/APSP/ICC-13-2017 - Added.

Referenced standard ANSI/APSP/ICC-13-2017 is added to Chapter 11

Standard Acronym	Standard Name	Sections Herein Referenced
ANSI/APSP/ICC-13-2017	American National Standard for Water Conservation Efficiency in Residential and Public Pools, space, Portable Spas and Swim Spas	318.4

FINDING: **These modifications are necessary to adopt the most current State standard and to clarify specific areas of the code**

10. Dublin Building Maintenance Code

7.48.070 Sections 302.2, 302.3, 302.4 and 302.8, Chapter 3, Exterior Property Areas – Deleted.

Sections 302.2, 302.3, 302.4 and 302.8. are deleted

FINDING: The amendment is necessary to correct a conflict with the City of Dublin's Zoning Code.

7.48.080 Section 303.2, Chapter 3, Enclosures – Amended.

Section 303.2 is amended to read:

> **303.2 Enclosures.** Private swimming pools, hot tubs, and spas enclosures shall meet the requirements of Section 3109.2 California Building Code, California Swimming Pool Safety Act and 7.45.120.

FINDING: The amendment is needed to correct a conflict with State Law.

7.48.090 Section 304.14, Chapter 3, Insect Screens – Amended.

> **304.14 Insect screens.** Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.
>
> **Exception:** Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

FINDING: The amendment is needed due to local climatic and topographical conditions.

> **This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of the dryness and drought rodents may enter homes in search of water and shade.**

7.48.100 Section 304.16, Chapter 3, Under-Floor areas – Amended.

Section 304.16 is amended to read:

> **304.16 Under-Floor areas**. Under-floor access doors and ventilation openings shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Doors shall be tight fitting and ventilation openings shall be properly screened with corrosion-resistant wire mesh having openings not exceeding 1/4 inch in any dimension or alternate approved materials pursuant to current CBC 1203.4.1.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of the dryness and drought rodents may enter homes in search of water and shade.

7.48.110 Sections 308.2.1.1, Chapter 3, Garbage Receptacles – Added.

Section 308.2.1.1 is added to read:

308.2.1.1 Garbage Receptacles. An adequate number of appropriate receptacles with close fitting covers for garbage and rubbish as may be considered necessary by the enforcing agency shall be provided for the occupant of every dwelling unit by the owner or operator of every apartment house, hotel, or combination thereof. Each receptacle shall be kept in a clean condition and good repair.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of the dryness and drought rodents may enter homes in search of water and shade.

7.48.120 Sections 309.1 and 309.2, Chapter 3, Pest Elimination – Amended.

Sections 309.1 and 309.2 are amended to read:

309.1 Infestation. All structures shall be kept free from insect, rodent and vermin infestation. When an insect, rodent or vermin infestation is brought to the attention of the code official, he or she may require the owner or agent having charge or control of the building, lot or premises to hire a licensed exterminator or other qualified professional to inspect the building, lot or premises and provide a written report verifying the presence and severity of such infestation including in the report a recommendation for proper extermination of the infestation. All structures in which insect, rodent or vermin infestations are found shall be promptly exterminated by approved processes that will not be injurious to human health. After the extermination of the infestation is complete, the code official may request a written notice from the licensed exterminator or other qualified professional attesting to the completion and success of the recommended extermination procedures. After the infestation is eliminated, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure. The owner of a structure or premises containing a dwelling unit, multiple occupancy, rooming house or a nonresidential structure shall be responsible for maintaining the structure and premises in a rodent or pest-free condition. If an infestation is caused by an occupant substantially failing to properly maintain their occupied area of the structure or premises as clean and sanitary as the condition of the structure or premises permits, the occupant and owner shall be responsible for pest elimination. For as long as the occupant's failure either substantially causes an unlivable condition to occur, or substantially interferes with the owners' ability to remedy

the condition, the owner does not have to remedy the condition. Where the infestation is caused by defects in the structure, the owner shall be responsible for extermination.

FINDING: The amendment is needed due to local climatic and topographical conditions.

This modification was necessary because the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought. Because of the dryness and drought rodents may enter homes in search of water and shade.

5204195.1

ORDINANCE NO. xx – 22

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DUBLIN

REPEALING AND REPLACING CHAPTERS 5.08 (FIRE CODE), 7.28 (BUILDING REGULATION ADMINISTRATION CODE), 7.32 (BUILDING CODE), 7.34 (RESIDENTIAL CODE), 7.36 (ELECTRICAL CODE), 7.40 (PLUMBING CODE), 7.44 (MECHANICAL CODE), 7.48 (BUILDING MAINTENANCE CODE) AND 7.94 (GREEN BUILDING CODE) OF THE DUBLIN MUNICIPAL CODE, AND REPEALING CHAPTER 7.24 (FLOOD CONTROL0 AND ADOPTING CHAPTER 7.24 (FLOODPLAIN MANAGEMENT REGULATIONS AND ADDING CHAPTER 7.46 (EXISTING BUILDING CODE) OF THE DUBLIN MUNICIPAL CODE; IN ORDER TO ADOPT BY REFERENCE AND AMEND PROVISIONS OF THE 2022 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, TITLE 24, CALIFORNIA CODE OF REGULATIONS, AND ADDING CHAPTER 7.45 (SWIMMING POOL AND SPA CODE) OF THE DUBLIN MUNICIPAL CODE IN ORDER TO ADOPT BY REFERENCE, THE 2021 EDITION OF THE INTERNATIONAL SWIMMING POOL AND SPA CODE, WITH LOCAL AMENDMENTS

WHEREAS, Health and Safety Code Section 18938 makes provisions published in the California Building Standards Code pursuant to Health and Safety Code Section 17922 applicable to all occupancies throughout the State and effective one hundred and eighty days after publication by the California Building Standards Commission (the "Commission"), or at a later date established by the Commission; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 establish the authority for a city to adopt and make local amendments and modifications to the building standards in the California Building Standards Code to establish more restrictive building standards than those contained in the California Building Standards Code; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 permit a city to make such local amendments and modifications as the city determines are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, California Health and Safety Code Sections 17958, 17958.5, 17958.7 and 18941.5 require a city, before making any amendments and modifications to the California Building Standards Code, make an express finding that such amendments and modifications are reasonably necessary because of local climatic, geological, or topographical conditions; and

WHEREAS, under Health and Safety Code Section 17958.7, changes pursuant to Health and Safety Code Section 17958.5 may not become effective until the required findings, and the changes, have been filed with the California Building Standards Commission; and

WHEREAS, Government Code Section 50022.2 permits enactment of City Ordinances that adopt codes or statutes, including codes of the State of California, by reference; and

WHEREAS, notice of this Ordinance was published in accordance with Government Code Sections 50022.3 and 6066; and that such notice was sufficient to give notice to interested persons of the purpose of the ordinance and the subject matter thereof; and

The Dublin City Council does hereby ordain as follows:

Section 1. Chapters 5.08 (Fire Code), 7.24 (Flood Control) 7.28 (Building Regulations Administration), 7.32 (Building Code), Chapter 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code), and 7.94 (Green Building Code) of the Dublin Municipal Code are hereby repealed.

Section 2. Chapter 5.08 (Fire Code), which adopts by reference and amends the 2022 California Fire Code, is added to the Dublin Municipal Code as set forth in **Exhibit A** to this Ordinance.

Section 3. Chapter 7.24 (Floodplain Management Regulations), is added to the Dublin Municipal Code as set forth in **Exhibit B** to this Ordinance.

Section 4. Chapter 7.28 (Building Regulation Administration), is added to the Dublin Municipal Code is as set forth in **Exhibit C** to this Ordinance.

Section 5. Chapter 7.32 (Building Code), which adopts by reference and amends the 2022 California Building Code is added to the Dublin Municipal Code as set forth in **Exhibit D** to this Ordinance.

Section 6. Chapter 7.34 (Residential Code), which adopts by reference and amends the 2022 California Residential Code, is added to the Dublin Municipal Code as set forth in **Exhibit E** to this Ordinance.

Section 7. Chapter 7.36 (Electrical Code), which adopts by reference and amends the 2022 California Electrical Code, is added to the Dublin Municipal Code as set forth in **Exhibit F** to this Ordinance.

Section 8. Chapter 7.40 (Plumbing Code), which adopts by reference and amends the 2022 California Plumbing Code, is added to the Dublin Municipal Code as set forth in **Exhibit G** to this Ordinance.

Section 9. Chapter 7.44 (Mechanical Code), which adopts by reference and amends the 2022 California Mechanical Code, is added to the Dublin Municipal Code as set forth in **Exhibit H** to this Ordinance.

Section 10. Chapter 7.45 (Swimming Pool and Spa Code), which adopts by reference and amends the 2021 International Swimming Pool and Spa Code, is added to the Dublin Municipal Code as set forth in **Exhibit I** to this Ordinance.

Section 11. Chapter 7.46 (Existing Building Code), which adopts by reference and amends the 2022 California Existing Building Code, is added to the Dublin Municipal Code as set forth in **Exhibit J** to this Ordinance.

Section 12. Chapter 7.48 (Building Maintenance Code), which adopts by reference and amends the 2021 International Property Maintenance Code, is added to the Dublin Municipal Code as set forth in **Exhibit K** to this Ordinance.

Section 13. Chapter 7.94, (Green Building Code), of the Dublin Municipal Code, which adopts by reference and amends the 2022 California Green Building Standards Code, to the Dublin Municipal Code as set forth in **Exhibit L** to this Ordinance.

Section 14. Effect of Code on Past Actions and Obligations. The adoption of the Dublin Building, 2022, does not affect any civil lawsuit instituted or filed or prosecutions for ordinance violations committed on or prior to the effective date of said Code, does not waive any fee or penalty due and unpaid prior to the effective date of said Code, and does not affect the validity of any bond or cash deposit posted, filed or deposited pursuant to the requirements of any ordinance.

Section 15. References to Prior Code. Unless superseded and expressly repealed, references in City forms, documents and regulations to the chapters and sections of the former Dublin Building Code, 2019, shall be construed to apply to the corresponding provisions contained within the Dublin Building Code, 2022.

Section 16. No penalty clauses are adopted by reference pursuant to this Ordinance. At least one true copy of codes adopted by reference pursuant to this Ordinance have been on file with the City Clerk since fifteen days prior to enactment of this Ordinance. While Chapters 5.08, 7.32, 7.34, 7.36, 7.40, 7.44, 7.45, 7.46, 7.48, and 7.94 of the Dublin Municipal Code remain in force, a reasonable supply of the incorporated codes shall be available in the office of the City Clerk for public purchase.

Section 17. Severability. The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the ordinance or their applicability to other persons or circumstances.

Section 18. This Ordinance shall take effect on January 1, 2023. The City Clerk of the City of Dublin shall cause this Ordinance to be posted in at least three (3) public places in the City of Dublin in accordance with Government Code Section 36933.

Section 19. The City Council hereby finds that the adoption of this Ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to California Code of Regulations Title 14, sections 15002 and 15378 as this Ordinance is not a "project" within the meaning of the State CEQA Guidelines. Specifically, this Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment because it does not authorize the construction of any new large structures or other physical changes resulting in impacts to the environment.

{Signatures on the following page}

PASSED AND ADOPTED BY the City Council of the City of Dublin on this 15th day of November 2022, by the following votes:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____
MAYOR

ATTEST:

_____
CITY CLERK

Chapter 5.08

FIRE CODE

Sections:

5.08.010 Title.
5.08.020 Purpose.
5.08.030 Adoption of Fire Code.
5.08.040 Authority.
5.08.050 Section 102.13 Applicability-Added.
5.08.060 Section 103.2 Appointment – Amended.
5.08.070 General Authority and Responsibilities.
5.08.080 Section 104.10, Requests for Alternative Means of Protection-Amended.
5.08.090 Section 111.1 Board of Appeals-Amended.
5.08.100 Section 113.1.1 Stop Work Order-Amended.
5.08.110 Chapter 2 Definitions-Amended.
5.08.120 Section 503.2.9 Specifications-Added.
5.08.130 Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 -Added.
5.08.140 Section 903.6-Amended; Sections 903.6.2 and 903.6.3-Added.
5.08.150 Section 907.1-Amended; Sections 907.11, 907.11.1, 907.11.2 and 907.11.3-Added.
5.08.160 Section 5003.2.4.2 Hazardous Materials General Provisions-Amended.
5.08.170 Section 5601.1.3 Fireworks-Amended.
5.08.180 Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited-Amended.
5.08.190 Section 5706.2.4.4 Locations where above-ground tanks are prohibited-Amended.
5.08.200 Section 5806.2 Limitations-Amended.
5.08.210 Section 6104.2 Maximum capacity within established limits-Amended.
5.08.220 New Materials, Processes or Occupancies which may require permits.
5.08.230 Section 112.4.1 Violation penalties-Amended

5.08.010 Title.

The Fire Codes adopted by Section 5.08.030 and the provisions of this Chapter shall constitute the Dublin Fire Code and may be referred to as such.

5.08.020 Purpose

The promotion and preservation of the public health, safety, and general welfare of the people of the City and the property situated therein have made necessary the adoption of the International Fire Code referred to in Section 5.08.030 in order to adequately safeguard life, health, property, and general welfare. The purpose of this Code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this Code.

5.08.030 Adoption of Fire Codes.

The 2022 California Fire Code, Part 9, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in California Health and Safety Code Section 18901 (hereinafter referred to as the "state code"), including Section 103.2, 104.9, 105.2.3, 105.3.1, 105.3.2, 113, 307, 308.2, 308.3, 503, Appendices D, and any rules and regulations promulgated pursuant to the state code, and the International Fire Code, 2021 Edition, as published by the International Code Council (hereinafter referred to as the "IFC"), are hereby adopted and incorporated by reference herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosion. Notwithstanding the foregoing, the provisions of the state code and the IFC are amended as set forth in Sections 5.08.050 through 5.08.230, inclusive. Copies of the state code, IFC have been and are now filed in the Office of the City Clerk, 100 Civic Plaza, Dublin, California, for use and examination by the public. From the date on which the Ordinance that codified this chapter shall take effect, the provisions of the state code and IFC shall be controlling within the limits of the City of Dublin.

5.08.040 Authority.

The Fire Department referred to herein and in codes adopted pursuant to Section 5.08.030 shall be the entity which provides fire suppression and prevention services to the City by contract, and the Fire Chief or Fire Code Official referred to herein and in codes adopted pursuant to Section 5.08.030 shall be the Fire Chief of the Fire Department, or his or her designee, acting under the direction of the City Manager.

5.08.050 Section 102.13 Applicability-Added.

Section 102.13 is added to read as follows:

> 102.13 **Applicability.** Where not otherwise limited by law, the provisions of this Code shall apply to vehicles, cargo containers, ships, boats, and mobile vehicles when fixed in a specific location within the boundaries of this jurisdiction.

5.08.060 Section 103.2 Appointment – Amended.

Section 103.2 is amended to read as follows:

103.2 **Appointment.** The fire code official shall be appointed by the fire chief for the City of Dublin.

5.08.070 General Authority and Responsibilities.

Sections 104.2.1, 104.2.2, 104.2.3, and 104.2.4 are added to read as follows:

104.2.1 **Fee for Plan Review, Inspection and Permits.** The City Council may, by resolution, establish a schedule of nondiscriminatory fees to be charged and collected for plans submitted under Section 104.2, solely to defray the City's reasonable costs for plan review of fire protection equipment and systems, requested or required inspection services and issuance of permits. .

104.2.2 **Permit Processing Fee.** Each application for a permit shall be accompanied by a fee equal to forty percent (40%) of the total permit fee rounded off to the nearest dollar. The permit processing fee shall be credited toward the total permit fee required. After permit processing has commenced, no portion of the permit processing fee shall be refundable.

104.2.3 **Refunds.**

A. Sixty percent (60%) of any permit fee may be refunded to the applicant prior to the expiration of the permit provided that the work authorized under the permit has not commenced. Thirty percent (30%) of the permit fee may be refunded to the applicant after a permit has expired provided that the work has not commenced, but in no case shall any refund be allowed after one (1) year from the date of expiration of the permit. Requests for refund shall be in writing. Any expenses incurred by the City other than the permit processing fee may be deducted from the refund.

B. If there was an error in calculating the amount of the permit fee and such error resulted in overpayment of the permit fee, the amount of overpayment may be refunded.

104.2.4 **Fees-Partially completed work.**

A. Where permits expire and the work has not been completed and a new permit is subsequently issued for the completion of the work, the fee for the new permit shall be a percentage of the amount of the fee in effect at the time of issuance of the new permit.

Completed Inspections	Percent of Permit Fee
1. If no inspections have been made.	30
2. If rough inspection has been made.	15

B. The fee determined by the foregoing shall be rounded to the nearest dollar.

5.08.080 Section 104.10, Requests for Alternative Means of Protection-Amended.

Section 104.10. is amended to read as follows:

104.10 **Requests for Alternative Means of Protection.** Requests for approval to use an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection shall be made in writing to the Fire Code Official by the owner or owner's authorized representative and shall be accompanied by a full statement of the conditions. Sufficient evidence of proof shall be submitted to substantiate any claim that may be made regarding its conformance. The Fire Code Official may require tests and the submission of a test report from an approved testing organization to substantiate the equivalency of the proposed alternative means of protection.

Approval of a request for the use of an alternative material, assembly or materials, equipment, method of construction, method of installation of equipment, or means of protection shall be limited to the particular case covered by the request and shall not be construed as establishing any precedent for any future request.

5.08.090 Section 111.1 Board of Appeals-Amended.

Section 111.1 is amended to read as follows:

109.1 **Board of Appeals-Established.**

A. Any person aggrieved with the decision of the Fire Chief in connection with the application or interpretation of this Code or an approval of alternative materials or methods of construction may appeal to the City Council. Such appeal shall be in writing and filed with the City Clerk within ten (10) days.

B. The City Council may, after hearing, interpret any provision of this Code.

C. The City Council may after hearing, vary the application of this Code in any specific cases when, in its opinion, the enforcement thereof would be contrary to the spirit and purpose of this Code or public interest. The City

Council in granting a variance may impose requirements or conditions to mitigate any adverse effects that may result from granting the grievance.

D. In making such interpretation or granting any variance, the City Council shall make the following findings:

1. That the interpretation or variance is consistent with the purpose of this Code;
2. That the interpretation or variance will not lessen the protection to the people of the City and the property situated therein.

E. The City Council may approve alternate materials or methods of construction by overruling the decisions of the Fire Chief. In approval of any alternate materials or methods of construction, the City Council shall make findings that the material, method or work proposed is for the purpose intended, at least equivalent of that prescribed by this Code in quality, strength effectiveness, fire resistance, durability, dimensional stability and safety.

F. The City Council may appoint a Board of Appeals to hear a specific appeal. The Board of Appeals shall consist of five (5) members qualified by training and experience to pass on matters pertaining to the subject matter of the appeal. The Board of Appeals shall have the same authority and duties as the City Council in interpreting this Code, granting variances, or approving alternate materials or methods of construction. The Fire Chief shall be an ex officio member of the Board of Appeals and shall act as secretary to the Board. The Board of Appeals shall adopt reasonable rules and regulations for conducting its hearings and investigations.

G. The decision of the City Council or Board of Appeals shall be final.

5.08.100 Section 113 Stop Work Order-Amended.

Section 113.1.1 is added to read as follows:

113.1.1 **Stop Work Order.** Whenever any installation of fire protection devices covered by this Code is concealed without first having been inspected, the Fire Chief may require, by written notice, that such work shall be exposed for inspection. Whenever any construction or installation work is being performed in violation of the plans and specifications as approved, a written notice shall be issued to the responsible party to stop work on that portion of the work which is in violation. The notice shall state the nature of the violation, and no work shall be done on that portion of the project until the violation has been corrected.

Where work for which a permit is required by this Chapter is started or proceeds prior to obtaining such permit, a penalty fee, in addition to the permit fee, shall be assessed as follows:

Violation within two-year period	Penalty Fee
First	Equal to the permit fee
Second	Double the permit fee
Third and subsequent	Ten times the permit fee

The payment of such penalty fee shall not relieve any person from fully complying with all of the provisions of this Chapter.

5.08.110 Chapter 2 Definitions-Amended.

Chapter 2 is amended by adding the following definitions to Section 202:

Section 202 General Definitions.

City Council shall mean the governing body of the City of Dublin.

City Manager shall mean the City Manager of the City of Dublin or his or her designee.

Fire Trail means a graded firebreak of sufficient width, surface, and design to provide access for personnel and equipment to suppress and to assist in preventing a surface extension of fires.

Fuel break means a wide strip or block of land on which the vegetation has been permanently modified to a low volume fuel type so that fires burning into it can be more readily controlled.

5.08.120 Section 503.2.9 Specifications-Added.

Section 503.2.9 is added to read as follows:

503.2.9 Fire and Emergency Access Roads approved for construction sites shall be designed to meet the requirements of Section 503.2. The access shall be approved by the Fire Department prior to commencement of combustible storage or vertical combustible construction on the site.

5.08.130 Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 -Added.

Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted; Sections 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11., are amended to read as follows; and Sections 903.2.13 and 903.2.30 are added to read as follows:

903.2.1.1 **Group A-1 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.2 **Group A-2 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30.3 **Group A-3 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30.3 **Group A-4 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.30 **Group E Occupancies.**

1. Throughout all Group E fire areas greater than 3,000 square feet (279 m²).

903.2.4 **Group F Occupancies.**

An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

903. A Group F fire area exceeds 2,500 square feet (232 m²).

903.2.7 **Group M Occupancies.**

1. A Group M fire area exceeds 2,500 square feet (232 m²).

903.2.9 **Group S Occupancies.**

An automatic sprinkler system shall be installed in all Group S occupancies as follows:

1. The fire area exceeds 2,500 square feet (232 m²);
2. Buildings with repair garages servicing vehicles parked in basements.

903.2.11.3 **Buildings Three Or More Stories in Height.**

An automatic sprinkler system shall be installed in all occupancies, regardless of type of construction, if the building is three or more stories or more than 35 feet in height measured from the pad grade level to the highest point of the building. An automatic sprinkler system shall be installed in all

other occupancies as may be required by the 2022 California Building and Residential Code.

903.2.13 **Group B Occupancies.**

An automatic fire-extinguishing system shall be installed in Group B occupancies where the floor area exceeds 3,000 square feet (279 m²).

903.2.30 **All Occupancies.**

An automatic fire-extinguishing system shall be installed in all occupancies located more than one and one half (1½) miles from a fire station providing fire protection to that location. Said distance shall be measured in a straight line.

Buildings containing portions which are required to have an automatic fire extinguishing system because of the number of stories shall have the automatic fire extinguishing system installed throughout and fire walls as set forth in Section 706 shall not be considered as creating separate buildings for the purpose of this section.

Whenever an addition is made to an existing building, automatic fire-extinguishing systems shall be installed if the existing building plus the addition exceeds the area or height limitations set forth in this section. Whenever the use of an existing building or portion thereof is changed in any manner so as to require the installation of an automatic fire-extinguishing system, said system shall be installed in that portion of the building housing the new use.

(Sections 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted)

5.08.140 Section 903.6-Amended; Sections 903.6.2 and 903.6.3-Added.

Section 903.6 is amended, and Section 903.6.2 and 903.6.3 are added to read as follows:

903.6 **Existing Buildings.** All changes of occupancy classification in existing buildings shall comply with the requirements contained in Section 903.2 of this Code and Table 506.2 of the California Building Code.

903.6.2 When an addition to an existing building causes the total square footage of the building to exceed the maximum floor area specified in Table 506.2 of the California Building Code, fire sprinklers shall be installed throughout the entire building. Addition or alteration that removes 50% or more of the existing exterior walls of a building shall be considered a new building for the purposes of Section 903.

903.6.3 Existing buildings which do not conform to Current Building Code or Fire Code requirements may be required to install an automatic fire extinguishing system when an interior alteration or remodeling occurs, regardless of whether the floor area is increased or use changed. It shall be the responsibility of the Fire Code Official and the Building Official to evaluate the work being performed, non-complying features, and determine if an automatic fire extinguishing system will be required.

5.08.150 Section 907.1-Amended; Sections 907.11, 907.11.1, 907.11.2 and 907.11.3-Added.

Section 907.1 is amended and Sections 907.11, 907.11.1, 907.11.2 and 907.11.3 are added to read as follows:

907.1 **General.** This section covers the application, installation, performance and maintenance of fire alarm systems and their components in new and existing buildings and structures. The requirements of Section 907.2 are applicable to new buildings and structures. The requirements of Section 907.9 are applicable to existing buildings and structures. In the event of a conflict between this section and the provisions of Chapter 5.20 of the Dublin Municipal Code, the provisions of this section shall control.

907.11 **False Alarms**.

907.11.1 **Excessive False Alarms.** Malfunctions, or mechanical trip of any sprinkler alarm or other fire protection or detection system resulting in an alarm and emergency dispatch of the Fire Department shall be subject to a false alarm charge as established by this Code.

Exception: During a thirty (30) day period following the installation of any new fire alarm system, the Fire Chief shall determine if the false alarms emanating from said new installation are excessive.

907.11.2 **Charges.** After the initial thirty (30) day period following the installation of a new system, two (2) false alarms within a consecutive ninety (90) day period shall be deemed excessive and will be charged as false alarms.

907.11.3 **False Alarm charges are as follows:**

1st false alarm -	Warning Letter
2nd false alarm in any 90 day period-	$100.00
3rd and subsequent false alarms in any 90 day period-	$200.00

5.08.160 Section 5003.2.4.2 Hazardous Materials General Provisions-Amended.

Section 5003.2.4.2 is amended to read as follows:

5003.2.4.2 Above-ground tanks. Above-ground stationary tanks used for the storage of hazardous materials shall be located and protected in accordance with the requirements for outdoor storage of the particular material involved. Notwithstanding the foregoing, above-ground stationary tanks used for the storage of flammable or combustible liquids is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

Exception: Above-ground tanks that are installed in vaults complying with Section 5303.16 or 5704.2.8 shall not be required to comply with location and protection requirements for outdoor storage.

5703.2.4.2.1 Marking. Above-ground stationary tanks shall be marked as required by Section 5003.5.

5.08.170 Section 5601.1.3 Fireworks-Amended.

Section 5601.1.3 is amended to add a fifth exception as follows:

5. The sale, use and discharge of fireworks are allowed in accordance with Chapter 5.24 of the Dublin Municipal Code.

5.08.180 Section 5704.2.9.6.1 Locations where above-ground tanks are prohibited-Amended.

Section 5704.2.9.6.1 is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

5.08.190 Section 5706.2.4.4 Locations where above-ground tanks are prohibited – Amended.

Section 5706.2.4.4 is amended to read as follows:

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited in any area zoned for other than commercial, industrial, or agricultural use.

5.08.200 Section 5806.2 Limitations-Amended.

Section 5806.2 is amended to read as follows:

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law and in any area zoned for other than commercial, industrial, or agricultural use.

5.08.210 Section 6104.2 Maximum capacity within established limits-Amended.

Section 6140.2 is amended to read as follows:

6104.2 Maximum Capacity Within Established Limits. The limits referred to in Section 6104.2 of the 2022 California Fire Code in which storage of compressed natural gas is prohibited, are hereby established as follows: Any area zoned for other than commercial, industrial, or agricultural use.

5.08.220 New Materials, Processes or Occupancies which may Require Permits.

The City Manager, the Fire Chief and the Fire Code Official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those enumerated in the 2022 California Fire Code. The Fire Code Official shall post such list in a conspicuous place at the Dublin Civic Center and distribute copies thereof to interested persons.

5.08.230 Section 112.4 Violation penalties-Amended

Section 112.4 Violation Penalties is amended to read as follows:

112.4 Violation penalties.

A. Any person who violates any provisions of the 2022 California Fire Code as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specification or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or fails to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the required time, shall severally for each such violation and noncompliance, respectively, be guilty of an infraction.

B. Any person convicted of an infraction under the provisions of this Ordinance shall be punished upon a first conviction by a fine of not more than one hundred dollars ($100), and for a second conviction within a period of one (1) year by a fine of not more than two hundred dollars ($200), and for a third or any subsequent conviction within a one (1) year period by a fine of not more than five hundred dollars ($500). Any violation beyond the third conviction within a one (1) year period may be charged by the District

Attorney as a misdemeanor and the penalty for conviction of the same shall be a fine or imprisonment, or both, not to exceed the limits set forth in the California Penal Code Section 19.

C. At the discretion of the Fire Chief, any such violation constituting an infraction under this Ordinance may, instead, be charged and prosecuted as a misdemeanor, punishable by a fine or imprisonment, or both, not to exceed the limits set forth in California Penal Code Section 19.

D. In addition to the penalties provided in this section, any condition caused or permitted to exist in violation of any of the provisions on this Ordinance shall be deemed a public nuisance and may be summarily abated by the City as such.

E. Each person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provisions of this Ordinance is committed, continued or permitted by such person and shall be punishable accordingly.

F. The Fire Chief shall have the power to designate by written order that particular officers or employees shall be authorized to enforce particular provisions of this Ordinance. Officers or employees so designated shall have the authority to cite or arrest persons who violate any of said provisions.

Chapter 7.24

FLOODPLAIN MANAGEMENT REGULATIONS

Sections:

Part I Scope and Administration

Article I. Scope and Administration
7.24.010 Title.
7.24.020 Statutory authority.
7.24.030 Scope.
7.24.040 Purposes and objectives.
7.24.050 Coordination with Building Codes.
7.24.060 Adoption of CCR Title 24 Part 2 Appendix G.
7.24.070 Warning.
7.24.080 Disclaimer of liability.
7.24.090 Other laws.
7.24.100 Abrogation and greater restrictions.

Article II. Applicability
7.24.110 General applicability.
7.24.120 Establishment of Flood Hazard Areas.
7.24.130 Interpretation.

Article III. Duties and Powers of the Floodplain Administrator
7.24.140 Designation.
7.24.150 General authority.
7.24.160 Coordination.
7.24.170 Duties.
7.24.180 Other permits required.
7.24.190 Substantial improvement and substantial damage determinations.
7.24.200 Department records.

Article IV. Site Plans and Documentation
7.24.210 Additional site plan information.
7.24.220 Additional engineering data.
7.24.230 Additional submittal requirements.
7.24.240 Information in flood hazard areas without base flood elevations (approximate Zone A).

Article V. Variances
7.24.250 Variances, in addition.
7.24.260 Agricultural structures.

Article VI. Violations
7.24.270 Violations, general.
7.24.280 Buildings and structures.
7.24.290 Authority.
7.24.300 Unlawful continuance.

Part II Definitions

Article VII. Definitions
7.24.310 General.
7.24.320 Definitions.

Part III Flood Resistant Development

Article VIII. Subdivisions
7.24.330 Subdivisions, in addition.

Article IX. Site Improvement
7.24.340 Site improvement, in addition.
7.24.350 Limitations on placement of fill.

Article X. Manufactured Homes
7.24.360 Installation, in addition.
7.24.370 Elevation requirement for certain existing manufactured home parks and subdivisions.

Article XI. Accessory Structures
7.24.380 Detached garages and accessory storage structures.

Article XII. Flood Control Projects
7.24.390 Flood control projects; general.
7.24.400Flood control projects; applications.

Part I Scope and Administration

Article I. Scope and Administration

7.24.010 Title.
These regulations, in combination with the flood provisions of California Code of Regulations Title 24, the *California Building Standards Code* (hereinafter "building codes," consisting of the Part 2 (7.32 Building) and Part 2 Appendix G (hereinafter "Appendix G"), Part 2.5 (7.34 Residential), and Part 10 (7.46 Existing Building), shall be known as the *Floodplain Management Regulations* of City of Dublin (hereinafter "these regulations").

7.24.020 Statutory authority.
Legislature of the State of California has, in Government Code Sections 65302, 65560, and 65800, conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry.

7.24.030 Scope.
These regulations, in combination with the flood provisions of the building codes shall apply to all proposed development in flood hazard areas established in Article II. of these regulations.

7.24.040 Purposes and objectives.
The purposes and objectives of these regulations and the flood load and flood resistant construction requirements of the building codes are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

(1) Prevent unnecessary disruption of commerce, access and public service during times of flooding.
(2) Manage the alteration of natural floodplains, stream channels and shorelines;
(3) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
(4) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
(5) Contribute to improved construction techniques in the floodplain.
(6) Minimize damage to public and private facilities and utilities.
(7) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
(8) Minimize the need for rescue and relief efforts associated with flooding.
(9) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
(10) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
(11) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

7.24.050 Coordination with Building Codes.
Pursuant to the requirement established in State statute that the City of Dublin administer and enforce the State building codes, the City Council of the City of Dublin does hereby acknowledge that the building codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the building codes.

7.24.060 Adoption of CCR Title 24 Part 2 Appendix G.
CCR Title 24 Part 2 Appendix G *Flood-Resistant Construction* is hereby adopted and made a part of the *California Building Standards Code* and shall apply in flood hazard areas.

7.24.070 Warning.
The degree of flood protection required by these regulations and the building codes is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations and the building codes does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage. The flood hazard areas and base flood elevations contained in the Flood Insurance Study and shown on Flood Insurance Rate Maps and the requirements of Title 44 Code of Federal Regulations, Sections 59 and 60 may be revised by the Federal Emergency Management Agency, requiring this community to revise these regulations to remain eligible for participation in the National Flood Insurance Program. No guaranty of vested use, existing use, or future use is implied or expressed by compliance with these regulations.

7.24.080 Disclaimer of liability.
These regulations shall not create liability on the part of the City of Dublin, any officer or employee thereof, the State of California, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made hereunder. The Floodplain Administrator and any employee charged with the enforcement of these regulations, while acting for the community in good faith and without malice in the discharge of the duties required by these regulations or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of these regulations shall be defended by a legal representative of the community until the final termination of the proceedings. The Floodplain Administrator and any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of these regulations.

7.24.090 Other laws.
The provisions of these regulations shall not be deemed to nullify any provisions of local, State or federal law.

7.24.100 Abrogation and greater restrictions.
These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

Article II. Applicability

7.24.110 General applicability.
These regulations, in conjunction with the building codes, provide minimum requirements for development located in flood hazard areas, including the subdivision of land and other developments; site improvements and installation of utilities; placement and replacement of manufactured homes; placement of recreational vehicles; new construction and alterations, repair, reconstruction, rehabilitation or additions of existing buildings and structures; substantial improvement of existing buildings and structures, including repair of substantial damage; installation of tanks; temporary structures and temporary or permanent storage; utility and miscellaneous Group U buildings and structures; and certain building work exempt from permit under the building codes; and other buildings and development activities.

7.24.120 Establishment of Flood Hazard Areas.
The Flood Insurance Study for Alameda County, California and Incorporated Areas dated August 18, 1983, and all subsequent amendments and revisions, and the accompanying Flood Insurance Rate Maps (FIRM), and all subsequent amendments and revisions to such maps, are hereby adopted by reference as a part of these regulations and serve as the basis for establishing flood hazard areas. Where the building code establishes flood hazard areas, such areas are established by this section. Additional maps and studies, when specifically adopted, supplement the FIS and FIRMs to establish additional flood hazard areas. Maps and studies that establish flood hazard areas are on file at the City Hall, 100 Civic Plaza, Dublin CA, 94568.

7.24.130 Interpretation.
In the interpretation and application of these regulations, all provisions shall be:
(1) Considered as minimum requirements.
(2) Liberally construed in favor of the governing body.
(3) Deemed neither to limit nor repeal any other powers granted under state statutes.

Article III. Duties and Powers of the Floodplain Administrator

7.24.140 Designation.

The Building Official is designated the Floodplain Administrator. The Floodplain Administrator shall have the authority to delegate performance of certain duties to other employees. Where Appendix G refers to the Building Official, each such reference shall refer to the Floodplain Administrator. The Floodplain Administrator is authorized and directed to administer and enforce the provisions of Appendix G.

7.24.150 General authority.

The Floodplain Administrator is authorized and directed to administer the provisions of these regulations. The Floodplain Administrator shall have the authority to render interpretations of these regulations consistent with the intent and purpose of these regulations and to establish policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of these regulations and the flood provisions of the building code and shall not have the effect of waiving specific requirements without the granting of a variance pursuant to Appendix G.

7.24.160 Coordination.

The Floodplain Administrator shall coordinate with and provide comments to the Building Official to administer and enforce the flood provisions of the building code and to ensure compliance with the applicable provisions of these regulations. The Floodplain Administrator and the Building Official have the authority to establish written procedures for reviewing applications and conducting inspections for buildings and for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 7.24.190 of these regulations.

7.24.170 Duties.

The duties of the Floodplain Administrator shall include but are not limited to:

(1) Review all permit applications to determine whether proposed development is located in flood hazard areas established in Article II. of these regulations.
(2) Require development in flood hazard areas to be reasonably safe from flooding and to be designed and constructed with methods, practices and materials that minimize flood damage.
(3) Interpret flood hazard area boundaries, provide available flood elevation and flood hazard information.
(4) Determine whether additional flood hazard data shall be obtained or developed.
(5) Review all applications and plans for development in flood hazard areas for compliance with these regulations.

(6) Complete the appropriate section of the Department of Housing and Community Development Floodplain Ordinance Compliance Certification for Manufactured Home/Mobilehome Installations when submitted by applicants.
(7) Review, in conjunction with the Building Official, required certifications and documentation specified by these regulations and the building code to determine that such certifications and documentations are complete.
(8) Establish, in coordination with the Building Official, written procedures for administering and documenting determinations of substantial improvement and substantial damage made pursuant to Section 7.24.190 of these regulations.
(9) Coordinate with the Building Official and others to identify and investigate damaged buildings located in flood hazard areas and inform owners of the requirement to obtain permits for repairs.
(10) Review requests submitted to the Building Official seeking approval to modify the strict application of the flood load and flood resistant construction requirements of the building code, to determine whether such requests require consideration as a variance pursuant to Appendix G.
(11) Require applicants who submit hydrologic and hydraulic engineering analyses to support permit applications to submit to FEMA the data and information necessary to maintain the Flood Insurance Rate Maps when the analyses propose to change base flood elevations, flood hazard area boundaries, or floodway designations; such submissions shall be made within 6 months of such data becoming available.
(12) Require applicants who propose alteration of a watercourse to notify adjacent jurisdictions and the NFIP State Coordinating Agency, and to submit copies of such notifications to the Federal Emergency Management Agency (FEMA).
(13) Inspect development within the scope of Appendix G and inspect flood hazard areas to determine if development is undertaken without issuance of permits.
(14) Prepare comments and recommendations for consideration when applicants seek variances in accordance with Appendix G.
(15) Cite violations.
(16) Notify the Federal Emergency Management Agency when the corporate boundaries of City of Dublin have been modified.

7.24.180 Other permits required.

The applicant shall obtain all other required state and federal permits prior to initiating work authorized by these regulations and shall provide documentation of such permits to the Floodplain Administrator. Such permits include but are not limited to:

California State Water Resources Control Board for activities that affect wetlands and alter surface water flows, in conjunction with the U.S. Army Corps of Engineers; Section 404 of the Clean Water Act.

7.24.190 Substantial improvement and substantial damage determinations.

For applications for building permits to improve buildings and structures, including alterations, movement, repair, additions, rehabilitations, renovations, substantial improvements, repairs of substantial damage, and any other improvement of or work on

such buildings and structures, the Floodplain Administrator, in coordination with the Building Official, shall:

(1) Estimate the market value or require the applicant to obtain a professional appraisal prepared by a qualified independent appraiser, of the market value of the building or structure before the start of construction of the proposed work; in the case of repair, the market value of the building or structure shall be the market value before the damage occurred and before any repairs are made.

(2) Compare the cost to perform the improvement, the cost to repair the damaged building to its pre-damaged condition, or the combined costs of improvements and repairs, where applicable, to the market value of the building or structure.

(3) Determine and document whether the proposed work constitutes substantial improvement or repair of substantial damage; for proposed work to repair damage caused by flooding, the determination requires evaluation of previous permits issued to repair flood-related damage as specified in the definition of "substantial damage." The substantial improvement determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of "substantial improvement."

(4) Notify the applicant when it is determined that the work constitutes substantial improvement or repair of substantial damage and that compliance with the flood resistant construction requirements of the building code is required and notify the applicant when it is determined that work does not constitute substantial improvement or repair of substantial damage.

7.24.200 Department records.

In addition to the requirements of the building code and Appendix G, and regardless of any limitation on the period required for retention of public records, the Floodplain Administrator shall maintain and permanently keep and make available for public inspection all records that are necessary for the administration of these regulations and the flood provisions of the building codes, including Flood Insurance Studies, Flood Insurance Rate Maps; documents from FEMA that amend or revise FIRMs; records of issuance of permits and denial of permits; determinations of whether proposed work constitutes substantial improvement or repair of substantial damage; required certifications and documentation specified by the building codes and these regulations; notifications to adjacent communities, FEMA, and the State related to alterations of watercourses; assurance that the flood carrying capacity of altered waterways will be maintained; documentation related to variances, including justification for issuance or denial; and records of enforcement actions taken pursuant to these regulations and the flood resistant provisions of the building codes.

Article IV. Site Plans and Documentation

7.24.210 Additional site plan information.

In addition to the site plan requirements of the building code and Appendix G shall include, as applicable to the proposed development:

(1) Location of the proposed activity and proposed structures; locations of water

supply, sanitary sewer, and other utilities; and locations of existing buildings and structures.

(2) Location, extent, amount, and proposed final grades of any filling, grading, or excavation.

(3) Where the placement of fill is proposed, the amount, type, and source of fill material; compaction specifications; a description of the intended purpose of the fill areas; and evidence that the proposed fill areas are the minimum necessary to achieve the intended purpose.

(4) Existing and proposed alignment of any proposed alteration of a watercourse.

(5) Include a nonconversion agreement signed by the applicant if the building in a flood hazard area has enclosed areas below the lowest floor.

7.24.220 Additional engineering data.

When additional hydrologic, hydraulic or other engineering data, studies, and additional data and analyses are submitted to support an application, the applicant has the right to seek a Letter of Map Change from FEMA to change the base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs, and to submit such data to FEMA for such purposes. The analyses shall be prepared by a qualified registered professional engineer in a format required by FEMA. Submittal requirements and processing fees shall be the responsibility of the applicant. Provided FEMA issues a Conditional Letter of Map Revision, construction of proposed flood control projects and land preparation for development are permitted, including clearing, excavation, grading, and filling. Permits for construction of buildings shall not be issued until the applicant satisfies the FEMA requirements for issuance of a Letter of Map Revision.

7.24.230 Additional submittal requirements.

For projects proposing to enclose areas under elevated buildings, include a signed Nonconversion Agreement (Declaration of Land Restriction); which shall be recorded on the property prior to issuance of the Certificate of Occupancy.

7.24.240 Information in flood hazard areas without base flood elevations (approximate Zone A).

Where flood hazard areas are delineated on the FIRM and base flood elevations data have not been provided, the Floodplain Administrator is authorized to:

(1) Require the applicant to include base flood elevation data prepared by a qualified professional engineer in accordance with currently accepted engineering practices. Such analyses shall be performed and sealed by a qualified professional engineer. Studies, analyses and computations shall be submitted in sufficient detail to allow review and approval by the Floodplain Administrator. The accuracy of data submitted for such determination shall be the responsibility of the applicant.

(2) Obtain, review, and provide to applicants base flood elevation and floodway data available from a federal or state agency or other source or require the

applicant to obtain and use base flood elevation and floodway data available from a federal or state agency or other source.

(3) Where base flood elevation and floodway data are not available from another source, where the available data are deemed by the Floodplain Administrator to not reasonably reflect flooding conditions, or where the available data are known to be scientifically or technically incorrect or otherwise inadequate, require the applicant to include base flood elevation data in accordance with Section 7.24.240(1).

(4) Where the base flood elevation data are to be used to support a request for a Letter of Map Change from FEMA, advise the applicant that the analyses shall be prepared by a qualified professional engineer in a format required by FEMA, and that it shall be the responsibility of the applicant to satisfy the submittal requirements and pay the processing fees.

Article V. Variances

7.24.250 Variances, in addition.

In addition to the variance provisions of Appendix G:

(1) The considerations and conditions for variances set forth in Appendix G are based on the general principle of zoning law that variances pertain to a piece of property and are not personal in nature. A variance may be issued for a parcel of property with physical characteristics so unusual that complying with the requirements of these regulations would create an exceptional hardship to the applicant or the surrounding property owners. The characteristics must be unique to the property and not be shared by adjacent parcels. The unique characteristic must pertain to the land itself, not to the structure, its inhabitants, or the property owners. The issuance of a variance is for floodplain management purposes only. Federal flood insurance premium rates are determined by the National Flood Insurance Program according to actuarial risk and will not be modified by the granting of a variance.

(2) It is the duty of the City Council to promote public health, safety and welfare and minimize losses from flooding. This duty is so compelling and the implications of property damage and the cost of insuring a structure built below flood level are so serious that variances from the elevation or other requirements in the building codes should be quite rare. The long term goal of preventing and reducing flood loss and damage, and minimizing recovery costs, inconvenience, danger, and suffering, can only be met when variances are strictly limited. Therefore, the variance requirements in these regulations are detailed and contain multiple provisions that must be met before a variance can be properly issued. The criteria are designed to screen out those situations in which alternatives other than a variance are more appropriate.

7.24.260 Agricultural structures.

A variance is authorized to be issued for the construction or substantial improvement of agricultural structures that are not elevated or dry floodproofed, provided the requirements of this section are satisfied and:

(1) A determination has been made that the proposed agricultural structure:

(a) Is used exclusively in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, or storage of tools or equipment used in connection with these purposes or uses, and will be restricted to such exclusive uses.

(b) Has low damage potential.

(c) Does not increase risks and pose a danger to public health, safety, and welfare if flooded and contents are released, including but not limited to the effects of flooding on manure storage, livestock confinement operations, liquified natural gas terminals, and production and storage of highly volatile, toxic, or water-reactive materials.

(d) Complies with the wet floodproofing construction requirements of paragraph (2), below.

(2) Wet floodproofing construction requirements.

(a) Anchored to resist flotation, collapse, and lateral movement.

(b) When enclosed by walls, walls have flood openings that comply with the flood opening requirements of ASCE 24, Chapter 2.

(c) Flood damage-resistant materials are used below the base flood elevation.

(d) Mechanical, electrical, and utility equipment are elevated above the base flood elevation.

Article VI. Violations

7.24.270 Violations, general.

In addition to the violation provisions of the building code and Appendix G, any development in any flood hazard area that is being performed without an issued permit or that is in conflict with an issued permit shall be deemed a violation.

7.24.280 Buildings and structures.

A building or structure without the documentation of the elevation of the lowest floor, other required design certifications, or other evidence of compliance required by these regulations or the building code, is presumed to be a violation until such time as required documentation is submitted. Violation of the requirements shall constitute a misdemeanor.

7.24.290 Authority.

The Floodplain Administrator is authorized to serve notices of violation or stop work orders to owners of property involved, to the owner’s agent, or to the person or persons doing the work for development that is not within the scope of the building codes, but is regulated by these regulations and that is determined to be a violation.

7.24.300 Unlawful continuance.

Any person who shall continue any work after having been served with a notice of violation or a stop work order, except such work as that person is directed to perform to remove or remedy a violation or unsafe condition, shall be subject to penalties as prescribed by Municipal Code Chapters 1.04 and /or 1.06.

Part II Definitions

Article VII. Definitions

7.24.310 General.

The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Building Code and Appendix G and terms are defined where used in the Residential Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

7.24.320 Definitions

ACCESSORY STRUCTURE. A structure on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For floodplain management purposes, the term includes only accessory structures used for parking and storage.

AGRICULTURAL STRUCTURE. A walled and roofed structure used exclusively for agricultural purposes or uses in connection with the production, harvesting, storage, raising, or drying of agricultural commodities and livestock, including aquatic organisms. Structures that house tools or equipment used in connection with these purposes or uses are also considered to have agricultural purposes or uses.

ALTERATION OF A WATERCOURSE. A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

DEVELOPMENT. Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

ENCROACHMENT. The placement of fill, excavation, buildings, permanent structures or other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

EXCEPTIONAL HARDSHIP. For the purpose of variances from these regulations or the building code, the exceptional difficulty that would result from a failure to grant a requested

variance. Mere economic or financial hardship is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors do not, as a rule, qualify as exceptional hardships. All of these circumstances can be resolved through other means without granting variances, even when the alternatives are more expensive or require the property owner to build elsewhere or put the parcel to a different use than originally intended.

EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed before April 15, 1981.

EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION. The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

FLOOD CONTROL PROJECT. A dam or barrier design and constructed to keep water away from or out of a specified area, including but not limited to levees, floodwalls, and channelization.

FRAUD OR VICTIMIZATION. For the purpose of variances from these regulations or the building code, the intentional use of deceit to deprive another of rights or property, making a victim of the deprived person or the public. As it pertains to buildings granted variances to be constructed below the elevation required by the building code, future owners or tenants of such buildings and the community as a whole may bear the burden of increased risk of damage from floods, increased cost of flood insurance, and increased recovery costs, inconvenience, danger, and suffering.

LETTER OF MAP CHANGE (LOMC). An official determination issued by FEMA that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:

(1) Letter of Map Amendment (LOMA): An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property, portion of a property, or structure is not located in a special flood hazard area.

(2) Letter of Map Revision (LOMR): A revision based on technical data that may show changes to flood zones, flood elevations, special flood hazard area boundaries and floodway delineations, and other planimetric features.

(3) Letter of Map Revision Based on Fill (LOMR-F): A determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer located within the special flood hazard area. In order to qualify for this determination, the fill must have been permitted and placed in accordance

with the community's floodplain management regulations.

(4) Conditional Letter of Map Revision (CLOMR): A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study; upon submission and approval of certified as-built documentation, a Letter of Map Revision may be issued by FEMA to revise the effective FIRM.

LIGHT-DUTY TRUCK. As defined in 40 C.F.R. 86.082-2, any motor vehicle rated at 8,500 pounds Gross Vehicular Weight Rating or less which has a vehicular curb weight of 6,000 pounds or less and which has a basic vehicle frontal area of forty-five (45) square feet or less, which is:

(1) Designed primarily for purposes of transportation of property or is a derivation of such a vehicle, or

(2) Designed primarily for transportation of persons and has a capacity of more than twelve (12) persons; or

(3) Available with special features enabling off-street or off-highway operation and use.

MARKET VALUE. The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction), (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser, or (3) established by a qualified independent appraiser.

NEW MANUFACTURED HOME PARK OR SUBDIVISION. A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) was completed on or after April 15, 1981.

NONCONVERSION AGREEMENT (Declaration of Land Restriction). A form provided by the Floodplain Administrator to be signed by the property owner(s) and recorded with the Alameda County Clerk-Recorder's Office, restricting the owner(s) ability to convert or modify enclosures below elevated buildings in any manner that is inconsistent with the terms of the building permit and these regulations, enclosures below elevated buildings.

NUISANCE. That which is injurious to safety or health of an entire community or neighborhood, or any considerable number of persons, or unlawfully obstructs the free

passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

RIVERINE. Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

SAND DUNES. Naturally occurring accumulations of sand in ridges or mounds landward of the beach.

SUBSTANTIAL IMPROVEMENT means any combination of repair, reconstruction, rehabilitation, alteration, addition or other improvement of a building or structure, taking place during a ten (10)–year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. The period of accumulation begins when the first improvement or repair of each building is permitted subsequent to January 1, 2023. When the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

(1) Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.
(2) Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

SUBSTANTIAL DAMAGE means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

WATERCOURSE. A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

Part III Flood Resistant Development

Article VIII. Subdivisions

7.24.330 Subdivisions, in addition.

In addition to the subdivision provisions in Appendix G, the following requirements apply:

(1) In Zones AH and AO, adequate drainage paths shall be provided to guide floodwater around and away from proposed structures.
(2) When fill will be placed to support buildings, the fill shall be placed in accordance with the building code and approval of the subdivision shall require submission of

as-built elevations for each filled pad certified by a licensed land surveyor or registered civil engineer.

Article IX. Site Improvement

7.24.340 Site improvement, in addition.

In addition to the site improvement provisions in Appendix G, the requirements of this section shall apply.

7.24.350 Limitations on placement of fill.

Where the placement of fill is permitted by the building code, Appendix G, or these regulations, fill shall be designed to be stable under conditions of flooding including rapid rise and rapid drawdown of floodwaters, prolonged inundation, and protection against flood-related erosion and scour. In addition to these requirements, when intended to support buildings and structures, fill shall comply with the requirements of the building code. The placement of fill intended to change base flood elevations, change floodway boundaries, or change boundaries of flood hazard areas shown on FIRMs shall be subject to the requirements of Section 7.24.220 of these regulations.

Article X. Manufactured Homes

7.24.360 Installation, in addition.

In addition to the provisions for manufactured homes in Appendix G:

(1) All manufactured homes installed in flood hazard areas shall be installed by an installer that is licensed pursuant to the Business and Professions Code and shall comply with the requirements of the Department of Housing and Community Development (HCD) and the requirements of these regulations.

(2) In addition to permits pursuant to Appendix G, permits from the HCD are required where the HCD is the enforcement agency for installation of manufactured homes.

(3) Upon completion of installation and prior to the final inspection by the Floodplain Administrator, the installer shall submit certification of the elevation of the manufactured home, prepared by a licensed land surveyor or registered civil engineer, to the Floodplain Administrator.

7.24.370 Elevation requirement for certain existing manufactured home parks and subdivisions.

Manufactured homes that are placed, replaced, or substantially improved on sites located in an existing manufactured home park or subdivision, unless on a site where substantial damage as a result of flooding has occurred, shall be elevated such that either the:

(1) Lowest floor, or bottom of the lowest horizontal structural member, as applicable to the flood hazard area, is at or above the base flood elevation.

(2) Bottom of the frame is supported by reinforced piers or other foundation elements of at least equivalent strength that are not less than 36 inches in height above grade.

Article XI. Accessory Structures

7.24.380 Detached garages and accessory storage structures.

The provision in Appendix G for garages and accessory structures shall be replaced with this section. Detached garages and accessory storage structures used only for parking or storage are permitted below the base flood elevation provided the garages and accessory storage structures:

(1) Are one story and not larger than 600 square feet in area when located in special flood hazard areas other than coastal high hazard areas.
(2) Are anchored to resist flotation, collapse or lateral movement resulting from flood loads.
(3) Have flood openings in accordance with the building code.
(4) Have flood damage-resistant materials used below the base flood elevation.
(5) Have mechanical, plumbing and electrical systems, including plumbing fixtures, elevated to or above the base flood elevation.

Article XII. Flood Control Projects

7.24.390 Flood control projects; general.

In addition to applicable Federal, State and other local permits, a permit for floodplain development is required for construction of flood control projects. The purpose for the permit is to examine the impact on flood hazard areas, floodways, and base flood elevations shown on the FIRM. Unless otherwise authorized by separate regulations, issuance of this permit does not address the sufficiency of the structural elements of the proposed flood control project. Permits for floodplain development and building permits in areas affected by proposed flood control projects shall not be issued based on Conditional Letters of Map Revision issued by FEMA.

7.24.400 Flood control projects; applications.

Applications for permits for flood control projects shall include documentation including but not limited to:

(1) Site plan or document showing the existing topography and the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations shown on the FIRM.
(2) Site plan or document showing the proposed topography and the proposed changes to the boundaries of the flood hazard areas, floodway boundaries, and base flood elevations.
(3) The documentation submitted to FEMA for a Conditional Letter of Map Revision (CLOMR) and, if issued, the Conditional Letter of Map Revision. Submittal requirements and processing fees shall be the responsibility of the applicant. A CLOMR is required when a proposed flood control project alters a floodway and increases base flood elevations more than greater than 0.00 feet, or alters a watercourse a riverine flood hazard area for which base flood elevations are included in the Flood Insurance Study or on the FIRM and floodways have not

been designated and increases base flood elevations more than 1.0 foot.

5200973.1

Chapter 7.28

BUILDING REGULATION ADMINISTRATION

Article I. Definitions

7.28.010 Building Official.
7.28.020 Dangerous building or structure.
7.28.030 Dangerous electrical, plumbing or mechanical installation.
7.28.040 Electrical installation.
7.28.050 Health officer.
7.28.060 Illegal building, structure or installation.
7.28.070 Mechanical installation.
7.28.080 Plumbing installation.
7.28.090 Substandard building.
7.28.100 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas (all buildings except 1 and 2 family dwellings and townhouses less than three stories).
7.28.110 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas (1 and 2 family dwellings and townhouses less than three stories).
7.28.120 This Chapter.

Article II. Authority of Building Official

7.28.130 Enforcement officer designated.
7.28.140 Right of entry.
7.28.150 Alternate materials and methods of construction.
7.28.160 Modifications.
7.28.170 Compliance—Tests.
7.28.180 Stop work orders.
7.28.190 Discontinuance of utilities—Authority.
7.28.200 Liability.

Article III. Enforcement

7.28.210 Occupancy or use violations.
7.28.220 Dangerous buildings, structures or installations.
7.28.230 Illegal buildings, structures or installations.
7.28.240 Existing buildings, structures or installations.
7.28.250 Maintenance requirements.
7.28.260 Code conflicts.
7.28.270 Violation.
7.28.280 Appeals.

7.28.290 Revocation or modification of variance.

Article IV. Permit Requirements

7.28.300 Permit—Required.
7.28.310 Exceptions.
7.28.320 Permit—Application.
7.28.330 Permit—Application—Submittal Documents.
7.28.340 Plans and specifications—Requirements.
7.28.350 Permit—Application—Plats required.
7.28.360 Permit—Issuance—Generally.
7.28.370 Permit—Issuance—Restrictions.
7.28.380 Permittee responsibility.
7.28.390 Live loads posted.
7.28.400 Granting of permit not approval for violation.
7.28.410 Permit—Expiration.
7.28.420 Application Expiration.
7.28.430 Permit and Application—Extensions.
7.28.440 Building Official—Authority to deny permit.
7.28.450 Permit—Suspension or revocation.
7.28.460 Fees—Generally.
7.28.470 Permit processing fee.
7.28.480 Refunds.
7.28.490 Fees—Partially completed work.
7.28.500 Additional fees for changes.
7.28.510 Reinspections.
7.28.520 Code compliance survey.
7.28.530 Inspection fee—Moved building.
7.28.540 Plan and specification storage fee.
7.28.550 Fees for additional plan checking.
7.28.560 Fees—Other inspection services.

Article V. Inspections

7.28.570 Generally.
7.28.580 Approvals required.
7.28.590 Inspection required before use commences.
7.28.600 Notification for inspections required.
7.28.610 Other inspections.
7.28.620 Special inspections.
7.28.630 Inspections—Moved buildings, structures, installations or systems.

Article VI. Occupancy

7.28.640 Generally.
7.28.650 Approval to connect utilities.
7.28.660 Temporary or partial occupancy.
7.28.670 Authority to withhold approval to occupy.
7.28.680 Change of Occupancy

Article I. Definitions

7.28.010 Building Official.

There is established in the City the office of the Building Official, who is responsible for the administration and enforcement of this Chapter as hereinafter provided.

7.28.020 Dangerous building or structure.

"Dangerous building or structure" means any building or structure which has any or all of the following conditions or defects to an extent that endangers the life, health, property, or safety of the public or its occupants:

A. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size, or is not so arranged as to provide safe and adequate means of exit in case of fire or panic;

B. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the building code for new buildings of similar structure, purpose or location;

C. Whenever any portion of a building or structure has been damaged by fire, earthquake, wind, flood, or by any other cause, to such an extent the structural strength or stability of such building or structure is materially less than it was before such catastrophe and is less than the minimum requirements of the building code for new buildings of similar structure, purpose or location;

D. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property;

E. Whenever any portion of a building or structure, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not anchored, or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the building code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the building code for such buildings;

F. Whenever any portion of a building or structure has cracked, warped, buckled, or settled to such an extent that walls or other structural portions of the building or structure have materially less resistance to winds or earthquakes than is required in the building code for similar new buildings or structures;

G. Whenever the building or structure, or any portion thereof, is likely to partially or completely collapse because of (1) dilapidation, deterioration, or decay; (2) faulty construction; (3) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting building; (4) the deterioration, decay or inadequacy of its foundation; or (5) any other cause;

H. Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used;

I. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base;

J. Whenever the building or structure, exclusive of the foundations, shows thirty-three percent (33%) or more damage or deterioration of its supporting member or members, or fifty percent (50%) damage or deterioration of its nonsupporting members, enclosing or outside walls coverings;

K. Whenever the building or structure has been so damaged by fire, wind, earthquake, wind, or flood, or has become so dilapidated or deteriorated as to become (1) an attractive nuisance to children; (2) a harbor for vagrants, criminal or immoral persons; or as to (3) enable persons to resort thereto for the purpose of committing unlawful or immoral acts;

L. Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by this Chapter or any law, ordinance, rule, or regulation in relation to the condition, location or structure of buildings;

M. Whenever any building or structure has less than fifty percent (50%) in any nonsupporting part, member or portion, or less than sixty-six percent (66%) in any supporting part, member or portion of the (1) strength; (2) fire resisting qualities or characteristics; or (3) weather resistance qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location regardless of whether such building or structure was erected in accordance with all applicable laws and ordinances. For buildings erected prior to the effective date of Alameda County Ordinance 74-66, the seismic forces specified in Alameda County Ordinance 950 N.S. shall be used for determining the percent of strength rather than the seismic forces required by law for a newly constructed building of like area, height, and occupancy in the same location;

N. Whenever a building or structure, used or intended to be used for dwelling purposes, is determined by the Building Official to be unsanitary, unfit for human habitation or in a condition that it is likely to cause sickness or disease due to inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, or inadequate light, air or sanitation facilities or other cause;

O. Whenever any building or structure is determined by the Building Official to be a fire hazard due to obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire resistive construction, faulty electric wiring, gas connections or heating apparatus or other cause;

P. Whenever any building or structure constitutes a public nuisance under this code or state law or in equity;

Q. Whenever any portion of a building or structure remains on a site after the demolition or destruction of such building or structure; or

R. Whenever any building or structure is abandoned and is determined by the Building Official to be an attractive nuisance or hazard to the public.

7.28.030 Dangerous electrical, plumbing or mechanical installation.

"Dangerous electrical, plumbing or mechanical installation" means any electrical, plumbing or mechanical installation which has any or all of the following conditions or defects and such conditions or defects endanger the life, health, property or safety of the public or any persons using such installation:

A. Whenever any protective or safety service specified in this Chapter is not provided, is inoperative, or fails to function as originally intended;

B. Whenever any installation or any portion thereof is (1) dilapidated, deteriorated, or decayed; (2) faulty; (3) obsolete; or (4) inadequately maintained;

C. Whenever any installation or any portion thereof is damaged by fire, wind, earthquake, flood or any other cause;

D. Whenever any installation or any portion thereof was constructed, installed, altered or maintained in violation of this Chapter; and/or

E. Whenever any installation is in such condition as to constitute a public nuisance under this code or state law or in equity.

7.28.040 Electrical installation.

“Electrical installation” means any electrical wiring, appliance, device, equipment, and apparatus used for or in connection with the transmission or use of electrical energy for light, power, radio, signaling communication or for any other purpose.

7.28.050 Health Officer.

“Health Officer” means the Alameda County Health Officer or his or her authorized representative.

7.28.060 Illegal building, structure or installation.

"Illegal building, structure or installation" means any building or structure or portion thereof, and any electrical, plumbing or mechanical installation or portion thereof, erected, installed, constructed, enlarged, altered, repaired, moved, converted, or improved without a permit in violation of this Chapter or any other applicable law, ordinance, rule or regulation.

7.28.070 Mechanical installation.

“Mechanical installation” means any appliance, device, equipment, system or apparatus used for or in connection with heating, ventilating, refrigeration or incineration.

7.28.080 Plumbing installation.

“Plumbing installation” means the use of water, all potable water supply and distribution pipes, all fixtures and traps, all drainage and vent pipes and all building drains, all private sewage disposal systems, including their respective joints and connections, devices, receptacles and appurtenances within property lines of the premises and shall include potable water piping, potable water treating or using equipment, fuel gas piping, water heaters and vents for same.

7.28.090 Substandard building.

"Substandard building" means all buildings or portions thereof which are determined to be substandard as defined in the Health and Safety Code, Division 13, Part 1.5, Chapter 2 Rules and Regulations, Section 17920.3.

7.28.100 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas (all buildings except 1 and 2 family dwellings and townhouses less than three stories).

For applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine where the proposed work constitutes substantial improvement or repair of substantial damage. The substantial improvement determination requires evaluation of previous permits issued for improvements repairs as specified in the definition of “substantial improvement.” The substantial damage determination requires evaluation of previous permits issued for repair of flood damage as specified in the definition of “substantial damage.” Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by this code, the building official shall require the building to meet the requirements of Section 1612 of the Building Code.

7.28.110 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas (1 and 2 family dwellings and townhouses less than three stories).

For applications for reconstruction, rehabilitation, addition, alteration, repair or other improvement of existing buildings or structures located in a flood hazard area as established by Table R301.2(1), the building official shall examine or cause to be examined the construction documents and shall make a determination with regard to the value of the proposed work. The substantial improvement determination requires evaluation of previous permits issued for improvements and repairs as specified in the definition of “substantial improvement.” The substantial damage determination requires evaluation of previous permits issued for repair of flood damage as specified in the definition of “substantial damage.” For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamaged condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the proposed work is a substantial improvement or repair of substantial damage, and the building official shall require existing portions of the entire building or structure to meet the requirements of Section R322.

7.28.120 This Chapter.

Whenever the term “this Chapter” is used in this Chapter 7.28, it shall also mean and include Chapter 7.24 (Floodplain), Chapter 7.32 (Building Code); Chapter 7.34 (Residential Code), Chapter 7.36 (Electrical Code); Chapter 7.40 (Plumbing Code); Chapter 7.44 (Mechanical Code); Chapter 7.45 (Swimming Pool and Spa), Chapter 7.46 (Existing Building Code), Chapter 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of this Title.

Article II. Authority of Building Official

7.28.130 Enforcement Officer designated.

A. The Building Official is hereby authorized and directed to enforce the provisions of this Chapter. The Building Official shall have the authority to render interpretations of this Chapter and to adopt policies and procedures to clarify the application of the provisions of this Chapter. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this Chapter

B. The Building Official shall have the power to designate by written order that particular officers or employees shall be authorized to enforce particular provisions of this Chapter.

C. The Health Officer is hereby authorized and directed to enforce all of the provisions of this Chapter pertaining to:

1. Private water supply;
2. Private sewage disposal systems;
3. Infestation of insects, vermin or rodents;
4. Storage and removal of garbage; and
5. Sanitation of bedding.

For purposes of enforcement of the foregoing provisions of this Chapter the Health Officer shall have the same authority and duties that are assigned to the Building Official in Article II and Sections 7.28.280, and 7.28.290 of this Chapter.

D. The Building Official, the Health Officer, and any officer or employee designated by the Building Official pursuant to paragraph B of this Section shall have the power of a peace officer.

7.28.140 Right of entry.

Whenever necessary to make an inspection to enforce any of the provisions of this Chapter or whenever the Building Official has reasonable cause to believe that a violation of this Chapter exists in any building or any premises, or there exists in any building or upon any premises any condition which makes the building or premises dangerous, unsanitary, or a menace to life, health or property, the Building Official may enter such building or premises at all reasonable times to inspect the same or to perform any duty imposed upon the Building Official by this Chapter or any other applicable law, ordinance, rule, or regulations provided that if such building or premises be occupied, he shall first present credentials and demand entry. If such structure or premises is unoccupied, the Building Official shall first make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

7.28.150 Alternative materials and methods of construction.

A. The provisions of this Chapter are not intended to prevent the use of any material or to prohibit any design or method of construction not specifically prescribed by this Chapter provided that any such alternative has been approved by the Building Official.

B. The Building Official may approve any alternative material, design or method of construction provided the Building Official finds that the proposed design is satisfactory and complies with the intent of the provisions of this Chapter, and that the material,

method or work offered is, for the purpose intended, at least equivalent of that prescribed in this Chapter in quality, strength, effectiveness, fire resistance, durability, dimensional stability, and safety. The details of any action granting approval of an alternative material, design or method of construction shall be recorded and entered into the files of the City.

C. The Building Official may require that sufficient evidence or proof be submitted to substantiate any claims for alternate materials or methods of construction.

7.28.160 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this Chapter, the Building Official may grant modifications for individual cases upon application of the owner or the owner's representative, provided he shall first find that a special individual reason makes the strict letter of this Chapter impractical, the modification is in conformity with the intent and purpose of this Chapter and such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of any action granting modifications to the provisions of this Chapter shall be recorded and entered in the files of the City.

7.28.170 Compliance—Tests.

A. Whenever there is insufficient evidence of compliance with the provisions of this Chapter, or evidence that any material or any construction does not conform to the requirements of this Chapter, or in order to substantiate claims for alternate materials or methods of construction, the Building Official may require tests as proof of compliance to be performed by an approved agency at the expense of the owner or his agent .

B. Test methods shall be as specified by this Chapter for the material in question. If there are no appropriate test methods specified in this Chapter, the Building Official shall determine the test methods.

C. All tests shall be made by an approved agency. Reports of such tests shall be retained by the Building Official for the period required for the retention of public records.

7.28.180 Stop work orders.

Whenever any work is being done contrary to the provisions of this Chapter or any other applicable law, ordinance, rule, regulation, or the approved plans, the Building Official may order the work stopped by serving written notice on the owner of the property involved, the owner's agent, or any persons engaged in, doing, or causing such work to be done. Upon issuance of a stop work order, the cited work shall immediately cease and shall not resume until authorized by the Building Official. If there are no persons present on the premises, the notice may be posted in a conspicuous place. The notice shall state the nature of the violation and the conditions under which the cited work will be permitted to resume.

7.28.190 Discontinuance of utilities—Authority.

A. The Building Official may order the discontinuance of the supply of electrical energy, fuel gas or water to any building or structure, electrical, plumbing, or mechanical installation which is:

1. Being occupied or used contrary to the provisions of this Chapter or any other applicable law, ordinance, rule or regulation;

2. A dangerous building or structure, or dangerous electrical, plumbing or mechanical installation;

3. An illegal building or structure, electrical, plumbing or mechanical installation; or

4. A substandard building.

B. Such order shall be in writing and shall state the nature of the condition requiring the discontinuance of utilities and the time when such utilities shall be discontinued. The order shall be directed to the person supplying electrical energy, fuel gas, or water and a copy of said order shall be sent to the person using said utilities and to the owner of the premises.

7.28.200 Liability.

The Building Official, or his authorized representative(s), charged with the enforcement of this Chapter, acting in good faith and without malice in the discharge of his duties required by this Chapter or any other applicable laws, ordinances, rules, or regulations, shall not thereby be rendered personally liable, and is hereby relieved from personal liability, for any damage accruing to persons or property as a result of any act, or by reason of any act or omission, in the discharge of his or her duties. Any suit brought against the Building Official or employee because of such act or omission shall be defended by the City until final termination of such proceedings, and any judgment resulting therefrom, shall be assumed by the City.

Article III. Enforcement

7.28.210 Occupancy or use violations.

Whenever any building or structure, electrical, plumbing, or mechanical installation, or portion thereof, is being used contrary to the provisions of this Chapter or any other applicable law, ordinance, rule, or regulation, and whenever the existing use or occupancy of a building has been changed without the approval of the Building Official, the Building Official may order such use discontinued and, where deemed necessary for the safety of the occupants thereof, or the public, may order the building or structure or portion thereof to be vacated by serving written notice to any persons using or causing such use. If there are no persons present on the premises at the time, the notice may be posted in a conspicuous place on the premises. The notice shall state the nature of the violation and the time when said use shall be discontinued, and when required, the time when said building or structure or portion thereof shall be vacated. No person shall continue said use or continue to occupy said building or structure, electrical, plumbing, or mechanical installation, or portion thereof, contrary to the terms of said notice until the violation is corrected and use or occupancy is authorized by the Building Official.

7.28.220 Dangerous buildings, structures or installations.

A. It is unlawful to maintain or use a dangerous building or structure or a dangerous electrical, plumbing, or mechanical installation.

B. All dangerous buildings or structures or dangerous electrical, plumbing, or mechanical installations are hereby declared to be public nuisances and may be abated by repair, rehabilitation, demolition or removal in accordance with the procedures specified in Chapter 7.52 of this Title or by any other remedy available at law or in equity.

7.28.230 Illegal buildings, structures or installations.

A. All illegal buildings, structures or installations shall be made to conform to the provisions of this Chapter or shall be demolished and removed.

B. Whenever necessary to assure compliance with the foregoing provisions, the owner of any illegal building, structure or installation shall uncover any concealed portions of such building, structure, electrical, plumbing, or mechanical installation for inspection and shall perform such tests as may be required by the Building Official.

C. It is unlawful to use or maintain any illegal building, structure or installation or portion thereof which was erected, installed, constructed, enlarged, altered, repaired, moved, converted, or improved without a permit.

D. All illegal buildings, structures or installations or portions thereof are hereby declared to be public nuisances and may be abated in accordance with the provisions specified in Chapter 7.52 of this Title or by any other remedy available at law or in equity.

7.28.240 Existing buildings, structures or installations.

A. Except as required by Sections 7.32.090 and 7.34.090 of this code and Section 713.5 of the California Plumbing Code/Uniform Plumbing Code, buildings or structures, electrical, plumbing or mechanical installations in existence at the time of the adoption of the ordinance codified in this Chapter may have their existing use or occupancy continued if such use or occupancy was legal at the time of adoption of the ordinance codified in this Chapter and provided such continued use does not endanger the life, health, property, or safety of the public or the occupants of such buildings or structures.

B. Electrical, plumbing and mechanical systems installed in apartments, hotels and dwellings prior to January 1, 1975, shall be deemed to have conformed to applicable law in effect at the time of installation and to have been maintained in good condition if such systems are currently in good and safe condition and working properly.

7.28.250 Maintenance requirements.

A. All existing and new buildings or structures, electrical, plumbing and mechanical installations, and parts thereof shall be maintained in a safe and sanitary condition. All devices or safeguards which were required by the building, electrical, plumbing, and mechanical codes when the building, structure, or installation was erected or installed shall be maintained in good working order. The owner or his designated agent shall be responsible for maintenance of all buildings, structures, installations or systems.

B. Private building sewers shall be maintained in a gastight and watertight condition. Where private sewage disposal systems are permitted, the effluent therefrom shall be contained beneath the surface of the ground level and within the property lines of the premises.

7.28.260 Code conflicts.

When any requirements of Chapters 7.24 7.28, 7.32, 7.34, 7.36, 7.40, 7.44, 7.45, 7.46, 7.48 or 7.94 of this Title and manufacturer's instructions conflict, the more stringent provisions shall prevail.

7.28.270 Violation.

A. Any person who violates a provision of this Chapter or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the Building Official, or of a permit or certificate issued under the provisions of this Chapter, shall be prosecuted in accordance with the provisions set forth in Section 1.04.030 of the Dublin Municipal Code.

B. In addition to the penalties provided in Section 1.04.030 of the Dublin Municipal Code, any condition caused or permitted to exist in violation of any of the provisions of this Chapter shall be deemed a public nuisance and may be abated in accordance with the provisions specified in Chapter 7.52 of this Title or by any other remedy available at law or in equity.

7.28.280 Appeals.

A. Any person aggrieved by any decision of the Building Official in connection with the application or interpretation of the provisions of this Chapter or in the approval of alternate materials or methods of construction may appeal to the City Council. Such appeal shall be in writing and filed within ten (10) days from the date of the Building Official's decision.

B. The City Council may, after a hearing, interpret any provision of this Chapter.

C. The City Council may, after a hearing, vary the application of the provisions of this Chapter in any specific case if it determines that enforcement thereof would be contrary to the spirit and purpose of this Chapter or to the public interest. In granting a variance, the City Council may impose any requirements or conditions to mitigate any adverse effects that may result from granting a variance.

D. In interpreting the provisions of this Chapter or in granting a variance the City Council shall make the following findings:

1. That the interpretation or variance is consistent with the purpose of this Chapter; and

2. That the interpretation or variance will not result in less protection to the people of the City or the property situated therein.

E. The City Council may approve alternate materials or methods of construction as set forth in Section 7.28.150 of this Chapter by overruling the decision of the Building Official. In approving any alternate materials or methods of construction the City Council shall find that such materials or methods of construction are for the purpose intended, at least the equivalent of that prescribed by this Chapter in quality, strength, effectiveness, durability, dimensional stability and safety.

F. The City Council may appoint a Board of Appeals to hear any specific appeal. The Board of Appeals shall consist of five (5) members qualified by training and experience to pass on matters pertaining to the subject matter of the appeal and to serve until the disposition of the appeal. The Board of Appeals shall have the same authority and duties as the City Council in interpreting this Chapter, granting variances, or approving alternate

materials or methods of construction. The Building Official shall be an ex officio member of the Board of Appeals and shall act as secretary to the Board. The Board of Appeals shall adopt reasonable rules and regulations for conducting its hearings and investigations. The decision of the Board of Appeals shall be final.

7.28.290 Revocation or modification of variance.

The City Council may, after a public hearing held upon not less than ten (10) days notice, revoke or modify by written order any order permitting a variance. The City Council shall serve notice of the time and place of a hearing to revoke or modify any order permitting a variance not less than ten (10) days prior to such hearing, by personal service, or by first class mail, postage prepaid, mailed to the person to whom such variance was granted at the address shown in the application for such variance or to such other address as may appear reasonable to the City Council under the particular circumstances.

Article IV. Permit Requirements

7.28.300 Permit—Required.

A. Except as provided in Section 7.28.310, no person shall install, erect, construct, enlarge, add to, alter, repair, move, remove, demolish, convert, occupy, equip or improve any building, structure or facility, any electrical, plumbing or mechanical installation or cause the same to be done without first obtaining a permit from the Building Official.

B. A separate permit shall be required for each building or structure, but the permit may include pertinent accessories such as fences, retaining walls, exterior lighting, underground utilities and sprinkler systems, provided such work is shown on the approved plans or described on the application. The Building Official may authorize issuance of a single permit for several buildings where in his or her opinion the convenience of the City will be served.

C. For private water supply and private sewage disposal systems, a separate permit or approval shall be secured from the Health Officer prior to issuance of a permit by the Building Official. In addition, any permits or approvals required by the Zone 7 Water Agency shall be secured prior to issuance of a permit by the Building Official.

D. Additional permits shall be required for pertinent accessories regulated by this Chapter which are proposed to be constructed but not shown on the approved plans or described on the application. A grading permit may also be required subject to the provisions of Chapter 7.16 of this Title.

7.28.310 Exceptions.

A. No permit shall be required for any of the following work; provided however, permits shall be required for electrical, plumbing and mechanical installations in any building or structure listed in subsections (A)(1) through (A)(20) of this section, and permits shall be required for all new construction and substantial improvements that are located within an area of special flood hazard in accordance with Chapter 7.24 of this Title:

1. Open wire fences not more than sixteen (16) feet in height and all other type fences not more than eight (8) feet in height;

2. Retaining walls that are not more than three (3) feet in height, measured from the top of the footing to the top of the wall, unless supporting a surcharge or ground slope exceeding 1 (vertical):20 (horizontal) (5%) or impounding Class I, II or IIIA liquids. Note: Among other items, the presence of a geogrid is a surcharge. See Section 2304.12.2.8 of the California Building Code/International Building Code for requirements for treatment of wood used for retaining wall;

3. One (1) story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed one hundred twenty (120) square feet (see section 710A CA Building Code for wildfire exposure requirements); Note: Offices, living rooms, sleeping areas and other similar habitable uses do not qualify as an exempt accessory structure.

4. One (1) story buildings not more than four hundred (400) square feet in area used exclusively for housing animals, poultry, livestock and similar animals and the storage of necessary food, hay and grain for the animals housed therein;

5. Agricultural buildings as defined in Section 202 of the California Building Code/International Building Code, on lots exceeding twenty (20) acres in area which are located in an A zoning district and where the principal use of the land is agriculture;

6. Lath structures and similar sunshade structures detached from the main dwelling without a solid roof, which are not more than ten (10) feet in height and one thousand (1,000) square feet in area;

7. Awnings over doors and windows in a Group R-3 or Group U occupancy, supported by an exterior wall that do not project more than fifty four (54) inches from the exterior wall and do not require additional support;

8. Temporary construction offices and storage sheds, not associated and or used by the public, which are used on a site where there is a valid building permit, grading permit or which are used in connection with a construction project where no building permit or grading permit is required; however, this provision shall not apply to such building remaining on the site thirty (30) days after the completion of construction;

9. Temporary construction offices and storage sheds when stored in a contractor's equipment yard; provided however, a permit shall be required if such offices or sheds are used for any purpose whatsoever;

10. Decks, meeting all of the following conditions, not exceeding 200 square feet in area, that that are not more than 30 inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by Section R311.2.

11. Treehouses or other structures which are designed to be used by children for play;

12. Flag poles, radio or TV antennas and towers, less than thirty-five (35) feet in height when not attached to a building and less than twenty (20) feet in height when attached to a building, except permits are required for dish-type antennas more than four (4) feet in diameter;

13. Swimming, bathing and wading pools, and fish ponds not exceeding eighteen (18) inches in depth;

14. Prefabricated swimming pools, spas or hot tubs accessory to a Group R-3 occupancy not exceeding four (4) feet in depth if resting on the surface of the ground or a concrete slab on the ground;

15. Painting, papering, floor tile, carpeting and similar finish work;

16. Nonfixed and moveable cases, counters, racks and partitions not over five (5) feet nine (9) inches high;

17. Water tanks supported directly upon grade if the capacity does not exceed five thousand (5,000) gallons and the ratio of height to diameter or width does not exceed two to one (2:1);

18. Water storage tanks of any size if resting on the surface of the ground or on a concrete slab on the ground when used only for watering livestock or irrigation;

19. Swings and other playground equipment accessory to detached one and two family dwellings;

20. Sidewalks and driveways not more than thirty (30) inches above adjacent grade, and not over a basement or story below and are not part of an accessible route.

21. The replacement of lamps or the connection of portable electrical appliances to suitable receptacles which have been permanently installed;

22. Nonelectrical signs less than eight (8) feet in height; nonelectrical signs which do not exceed three (3) pounds per square foot nor four (4) inches in thickness when fastened flat against the wall of any building; and provided further, that the sign does not extend above the top of the wall of the building;

23. Clearing stoppage or repairing leaks in pipes, valves, fittings or fixtures when such repairs do not involve the replacement or rearrangement of pipes, valves, fittings or fixtures;

24. Buildings and structures owned by a sanitary district used exclusively for storage, collection, conveying and treating sewage;

25. Demolition or exploration work that may be necessary in order to determine conditions in connection with a proposed addition or alteration to an existing building if an application for a permit is on file and prior approval for the demolition or exploration work is obtained from the Building Official;

26. Small or unimportant work when approved by the Building Official.

B. Exemption from the permit requirements of this Chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Chapter or any other law, ordinance, rule or regulation.

C. Any person may obtain inspection services for work exempt from the permit requirements of this Chapter by applying for a permit for such work and paying the applicable fee.

D. Emergency Repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working day to the Building Official.

7.28.320 Permit—Application for permit.

Every application for permits shall be made in writing on the forms furnished for that purpose. Every application shall include the following:

A. The location of the premises by address and by legal description or County Assessor’s description;

B. The name, address and phone number of the applicant;

C. The signature of the applicant or the applicant’s authorized agent, who may be required to submit evidence of such authority;

D. Identify and describe the work to be covered by the permit for which application is made;

E. A description of the proposed use and occupancy of the proposed building, structure, or electrical, plumbing or mechanical installation and where existing buildings, structures, electrical, plumbing or mechanical installations are located on the premises, a complete description of the current and proposed use or occupancy of such buildings, structures or installations;

F. Any other such information that may be reasonably required by the Building Official;

G. An authorization to enter the property for the purpose of inspecting the work without an inspection warrant; and

H. An indication as to whether the building is to be heated and/or cooled.

I. State the valuation of the proposed work.

J. Include a nonconversion agreement signed by the applicant if the building in a flood hazard area has enclosed areas below the lower floor.

7.28.330 Permit—Application—Submittal Documents.

A. Application shall be submitted in a digital format. When authorized by the Building Official to be submitted in a paper format, a minimum of Five (5) sets of plans and two (2) sets of specifications shall be submitted with each application for examination except that plans and specifications shall not be required for small or unimportant work when approved by the Building Official.

B. Engineering calculations, stress diagrams, soil investigation reports, geological investigation reports, test data, electrical load calculations, gas and water supply demand calculations and other data sufficient to show the correctness of the plans and specifications and to assure that the proposed work will conform to all of the provisions of this Chapter shall also be submitted when required by the Building Official. Plans and specifications shall be prepared by a California licensed design professional (licensed architect or registered engineer) when required by the Building Official. The owner shall also submit a complete outline of the testing and inspection program proposed when special inspection is required pursuant to Section 7.28.620 of this Chapter.

C. Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Building Official within a later specified period of time. Deferral of any submittal items shall have prior written approval of the Building Official. The licensed design professional of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the Building Official. Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the Building Official with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the Building Official.

D. When it is required that documents be prepared by a California design professional, the Building Official may require the owner to engage and designate on the building permit application an architect or engineer who shall act as the architect or engineer of record. If the circumstances require, the owner may designate a substitute architect or engineer

of record who shall perform all the duties required of the original architect or engineer of record. The Building Official shall be notified in writing by the owner if the design professional of record is changed or is unable to continue to perform the duties. The design professional of record shall be responsible for reviewing and coordinating all submittal documents prepared by others, including deferred submittal items, for compatibility with the design of the building.

7.28.340 Plans and specifications—Requirements.

A. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in three or more sets with each permit application. The construction documents shall be prepared by a California licensed design professional (a licensed architect or registered engineer) where required by the statute. Where special conditions exist, the Building Official is authorized to require additional construction documents to be prepared by a registered design professional.

B. The first sheet of each set of plans shall contain the address or legal description of the property where the work is proposed to be done, the name and address of the owner of the property and the name, address and signature of the person who has prepared the plans.

C. The plans shall include a plot plan which shall show the location of existing and proposed buildings or structures. The plot plan shall also show the location of all existing or proposed gas mains and services; water mains, water services, fire hydrants, sewer mains; underground or overhead power and communication lines; poles and transformers; waterways, storm drains, inlets, culverts, curbs, gutters, sidewalks, building sewer, wells, septic tanks and drainage fields. The plans shall also include a grading and drainage plan which shall show all existing elevations or contours and all proposed final elevations and the elevation of the first floor. This plan shall also show how all portions of the lot are to be drained and any necessary drainage structures. The grading and drainage plan may be combined with the plot plan if such information can be clearly shown on the plot plan.

D. Where balconies or other elevated walking surfaces have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, the construction document shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer’s installation instructions.

E. If the proposed work does not involve new buildings or structures and does not change the configuration of existing buildings or structures the Building Official may waive the requirements for a plot plan and grading or drainage plan. Where only minor grading is proposed and existing drainage patterns are not materially affected and the proposed work does not fall under the provisions of special flood hazard areas as set forth in Chapter 7.24 of this Title, the Building Official may waive the requirements for a grading and drainage plan.

7.28.350 Permit—Application—Plats required.

A. Three (3) copies of a topographic plat prepared and signed by a licensed land surveyor or a registered civil engineer shall be submitted with the application for a permit for any new building or structure or building proposed to be moved.

B. The Building Official may waive the requirements for such a plat for minor buildings or structures on parcels containing substantial existing development or where a plat has been previously submitted for a permit and where there have been no substantial changes in the elevations of the finished grade.

C. The plat shall show the location of all aboveground structures, retaining walls, fences, poles, transformers, overhead power and communication lines, wells, fire hydrants, drainage inlets, culverts, curbs, gutters, sidewalks, and waterways. The plat shall also show the known or reported location of underground structures, such as underground storm drains, water, sewer, gas, power and communication lines, septic tanks, and drainage fields.

D. The plat shall be drawn to a scale and shall show contours at intervals of one (1) foot or less on slopes up to three percent (3%) and contours at intervals not more than five (5) feet on slopes more than three percent (3%). Contours shall extend to the center of the street if not improved with curbs and gutters and need extend only to the gutter when improved with curbs and gutters.

E. Plat of the entire parcel shall not be required for parcels exceeding one acre located in a R-1 or A district, however, the following shall be provided:

1. Contours within one hundred (100) feet of any proposed building;

2. Contours or a profile of any existing or proposed access driveway. The Building Official may waive this requirement when the applicant can otherwise demonstrate that the access driveway in conformance with the City standards plans and specifications or in accordance with the Director of Public Works.

F. A topographic plat is not required on any lot shown on any subdivision tract map if such tract map was filed within five (5) years prior to the application for a permit.

G. The Building Official may require a plat of a property line survey where the exact location of the property line is necessary for the enforcement of any of the provisions of this Chapter. If, after the issuance of a permit, a question arises as to the exact location of the property line, the Building Official may require a property line survey. Whenever a property line survey has been made, the property line shall be located by appropriate stakes or monuments and three copies of a plat of the survey shall be filed with the Building Official.

H. Nothing contained herein shall be constructed as relieving the land surveyor or civil engineer from complying with the provisions of the Land Surveyor's Act, Business and Professions Code, beginning with Section 8700.

7.28.360 Permit—Issuance—Generally.

A. If it appears upon examination of the application, plans, specifications and other information furnished by the applicant that the proposed work will conform to the provisions of this Chapter and any other applicable laws, ordinances, rules, and regulations, and upon payment of the prescribed fees, the Building Official shall issue a permit to the applicant.

B. When the Building Official issues a permit, he shall affix an official stamp of approval on three sets of plans and specifications. One (1) set of plans and specifications shall be retained by the City, one (1) set of plans and specifications shall be kept on the site of the construction or work, and one (1) set of plans and specifications shall be provided to the Office of the Alameda County Assessor. The approved plans shall not be changed without approval of the Building Official. All work authorized by the permit shall be done in accordance with the approved plans.

C. Permits are not transferable.

D. The set of plans and specifications retained by the City at the time of issuance of the permit shall be retained by the Building Official for a period not less than ninety (90) days from the date of the completion of the work covered therein, except that this provision shall not apply to plans and specifications required to be retained by Section 19850 of the Health and Safety Code of the State of California.

7.28.370 Permit—Issuance—Restrictions.

Permits may be issued to any person not acting in violation of Chapter 7, Division 3, of the Business and Professions Code of the State of California (Contractor's License Law).

7.28.380 Permittee responsibility.

It shall be the responsibility of a permittee to assure that all work authorized thereunder is done in accordance with the provisions of this Chapter and any other applicable law, ordinance, rule or regulations, and to make arrangements for the inspection of the work by the Building Official. If after inspection by the Building Official, correction of work completed is necessary, the holder of the permit shall be responsible for such correction.

7.28.390 Live loads posted.

In commercial. institutional or industrial buildings, for each floor or portion thereof designed for live loads exceeding 50 psf, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices. A certificate of occupancy shall not be issued until the floor load signs have been installed.

7.28.400 Granting of permit not approval for violation.

A. The issuance of a permit or approval of plans and specifications shall not be construed to authorize any violation of any of the provisions of this Chapter or any other applicable laws, ordinances, rules, or regulations; and any permit or document purporting to give authority to violate this Chapter, or any other law, ordinance, rule or regulation shall not be valid except insofar as the work or use which it authorizes is lawful.

B. The issuance of a permit or approval based upon plans and specifications shall not prevent the Building Official from thereafter requiring the correction of errors in such plans and specifications or from preventing work being carried out thereunder in violation of this Chapter or any other applicable law, ordinance, rule or regulation.

7.28.410 Permit—Expiration.

A. Permits issued pursuant to this Chapter having a valuation of less than one million dollars ($1,000,000) shall expire one year from the date of issuance; and permits having

a valuation of over one million dollars ($1,000,000) shall expire in two (2) years from the date of issuance.

B. Exception: whenever a permit is issued to correct a violation of this Chapter, or any other law, ordinance, rule or regulation, or to rehabilitate, repair, or demolish a dangerous, substandard, illegal, unsafe or unsanitary building or structure, electrical, plumbing or mechanical installation, or to otherwise abate a nuisance, the Building Official shall establish a reasonable time for the completion of the work.

C. Where permits for more than one building on the same site or subdivision are issued to the same applicant, the total valuation of all the permits shall be used for determining when the permits expire.

7.28.420 Application— Expiration.

A. Every application for a permit shall expire six (6) months after the application and accompanying plans and specifications have been checked by the Building Official.

B. Plans and specifications accompanying an expired application may be destroyed ten (10) days from the date of mailing the applicant notice of intention to destroy said plans and specifications.

7.28.430 Permit and Application—Extensions.

A. A permittee may request an extension of an issued permit prior to the expiration date. The Building Official may grant, in writing, one or more extensions of time for periods of not more than 180 days per extension. The permittee shall request an extension pursuant to this subdivision in writing and demonstrate justifiable cause for the extension.

B. Where work authorized by any permit has not commenced, extensions shall not be allowed if there have been revisions to any applicable law, ordinance, rule or regulations which would otherwise prohibit the proposed construction. Where work authorized by any permit has commenced any extension shall also require all work to conform to any applicable law, ordinance, rule, or regulation in effect at the time of the extension.

C. In requiring compliance with new laws, ordinances, rules or regulations, the Building Official shall consider the practical difficulties in making changes to existing construction and may allow work completed to remain without changes. The Building Official may also allow uncompleted work to proceed in accordance with the original approved plans.

D. An extension may be allowed for an application for a permit, but the work shall comply with applicable laws, ordinances, rules, and regulations in effect at the time of issuance of the extension. The applicant shall request the extension in writing and demonstrate justifiable cause for the extension. The extension request shall be received by the City prior to the expiration date of the application. The Building Official may grant, in writing, one or more extensions of time for periods of not more than 90 days per extension.

E. In allowing an extension additional fees may be imposed to cover any additional costs incurred by the City because of the extension.

7.28.440 Building Official—Authority to deny permit.

The Building Official may refuse to issue any permit where it cannot be demonstrated that:

A. The hazards of land slippage, erosion or settlement will be eliminated;

B. The proposed work will not be located on a trace of an active fault;

C. The proposed work will conform to Chapters 7.20 and 7.24 of this Title;

D. The placement of existing fills has not been subject to continuous inspection by a special inspector as required by Section 1705.6 of the California Building Code/International Building Code;

E. The private water supply will conform to Chapter 6 of the California Plumbing Code/Uniform Plumbing Code;

F. The private sewage disposal system shall be in conformance with Section 713 of the California Plumbing Code/Uniform Plumbing Code;

G. Whenever a licensed contractor has failed to make corrections as specified in Sections 7.28.570 through 7.28.610 of this Chapter.

7.28.450 Permit—Suspension or revocation.

The Building Official may, in writing, suspend or revoke a permit issued under the provisions of this Chapter whenever the permit has been issued in error, or on the basis of incorrect information supplied, or in violation of this Chapter or any other applicable laws, ordinances, rules, or regulations.

7.28.460 Fees—Generally.

The provisions of this Chapter apply to fees collected by the Building Official.

A. The City Council shall, by resolution, adopt a schedule of fees for permits, reinspections, code compliance surveys, moved building inspections, plan and specification storage fees, additional plan checking, hourly rates for inspection services not covered by specific fees, and fees authorized by the Alquist-Priolo Geologic Hazards Zones Act.

B. At time of issuance of any permit required by this Chapter, the applicant shall pay the fees as established by resolution of the City Council.

C. Where work for which a permit is required by this Chapter is started or proceeds prior to obtaining such permit, a penalty fee, in addition to the permit fee, shall be assessed as follows:

Violation within two-year period	Penalty Fee
First	Equal to the permit fee
Second	Double the permit fee
Third and subsequent	Ten times the permit fee

The payment of such penalty fee shall not relieve any person from fully complying with all of the provisions of this Chapter.

D. The payment of a penalty fee shall not be required where the work was done two (2) years before the date it was determined that the work was done without a permit. A penalty fee shall not be required when the work was done or caused to be done by a previous owner of the property.

E. The determination of value or valuation under any of the provisions of this Chapter shall be made by the Building Official. The value to be used in computing the building permit and permit processing fees shall be the total value of all construction work for which the permit is issued as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems and any other permanent equipment at the time the permit is issued.

7.28.470 Permit processing fee.

Each application for a permit shall be accompanied by a fee equal to forty percent (40%) of the total permit fee rounded off to the nearest dollar. The permit processing fee shall be credited toward the total permit fee required. After permit processing has commenced, no portion of the permit processing fee shall be refundable.

7.28.480 Refunds.

A. Sixty percent (60%) of any permit fee may be refunded to the applicant prior to the expiration of the permit provided that the work authorized under the permit has not commenced. Thirty percent (30%) of the permit fee may be refunded to the applicant after a permit has expired provided that the work has not commenced, but in no case shall any refund be allowed after one (1) year from the date of expiration of the permit. Requests for refund shall be in writing. Any expenses incurred by the City other than the permit processing fee may be deducted from the refund.

B. If there was an error in calculating the amount of the permit fee and such error resulted in overpayment of the permit fee, the amount of overpayment may be refunded.

7.28.490 Fees—Partially completed work.

A. Where permits expire and the work has not been completed and a new permit is subsequently issued for the completion of the work, the fee for the new permit shall be based upon the fee schedule in effect at the time of issuance of the new permit based on the valuation to complete the work as determined by the Building Official (not on the original valuation assigned to the permit).

	Completed Inspections	Percent of Permit Fee
1.	If no inspections have been made	30
2.	If a foundation inspection has been made	27
3.	If the underground inspections have been made	24
4.	If the underfloor frame inspection has been made	21
5.	If the rough electric and rough plumbing inspections all have been made	18
6.	If the frame inspection has been made	15
7.	If the exterior lath inspection has been made	12
8.	If the insulation inspection has been made	9
9.	If the wallboard inspection has been made	6

B. The fee determined by the foregoing shall be rounded to the nearest dollar.

C. The foregoing is intended to apply to conventional wood-frame construction and is based on the number of inspections remaining to be made. Where the work is not conventional wood-frame construction, or does not constitute a complete building, or is a structure other than a building; the Building Official shall establish the fee based upon the number of inspections remaining to be made. The fee so established shall not exceed thirty percent (30%) or be less than six percent (6%); however, in no case shall the fee be less than the minimum permit fee approved under Section 7.28.460 of this Chapter.

D. Where a new permit is applied for more than one (1) year after the expiration of the original permit, the fee shall be based on the valuation of the work remaining to be done. The valuation shall be determined by the Building Official based on the cost to complete the work (not on the original valuation assigned to the permit) and the fees shall be based upon the fee schedule in effect at the time of the issuance of the new permit.

7.28.500 Additional fees for changes.

A. After a permit has been issued, minor changes or additions may be allowed under any permit when approved by the Building Official. However, additional fees shall be required when the permit fee calculated for both the original work and the work in the proposed change exceeds the original permit fee by ten percent (10%). The additional fee shall be the difference between the original fee and the new fee.

B. Any change in use or in the number of guest rooms or dwelling units shall require the submission of a new application and the payment of an additional fee.

C. Any change which does not increase the amount of the original permit fee by ten percent (10%) but requires additional plan checking shall require the payment of a plan checking fee.

D. No refund shall be allowed for changes which would decrease the amount of the permit fee.

7.28.510 Reinspections.

Where an inspection is made and corrections are required and said corrections require more than one reinspection, or where an inspection has been called for and the work to be inspected is not ready for inspection, or where the approved plans and specifications are not on the job site, a reinspection fee shall be paid prior to making the reinspection.

7.28.520 Code compliance survey.

The owner of any property on payment of the required fee may request an inspection to determine if a building, structure or installation is in compliance with this Chapter and the City zoning ordinance.

7.28.530 Inspection fee—Moved building.

Prior to application for permits to move a building, structure, electrical, plumbing or mechanical installation, a moved building inspection shall be required.

7.28.540 Plan and specification storage fee.

A plan and specification storage fee shall be paid at the time of issuance of a permit for buildings for plans and specifications that are required to be maintained by Section 19850, Health and Safety Code of the state of California.

7.28.550 Fees for additional plan checking.

A rechecking fee shall be paid prior to performing additional plan checking or prior to approval of the plans where incomplete plans and specifications are submitted for checking and complete rechecking is required, or where corrections are not completely or correctly made and additional plan checking is required, or where changes are made to the plans and specifications which require additional plan checking, or when the project involves deferred submittal documents as defined in Section 7.28.330C of this Chapter.

7.28.560 Fees—Other inspection services.

The fee for other inspection services provided by the City for which no specific fee is established shall be at an hourly rate.

Article V. Inspections

7.28.570 Generally.

All construction or work for which a permit is required shall be subject to inspection by the Building Official and certain types of construction shall have continuous inspection by special inspectors, as specified in Section 7.28.620 of this Chapter.

7.28.580 Approvals required.

A. No work shall be done on any part of the building or structure, electrical, plumbing or mechanical installation beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Official. Such written approval shall only be given after an inspection shall have been completed for each previous step in the construction. Written approvals may be indicated on an inspection record card which is provided for that purpose. All tests required by this Chapter shall be conducted in the presence of the Building Official. If the work will not pass the test, necessary corrections shall be made and the work shall be retested.

B. If the work inspected does not comply with this Chapter or any other applicable law, ordinance, rule, or regulation, written notice shall be given indicating the nature of the violation. Such notice may be delivered to the permittee, or the person in apparent control of the work on the site, or may be posted in a conspicuous place on the site. Refusal, failure or neglect to comply with such notice within ten (10) days shall be considered a violation of this Chapter and any other applicable law, ordinance, rule or regulation.

C. Whenever a licensed contractor has failed to make corrections in the time specified in the notice, the Building Official may refuse to issue permits for any other work to be performed by such contractor at any location within the City until all necessary corrections have been made.

D. Work requiring a permit shall not be commenced until the permit holder or the agent of the permit holder shall have posted or otherwise made available an inspection record

card such as to allow the Building Official conveniently to make the required entries thereon regarding inspection of the work. This card shall be made available by the permit holder until final approval has been granted by the Building Official.

7.28.590 Inspection required before use commences.

No work shall be covered, concealed or put to use until it has been tested, inspected, and approved as prescribed by this Chapter and any other applicable law, ordinance, rule or regulation. Any such work which has been covered or concealed before being inspected, tested and approved shall be uncovered for inspection after notice to uncover has been given by the Building Official.

7.28.600 Notification for inspections required.

The permittee or his agent shall notify the Building Official when construction work is ready for inspection and make the necessary arrangement for inspection of the work for each of the following inspections:

A. Underground. When the excavation for any underground gas, water, sewage, steam, electrical lines, cables or conduits, or any ventilating ducts, septic tanks or fuel tanks or drainage fields, which have been completed and all such lines, cable conduits or ducts and tanks are in place and are ready for any required tests, but before backfilling;

B. Foundation. When the excavation for foundations is completed and forms and required reinforcing steel are in place but before any concrete is placed;

C. Drainage for Retaining Walls. When any required drainage facility is in place but before backfilling;

D. Underfloor. When all gas, water, steam, sewage, electrical lines, cables or conduits, or any ventilating ducts are in place and ready for any required tests but before any concrete, wood or steel flooring is placed;

E. Underfloor Framing. When all the underfloor framing, bracing and supports are in place and when all underfloor, electrical, plumbing, and mechanical work is in place but before any flooring is installed;

F. Lowest Floor Elevation. In flood hazard areas, upon placement of the lowest floor, including a basement, and prior to further vertical construction, the elevation certification required by the Chapter 7.24 of this code and Section 1612.4 of the Building Code or the Residential Code, as applicable shall be submitted to the Floodplain Administrator;

G. Shearwall or Diaphragm. When shearwalls or diaphragms are installed and nailed or otherwise fastened to the structural framework and all hold downs, drag ties, chord splices, and anchor bolts are in place, but before any of the foregoing is covered or concealed;

H. Rough. When the roof, walls, floors, framing, bracing and supports are in place and all gas, water, drainage, and vent piping; all electrical cable, conduit, panels, outlets, junction boxes and wiring; all ventilating ducts equipment, vents and flues are in place and ready for any required tests but before any such work is covered or concealed;

I. Wood Frame. When all roof, wall, floor, framing, bracing, blocking, and chimneys are in place and all electrical, plumbing and mechanical work is in place but before any such work is covered or concealed;

J. Reinforced Concrete. When forms and reinforcing steel, sleeves, and inserts, and all electrical, plumbing and mechanical work is in place but before any concrete is placed;

K. Structural Steel. When all structural steel members are in place and all connections are complete but before such work is covered or concealed;

L. Reinforced Masonry. In grouted brick masonry when the vertical steel is in place and other reinforcing steel, bolts, anchors, and inserts are distributed. In masonry blocks when the units are laid up, and any reinforcing steel, bolts, anchors, and inserts are in place and when required cleanouts are installed but prior to placing any grout;

M. Types IV-A, IV-B, IV-C connection protection inspection. In buildings of Types IV-A, IV-B, IV-C construction, where connection fire-resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of the wood cover shall be made after the cover is installed, but before any others coverings or finishes are installed.

N. Insulation. When all insulation is in place but before the insulation is covered;

O. Lath. When all backing and lathing, interior and exterior, is in place but before any plaster is applied;

P. Wallboard. When all wallboard is in place but before joints and fasteners are taped and finished;

Q. Fire- and smoke-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

R. Suspended Ceilings. When the hangers, lighting fixtures, sir diffusers, fire dampers, protective boxes, and the runners and supporting members are in place but before the ceiling is installed;

S. Fire Dampers. When the fire dampers are installed in the openings to be protected but before the ducts are connected;

T. Weather Exposed Balcony and Walking Surface Waterproofing. Where balconies or other elevated walking surfaces have weather-exposed surfaces, and the structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved. Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3 of the Building Code.

U. Flood hazard documentation. If located in a flood hazard area, documentation of the elevation of the lowest floor as required in Section 1612.4 of the Building Code, shall be submitted to the building official prior to the final inspection.

V. Final. When all construction work including electrical, plumbing and mechanical work, exterior finish grading, required paving, and required landscaping is completed and the building, structure or installation is ready to be occupied or used but before being occupied or used.

7.28.610 Other inspections.

In addition to the foregoing called inspections, the Building Official may make or require any other inspection of any construction work to ascertain compliance with the provisions of this Chapter and any other applicable law, ordinance, rule, or regulation.

7.28.620 Special inspections.

A. In addition to the inspections required by Sections 7.28.570 through 7.28.610 of this Chapter, special inspections shall be provided in accordance with Chapter 17 of the California Building Code/International Building Code.

B. The inspection program required to be submitted in Section 7.28.330 shall designate the portions of the work to have special inspection and indicate the duties of the special inspectors. The special inspector shall be employed by the owner, the architect or engineer of record, or an agent of the owner, but not the contractor or any other person responsible for the work. When structural observation is required by the architect or engineer of record or the Building Official, the inspection program shall name the individuals or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur. The inspection program shall include samples of inspection reports and provide time limits for submission of reports.

C. Structural observation or special inspection does not include or waive the responsibility for inspections required by Section 1704 of the California Building Code/International Building Code, Section 7.28.600 of this code, or other sections of this code.

D. Exception. The Building Official may waive the requirement or the employment of a special inspector if the construction is of a minor nature.

7.28.630 Inspections—Moved buildings, structures, installations or systems.

A. Notwithstanding the provisions of Section 7.28.240 of this Chapter, all existing buildings or structures, including all electrical, plumbing or mechanical installations, and all existing electrical, plumbing and mechanical installations which are moved into or within the City shall comply with all the requirements of this Chapter for new buildings, structures, or installation. Moved apartment houses and dwellings may retain existing materials and methods of construction; provided however, this section shall not be interpreted to permit such apartment houses and dwellings to become or continue to be a dangerous building or substandard building.

B. Prior to issuance of a permit to move any building, structure, electrical, plumbing or mechanical installation into or within the City, the Building Official shall inspect the building, structure, electrical, plumbing or mechanical installation proposed to be moved for compliance with this Chapter and any other law, ordinance, rule, or regulation. The Building Official may require the applicant to remove all or a portion of the wall or ceiling and any other material to inspect concealed portions of the building, structure, electrical, plumbing or mechanical installation proposed to be moved. If after inspection of the building, structure, electrical, plumbing or mechanical installation proposed to be moved, the Building Official determines that it is not practical to alter the building, structure, electrical, plumbing or mechanical installation so that it will comply with the foregoing provisions, the Building Official may deny the application for a permit. The Building Official shall notify the applicant in writing, stating the reason for such denial.

C. After the building has been moved it shall be placed upon a new foundation as soon as practical but not later than one hundred twenty (120) days from the time the building was moved to the site. If after one hundred twenty (120) days the building has not been placed on the foundation, said building shall be deemed to be a public nuisance and may

be abated in accordance with the procedures specified in Chapter 7.52 of this Title or by any other remedy available at law or in equity.

Article VI. Occupancy

7.28.640 Generally.

No building, structure, electrical, plumbing, or mechanical installation or portion thereof shall be occupied or used unless the Building Official has made final inspections and approved the work regulated by this Chapter and all work required by other City departments or other agencies has been inspected and approved by such department or agency.

7.28.650 Approval to connect utilities.

No person shall supply water, electrical energy, or fuel gas to any building, structure, electrical, plumbing or mechanical installation until the building, structure, electrical, plumbing or mechanical installation has been inspected and approved by the Building Official. The Building Official may withhold approval to supply water, electrical energy, or fuel gas to any building, structure, electrical, plumbing or mechanical installation until there is full compliance with the provisions of this Chapter or compliance with applicable laws, ordinances, rules or regulations enforced by other agencies concerned with the construction of such building, structure, electrical, plumbing, or mechanical installation.

7.28.660 Temporary or partial occupancy.

The Building Official may authorize the use or occupancy of all or portions of a building, structure, electrical, plumbing, or mechanical installation prior to completion of the entire building, structure, electrical, plumbing, or mechanical provided that the work completed has been inspected and approved and that no hazard would result by such use or occupancy. The Building Official in granting such authorization may impose any reasonable conditions as may be necessary to protect life, health and property. Such authorization may include a time limit and may be revoked for violation of conditions and shall expire in the time specified. The Building Official may order any person supplying water, electrical energy, or fuel gas to discontinue supplying water, electrical energy, or fuel gas when authorization to use or occupy pursuant to this section has expired or been revoked.

7.28.670 Authority to withhold approval to occupy.

A. The Building Official may withhold approval to occupy or use any building, structure, electrical, plumbing or mechanical installations until all fees charged by the City for any zoning application development approval, inspection fee or any other fee has been paid. In the case of a subdivision this provision shall apply to all buildings or structures located within said subdivision.

B. The Building Official may withhold approval to occupy or use any building, structure, electrical, plumbing or mechanical installations until all development improvements including off-site improvements have been completed and approved by other City departments or any other agency concerned with said improvements.

7.28.680 Change of Occupancy.

A building or structure shall not be used or occupied in whole or in part, and a change of occupancy or a change of use of a building or structure or portion thereof shall not be made, until the Building Official has made final inspections and approved the change of occupancy. Approval to occupy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City.

5195861.1

Chapter 7.32

BUILDING CODE

Sections:

7.32.010 Title.
7.32.020 Purpose.
7.32.030 Adoption of Building Codes.
7.32.040 Scope.
7.32.050 Exceptions.
7.32.060 Additions, alterations and repairs-Generally.
7.32.070 Additions, alterations and repairs-Code compliance.
7.32.080 Alterations and repairs-Apartment houses, hotels and dwellings.
7.32.090 Additions-Apartment houses, hotels and dwellings.
7.32.100 Repair of roof covering.
7.32.110 Chapter 1 Division II, Administration-Deleted.
7.32.120 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.
7.32.130 Section502.2.1, 502.2.2, 502.2.3, 502.2.4, Chapter 5, Address illumination.
7.32.140 Section 507.14, Chapter 5, Front Restriction-Added.
7.32.150 Section 706.1, Chapter 7, Fire walls-Amended.
7.32.160 Section 701A.1, Chapter 7A, Scope-Amended.
7.32.170 Section 702A, Chapter 7A, Definitions-Amended.
7.32.180 Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 -Added.
7.32.190 Section 1505.1, Chapter 15, Fire Classification-Amended.
7.32.200 Table 1607.1, Chapter 16, Minimum Uniformly Distributed Live Loads, L_o, and Minimum Concentrated Live Loads -Amended.
7.32.210 Section 1705.3, Exception 1, Chapter 17, Concrete Construction – Amended.
7.32.220 Section 1905.1.7, Chapter 19, ACI 318, Section 14.1.4-Amended.
7.32.230 Table 2308.6.1, Chapter 23, Wall Bracing Requirements-Amended.
7.32.240 Section 2308.6.9, Attachment of Sheathing-Amended.
7.32.250 Section 3115.1, Chapter 31, Prohibited Installations-Added.
7.32.260 Section 3203, Chapter 32, Signs-Added.
7.32.270 Section H101.2, Signs exempt from permits -Deleted.
7.32.280 Section 1010, Appendix Chapter 10, Building security – Added.
7.32.290 Section G101.4, Chapter Appendix G, Violations-Amended.

7.32.300 Section G101.5, Chapter Appendix G, Designation of floodplain administrator-Amended.

7.32.010 Title.

The building codes adopted by section 7.32.030 and the provisions of this Chapter shall constitute the Dublin Building Code and may be referred to as such.

7.32.020 Purpose.

The promotion and preservation of the public health, safety and general welfare of the people of the City and the property situated therein have made necessary the adoption of the building codes referred to in Section 7.32.030 in order to adequately safeguard life, health, property, and general welfare. The purpose of this Code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this Code.

7.32.030 Adoption of Building Codes.

A. The 2022 California Building Code, Part 2, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the International Building Code, 2021 Edition, including Appendix Chapters, C, F, G, H, and I, , as published by the International Code Council, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "IBC") are hereby adopted and incorporated by reference herein.

The codes and standards referenced in this code shall be considered part of this code to the prescribed extent of each such reference. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Mechanical, Plumbing, Housing, Fire or Energy Codes, the provisions of these codes as applicable, shall take precedence over the provisions in the referenced code or standard.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.32.030.A, the State Code and the International Building Code are amended as set forth in Sections 7.32.110 through 7.32.300.

7.32.040 Scope.

A. The provisions of this Code shall apply to the installation, erection, construction, enlargement, addition to, alteration, repair, relocation, removal, demolition, conversion, replacement, equipment, use and occupancy, location, replacement, and maintenance of every building or structure or any appurtenances connected or attached to such buildings or structures within the City.

B. The permissive provision of this Code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule, or regulation. If two or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property, or public welfare.

C. Buildings shall be made accessible to persons with disabilities as required by Title 24 California Code of Regulation. Whenever there is a conflict between the provisions of this Code and Title 24, California Code of Regulations with respect to the accessibility of buildings to persons with disabled, the provisions of Title 24 shall prevail.

7.32.050 Exceptions.

The provisions of this Code shall not apply to:

A. Work located in a public street;

B. Trailer coaches, campers, mobile homes, motor vehicles, railroad cars, and aircraft; however, if any of the foregoing are permanently placed on the ground or have their wheels removed for other than temporary repairs, they shall comply with all of the provisions of this Code;

C. Houseboats or other watercraft; however, if any of the forgoing are stored out of the water and are used for any purpose whatsoever, they shall comply with all of the provisions of this Chapter;

D. Towers or poles supporting communication lines or power transmission lines;

E. Dams, flood control and drainage structures;

F. Portable amusement devices and structures, including merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices, and portable accessory structures whose use is necessary for the operation of such amusement devices and structures but not including any storage building or detached structure which is not an integral part of the device.

G. Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the Residential Code.

7.32.060 Additions, alterations and repairs-Generally.

Buildings or structures to which additions, alterations, or repairs are made shall comply with all the requirements of this Code for new buildings or structures except as specifically provided for in this section and Sections 7.32.070 through 7.32.100.

7.32.070 Additions, alterations and repairs-Code compliance.

Additions, alterations or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of this Code, provided the addition, alteration or repair conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of this Code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of this Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provision of this Code.

7.32.080 Alterations and repairs-Apartment houses, hotels and dwellings.

A. The provisions of Section 7.32.070 shall not prohibit the alteration or repair of any legally established existing apartment house, hotel, dwelling or structure accessory thereto which retains, replaces or extends the use of the original materials or continued use of original methods of construction provided such alteration or repair does not create or continue a dangerous building as defined in Section 7.28.220, a substandard building as defined in Section 7.28.090 of the Dublin Municipal Code. However, such alteration or repair shall not reduce any required fire resistance below that specified by this Code, reduce the resistance to lateral forces below that specified by this Code, or increase the stress or deflection of any member so as to exceed that specified by this Code.

B. The provisions of Section 7.32.070 pertaining to additions shall not require any legally existing apartment house, hotel, dwelling, or structure accessory thereto to be made to conform to the provisions of this Code solely because of the construction of the addition. However, this section shall not be constructed to permit the addition to increase the stress or deflection of any existing member so as to exceed that specified by the building code. Whenever an addition increases the number of occupants which must exit through the existing building all of the exit facilities serving the increased number of occupants shall comply with the provisions of this Code.

C. Whenever a new dwelling unit is created either by new construction, or by an alteration to an existing building, separate gas and electrical meters shall be provided.

7.32.090 Additions-Apartment houses, hotels and dwellings.

Notwithstanding the provisions of Section 7.28.240 whenever alterations, repairs, or additions requiring a permit or one (1) or more sleeping rooms are added or created in existing Group R Occupancies, the entire building shall be provided with smoke alarms and carbon monoxide alarms located as required for new Group R Occupancies.

Furthermore, spark arrestors shall be installed on all chimneys connected to solid burning fuel-burning appliances.

7.32.100 Repair of roof covering.

Roof coverings may be repaired or replaced with materials as set forth in Section 7.32.190.

7.32.110 Chapter 1 Division II, Administration-Deleted.

Chapter 1 Division II is deleted.

7.32.120 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement – Added.

The definitions of “Substantial Damage” and “Substantial Improvement” in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

7.32.130 Sections 502.2.1, 502.2.2, 502.2.3, 502.2.4, Chapter 5, Address illumination – Added.

Sections 502.2.1, 502.2.2, 502.2.3, 502.2.4 are added to read:

502.2.1 The address number(s) shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled by a photoelectric device.

502.2.2 Exterior doors in commercial tenant space numbers shall be addressed as required in section 502.1. Exception, dual doors may have the addresses on one door or centered above the doors. In addition, all rear doors or service doors will have the name of the business in 4-inch-high lettering.

502.2.3 No other number may be affixed to a structure that might be mistaken for, or confused with, the number assigned to the structure.

502.2.4 The assigned address, including the suite number, shall be displayed on all electric meters in accordance with utility company standards.

7.32.140 Section 507.14, Chapter 5, Frontage Restriction-Added.

A new Section 507.14 is added to read:

507.14 Frontage Restriction. The increase in area permitted by Sections 506.3, 507.1 through 507.13 of this Section shall not be allowed unless or until the owner of the required yard shall file an agreement binding such owner, his heirs, and assignees, to set aside the required yard as unobstructed space having no improvements. Such agreement shall be recorded in the Alameda County Recorder's Office.

Exception: When using the public way for frontage increase.

7.32.150 Section 706.1, Chapter 7, Fire Walls-Amended.

Section 706.1 is amended by adding a new subsection 706.1.2 to read:

706.1.2 Fire walls shall not be considered to create separate buildings for the purpose of automatic fire-sprinkler system requirements as set forth in Chapter 9.

7.32.160 Section 701A.1, Chapter 7A, Scope-Amended.

Section 701A.1 is amended to read:

701A.1 Scope. This Chapter applies to building materials, systems and/or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface (WUI) Fire Area as defined in Section 702A or adjacent to open space or undeveloped land.

7.32.170 Section 702A, Chapter 7A, Definitions-Amended.

Section 702A is amended to add the following definitions:

Adjacent to Open Space. Shall mean commercial parcels and residential lots which have a point of contact with open space.

Adjacent to Undeveloped Land. Shall mean commercial parcels and residential lots which have a point of contact with Undeveloped Land.

Open Space. For the purpose of this Chapter, Open Space shall mean those lands set aside to remain permanently undeveloped.

Undeveloped Land. For the purpose of this Chapter, Undeveloped Land shall mean land which is available for development, but no Tentative Map, Master Tentative Map or Development Agreement has been approved, and any land designated for government use for which no development plan has been approved.

7.32.180 Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 – Deleted; 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11.3 Amended; and 903.2.13 and 903.2.30 -Added.

Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted; Sections 903.2.1.1#1, 903.2.1.2#1, 903.2.1.3#1. 903.2.1.4#1, 903.2.3#1, 903.2.4, 903.2.4#1, 903.2.7#1, 903.2.9, 903.2.9#1, 903.2.9#2, and 903.2.11, are amended to read as follows; and Sections 903.2.13 and 903.2.30 are added to read as follows:

903.2.1.1 **Group A-1 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.2 **Group A-2 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.3 **Group A-3 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.1.4 **Group A-4 Occupancies.**

1. The fire area exceeds 3,000 square feet (279 m²).

903.2.3 **Group E Occupancies.**

1. Throughout all Group E fire areas greater than 3,000 square feet (279 m²).

903.2.4 **Group F Occupancies.**

An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. A Group F fire area exceeds 2,500 square feet (232 m²).

903.2.7 **Group M Occupancies.**

1. A Group M fire area exceeds 2,500 square feet (232 m²).

903.2.9 **Group S Occupancies.**

An automatic sprinkler system shall be installed in all Group S occupancies as follows:

1. The fire area exceeds 2,500 square feet (232 m²);
2. Buildings with repair garages servicing vehicles parked in basements.

903.2.11.3 **Buildings Three Or More Stories in Height.**

An automatic sprinkler system shall be installed in all occupancies, regardless of type of construction, if the building is three or more stories or more than 35 feet in height measured from the pad grade level to the highest point of the building. An automatic sprinkler system shall be installed in all other occupancies as may be required by the 2022 California Building and Residential Code.

903.2.13 **Group B Occupancies.**

An automatic fire-extinguishing system shall be installed in Group B occupancies where the floor area exceeds 3,000 square feet (279 m²).

903.2.30 **All Occupancies.**

An automatic fire-extinguishing system shall be installed in all occupancies located more than one and one half (1½) miles from a fire station providing fire protection to that location. Said distance shall be measured in a straight line.

Buildings containing portions which are required to have an automatic fire extinguishing system because of the number of stories shall have the automatic fire extinguishing system installed throughout and fire walls as set forth in Section 706 shall not be considered as creating separate buildings for the purpose of this section.

Whenever an addition is made to an existing building, automatic fire-extinguishing systems shall be installed if the existing building plus the addition exceeds the area or height limitations set forth in this section. Whenever the use of an existing building or portion thereof is changed in any manner so as to require the installation of an automatic fire-extinguishing system, said system shall be installed in that portion of the building housing the new use.

(Sections 903.2 Exception, 903.2.1.2#4, 903.2.1.3#4, 903.2.3#2 Exception, 903.2.3#5, 903.2.4#2, 903.2.4#3, 903.2.7#2, 903.2.7#3, 902.2.7#4, 903.2.7.2, 903.2.9#3, 903.2.9#4, 903.2.9.1, 903.2.10, and 903.2.10.1 are deleted)

7.32.190 Section 1505.1, Chapter 15, Fire Classification-Amended.

Section 1505.1 is amended to read:

1505.1 General. Roof Assemblies shall be divided into the classes defined below. Class A, B, and C roof assemblies and roof coverings required to be listed by this section shall be tested in accordance with ASTM E 108 or UL 790. In addition, fire-retardant-treated wood roof coverings shall be tested in accordance with ASTM D 2898. The minimum roof coverings installed on buildings shall comply with the following:

1. **Map of Fire Safe Roof Areas.** Figure 15-1* is a map of Fire Safe Roof areas. Said map may be amended from time to time by including areas which are annexed to the City within one of the two roofing areas. Said amendments may be made by the Building Official after consultation, with the Chief of the Fire Department having jurisdiction.

2. **Roofing Area 1.** Any new roof and any alteration, repair or replacement for buildings housing R & U occupancies in Roofing Area 1 shall use roof covering material that conforms to Class B or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

3. **Roofing Area 2.** Any new roof for buildings using roof covering material that conforms to Class C or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

4. **Other Occupancies.** Any new roof covering and any alterations, repairs or replacement of roof covering material for buildings housing all other occupancies shall conform to the requirements as set forth in Roofing Area 1.

* Editor's Note: Figure 15-1 is on file in the office of the City Clerk.

7.32.200 Table 1607.1, Chapter 16, Minimum Uniformly Distributed Live Loads, L_o, and Minimum Concentrated Live Loads -Amended.

Table 1607.1 is amended by adding a new Footnote e to read:

e. Bridges for vehicular traffic shall be designed for H20 loading as designated by the American Association of State Highway Officials.

7.32.210 Section 1705.3 Exception 1, Chapter 17, Concrete Construction – Amended.

Section, 1705.3 Exception 1 is amended to read:

1. Isolated spread concrete footings of buildings three stories or less above grade plane that are fully supported on earth or rock, where the structural design of the footing is based on a specified compressive strength, f'c, no greater than 2,500 pounds per square inch (psi) (17.2 Mpa) regardless of the compressive strength specified in the construction documents or used in the footing construction.

7.32.220 Section 1905.1.7, Chapter 19, ACI 318, Section 14.1.4-Amended.

Section 1905.1.7, Delete ACI 318, Section 14.1.4 and replace with the following:

14.1.4 - Plain concrete in structures assigned to Seismic Design Category C, D, E or F.

14.1.4.1- Structures assigned to Seismic Design Category C, D, E or F shall not have elements of structural plain concrete, except as follows:

(a) Isolated footings of plain concrete supporting pedestals or columns are permitted, provided the projection of the footing beyond the face of the supported member does not exceed the footing thickness.

Exception:

In detached one- and two-family dwelling three stories or less in height, the projection of the footing beyond the face of the supported member is permitted to exceed the footing thickness.

(b) Plain concrete footing supporting walls are permitted, provided the footings have at least two continuous longitudinal reinforcing bars. Bars shall not be smaller than No. 4 and shall have a total area of not less than 0.002 times the gross cross-sectional area of the footing. A minimum of one bar shall be provided at the top and bottom of the footing. Continuity of reinforcement shall be provided at corners and intersections.

Exception:

In detached one- and two-family dwellings three stories or less in height and constructed with stud bearing walls, plain concrete footings with at least two continuous longitudinal reinforcing bars not smaller than No. 4 are permitted to have a total area of less than 0.002 times the gross cross –sectional area of the footing.

7.32.230 Table 2308.6.1, Chapter 23, Wall Bracing Requirements– Amended.

Table 2308.6.1 is amended by adding new footnotes “f” and “g” to read:

f. Methods PBS, HPS, and SFB are not permitted in Seismic Design Category D and E.
g. Methods GB, DWB and PCP are not permitted in Seismic Design Category E.

7.32.240 Section 2308.6.9, Attachment of Sheathing-Amended.

Section 2308.6.9, is amended by adding a second paragraph:

All braced wall panels shall extend to the roof sheathing and shall be attached to parallel roof rafters or blocking above with framing clips (18 gauge minimum) spaced at maximum 24 inches (6096 mm) on center with four 8d nails per leg (total eight 8d nails per clip). Braced wall panels shall be laterally braced at each top corner and at maximum 24 inches (6096 mm) intervals along the top plate of discontinuous vertical framing.

7.32.250 Section 3116.1, Chapter 31, Prohibited Installations-Added.

A new Section 3115.1 is added to read:

3116.1 Prohibited Installations. It shall be unlawful to install a wood burning fireplace or wood burning appliance that is not one of the following:

1) Pellet-fueled wood heater,
2) EPA certified wood heater,
3) Fireplace certified by EPA

7.32.260 Section 3203, Chapter 32, Signs-Added.

A new Section 3203 is added to read:

3203 Signs. Signs when placed flat against the wall of a building shall not project beyond the front property line more than 12 inches (305mm).

7.32.270 Section H101.2, Signs exempt from permits -Deleted.

Section H101.2 is deleted.

7.32.280 Section 1010, Appendix Chapter 10, Building security – Added.

Appendix Chapter 10 is added to read:

Section 1010 building security shall be in accordance with the *Uniform Building Security Code* in addition to the following:

* *Editor's Note: See Chapter 7.34 Residential Code for single family or townhouse requirements.*

(A) **Addressing.** All buildings shall be addressed as follows:

(1) Walkways serving six (6) or more individual units where the front entrance is not parallel to the street and driveways servicing six (6) or more individual dwelling units shall have minimum of 4-inch-high identification numbers, noting the range of unit numbers placed at the entrance to each driveway at a height between thirty-six (36) and forty-two (42) inches above grade. The address numbers shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled only by a photoelectric device.

(2) There shall be positioned at each street entrance of a multi- family complex having more than one structure, an illuminated diagrammatic representation (map) of the complex that shows the location of the viewer and the unit designations within the complex. It shall be lighted during the hours of darkness utilizing a light source, which is constructed of weather and vandal resistant materials and provided with an uninterruptible AC power source or controlled by a photoelectric device. Nothing in this section shall preclude the requirement for circuit protection devices where applicable.

(3) If the building is adjacent to an alley, the number shall also be placed on or adjacent to the rear gate accessing the alley. Any building with vehicular

access to the rear through a public or private alley shall display, in a clearly visible location, a highly reflective or illuminated address number a minimum of four (4) inches in height.

(4) Where more than one (1) building is accessed by a common street entrance or there are multiple buildings on the same lot, each principal building shall display the number or letter assigned to that building on each corner of the building, as determined by the Building Official. These numbers shall be made visible during the hours of darkness. The street name may also be required when there is a secondary street frontage.

(5) Addressing shall not be obstructed by architectural structures such as trellises, arbors, balconies, light fixtures and or landscaping.

(6) In Commercial Day Care or Education facilities, all interior and exterior doors shall be provided with a room number on the door. A map of the facilities detailing location of all rooms and their uses shall be kept on file at the facilities on-site office.

(B) **Exterior Openings.** Exterior opening shall be as follows:

(1) Swinging exterior wood and steel doors shall be equipped as follows:

(a) A single or double door shall be equipped with a double- or single-cylinder deadbolt. The bolt shall have a minimum projection of one (1) inch and be constructed so as to repel cutting tool attack. The deadbolt shall have an embedment of at least three-fourths (3/4) inch into the strike receiving the projected bolt. The cylinder shall have a cylinder guard, a minimum of five pin tumblers and shall be connected to the inner portion of the lock by connecting screws of at least one-fourth (1/4) inch in diameter. The provisions of this paragraph do not apply where: (a) panic hardware is required, (b) conflicts with emergency egress requirements of the building and fire codes or (C) an equivalent device is approved by the authority having jurisdiction.

(b) Doorstop on a wooden jamb for an in-swing door shall be of one-piece construction with the jamb joined by a rabbet.

(c) For the purpose of this section, doors leading from garage areas into a dwelling are exterior doors.

(2) Double doors shall be equipped as follows:

(a) The inactive leaf of double door(s) shall be equipped with metal flush bolts that have a minimum embedment of five-eighths (5/8) inch into the head and threshold of the doorframe.

(b) Double doors shall have an astragal constructed of steel a minimum of .125 inch thick, which will cover the opening between the doors. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached. The astragal shall be attached to the outside of the active door by means of welding or with non-removable bolts spaced apart on not more than ten (10) inch centers. (The door to which such an astragal is attached must be determined by the fire safety codes adopted by the enforcing authority.)

(3) Aluminum frame swinging doors shall be equipped as follows:

(a) The jamb on all aluminum frame-swinging doors shall be so constructed or protected to withstand 1,600 pounds of pressure in both a vertical distance of three (3) inches and a horizontal distance of one (1) inch each side of the strike, to prevent violation of the strike.

(b) A single or double door shall be equipped with a double cylinder deadbolt with a bolt projection exceeding one (1) inch, or a hook shaped or expanding dog bolt that engages the strike sufficiently to prevent spreading. The deadbolt lock shall have a minimum of five pin tumblers and a cylinder guard.

(4) Panic hardware, whenever required by the California Building Code or Title 19, California Administration Code, shall be installed as follows:

(a) Panic hardware shall contain a minimum of two (2) locking points on each door; or

(b) On single doors, panic hardware may have one locking point, which is not to be located at either the top or bottom frame. The door shall have an astragal constructed of steel .125 inch thick, which shall be attached with non-removable pins to the outside of the door. The astragal shall extend a minimum of six (6) inches vertically above and below the latch of the panic hardware. The astragal shall be a minimum of two (2) inches wide and extend a minimum of one (1) inch beyond the edge of the door to which it is attached.

(c) Double doors containing panic hardware shall have an astragal attached to the doors at their meeting point, which will close the opening between them, but not interfere with the operation of either door. (The astragal shall not interfere with the safe operation of emergency egress).

(5) Horizontal or Sliding Doors shall be installed as follows:

(a) In commercial occupancies, horizontal sliding doors shall be equipped with a metal guide track at top and bottom and a cylinder lock and/or

padlock with a hardened steel shackle which locks at both heel and toe, and a minimum five pin tumbler operation with non-removable key when in an unlocked position. The bottom track shall be so designed that the door cannot be lifted from the track when the door is in a locked position.

(b) In residential occupancies, locks shall be provided on all sliding patio doors. The lock bolt on all glass patio doors shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

(c) Sliding patio glass doors opening onto patios or balconies which are less than one story above grade or are otherwise accessible from the outside shall have the moveable section of the door sliding on the inside of the fixed portion of the door or possess an approved secondary lock mounted on interior of moveable section.

(6) In office buildings (multiple occupancy), all entrance doors to individual office suites shall meet the construction and locking requirements for exterior doors.

(7) In commercial occupancies, windows shall be deemed accessible if less than twelve (12) feet above the ground. Accessible windows having a pane exceeding ninety-six (96) square inches in an area with the smallest dimension exceeding six (6) inches and not visible from a public or private thoroughfare shall be protected with burglary resistant glazing or other approved methods as determined by the Building Official.

(8) Side or rear windows of the type that can be opened shall, where applicable, be secured on the inside with either a slide bar, bolt, crossbar, auxiliary locking device, and/or padlock with a hardened steel shackle, a minimum four pin tumbler operation.

(9) Protective bars or grills shall not interfere with the operation of opening windows if such windows are required to be operable by the California Building Code.

(10) All exterior transoms exceeding ninety-six (96) square inches on the side and rear of any building or premises used for business purposes shall be protected with burglary resistant glazing or other approved methods as determined by the Building Official.

(11) Roof openings shall be equipped as follows:

(a) All skylights on the roof of any building or premises used by business purposes shall be provided with:

(1) Rated burglary resistant glazing; or

(2) Iron bars of at least one-half (1/2) inch round or one by one-fourth (1 x ¼) inch flat steel material under the skylight and securely fastened; or

(3) Steel grills of at least one-eighth (1/8) inch material with a maximum two (2) inches mesh under the skylight and securely fastened.

(4) A monitored intrusion alarm system. The system shall be kept operable at all times. The Chief of Police may require periodic testing of the alarm system to verify proper operation.

(b) All hatchway openings on the roof of any building or premises used for business purposes shall be secured as follows:

(1) If the hatchway is of wooden material, it shall be covered on the inside with at least sixteen (16) U.S. gauge sheet metal, or its equivalent, attached with screws.

(2) The hatchway shall be secured from the inside with a slide bar or slide bolts. (Fire Department approval may be desired.)

(3) Outside hinges on all hatchway openings shall be provided with non-removable pins when using pin-type hinges.

(c) All air duct or air vent openings exceeding ninety-six (96) square inches on the roof or exterior walls of any building or premises used for business purposes shall be secured by covering the same with either of the following:

(1) Iron bars of at least one-half (1/2) inch round or one by one-fourth (1 x ¼) inch flat steel material spaced no more than five (5) inches apart and securely fastened; or

(2) Iron or steel grills of at least one-eighth (1/8) inch material with a maximum two (2) inch mesh and securely fastened.

(3) If the barrier is on the outside, it shall be secured with bolts which are non-removable from the exterior.

(4) The above must not interfere with venting requirements creating a potentially hazardous condition to health and safety or conflict with the provisions of the California Building Code or Title 19, California Administrative Code.

(12) Exterior roof ladders shall not be permitted.

(13) Exterior electrical or phone panels are not permitted in commercial occupancies.

(14) Separation walls for individual commercial tenant spaces housed within a common structure shall be solid with sheathing and continuous from the structure's foundation to roof or floor / ceiling assembly. If both sides of the tenant spaces are accessible, then each side shall be sheathed.

(15) Intrusion Devices.

(a) If the enforcing authority determines that the security measures and locking devices described in this Chapter do not adequately secure the building, due to special conditions, he/she may require the installation and maintenance of an intrusion device (burglar alarm system).

(C) **Landscaping.**

(1) Shrubs and ground cover shall not directly cover windows and doorways.

(2) River rock used near parking lots or buildings shall be permanently affixed.

(3) Open space and buildings shall be arranged to afford visibility and opportunity for surveillance by on-site users and passers-by.

(4) Barriers, both real and symbolic, shall be designed to afford opportunities for surveillance through the barrier.

(5) For residential development, backyard gates shall be the full height of the wall or fence adjacent and capable of being locked.

(6) For residential development, walls or fences, if installed, shall be a minimum of 6 feet in height when adjacent to any of the following:

Reverse frontage
Retention/detention areas
Parks
Commercial areas
Industrial areas
Bike paths

(D) **Lighting.** Lighting of buildings or complexes shall at a minimum be illuminated as follows:

(1) A site plan shall be provided showing buildings, parking areas, walkways, detailed landscaping and a point-by-point photometric calculation of the required light levels.

(2) All exterior entrances shall be illuminated with a uniformly maintained minimum level of one foot candle of light between ground level and 6 vertical feet within a minimum radius of 15 feet from the center of the entrance between sunset and sunrise.

(3) Postal Service “gang boxes” (group postal boxes) shall be illuminated with a uniformly maintained minimum level of one foot candle of light.

(4) Lighting of all exterior areas shall be designed to maximize surveillance and reduce conflicts with building design, mature landscaping, and to minimize glare.

(5) Open stairways shall be illuminated with a minimum maintained five-tenths (0.5) foot-candle of light in all landings and stair treads between sunset and sunrise. Enclosed stairways and enclosed common corridors shall be illuminated at all times with a minimum maintained one-foot candle of light on all landings and stair treads.

(6) Private streets, alleys, and emergency access roads shall be illuminated using the same standards as established for public thoroughfares.

(7) Aisles, passageways, pedestrian walkways and recessed areas related to and within a building, a building complex, or providing access to a building or building complex from a parking lot or right of way shall be illuminated with a minimum uniformly maintained minimum level of one foot candle of light between ground level and six vertical feet between sunset and sunrise or other methods approved by the Building Official.

(8) Open parking lot and/or carport and refuse areas shall be provided with and maintained to a minimum of one foot-candle of light on the parking surface. The Building Official may approve a lower light level, if it can be demonstrated that the lower level provides for sufficient security lighting.

(9) Covered parking lots or covered portions of parking lots shall be illuminated with a uniformly maintained minimum level of one-foot candle of light between ground level and 6 vertical feet between sunset and sunrise. Lighting shall be designed so that architectural or structural features do not obstruct the minimum light coverage.

(10) Parking structures or enclosed or partially enclosed parking lots shall be illuminated with a uniformly maintained minimum level of two-foot candles of light between ground level and 6 vertical feet between sunrise and sunset (daylight hours).

(11) Lighting fixtures shall be so arranged as to illuminate light uniformly over the parking surface and be tamper resistant.

(12) Public rest rooms, rooms identified for the general public and children's recreation areas shall be provided with emergency lighting meeting section 1006 of this Code.

All light sources required by this section shall be: (a) controlled by a photocell device or a time clock that will turn the lights on at dusk and off at dawn and (b) protected by weather and vandal resistant covers.

(E) **Garage Type (Vehicle) Doors.** Garage-type doors, which are either rolling overhead, solid overhead, swinging, sliding, or accordion style doors shall conform to the following standards:

(1) Wood doors shall have panels a minimum of five-sixteenths (5/16) inch in thickness with the locking hardware being attached to the support framing.

(2) Aluminum doors shall be a minimum thickness of .0215 inches and riveted together a minimum of 18 inches on center along the outside seams. There shall be a full width horizontal beam attached to the main door structure which shall meet the pilot, or pedestrian access, door framing within 3 inches of the strike area of the pilot or pedestrian access door.

(3) Fiberglass doors shall have panels a minimum density of 6 ounces per square foot from the bottom of the door to a height of 7 feet. Panels above 7 feet and panels in residential structures shall have a density not less than 5 ounces per square foot.

(4) Doors utilizing a cylinder lock shall have a lock receiving point at each outer edge of the door; or, if the door does not exceed 19 feet, a single bolt may be used if placed in the center of the door with the locking point located either at the floor or door frame header.

(5) Doors with slide bolt assemblies shall have frames a minimum of .120 inches of thickness, with a minimum bolt diameter of one half (1/2) inch and protrude at least one and one half (1 ½) inches into the receiving guide. A bolt diameter of three-eighths (3/8) inch may be used in a residential building. The slide bolt shall be attached to the door with non-removable bolts from the outside. Rivets shall not be used to attach slide bolt assemblies.

(6) Padlocks used with exterior mounted slide bolts shall have a hardened steel shackle locking at both heel and toe and a minimum five pin tumbler operation with non-removable key when in an unlocked position. Padlocks used with interior mounted slide bolts shall have a hardened steel shackle with a minimum 4-pin tumbler operation.

(F) **Emergency Access**

(1) Private roads and parking areas or structures controlled by unmanned mechanical parking type gates shall provide for emergency access as follows:

Radio frequency access or by providing the gate access code for distribution to emergency responders. When an access code is to be utilized, an illuminated control box is to be mounted on a control pedestal consisting of a metal post/pipe, which shall be installed at a height of 42 inches and a minimum of 15 feet (4.6m) from the entry/exit gate. It shall be located on the driver's side of the road or driveway and accessible in such a manner as to not require a person to exit their vehicle to reach it, nor to drive on the wrong side of the road or driveway, nor to require any back-up movements in order to enter/exit the gate.

(2) Non-residential multi-tenant buildings utilizing electronic access control systems on the main entry doors, and enclosed retail shopping centers shall be provided with a means to allow for police emergency access.

(3) Pedestrian gates/doors using an electromagnetic type lock shall install a key switch within a telephone/intercom console or in a control housing, or other method approved by the Building Official that will provide for police emergency access. Options include radio frequency access or providing the gate access code for distribution to emergency responders.

(4) All lockable pedestrian gates to residential recreation areas serving 6 or more dwelling units, and gates or doors to common walkways or hallways of residential complexes where there are 4 or more dwelling units within the complex, shall provide for police emergency access utilizing an approved key switch device or approved Knox box. The Knox box shall be installed adjacent to each gate/door, securely attaching it to a fence or wall or location approved by the Building Official.

(5) Pedestrian gate doors utilizing mechanical locks shall install a Knox box adjacent to each gate/door, securely attaching it to a fence or wall

(G) **Keying requirements**

Upon occupancy by the owner or proprietor, each single unit in a tract or commercial development, constructed under the same site development review,

shall have locks using combinations that are interchange free from locks used in all other separate dwellings, proprietorships, or similar distinct occupancies.

(H) **Laundry rooms or areas:** Common area laundry rooms in multi-family complexes shall be designed and protected as follows:

(1) Entry doors shall have:

(a) A minimum six hundred (600) square inch clear vision panel in the upper half of the door, consisting of ¼" tempered glass;

(b) Automatic, hydraulic door closures;

(c) Self-locking door locks equipped with a deadlocking latch allowing exiting by a single motion and openable from the inside without the use of a key or any special knowledge or effort;

(d) Non-removable hinge pins for out-swinging doors to preclude removal of the door from the exterior by removing the hinge pins; and

(e) A latch protector consisting of minimum 0.125-inch-thick steel attached to the door's exterior by non-removable bolts from the exterior. It shall be two (2) inches wide and extend a minimum of five inches above and below the strike opening and extend a minimum of one (1) inch beyond the edge of the door. It shall have a metal anti-spread pin a minimum of one-half (1/2) inch in length.

(2) The laundry room shall be illuminated at all times with a minimum maintained one-foot candle of light at floor level, using a non-interruptible power source. There shall be no light switches inside the room that control light fixtures used to meet this lighting requirement.

(3) Any portion of an openable window which is within eight (8) feet vertically or six (6) feet horizontally from any accessible surface or any adjoining roof, balcony, landing, stair tread, platform, or similar surface, or any climbable pole or tree, or any surface providing a foothold, shall be secured as required by section 1018 of the Uniform Building Security Code.

(4) The interior of laundry rooms shall be visible from the exterior along common walking or driving surfaces. Perimeter windows and interior mirrors may be utilized to meet this requirement. Laundry rooms are to be located in high activity areas with natural surveillance opportunities and not in remote or isolated locations.

(I) **Elevators**

Elevators shall be designed as follows:

Elevator cabs, the interiors of which are not completely visible when the door is open from a point centered on the 36 inches away from the door shall have shatter resistant mirrors or other equally reflective material so placed as to make visible the entire elevator cab from this point. The elevator cab shall be illuminated at all times with a minimum maintained 2-foot candles of light at floor level.

(J) **Stairways**

Except for private stairways, Stairways shall be designed as follows:

(1) Interior doors shall have glazing panels a minimum of 5 inches wide and 20 inches in height and meet requirements of the California Building Code.

(2) Areas beneath stairways at or below ground level shall be fully enclosed or access to them restricted.

(3) Enclosed stairways shall have shatter resistant mirrors or other equally reflective material at each level and landing and be designed or placed in such manner as to provide visibility around corners.

(K) **Parking structures.**

(1) Parking structures shall be designed to restrict unauthorized access.

(2) Outside stairwells shall be open and not obstructed from view

(3) Security telephones with monitoring capability shall be located on every level adjacent to pedestrian ingress/egress points. If pedestrian ingress/egress points are more than 200 feet but less than 300 feet apart, additional security telephones shall be located at the midpoint between pedestrian ingress/egress points. If pedestrian ingress/egress points are more than 300 feet apart, security telephones will be located at 100-foot intervals. Security telephones shall be visible from all vehicular and pedestrian ingress/egress points and identified with appropriate signage.

(4) Blind corners shall be provided with shatterproof convex mirrors to improve visibility for both operators of vehicles and pedestrians.

(5) Doors shall be labeled with signage meeting the requirements of section 501.2

(6) Parking structures shall have the ceiling area of each floor or tier painted and maintained white or other reflective color approved by the Building Official.

(L) **Other requirements**

(1) Storage Areas. Exterior storage area attached to a dwelling, apartment or condominium and enclosed by a door shall comply with this section or have a minimum 3/8" diameter hardened padlock hasp.

(2) Side Gates. Side gates shall be the full height of the adjacent fence or wall and be capable of being locked. Side gates shall be secured with a slide bolt mounted on the inside of the gate. The slide bolt shall have a bolt diameter of three-eighths (3/8) inch and protrude at least one and one-half (1 ½) inches into the receiving guide. The slide bolt shall be attached to the gate with non-removable bolts. Rivets shall not be used to attach slide bolt assemblies. The slide bolt shall be mounted at a height that is not accessible by reaching over the gate.

7.32.290 Section G101.4, Chapter Appendix G, Violations-Amended.

Section G101.4 is amended to read:

> **G101.4 Violations**. Any violation of a provision of this appendix, or failure to comply with a permit or variance issued pursuant to this appendix or any requirement of this appendix, shall be enforced pursuant to Chapter 7.28 Dublin Municipal Code.

7.32.300 Section G101.5, Chapter Appendix G, Designation of floodplain administrator-Amended.

Section G101.5 is amended to read:

> **G101.5 Designation of floodplain administrator**. The Building Official is designated as the floodplain administrator and is authorized and directed to enforce the provisions of this appendix. The floodplain administrator is authorized to delegate performance of certain duties to other employees of the jurisdiction. Such designation shall not alter any duties and powers of the Building Official.

Chapter 7.34

RESIDENTIAL CODE

Sections:

7.34.010 Title.
7.34.020 Purpose.
7.34.030 Adoption of Residential Codes.
7.34.040 Scope.
7.34.050 Additions, alterations and repairs-Generally.
7.34.060 Additions, alterations and repairs-Code compliance.
7.34.070 Alterations and repairs.
7.34.080 Additions.
7.34.090 Repair of roof covering.
7.34.100 Chapter R1, Division II, Administration- Deleted.
7.34.110 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement – Added.
7.34.120 Table R301.2(1), Chapter R3 – Amended.
7.34.130 Section R301.2.4 Floodplain Construction – Amended.
7.34.140 Section R313.1 Exception, Chapter R3 Automatic Fire Sprinkler Systems – Amended.
7.34.150 Section R313.2 Exception, Chapter R3 Automatic Fire Sprinkler Systems – Amended.
7.34.160 Section R319.2, Chapter R3, Site Address - Added.
7.34.170 Section R322.1 Chapter R3, General – Amended.
7.34.180 Section R337.1.1 Chapter R3, Scope – Amended.
7.34.190 Section R337.2 Chapter R3, Definitions – Amended.
7.34.200 Section R350, Chapter R3, Building Security – Added.
7.34.210 Section R403.1.3, Chapter R4, Footing and stem wall reinforcing in Seismic Design Categories D_0, D_1, D_2 – Amended.
7.34.220 Table R602.10.3(3), Chapter R6, Bracing Requirements – Amended.
7.34.230 Section R602.10.4.4, Chapter R6, Limits on methods GB and PCP – Added.
7.34.240 Section R902, Chapter 9, Fire Classification-Amended.
7.34.250 Section R1001.1.2 Chapter 10, Prohibited Installations—Added.
7.34.260 Chapters 11 through 43 are Deleted.

7.34.010 Title.

The residential codes adopted by section 7.34.030 and the provisions of this Chapter shall constitute the Dublin Residential Code and may be referred to as such.

7.34.020 Purpose.

The promotion and preservation of the public health, safety and general welfare of the people of the City and the property situated therein have made necessary the adoption of the residential codes referred to in Section 7.34.030 in order to adequately safeguard life, health, property, and general welfare. The purpose of this Code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this Code.

7.34.030 Adoption of Residential Codes.

A. The 2022 California Residential Code, Part 2.5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the International Residential Code, 2021 Edition, including Appendix Chapters AH, AQ, AX, and AZ as published by the International Code Council, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the “IRC”) are hereby adopted and incorporated by reference herein.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.34.030.A, the State Code and the IRC are amended as set forth in Sections 7.34.100 through 7.34.260.

7.34.040 Scope.

A. The provisions of this Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every detached one- and two-family dwellings, townhouse not more than three stories above grade plane in height with a separate means of egress and accessory structures not more than three stories above grade plan in height throughout the City.

Exception: The following shall be permitted to be constructed in accordance with this code where provided with automatic sprinklers systems complying with Section R313:

1: Live/work units located in townhouses and complying with requirements of Section 508.5 of the California Building Code.

2: Owner-occupied lodging houses with five or fewer guestrooms.

B. The permissive provision of this Code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule, or regulation. If two or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property, or public welfare.

C. Buildings shall be made accessible to persons with disabilities as required by Title 24 California Code of Regulation. Whenever there is a conflict between the provisions of this Code and Title 24, California Code of Regulations with respect to the accessibility of buildings, structures or spaces to persons with disabilities, the provisions of Title 24 shall prevail.

D. See the California Energy Code for energy conservation requirements, California Mechanical Code for mechanical requirements, California Plumbing Code for plumbing requirements and the California Electrical Code for electrical requirements. In addition, see the California Building Code for interior environment requirements.

7.34.050 Additions, alterations and repairs-Generally.

Buildings or structures to which additions, alterations, or repairs are made shall comply with all the requirements of this Code for new buildings or structures except as specifically provided for in this section and Sections 7.34.060 through 7.34.090.

7.34.060 Additions, alterations and repairs-Code compliance.

Additions, alterations or repairs may be made to any building or structure without requiring the existing building or structure to comply with all the requirements of this Code, provided the addition, alteration or repair conforms to that required for a new building or structure. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of this Code nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will not provide adequate egress in compliance with the provisions of this Code or will obstruct existing exits; will create a fire hazard; will reduce required fire resistance or will otherwise create conditions dangerous to human life. Any building so altered, which involves a change in use or

occupancy, shall not exceed the height, number of stories and area permitted for new buildings. Any building plus new additions shall not exceed the height, number of stories and area specified for new buildings. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provision of this Code.

7.34.070 Alterations and repairs.

A. The provisions of Section 7.34.060 shall not prohibit the alteration or repair of any legally established existing one- and two-family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress or structure accessory thereto which retains, replaces or extends the use of the original materials or continued use of original methods of construction provided such alteration or repair does not create or continue a dangerous building as defined in Section 7.28.020, a substandard building as defined in Section 7.28.090. However, such alteration or repair shall not reduce any required fire resistance below that specified by this Code, reduce the resistance to lateral forces below that specified by this Code, or increase the stress or deflection of any member so as to exceed that specified by this Code.

B. The provisions of Section 7.34.060 pertaining to additions shall not require any legally existing one- and two-family dwelling or townhouse not more than three stories above grade plane in height with a separate means of egress, or structure accessory thereto to be made to conform to the provisions of this Code solely because of the construction of the addition. However, this section shall not be constructed to permit the addition to increase the stress or deflection of any existing member so as to exceed that specified by the Building Code. Whenever an addition increases the number of occupants which must exit through the existing building, all of the exit facilities serving the increased number of occupants shall comply with the provisions of this Code.

C. Whenever a new dwelling unit is created either by new construction, or by an alteration to an existing building, separate gas and electrical meters shall be provided, except where Government Code Section 65852.22 provides an exception to such a requirement.

7.34.080 Additions.

Notwithstanding the provisions of Section 7.28.240, whenever alterations, repairs, or additions requiring a permit or one (1) or more sleeping rooms are added or created in existing Group R, Division 3 Occupancies, the entire building shall be provided with smoke alarms and carbon monoxide alarms located as required for new Group R, Division 3 Occupancies.

Furthermore, spark arrestors shall be installed on all chimneys connected to solid burning fuel-burning appliances.

7.34.090 Repair of roof covering.

Roof coverings may be repaired or replaced with materials as set forth in Section 7.32.180 of the Dublin Municipal Code.

7.34.100 Chapter R1, Division II Administration-Deleted.

Chapter R1 Division II is deleted.

7.34.110 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.

The definitions of “Substantial Damage” and “Substantial Improvement” in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

Any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designation as a historic structure.

7.34.120 Table R301.2, Chapter R3 – Amended.

Table R301.2 is amended to read:

GROUND SNOW LOAD [o]	WIND DESIGN				SEISMIC DESIGN CATEGORY [f]	
	Speed (mph)	Topographic Effects [k]	Special wind region [l]	Windborne debris zone		
N/A	92	NO	NO	NO	D_2	
SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED [h]	FLOOD HAZARDS [g]	AIR FREEZING INDEX [i]	MEAN ANNUAL TEMP [j]
Weathering [a]	Frost line depth [b]	Termite [c]				
Negligible	12"	Very Heavy	NO	9/14/1987 See FIRM	2%	58.7

MANUAL J DESIGN CRITERIA [n]						
Elevation	Altitude correction factor [e]	Coincident wet bulb	Indoor winter design relative humidity	Indoor winter design dry-bulb temperature	Outdoor Winter design dry-bulb temperature	Heating temperature difference
200	1	67	75%	68%	32	36
Latitude	Daily range	Indoor summer design relative humidity	Indoor summer design dry-bulb temperature	Outdoor summer design dry-bulb temperature	Cooling temperature difference	
38	35	75%	75%	90	15	

7.34.130 Section R301.2.4 Floodplain Construction – Amended.

Section R301.2.4 is amended to read:

Buildings and structures constructed in whole or in part in flood hazard areas (including A or V Zones) as established in Table R301.2(1), and substantial improvement and repair of substantial damage of buildings and structures in floor hazard areas, shall be designed and constructed in accordance with ASCE24. Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.

7.34.140 Section R313.1 Exception, Chapter R3 Townhouse Automatic Fire Sprinkler Systems – Amended.

Section R313.1 Exception is amended to read:

Exception: An automatic sprinkler systems shall not be required where additions or alteration are made to existing townhouses that do not have an automatic sprinkler system installed, provided that the total square footage of the existing building plus the addition does not exceed 3600 square feet (334m²). Additions or alteration that remove 50 percent or more of the existing exterior walls of a dwelling shall be considered a new dwelling for the purposes of Section R313.1.

7.34.150 Section R313.2 Exception 1, Chapter R3 One and Two-family Dwellings Automatic Fire Sprinkler Systems – Amended.

Section R313.2 Exception 1 is amended to read:

Exception: 1. An automatic residential fire sprinkler system shall not be required for additions or alteration to existing building that are not already provided with an automatic residential sprinkler system, provided that the total square footage of the existing building plus the addition does not exceed 3600 square feet (334m²). Additions or alteration that remove 50 percent or more of the existing exterior walls of a dwelling shall be considered a new dwelling for the purposes of Section R313.2.

7.34.160 Section R319.2, Chapter R3, Site Address - Added.

Section R319.2, is added to read:

R319.2 Address Location. Address shall be installed in the following locations:

1 Walkways serving six (6) or more individual units where the front entrance is not parallel to the street and driveways servicing six (6) or more individual dwelling units shall have minimum of four (4) inch high identification numbers, noting the range of unit numbers placed at the entrance to each driveway at a height between thirty-six (36) and forty-two (42) inches above grade. The address numbers shall be illuminated during the hours of darkness. The light source shall be provided with an uninterruptible AC power source or controlled only by a photoelectric device or photovoltaic powered.

2. No other number may be affixed to a structure that might be mistaken for, or confused with, the number assigned to the structure.

3. If the building is adjacent to an alley, the number shall also be placed on or adjacent to the rear gate accessing the alley.

4. For multifamily buildings with recessed entryway over 2 feet, an additional lighted address shall be placed at the entryway to the recessed area. If the recessed area provides access to more than one dwelling unit, the range of units shall be displayed.

5. Each principal building of a multifamily complex shall display the number or letter assigned to that building on each corner of the building at a height that will prevent the number from being obscured by landscaping.

6. Any building with vehicular access to the rear through a public or private alley shall display, in a clearly visible location, a highly reflective or illuminated address number a minimum of four (4) inches in height.

7. Address numbers shall not be obstructed by architectural structures such as trellises, arbors, balconies, light fixtures and or landscaping.

7.34.170 Section R322.1 Chapter R3, General – Amended.

Section R322.1 is amended to read:

R322.1 General. Buildings and structures constructed in whole or in part in flood hazard areas, including A or V Zones and Coastal A Zones, as established in Table R301.2(1), and substantial improvement and repair of substantial damage of buildings and structures in flood hazard areas, shall be designed and constructed in accordance with ASCE24 Buildings and structures that are located in more than one flood hazard area shall comply with the provisions associated with the most restrictive flood hazard area.

7.34.180 Section R337.1.1 Chapter R3, Scope – Amended.

Section R337.1.1 is amended to read:

> **R337.1.1 Scope.** Section R337 and all subsections apply to building materials, systems and or assemblies used in the exterior design and construction of new buildings located within a Wildland-Urban Interface (WUI) Fire Area as defined in Section R337.2 or adjacent to open space or undeveloped land.

7.34.190 Section R337.2 Chapter R3, Definitions – Amended.

Section 337.2 is amended to add the following definitions:

Adjacent to Open Space. Shall mean commercial parcels and residential lots which have a point of contact with open space.

Adjacent to Undeveloped Land. Shall mean commercial parcels and residential lots which have a point of contact with Undeveloped Land.

Open Space. For the purpose of this Chapter, Open Space shall mean those lands set aside to remain permanently undeveloped.

Undeveloped Land. For the purpose of this Chapter, Undeveloped Land shall mean land which is available for development, but no Tentative Map, Master

Tentative Map or Development Agreement has been approved, and any land designated for government use.

7.34.200 Section R350, Chapter R3, Building Security – Added.
Section R350 is added to read:

R350.1 Building Security. Residential building security shall be in accordance with the *Uniform Building Security Code* in addition to the following:

R350.2 **Exterior doors: Each exterior door shall be secured as follows:**

1. Exterior doors (excluding glass patio doors) and doors leading from garage areas into dwellings shall be equipped with a dead bolt lock with one-inch (1") throw.

2. Pairs of doors shall have flush bolts with a minimum throw of five-eighths inch (5/8") at the head and foot (floor and ceiling) of the inactive leaf.

3. Doorstop on a wooden jamb for an in-swing door shall be of one-piece construction with the jamb joined by a rabbet.

4. Locks shall be provided on all sliding patio doors.

5. Sliding patio glass doors opening onto patios or balconies which are less than one story above grade or are otherwise accessible from the outside shall have the moveable section of the door sliding on the inside of the fixed portion of the door or possess an approved secondary lock mounted on interior of moveable section.

6. The lock bolt on all glass patio doors shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door within the space or clearance provided for installation and operation. The strike area shall be of material adequate to maintain effectiveness of bolt strength.

R350.3 Landscaping.

1. Shrubs and ground cover shall not directly cover windows and doorways.

2. River rock used near parking lots or buildings shall be permanently affixed.

3. Backyard gates shall be the full height of the wall or fence adjacent and capable of being locked.

4. Open space and buildings shall be arranged to afford visibility and opportunity for surveillance by on-site users and passers-by.

5. Barriers, both real and symbolic, shall be designed to afford opportunities for surveillance through the barrier.

6. For residential development, walls or fences, if installed, shall be a minimum of 6 feet in height when adjacent to any of the following:
    - Reverse frontage,
    - Retention/detention areas,
    - Parks, Commercial areas,
    - Industrial areas, or
    - Bike paths.

R350.4 Garage Type (Vehicle) Doors. Garage-type doors, which are either rolling overhead, solid overhead, swinging, sliding, or accordion style doors shall conform to the following standards;

1. Wood doors shall have panels a minimum of five-sixteenths (5/16) inch in thickness with the locking hardware being attached to the support framing.

2.Aluminum doors shall be a minimum thickness of .0215 inches and riveted together a minimum of 18 inches on center along the outside seams. There shall be a full width horizontal beam attached to the main door structure which shall meet the pilot, or pedestrian access, door framing within 3 inches of the strike area of the pilot or pedestrian access door.

3. Fiberglass doors shall have panels a minimum density of 6 ounces per square foot from the bottom of the door to a height of 7 feet. Panels above 7 feet and panels in residential structures shall have a density not less than 5 ounces per square foot.

4. Doors utilizing a cylinder lock shall have a lock receiving point at each outer edge of the door; or, if the door does not exceed 19 feet, a single bolt may be used if placed in the center of the door with the locking point located either at the floor or door frame header.

5. Doors with slide bolt assemblies shall have frames a minimum of .120 inches of thickness, with a minimum bolt diameter of one half (1/2) inch and protrude at least one and one half (1 ½) inches into the receiving guide. A bolt diameter of three-eighths (3/8) inch may be used in a residential building. The slide bolt shall be attached to the door with non-removable bolts from the outside. Rivets shall not be used to attach slide bolt assemblies.

R350.5 Emergency Access. Private roads and parking areas or structures controlled by unmanned mechanical parking type gates shall provide for police emergency access as follows:

1. Radio frequency access or by providing the gate access code for distribution to emergency responders. When an access code is to be utilized, an illuminated control box shall be mounted on a control pedestal consisting of a metal post/pipe which shall be installed at a height of 42 inches and a minimum of 15 feet (4.6m) from the entry/exit gate. It shall be located on the driver's side of the road or driveway and accessible in such a manner as to not require a person to exit their vehicle to reach it, nor to drive on the wrong side of the road or driveway, nor to require any back-up movements in order to enter/exit the gate.

2. All lockable pedestrian gates to residential recreation areas serving 6 or more dwelling units, and gates or doors to common walkways or hallways of residential complexes where there are 4 or more dwelling units within the complex, shall provide for police emergency access utilizing an approved key switch device or approved Knox box.

3. Pedestrian gates/doors using an electromagnetic type lock shall install a key switch within a telephone/intercom console or in a control housing, or other method approved by the Building Official that will provide for police emergency access. See 350.5.1 for options.

4. Pedestrian gate/doors (including pedestrian gates/doors in pool enclosures and recreational facilities) utilizing mechanical locks shall install a Knox box adjacent to each gate/door, securely attaching it to a fence or wall.

R350.6 Keying requirements. Upon occupancy by the owner or proprietor, each single unit in a tract constructed under the same site development review, shall have locks using combinations that are interchange free from locks used in all other separate dwellings, proprietorships, or similar distinct occupancies.

R350.7 Other requirements

1. Storage Areas. Any exterior storage area attached to a dwelling enclosed by a door shall comply with this section or have a minimum 3/8" diameter hardened padlock hasp.

2. Side Gates. Side gates shall be the full height of the adjacent fence or wall and be capable of being locked. Side gates shall be secured with a slide bolt mounted on the inside of the gate. The slide bolt shall have a bolt diameter of three-eighths (3/8) inch and protrude at least one and one-half (1 ½) inches into the receiving guide. The slide bolt shall be attached to the gate with non-removable bolts. The slide bolt shall be mounted at a height that is not accessible by reaching over the gate.

7.34.210 Section R403.1.3, Chapter R4, Footing and stem wall reinforcing in Seismic Design Categories D_0, D_1, D_2. – Amended.

Section R403.1.3 is amended to read:

R403.1.3 Footing and stem wall reinforcing in Seismic Design Categories D_0, D_1, D_2. Concrete footings located in Seismic Design Categories D_0, D_1 and D_2, as established in Table R301.2, shall have minimum reinforcement of at least two continuous longitudinal reinforcing bars, one top and one bottom and not smaller than No. 4 bars. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

7.34.220 Table R602.10.3(3), Chapter R6, Bracing Requirements – Amended.

Table R602.10.3(3) is amended by adding a new footnote "i" to read:

i. Methods PBS, HPS, SFB and CS-SFB are not permit in Seismic Design Categories D_0, D_1, and D_2 .
j. Methods GB, DWB and PCP are not permitted in Seismic Design Categories D_0, D_1, and D_2 where S_1 is greater than or equal to 0.75.

Add the "i, j" footnote notation in the title of Table R602.10.3(3) to read:

TABLE R602.10.3(3)[i, j]

7.34.230 Section R602.10.4.5, Chapter R6, Limits on methods GB and PCP – Added.

A new Section R602.10.4.5 is added to read:

R602.10.4.5 Limits on methods GB and PCP. In Seismic Design Categories D_0, D_1, and D_2, Method GB is not permitted for use as intermittent braced wall panels, but gypsum board is permitted to be installed when required by this Section to be placed on the opposite side of the studs from other types of braced wall panel sheathing. In Seismic Design Categories D_0, D_1, and D_2, the use of Method PCP is limited to one-story single-family dwellings and accessory structures.

7.34.240 Section R902, Chapter 9, Fire Classification-Amended.

Section R902.1 is amended to read:

R902.1 Roof covering materials. Roofs shall be covered with materials as set forth in Sections R904 and R905. A minimum Class A, B or C roofing shall be installed in areas as designated below or where the edge of the roof is less than 3 feet from a lot line. Class A, B and C roofing required by this section to be listed shall be tested in accordance with UL 790 or ASTM E 108.

1. **Map of Fire Safe Roof Areas.** Figure 15-1* is a map of Fire Safe Roof areas. Said map may be amended from time to time by including areas which are annexed to the City within one of the two roofing areas. Said amendments may be made by the Building Official after consultation, with the Chief of the Fire Department or their designee having jurisdiction.

2. **Roofing Area 1.** Any new roof and any alteration, repair or replacement for buildings housing R & U-1 occupancies in Roofing Area 1 shall use roof covering material that conforms to Class B or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

3. **Roofing Area 2.** Any new roof for buildings using roof covering material that conforms to Class C or better or shall be made of concrete, ferrous or copper metal, clay, slate or similar non-combustible material.

* Editor's Note: Figure 15-1 is on file in the office of the City Clerk.

7.34.150 Section R1001.1.2 Chapter 10, Prohibited Installations—Added.

A new Section R1001.1.2 is added to read:

R1001.1.2 Prohibited Installations. It shall be unlawful to install a new wood burning fireplace or appliance that is not one of the following:

1) Pellet-fueled wood heater,
2) EPA certified wood heater,
3) Fireplace certified by EPA

7.34.260 Chapters 11 through 43 are Deleted.

Chapters 11 through 43 are deleted.

5195914.1

Chapter 7.36

ELECTRICAL CODE

Sections:

7.36.010 Title.
7.36.020 Purpose.
7.36.030 Adoption of Electrical Codes.
7.36.040 Scope.
7.36.050 Exceptions.
7.36.060 Additions, alterations and repairs.
7.36.070 Section 210.53, Office receptacle outlets-Added.

7.36.010 Title.

The buildings codes adopted by reference in Section 7.36.030 and the provisions of this Chapter shall constitute the Dublin Electrical Code and may be referred to as such.

7.36.020 Purpose.

A. The promotion and preservation of the public health, safety, and general welfare of the people of the City and the property situated therein have made necessary the adoption of the electrical codes referred to in Section 7.36.030 in order to adequately safeguard life, health, property, and general welfare.

B. The purpose of this code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this code.

7.36.030 Adoption of Electrical Codes.

A. The 2022 California Electrical Code, Part 3, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the National Electrical Code, 2020 Edition, as published by the National Fire Protection Association, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "NEC") are hereby adopted and incorporated by reference herein.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.36.030.A, the State Code and the NEC are amended as set forth in Section 7.36.080.

7.36.040 Scope.

A. The provisions of this code shall apply to the installation, erection, construction, enlargement, addition to, alteration, repair, moving, removal demolition, conversion, use, and maintenance of any electrical wiring, appliances, devices, equipment, and apparatuses used for or in connection with the transmission or use of electrical energy for light, heat, power, radio, signaling communication or for other purpose in any building, structure, or premises within the City.

B. The permissive provisions of this code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule, or regulation. If two (2) or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property or public welfare.

C. Electrical appliances and equipment shall be made accessible to the physically handicapped. Whenever there is a conflict between the provisions of this code and Title 24 California Code of Regulation, the provisions of Title 24 shall prevail.

7.36.050 Exceptions.

The provisions of this code shall not apply to:

A. Work located in a public street;

B. Electrical installations within trailer coaches, campers, motor vehicles, railroad cars and aircraft; however, if any of the foregoing are permanently placed on the ground or have their wheels removed for other than temporary repairs, they shall comply with all the provisions of the electrical code;

C. Electrical installations within houseboats or other watercrafts; however, if any of the foregoing are stored out of the water and used for any purpose whatsoever, they shall comply with all the provisions of the electrical code;

D. Electrical installations owned or operated by a public utility for the use of such utility in the generation, transmission, distribution or metering of electrical energy;

E. Radio and television receiving equipment, amateur radio transmitting and receiving equipment, and community antenna television systems.

7.36.060 Additions, alterations and repairs.

A. All work done in connection with an addition to an existing electrical installation shall conform to the applicable provisions of this code. In addition, any portion of an existing electrical installation which would become overloaded or have its capacity exceeded as determined by the standards in this code for new installation as a result of the addition shall be made to conform to the applicable provisions of this code.

B. Alterations, repairs to, or replacement of equipment in any existing electrical installation shall conform to the applicable provisions of this code except that the Building Official may allow deviations from the provisions of this code, provided

the deviations are necessary due to the circumstances of the existing conditions; the existing condition was permitted by a previous Code; and such deviation does not create or continue a hazard to life, health, and property.

7.36.070 Section 210.53, Office receptacle outlets-Added.

Section 210.53 is added to read:

210.53 Office Receptacle Outlets. In office buildings or offices exceeding ten (10) percent of the floor area of the major use, receptacle outlets shall be installed in all permanent walls or partitions of each office so that no point along the floor line any wall space is more than six (6) feet (1.83m) measured horizontally, from an outlet in that space including any wall space two (2) feet (610 mm) or more in width and the wall space occupied by sliding panels in exterior walls.

As used in the section a "wall space" shall be considered a wall unbroken along the floor line by doorways, fireplaces and similar openings. Each wall space two (2) or more feet (610 mm) wide shall be treated individually and separately from other wall spaces within the room. A wall space shall be permitted to include two or more walls of a room (around corners) where unbroken at the floor line.

As used in this section “office space” means an enclosed office space with hard walls. Open office floor plans are not affected by this section.

Receptacle outlets shall, insofar as practicable be spaced equal distances apart. Receptacle outlets in floors shall not be counted as part of the required number of receptacle outlets unless located near the wall.

The receptacle outlets required by the section shall be in addition to any receptacle that is part of any lighting fixture or appliance, located within cabinets or cupboards, or located over five and one-half (5 ½) feet (1.68 m) above the floor.

5195936.1

Chapter 7.40

PLUMBING CODE

Sections:

7.40.010 Title.
7.40.020 Purpose.
7.40.030 Adoption of Plumbing Codes.
7.40.040 Scope.
7.40.050 Exceptions.
7.40.060 Additions, alterations and repairs.
7.40.070 Chapter 1, Division II, Administration–Deleted.
7.40.080 Section 609.3, Chapter 6, Water piping in slab floors–Amended.

7.40.010 Title.

The plumbing codes adopted by reference in Section 7.40.030 and the provisions of this Chapter shall constitute the Dublin Plumbing Code and may be referred to as such.

7.40.020 Purpose

A. The promotion and preservation of the public health, safety and general welfare of the people of the City and the property situated therein have made necessary the adoption of the plumbing codes referred to in Section 7.40.030 in order to adequately safeguard life, health, property, and general welfare.

B. The purpose of this code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this code.

7.40.030 Adoption of Plumbing Codes.

A. The 2022 California Plumbing Code, Part 5, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the Uniform Plumbing Code, 2021 Edition, including Appendix Chapters A, B, D, H, and I, as published by the International Association of Plumbing and Mechanical Officials, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "UPC") are hereby adopted and incorporated by reference herein.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.40.030.A, the State Code and the UPC are amended as set forth in Sections 7.40.070 through 7.40.080 of this Chapter.

7.40.040 Scope.

A. The provisions of this code shall apply to the installation, erection, construction, enlargement, addition to, alteration, repair, movement, relocation, replacement removal, demolition, conversion, use, and maintenance of any plumbing installation, gas or drainage piping installation or any fixture or water heating or treating equipment, or maintenance of plumbing systems in any building, structure, or premises within the City.

B. The permissive provisions of this code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule, or regulation. If two (2) or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property, or public welfare.

C. Plumbing fixtures and equipment shall be made accessible to the physically handicapped. Whenever there is a conflict between the provisions of this code and Title 24, California Code of Regulations, the provisions of Title 24 shall prevail.

7.40.050 Exceptions.

The provisions of the plumbing code shall not apply to:

A. Work located in a public street:

B. Plumbing systems within trailer coaches, campers, motor vehicles, railroad cars and aircraft: however, if any of the foregoing are permanently placed on the ground or have their wheels removed for other than temporary repairs, they shall comply with all the provisions of the plumbing code:

C. Plumbing systems within houseboats or other watercraft; however, if any of the foregoing are stored out of water and used for any purpose whatsoever, they shall comply with all the provisions of the plumbing code;

D. Building sewers as defined in Chapter 2 of the California Plumbing Code located within the boundaries of a sanitary district and such district has regulations for building sewers and such regulations are in force;

E. Sewage treatment and collection facilities of a sanitary district;

F. Water treatment, storage, transmission and distribution facilities of a water district or water company regulated by the Public Utilities Commission:

G. Gas storage, transmission and distribution facilities owned by a public utility:

H. Wells and water supply systems for irrigation and watering livestock provided such water is not used for human consumption.

7.40.060 Additions, alterations and repairs.

A. All work done in connection with an addition to an existing plumbing installation shall conform to the applicable provisions of this code. In an addition, any portion of an existing plumbing installation that would become overloaded or have its capacity exceeded as determined by the standards in this code for new installation as a result of the addition shall be made to conform to the applicable provision of this code.

B. Alterations, repairs to, or replacement of equipment in any existing plumbing installation shall conform to the applicable provisions of this code except that the Building Official may allow deviations from the provisions of this code, provided the

deviations are necessary due to the circumstance of the existing conditions; the existing condition was permitted by a previous code; and such deviation does not create or continue a hazard to life, health and property.

7.40.070 Chapter 1 Division II Administration–Deleted.

Chapter 1 Division II is deleted.

7.40.080 Section 609.3, Chapter 6, Under Concrete Slab–Amended.

Section 609.3, first paragraph, is amended by replacing it to read:

> Section 609.3 Water piping shall not be installed in or under a concrete floor slab within a building without prior approval of the Building Official. When approved, such piping shall be installed in accordance with the following requirements:

Chapter 7.44

MECHANICAL CODE

Sections:

7.44.010 Title.
7.44.020 Purpose.
7.44.030 Adoption of Mechanical Codes.
7.44.040 Scope.
7.44.050 Exceptions.
7.44.060 Additions, alterations and repairs.
7.44.070 Chapter 1, Division II, Administration–Deleted.

7.44.010 Title

The mechanical codes adopted by reference in Section 7.44.030 and the provisions of this Chapter shall constitute the Dublin Mechanical Code and may be referred to as such.

7.44.020 Purpose.

A. The promotion and preservation of the public health, safety and general welfare of the people of the City and the property situated therein have made necessary the adoption of the mechanical codes referred to in Section 7.44.030 in order to adequately safeguard life, health, property, and general welfare.

B. The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

7.44.030 Adoption of Mechanical Codes.

A. The 2022 California Mechanical Code, Part 4, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the Uniform Mechanical Code, 2021 Edition, including Appendix Chapters B, and C , as published by the International Association of Plumbing and Mechanical Officials, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "UMC") are hereby adopted and incorporated by reference herein.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.44.030.A, the State Code and the UMC are amended as set forth in Section 7.44.070.

7.44.040 Scope.

A The provisions of this code shall apply to the installation, erection, construction, enlargement, addition to, alteration, repair, movement, relocation, removal, demolition, replacement, conversion, use, and maintenance of any heating, ventilating, comfort cooling, refrigeration systems, incinerators or other heat producing appliances, mechanical systems in any building, structure, or premises within the City.

B. The permissive provisions of this code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule or regulation. If two (2) or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property or public welfare.

C. Mechanical appliances and equipment shall be made accessible to the physically handicapped as required by Title 24 California Code of Regulations. Whenever there is a conflict between the provisions of this code and Title 24, California Code of Regulations, the provisions of Title 24 shall prevail.

7.44.050 Exceptions

The provisions of the mechanical code shall not apply to:

A. Work located in a public street;

B. Heating, ventilation, comfort cooling, refrigeration systems, incinerators or other heating or cooling appliances within trailer coaches, campers, mobile homes, motor vehicles and airplanes: however, if any of the foregoing are permanently placed on the ground or have their wheels removed for other than temporary repairs, they shall comply with all the provisions of this code;

C. Heating, ventilating, comport cooling, refrigeration systems, incinerators or other heating or cooling appliances within houseboats or other watercraft: however, if any of the foregoing are stored out of water and used for any purpose whatsoever, they shall comply with all the provisions of this code.

7.44.060 Additions, alterations and repairs.

A. All work done in connection with an addition to an existing mechanical installation shall conform to the applicable provisions of this code. In addition, any portion of an existing mechanical installation which would become overloaded or have its capacity exceeded as determined by the standards in this code for new installations as a result of the addition shall be made to conform to the applicable provisions of this code.

B. Alterations, repairs to, or replacement of equipment in any existing mechanical installation shall conform to the applicable provisions of this code except that the Building Official may allow deviations from the provisions of this code, provided the deviations are necessary due to the circumstance of the existing condition; the existing condition was permitted by a previous code; and such deviation does not create or continue a hazard to life, health and property.

7.44.070 Chapter 1, Division II, Administration–Deleted.

Chapter 1, Division II, is deleted.

Chapter 7.45

SWIMMING POOL AND SPA CODE

7.45.010 Title
7.45.020 Purpose.
7.45.030 Adoption.
7.45.040 Scope.
7.45.050 Exceptions
7.45.060 Amendments to the International Swimming Pool and Spa Code.
7.45.070 Sections 101 through 109, and Sections 111 through 114, Chapter 1, Scope and Administration-Deleted.
7.45.080 Chapter 2, Definitions - Added.
7.45.090 Chapter 2, Definitions - Amend.
7.45.100 Section 303, Chapter 3, Energy - Amended.
7.45.110 Section 304.2, Chapter 3, Determination of impacts based on locations - Amended.
7.45.120 Section 305.2, Chapter 3, Outdoor Swimming Pools and Spas - Amended.
7.45.130 Section 318.4, Chapter 3, Water Conservation - Added.
7.45.140 Section 901.2, Chapter 9, General - Deleted.
7.45.150 Section 1101.1, Chapter 11, Referenced Codes and Standards - Added.
7.45.160 Section 1101.2, Chapter 11, Application of Codes- Added.
7.45.170 Chapter 11, Referenced Standard-ANSI/APSP/ICC-13-2017 - Added.

7.45.010 Title

The International Swimming Pool and Spa Code adopted by Section 7.45.030 and the provisions of this chapter is the City swimming pool and spa code and may be cited as such and will be referred to in the International Swimming Pool and Spa Code and in this chapter as “this code.”

7.45.020 Purpose.

A. The purpose of this code is to establish minimum requirements to provide a reasonable level of safety, health, property protection and general welfare by regulating and controlling the design, construction, installation, quality of materials, location and maintenance or use of pools and spas.

B. The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

7.45.030 Adoption.

The 2021 International Swimming Pool and Spa Code, as published by the International Code Council a copy of which have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4 et seq. of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin. except as hereinafter modified in Sections 7.45.060 through 7.45.170

7.45.040 Scope.

A The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools, and spaces. The pools and spas covered by these codes are either permanent or temporary and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing, or wading.

B. The permissive provisions of this code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule or regulation. If two (2) or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property or public welfare.

C. Swimming Pool Safety Act. The provisions contained in Appendix Chapter AX of the California Residential Code are mandatory to reflect the Swimming Pool Safety Act found in Health and Safety Code Section s115920 through 115929. Note: See Chapter 31, Section 3109 of the California Building Code.

7.45.050 Exceptions

The provisions of the swimming pool and spa code shall not apply to:

A. Flotation tank systems intended for sensory deprivation therapy.

7.45.060 Amendments to the International Swimming Pool and Spa Code.

The text of the International Swimming Pool and Spa Code, as adopted by section 7.45.030, is further amended to conform to the California Building Standards Code as follows:

Delete the following references	Insert the following references
International Building Code	California Building Code
International Residential Code	California Residential Code
International Mechanical Code	California Mechanical Code
National Electrical Code or NFPA 70	California Electrical Code
International Fire Code	California Fire Code
International Plumbing Code	California Plumbing Code

International Existing Building Code	California Existing Building Code
International Zoning Code	Zoning Ordinance of the City of Dublin
International Energy Conservation Code	California Energy Code
International Fuel Gas Code	California Plumbing Code
Name of jurisdiction	City of Dublin
Code official	Building Official
"in accordance with Section 102.7 and this section."	"this section."

7.45.070 Sections 101 through 109, and Sections 111 through 114, Chapter 1, Scope and Administration-Deleted.

Sections 101 through 109, and Sections 111 through 114, Chapter 1 are deleted.

7.45.080 Chapter 2, Definitions - Added.

The following definitions are added to read:

ANSI/APSP Performance Standard. ANSI/APSP performance standard means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).

Approved Safety Pool Cover. Approved safety pool cover means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society of Testing and Materials (ASTM), in compliance with standard F1346-91.

Enclosure. Enclosure means a fence, wall, or other barrier that isolates a swimming pool from access to the home.

Exit Alarms. Exit alarms means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, in opened or is left ajar. Exist alarms may be battery operated or may be connected to the electrical wiring of the building.

Swimming Pool or Pool. Swimming pool of pool means any structure intended for swimming or recreational bathing that contains water over eighteen (18) inches deep. Swimming pool shall include in-ground and above ground structures and includes, but is not limited to, hot tubs, spaces, portable spas, and nonportable wading pools.

7.45.090 Chapter 2, Definitions - Amend.

The following definitions are amended to read:

Public swimming pool. Public swimming pool means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the ground of a private single-family home.

Suction Outlet. Suction outlet means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.

7.45.100 Section 303, Chapter 3, Energy - Amended.

Section 303. is deleted in its entirety and amended to read:

303 Energy. All pool and spa energy consumption shall meet the requirements in the California Energy Code.

7.45.110 Section 304.2, Chapter 3, Determination of impacts based on locations - Amended.

Section 304.2. is amended to read:

304.2 Determination of impacts based on location. Pools and spas in flood hazard areas indicated with in the City of Dublin shall comply with 304.2.1 or 304.2.2.

The remainder of section 304.2 is unchanged.

7.45.120 Section 305.2, Chapter 3, Outdoor Swimming Pools and Spas - Amended.

Section 305.2 is amended to read:

305.2 Outdoor swimming pools and spas. Other than those facilities regulated by the Swimming Pool Safety Act (Health and Safety Codes Sections 115920 through 115929), all outdoor pools and spas and indoor swimming pools shall be surrounded by a barrier that complies with Sections 305.2.1 through 305.7

7.45.130 Section 318.4, Chapter 3, Water Conservation - Added.

Section 318.4 is added to read:

318.4, Water conservation. Water conservation efficiency in residential and public pools, spas, portable spas, and swim spas shall be provided for in accordance with APSP 13.

7.45.140 Section 901.2, Chapter 9, General - Deleted.

Section 901.2 is deleted.

7.45.150 Section 1101.1, Chapter 11, Referenced Codes and Standards - Added.

Section 1101.1 is added to read:

1101.1 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in this chapter and such codes and standards shall be considered to be part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provision of this code shall be the minimum requirements.

7.45.160 Section 1101.2, Chapter 11, Application of Codes- Added.

Section 1101.2 is added to read:

1101.2 Application of Codes. Where the Residential Code is referenced in this code, the provisions of the Residential Code shall apply to related systems in detached one- and two-family dwellings and townhouses not more than three stories in height. Other related systems shall comply with the applicable Code or referenced standard.

7.45.170 Chapter 11, Referenced Standard-ANSI/APSP/ICC-13-2017 - Added.

Referenced standard ANSI/APSP/ICC-13-2017 is added to Chapter 11

Standard Acronym	Standard Name	Sections Herein Referenced
ANSI/APSP/ICC-13-2017	American National Standard for Water Conservation Efficiency in Residential and Public Pools, space, Portable Spas and Swim Spas	318.4

5196125.1

Chapter 7.46

EXISTING BUILDING CODE

Sections:

7.46.010 Title.
7.46.020 Purpose.
7.46.030 Adoption of Existing Building Codes.
7.46.040 Scope.
7.46.050 Exceptions.
7.46.060 Applicability.
7.46.070 Chapter 1 Division II, Administration-Deleted.
7.46.080 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.
7.46.090 Chapters 6 through 13-Deleted.

7.46.010 Title.

The building codes adopted by section 7.46.030 and the provisions of this Chapter shall constitute the Dublin Existing Building Code and may be referred to as such.

7.46.020 Purpose.

The intent of this code is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to provide a reasonable level of safety, health, property protection and general welfare insofar as they are affected by the repair, alteration, change of occupancy, addition and relocation of existing buildings. The purpose of this Code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this Code.

7.46.030 Adoption of Existing Building Code.

A. The 2022 California Existing Building Code, Part 10, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto including the International Existing Building Code, 2021 Edition, including Appendix Chapter A, as published by the International Code Council, and as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, (hereinafter referred to as the "IEBC") are hereby adopted and incorporated by reference herein.

The codes and standards referenced in this code shall be considered part of this code to the prescribed extent of each such reference. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code or the Building, Mechanical, Plumbing, Housing, Fire or

Energy Codes, the provisions of these codes as applicable, shall take precedence over the provisions in the referenced code or standard.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.46.030.A, the State Code and the IEBC are amended as set forth in Sections 7.46.070 through 7.46.090.

7.46.040 Scope.

A. The provisions of this Code shall apply to repair, alteration, change of occupancy, addition to and relocation of existing buildings.

B. The permissive provision of this Code shall not be presumed to waive any limitations imposed by any other law, ordinance, rule, or regulation. If two or more pertinent limitations are not identical, those limitations shall prevail which provide greater safety to life, health, property, or public welfare.

C. Where work regulated by this code is also regulated by the construction requirements for existing buildings in Chapter 11 of the Fire Code, such work shall comply with applicable requirements of both codes.

D. Buildings shall be made accessible to persons with disabilities as required by Title 24 California Code of Regulation. Whenever there is a conflict between the provisions of this Code and Title 24, California Code of Regulations with respect to the accessibility of buildings to persons with disabled, the provisions of Title 24 shall prevail.

7.46.050 Exceptions.

The provisions of this Code shall not apply to:

Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the Residential Code.

7.46.060 Applicability.

This code shall apply to the repair, alteration, change of occupancy, addition and relocation of existing buildings, regardless of occupancy, subject to the criteria of Sections 7.46.060 A and 7.46.060 B.

A. **Buildings not previously occupied**. A building or portion of a building that has not been previously occupied or used for its intended purpose, in accordance with the laws in existence at the time of its completion, shall be permitted to comply with the provisions of the laws in existence at the

time of its original permit unless such permit has expired, Subsequent permits shall comply with the Building or Residential Codes, as applicable, for new construction.

B. **Buildings previously occupied.** The legal occupancy of any building existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Fire Code, or the Building Maintenance Code, or as is deemed necessary by the Building Official for the general safety and welfare of the occupants and the public.

7.46.070 Chapter 1 Division II, Administration-Deleted.

Chapter 1 Division II is deleted.

7.46.080 Section 202, Chapter 2, Definitions of Substantial Damage and Substantial Improvement.

The definitions of “Substantial Damage” and “Substantial Improvement” in Section 202 of the State Code are amended to read as follows:

Substantial Damage. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. The term also includes flood-related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

Substantial Improvement. Any one or more or any combination of repair, reconstruction, rehabilitation, alterations, addition or other improvement of a building or structure taking place during a 10-year period, the cumulative cost of which equals or exceeds 50 percent of the market value of the structure before the improvement or repair is started. For each building or structure, the 10-year period begins on the date of the first permit issued for improvement or repair of that building or structure subsequent to January 1, 2023. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, included either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure’s continued designation as a historic structure.

7.46.090 Chapters 6 through 13-Deleted.

Chapters 6 through 13 are deleted.

5196169.1

Chapter 7.48

BUILDING MAINTENANCE CODE

Sections:

7.48.010 Title.
7.48.020 Purpose.
7.48.030 Adoption.
7.48.040 Scope.
7.48.050 Amendments to the International Property Maintenance Code.
7.48.060 Chapter 1, Scope and Administration-Deleted.
7.48.070 Sections 302.2, 302.3, 302.4 and 302.8, Chapter 3, Exterior Property Areas – Deleted.
7.48.080 Section 303.2, Chapter 3, Enclosures – Amended.
7.48.090 Section 304.14, Chapter 3, Insect Screens – Amended.
7.48.100 Section 304.16, Chapter 3, Under-Floor areas – Amended.
7.48.110 Sections 308.2.1.1, Chapter 3, Garbage Receptacles – Added.
7.48.120 Sections 309.1 and 309.2, Chapter 3, Pest Elimination – Amended.
7.48.130 Section 310.1 and 310.2, Chapter 3, Sanitation – Added.
7.48.140 Section 311, Chapter 3, Caretaker – Added.

7.48.010 Title.

The International Property Maintenance Code adopted by Section 7.48.030 and the provisions of this chapter are the City building maintenance code and may be cited as such and will be referred to in the International Property Maintenance Code and in this chapter as "this code."

7.48.020 Purpose.

A. The promotion and preservation of the public health, safety, and general welfare of the people of the City and the property situated therein have made necessary the adoption of the International Property Maintenance Code referred to in Section 7.48.030 in order to adequately safeguard life, health, property, and general welfare.

B. The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.

7.48.030 Adoption.

The 2022 International Property Maintenance Code, including Appendix Chapter A, as published by the International Code Council a copy of which have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4 et seq. of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which the ordinance codified in this chapter shall take effect, the provisions

thereof shall be controlling within the limits of the City of Dublin. except as hereinafter modified in Sections 7.48.050 through 7.48.140.

7.48.040 Scope.

A. The provisions of this code shall apply to all buildings or portions thereof used, or designed or intended to be used, for human habitation. Such occupancies in existing buildings may be continued as provided in Section 7.28.240, except such as are found to be substandard as defined in this code.

B. Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this code shall apply to the separate portions as if they were separate buildings. Every rooming house or lodging house shall comply with all the requirements of this code for dwellings.

7.48.050 Amendments to the International Property Maintenance Code.

The text of the International Property Maintenance Code, as adopted by section 7.48.030, is further amended to conform to the California Building Standards Code as follows:

Delete the following references	**Insert the following references**
International Building Code	California Building Code California Residential Code
International Mechanical Code	California Mechanical Code
National Electrical Code or NFPA 70	California Electrical Code
International Fire Code	California Fire Code
International Plumbing Code	California Plumbing Code
International Existing Building Code	California Existing Building Code
International Zoning Code	Zoning Ordinance of the City of Dublin
International Fuel Gas Code	California Plumbing Code
Name of jurisdiction	City of Dublin

7.48.060 Chapter 1, Scope and Administration-Deleted.

Chapter 1 is deleted.

7.48.070 Sections 302.2, 302.3, 302.4 and 302.8, Chapter 3, Exterior Property Areas – Deleted.

Sections 302.2, 302.3, 302.4 and 302.8. are deleted

7.48.080 Section 303.2, Chapter 3, Enclosures – Amended.

Section 303.2 is amended to read:

> **303.2 Enclosures.** Private swimming pools, hot tubs, and spas enclosures shall meet the requirements of Section 3109.2 California Building Code, California Swimming Pool Safety Act and 7.45.120.

7.48.090 Section 304.14, Chapter 3, Insect Screens – Amended.

304.14 Insect screens. Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm), and every screen door used for insect control shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

7.48.100 Section 304.16, Chapter 3, Under-Floor areas – Amended.

Section 304.16 is amended to read:

304.16 Under-Floor areas. Under-floor access doors and ventilation openings shall be maintained to prevent the entrance of rodents, rain and surface drainage water. Doors shall be tight fitting and ventilation openings shall be properly screened with corrosion-resistant wire mesh having openings not exceeding 1/4 inch in any dimension or alternate approved materials pursuant to current CBC 1203.4.1.

7.48.110 Sections 308.2.1.1, Chapter 3, Garbage Receptacles – Added.

Section 308.2.1.1 is added to read:

308.2.1.1 Garbage Receptacles. An adequate number of appropriate receptacles with close fitting covers for garbage and rubbish as may be considered necessary by the enforcing agency shall be provided for the occupant of every dwelling unit by the owner or operator of every apartment house, hotel, or combination thereof. Each receptacle shall be kept in a clean condition and good repair.

7.48.120 Sections 309.1 and 309.2, Chapter 3, Pest Elimination – Amended.

Sections 309.1 and 309.2 are amended to read:

309.1 Infestation. All structures shall be kept free from insect, rodent and vermin infestation. When an insect, rodent or vermin infestation is brought to the attention of the code official, he or she may require the owner or agent having charge or control of the building, lot or premises to hire a licensed exterminator or other qualified professional to inspect the building, lot or premises and provide a written report verifying the presence and severity of such infestation including in the report a recommendation for proper extermination of the infestation. All structures in which insect, rodent or vermin infestations are found shall be promptly exterminated by approved processes that will not be injurious to human health. After the extermination of the infestation is complete, the code official may request

a written notice from the licensed exterminator or other qualified professional attesting to the completion and success of the recommended extermination procedures. After the infestation is eliminated, proper precautions shall be taken to prevent reinfestation.

309.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure. The owner of a structure or premises containing a dwelling unit, multiple occupancy, rooming house or a nonresidential structure shall be responsible for maintaining the structure and premises in a rodent or pest-free condition. If an infestation is caused by an occupant substantially failing to properly maintain their occupied area of the structure or premises as clean and sanitary as the condition of the structure or premises permits, the occupant and owner shall be responsible for pest elimination. For as long as the occupant's failure either substantially causes an unlivable condition to occur, or substantially interferes with the owners' ability to remedy the condition, the owner does not have to remedy the condition. Where the infestation is caused by defects in the structure, the owner shall be responsible for extermination.

7.48.130 Section 310.1 and 310.2, Chapter 3, Sanitation – Added.

Sections 310.1 is added to read

310.1 Bedding. In every room for rent, apartment house or hotel every part of every bed, including the mattress, sheets, blankets, and bedding shall be kept in a clean, dry and sanitary condition, free from filth, urine, or other foul matter; and from infection of lice, bed-bugs, or other insects. The bed linen shall be changed before a new guest occupies the dwelling unit.

7.48.140 Section 311, Chapter 3, Caretaker – Added.

Section 311.1 is added to read

311 Caretaker. A manager, janitor, housekeeper, or other responsible person shall reside upon the premises and shall have charge of every apartment house in which there are sixteen (16) or more apartments and of every hotel in which there are twelve (12) or more guest rooms, in the event that the owner of any such apartment house or hotel does not reside upon said premises. If the owner does not reside upon the premises of an apartment house in which there are more than four (4) but less than sixteen (16) apartments, a notice stating his name and address, or name and address of his agent shall be posted in a conspicuous place on the premises.

5196173.1

Chapter 7.94

GREEN BUILDING

Sections:

7.94.010 Title.
7.94.020 Purpose.
7.94.030 Adoption of the Green Building Code.
7.94.040 Scope.
7.94.050 Section 202, Chapter 2 Definitions – Amended.
7.94.060 Section 4.106.4 Electric vehicle (EV) charging for new construction – Deleted and Replaced.
7.94.070 Sections 4.106.5, 4.106.5.1, and 4.106.5.2 All Electric Buildings – Added.
7.94.080 Section 4.107.1, Division 4.1, Chapter 4, Future access for solar systems-Added.
7.94.090 Sections 5.106.5.3 and 5.106.5.3.1 Electric vehicle (EV) charging. – Deleted and Replaced.
7.94.100 Section 5.106.13, 5.106.13.1 and 5.106.13.2 All electric buildings. – Added.
7.94.110 Section 5.107.1, Division 5.1, Chapter 5, Future access for solar systems-Added.

7.94.010 Title.

The green building standards codes adopted by Section 7.94.030 and the provisions of this Chapter shall constitute the Dublin Green Building Code and may be referred to as such.

7.94.020 Purpose.

A. To improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices in the following categories:

1. Planning and design
2. Energy efficiency
3. Water efficiency and conservation
4. Material conservation and resource efficiency
5. Environmental quality

B. The purpose of this Code is not to create or otherwise establish or designate any particular class or groups of persons who will or should be especially protected or benefited by the terms of this Code.

7.94.030 Adoption of the Green Building Code.

A. The 2022 California Green Building Standards Code, Part 11, Title 24 of the California Code of Regulations, a portion of the California Building Standards Code, as defined in the California Health and Safety Code Section 18901 et. seq. (hereinafter referred to as the "State Code"), and any rules and regulations promulgated pursuant thereto, as referenced in and adopted pursuant to California Health and Safety Code Sections 17922 and 18935, are hereby adopted and incorporated by reference herein.

Copies of the adopted codes have been and are now filed in the Office of the Building Official, 100 Civic Plaza, Dublin, California, for use and examination by the public. Said codes are adopted by reference pursuant to Section 50022.4, et seq., of the Government Code of the State of California, and the codes are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Dublin.

B. Notwithstanding the provisions of Section 7.94.030.A, the State Code is amended as set forth in Sections 7.94.050 through 7.94.080.

7.94.040 Scope.

A. The provisions of this Code shall apply to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure, unless otherwise indicated in this Code, within the City.

B. It is not the intent that this Code substitute or be identified as meeting the certification requirements of any green building program.

7.94.050 Section 202, Chapter 2 Definitions – Amended.

The following definitions are hereby added to Section 202 of the State Code to read as follows:

ALL-ELECTRIC BUILDING. A building that contains no combustion equipment or plumbing for combustion equipment within the building or building property lines, and instead uses electric appliances for service.

COMMERCIAL FOOD HEAT-PROCESSING EQUIPMENT. Equipment used in a food establishment for heat-processing food or utensils and that produces grease vapors, steam, fumes, smoke, or odors that are required to be removed through a local exhaust ventilation system, as defined in the California Mechanical Code.

COMBUSTION EQUIPMENT. Any equipment or appliance used for space heating, water heating, cooking, clothes drying and/or lighting that uses fuel gas.

ELECTRIC HEATING APPLIANCE. A device that produces heat energy to create a warm environment by the application of electric power to resistance elements, refrigerant compressors, or dissimilar material junctions, as defined in the California Mechanical Code.

FUEL GAS. A gas that is natural, manufactured, liquefied petroleum, or a mixture of these.

7.94.060 Section 4.106.4 Electric vehicle (EV) charging for new construction – Deleted and Replaced.

Section 4.106.4 is deleted and replaced with Section A4.106.8 to read:

A4.106.8 Electric vehicle (EV) charging for new construction is adopted as mandatory at the Tier 2 level.

7.94.070 Sections 4.106.5, 4.106.5.1, and 4.106.5.2 All Electric Buildings – Added.

Sections 4.106.5, 4.106.5.1, and 4.106.5.2 are added to read:

4.106.5 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 4.106.5.1 or 4.106.5.2 so that they do not use combustion equipment or are ready to accommodate installation of electric heating appliances.

4.106.5.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Qualifying alteration projects shall be limited to additions or alterations that remove 50 percent or more of the existing exterior walls of a dwelling and additions that increase the square footage of the structure by more than 50 percent.

The final determination whether a project meets the definition of a qualifying alteration project shall be made by the Building Official

Exception:

If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the Building Official may grant a modification. The applicant shall comply with the following and Section 4.106.5.2.

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, have a

meter installed, or otherwise used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The Building Official shall have the authority to approve alternative materials and methods of construction as per the Dublin Municipal Code, Chapter 7.28.

4.106.5.2 Requirements for combustion equipment.
Where combustion equipment is allowed under subsection 4.106.5.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

7.94.080 Section 4.107.1, Division 4.1, Chapter 4, Future access for solar systems-Added.

A new Section 4.107.1 is added to read:

4.107.1 Future Access for Solar Systems. A minimum one-inch (25.4 mm) electrical conduit shall be provided from the electrical service equipment to the solar zone as defined by the California Energy Code, Title 24, Part 6, Section 110.10. Where a solar zone is not required by the California Energy Code, the conduit location shall be subject to approval of the Building Official.

Exception: Where solar is installed as part of the original construction and prior to first occupancy.

7.94.090 Sections 5.106.5.3 and 5.106.5.3.1 Electric vehicle (EV) charging. – Deleted and Replaced.

Sections 5.106.5.3 and 5.106.5.3.1 are deleted and replaced with Section A5.106.5.3 to read:

Section A5.106.5.3 Electric vehicle (EV) charging for new construction is adopted as mandatory at the Tier 2 level.

7.94.100 Section 5.106.13, 5.106.13.1 and 5.106.13.2 All electric buildings. – Added.

Section 5.106.13, 5.106.13.1 and 5.106.13.5.2 are added to read:

5.106.13 All-electric buildings. New construction buildings and qualifying alteration projects shall comply with Section 5.106.13.1 or 5.106.13.2 so that they do not use combustion equipment or are ready to facilitate future electrification.

5.106.13.1. New construction and qualifying alteration projects. All newly constructed buildings shall be all-electric buildings. Qualifying alteration projects shall be limited to additions or alterations that remove 50 percent or more of the existing exterior walls of a structure and additions that increase the square footage of the structure by more than 50 percent.

Tenant improvements shall not be considered new construction. The final determination whether a project meets the definition of qualifying alteration project shall be made by the Building Official.

Exceptions:

1. Nonresidential buildings containing kitchens located in a place of public accommodation, as defined in the California Building Code Chapter 2, may apply to the Building Official for a modification to install commercial food heat-processing equipment served by fuel

gas. The Building Official may grant the modification, provided the following findings are made:

a) The applicant has a business-related need to cook with combustion equipment; and
b) The applicant has installed energy efficient equipment based on Energy Star or California Energy Wise qualifications, as available.
c) The applicant will comply with Section 5.106.13.2.

2. If the applicant establishes that there is not an all-electric prescriptive compliance pathway for the building under the California Building Energy Efficiency Standards, and that the building is not able to achieve the performance compliance standard applicable to the building under the Energy Efficiency Standards using commercially available technology and an approved calculation method, then the Building Official may grant a modification. The applicant shall comply with following and Section 5.106.13.2

Inactive Fuel Gas Infrastructure may be extended to spaces that are anticipated to qualify for the exceptions contained in this chapter. The inactive Fuel Gas Infrastructure shall not be activated, have a meter installed, or otherwise be used unless the exemptions specified in this chapter have been confirmed as part of the issuance of a building permit. If the Fuel Gas Infrastructure is no longer serving one of the exceptions contained in this chapter, it shall either be capped, otherwise terminated, or removed by the entity previously entitled to the exemption, in a manner pursuant to all applicable Codes.

The Building Official shall have the authority to approve alternative materials and methods of construction as per the Dublin Municipal Code, Chapter 7.28.

5.106.13.2. Requirements for combustion equipment.

Where combustion equipment is allowed under Subsection 5.106.13.1, the construction drawings shall indicate electrical infrastructure and physical space accommodating the future installation of an electrical heating appliance in the following ways, as certified by a registered design professional or licensed electrical contractor:

1. Branch circuit wiring, electrically isolated and designed to serve all electrical heating appliances in accordance with manufacturer requirements and the California Electrical Code, including the appropriate voltage, phase, minimum amperage, and an electrical receptacle or junction box within five feet of the appliance that is accessible with no obstructions. Appropriately sized conduit may be installed in lieu of conductors; and

2. Labeling of both ends of the unused conductors or conduit shall be with “For Future Electrical Appliance”; and

3. Reserved circuit breakers in the electrical panel for each branch circuit, appropriately labeled (i.e. “Reserved for Future Electric Range”), and positioned on the opposite end of the panel supply conductor connection; and

4. Connected subpanels, panelboards, switchboards, busbars, and transformers shall be sized to serve the future electrical heating appliances. The electrical capacity requirements shall be adjusted for demand factors in accordance with the California Electric Code; and

5. Physical space for future electrical heating appliances, including equipment footprint, and if needed a pathway reserved for routing of ductwork to heat pump evaporator(s), shall be depicted on the construction drawings. The footprint necessary for future electrical heating appliances may overlap with non-structural partitions and with the location of currently designed combustion equipment.

7.94.110 Section 5.107.1, Division 5.1, Chapter 5, Future access for solar systems-Added.

A new Section 5.107.1 is added to read:

5.107.1 Future Access for Solar Systems. Install conduit from the solar zone as defined by the California Energy Code, Title 24, Part 6, Section 110.10 to a location within the building identified as suitable for future installation of a charge controller (regulator) and inverter.

Exception: Where solar is installed as part of the original construction and prior to first occupancy.

5196068.1

STAFF REPORT
CITY COUNCIL

DATE: November 1, 2022

TO: Honorable Mayor and City Councilmembers

FROM: Linda Smith, City Manager

SUBJECT: Updates to the City's Construction and Fire Codes in Accordance with Requirements of State Law
Prepared by: Gregory Shreeve Sr., Chief Building Official

EXECUTIVE SUMMARY:

The City Council will consider introducing an Ordinance repealing the 2019 California Building Standards Code and adopting the 2022 California Building Code and setting a public hearing for November 15, 2022. In connection with this action, the City Council will be asked to approve findings relating to the City's local amendments to the California Building Standards Code. The 2022 Edition of the California Building Standards Code was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an Ordinance incorporating the updated provisions to ensure accuracy and alignment with state law.

STAFF RECOMMENDATION:

Take the following actions: 1) Waive the first reading and INTRODUCE the Ordinance Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Building Regulation Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter 7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal Code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.45 (Swimming Pool and Spa Code) to the Dublin Municipal Code in Order to Adopt by Reference and Amend Provisions of the 2021 Edition of the International Swimming Pool and Spa Code; and 2) Set the public hearing for November 15, 2022, to waive the second reading and adopt said Ordinance and adopt the Resolution Approving the Finding of Necessity for Amendments to the 2022 California Building Standards Code.

FINANCIAL IMPACT:

The cost associated with implementing the new codes, such as materials and training, have been included in the Fiscal Year 2022-23 Budget.

DESCRIPTION:

Background

The California Building Standards Commission, along with other State agencies, reviews and amends Title 24 of the California Building Standards Code (CBSC) approximately every three years. The CBSC contains several codes including the California Building Code and the California Electrical Code. Each of these codes are applicable and enforceable at the local level. The 2022 Edition of the CBSC was approved by the California Building Standards Commission earlier this year and will go into effect on January 1, 2023. The City must adopt an ordinance incorporating the updated provisions to ensure accuracy and alignment with state law.

Local jurisdictions may amend the provisions of the CBSC with the adoption of a resolution finding that the changes are necessary to account for local climatic, geological, or topographical conditions. However, these amendments must be at least as stringent as those outlined in the CBSC.

The City Council made several such amendments with the adoption of the 2019 Edition of the codes. These previously adopted local amendments have been incorporated into the proposed code update adopting the 2022 Edition, with several modifications as discussed later in this Staff Report.

Proposed Ordinance

The proposed Ordinance will amend Chapters 5.08, 7.24, 7.28, 7.32, 7.34, 7.36, 7.40, 7.44, 7.48 and 7.94 of the Dublin Municipal Code (DMC) and add Chapters 7.45 and 7.46 to the DMC. The proposed Ordinance does not adopt the permit fee tables in the codes, thus maintaining the City's current permit fees. The proposed Ordinance will supersede and replace the previously adopted codes, and will benefit the City by:

1. Ensuring the City's compliance with the States building standards laws;
2. Ensuring consistency with neighboring jurisdictions and the Bay Area;
3. Providing internally consistent, coherent, and easier-to-use codes; and
4. Making it easier for the public to review and to understand the model code requirements.

This report focuses on Staff-recommended local amendments to the 2022 Edition of the code, and modifications to local amendments that were previously adopted by the City Council during the last code update.

Analysis

The following is an overview of the proposed local amendments to the Dublin Municipal Code. Attachments 1 and 2 provide a complete list of all proposed local amendments to the Construction and Fire Codes, and associated findings. The draft Ordinance is provided as Attachment 3.

Fire Code – DMC Chapter 5.08

The amendments to the Fire Code (Attachment 4) are required to adopt the latest California Fire Codes. Staff recommends deleting the following local amendment that was previously adopted by the City Council:

1. Section 5.08.120, the table for separation distances between wood pallet stacks and buildings. *This requirement is now in the California Fire Code.*

Floodplain Management Regulations (Formally the Flood Control Chapter) – DMC Chapter 7.24

The adoption of the Floodplain Management Regulations is required as a replacement for the Flood Control Chapter. The City's existing Flood Control Chapter is based on an outdated version of the Floodplain Management Regulations of the Federal Emergency Management Agency (FEMA) and the California Department of Water Resources (DWR).

Staff recommends the following higher standards for the model Floodplain Management Regulations be included in this code:

1. Cumulative Substantial Improvement — These amendments will require a review of the 10-year history of permitted work on a property. The 10-year period will begin January 1, 2023. This is a change from current practice of reviewing a three-year history of permits. As the beginning date of the review period changes to January 1, 2023, this new requirement will not affect projects until after January 1, 2026. *One of the objectives of the National Flood Insurance Program (NFIP) is to reduce the long-term exposure of buildings to flood damage. To achieve this objective, the NFIP requires that existing buildings be brought into compliance if improvements, including additions and repairs, are determined to be Substantial Improvement. If the cost of proposed improvements equals or exceeds 50 percent of the market value of the building before improvements are started, the building will be required to be brought into compliance for new construction.*

2. Dwelling Design — new one- and two-family dwellings and substantial improvements to these buildings that are located in a flood hazard area will be required to be designed to a higher standard to account for the potential for flood loads. *This modification is necessary to account for rising sea levels that have the potential to create conditions such as fast-moving floodwater, flood depths greater than a few feet, wave action, and potential scour and erosion.*

3. Nonconversion agreements — these amendments will require builders of elevated buildings located in a flood plain to record a nonconversion agreement. The nonconversion agreement is used to inform buyers of the property that the area below the elevated building is limited to parking of vehicles, storage, and building access. *NFIP flood insurance coverage is more expensive if buildings have enclosed areas and coverage of enclosures is limited. This regulation will require builders and or property owners to record a signed nonconversion agreement to acknowledge the restrictions on use of enclosures below elevated buildings and to agree not to modify or convert the enclosures. The objective is to reduce the likelihood that owners, including future owners, might convert enclosures to*

uses other than those permitted.

4. Repetitive Flood Damage loss — one of the objectives of the NFIP is to break the cycle of damage, repair, and damage again. *To achieve this objective, the NFIP requires that existing buildings be brought into compliance when they incur Substantial Damage. A building is determined to have incurred Substantial Damage if it is damaged by any cause and the cost to repair the building to its pre-damage condition equals or exceeds the 50 percent of the market value of the building before the damage occurred. Per the NFIP, when communities adopt a definition for Substantial Damage that includes "repetitive loss," owners of NFIP – insured structures that sustain repetitive flood damage may also be eligible to apply for Increased Cost of Compliance funds even if the damage does not meet the standard 50 percent threshold for Substantial Damage by a single-event. For property owners to qualify, communities must adopt and enforce the repetitive loss provision on all buildings, not just those that are covered by NFIP flood insurance.*

5. Determination of Base Flood Elevation (BFE) — Dublin has areas within the City where the Flood Insurance Rate Map (FIRM) does not show the base flood elevations. These areas are called "unnumbered Zone A" or "approximate Zone A." The NFIP regulations state that where flood elevation data has not been provided, communities must "obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State, or other source." However, some data from other sources is old and out of date and may not reasonably represent current flood hazards. *This modification will require the applicant to include base flood elevation data prepared by a qualified professional engineer in accordance with accepted techniques. The modification is necessary to reasonable protect new construction from flood damage caused by rising sea levels.*

The DWR, on behalf of the State and FEMA, has reviewed and approved the proposed regulations.

Building Regulations Administration Code – DMC Chapter 7.28

The amendments to the Building Regulations Administrative Code (Attachment 6) are required to remain current with State Law. Staff recommends the following modifications and additions to local amendments previously adopted by the City Council:

1. Sections 7.28.100 and 7.28.110 — add definitions and process requirements for determining substantially improved and substantially damaged existing buildings in a flood hazard zone*. This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

2. Section 7.28.120 — add the Swimming Pool and Spa Code and the Existing Building Code regulated by the Building Regulations Administration Code. *The modification is necessary to codify the administration regulations for these two codes.*

3. Section 7.28.260 — add the Swimming Pool and Spa Code and the Existing Building Code to the Code Conflicts section. *The modification is necessary to codify the administration regulations for potential conflicts between the State Codes and City amendments.*

4. Section 7.28.330 — modify the permit application submittal process to require all plans to be submitted in an electronic format. *This modification is necessary to codify current practices*.

5. Section 7.28.390 — add a requirement for the owner or the owner's authorized agent to post the live loads of floors under prescribed conditions. *This addition is necessary to remain current with State Law.*

6. Section 7.28.600 — amend the notifications of inspections as follows:
    a. Inspection #F, Lowest Floor Elevation clarifying that the requirement is triggered by either the Floodplain Management Regulations (7.24) requirements, the Building Code (7.32) or Residential Code (7.34). *The requirements do not change.*
    b. Inspection #M, adding the requirement for tall wood buildings connection protection inspection. *This is necessary to remain current with State Law and does not change the requirement.*
    c. Inspection #Q, adding a requirement for Fire and Smoke – Resistant Penetrations inspections. *This is necessary to remain current with State Law and does not change the requirement*.
    d. Inspection #U, adding a requirement for Flood Hazard Documentation. *This is necessary to remain current with State Law and Federal Regulations. This does not change the current requirement.*

Building Code – DMC Chapter 7.32

The amendments to the Building Code (Attachment 7) are required to adopt the latest California Building Codes. Staff recommends a modification to the following local amendment that was previously adopted by the City Council:

1. Section 7.32.230 — update Wall Bracing requirements to include newly adopted forms of seismic sheathing of walls. *This modification is necessary to address Dublin's seismic risk and to be consistent with neighboring jurisdictions*.

In addition, Staff recommends the following new local amendments to this code:

1. Section 7.32.120 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

2. Section 7.32.290 — modify to update the proper procedures for violations of the Floodplain Management Regulations requirements chapter in this code. *This is necessary to maintain consistency in the DMC*.

3. Section 7.32.300 — modify to designate the floodplain administrator. *This is necessary to maintain consistency in the DMC.*

Residential Code – DMC Chapter 7.34

The amendments to the Residential Code (Attachment 8) are required to adopt the latest California Residential Code. Staff recommends the following modifications to local amendments previously adopted by the City Council:

1. Section 7.34.040 — modify to update the live/work exception. *This modification is necessary to remain consistent with State Law*.

2. Section 7.34.070C — modify to include an exception to the separate gas and electrical meter requirement by adding an exception for Junior Accessory Dwelling Units. *This modification is necessary to remain consistent with State Law.*

3. Section 7.34.120 — modify to update the design standards for buildings constructed under this code. *This modification is necessary to remain consistent with State Law*.

In addition, Staff recommends the following new local amendments to this code:

1. Section 7.34.110 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations*.

2. Sections 7.34.130 and 7.34.170 — modify to update the design requirements in flood hazard areas. *This action is necessary to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

Further, Staff recommends deleting the following local amendment that was previously adopted by the City Council:

1. Section 7.34.140 — originally deleted the fire sprinkler provisions in this code and referenced the Fire Code. *This deletion is no longer necessary as the two codes are now consistent*.

Electrical Code – DMC Chapter 7.36

The amendments to the Electrical Code (Attachment 9) are required to adopt the latest California Electrical Codes. The existing modification setting standards for the location of electrical receptacles in office spaces has been brought forward.

Plumbing Code – DMC Chapter 7.40

The amendments to the Plumbing Code (Attachment 10) are required to adopt the latest California Plumbing Codes. The existing local amendment restricting the installation of water piping under a concrete slab has been brought forward. Staff recommends one deletion from this code:

1. Section 7.40.090 — originally deleted the fire sprinkler provisions in this code and referenced the Fire Code. *This deletion is no longer necessary as the two codes are now*

consistent.

Mechanical Code – DMC Chapter 7.44

The amendments to the Mechanical Code (Attachment 11) are required to adopt the latest California Mechanical Codes. The existing local amendment deleting the administrative chapter has been brought forward.

Swimming Pool and Spa Code – DMC Chapter 7.45

The adoption of the Swimming Pool and Spa Code (Attachment 12) is required to adopt the International Swimming Pool and Spa Code (ISPSC) as a replacement for the swimming pool construction and safety codes that have been removed from the International Building Code, which is the basis for the California Building Code, and placed in this new code. Staff recommends the following modifications to the ISPSC to address conflicts with City and State Codes:

1. 7.45.060 — add this to modify the references to the International and National Codes to the California Codes. *This is necessary to stay current with State Law.*

2. 7.45.070 — modify to delete administrative sections of the ISPSC. *This is necessary to be consistent within the City's codes.*

3. 7.45.080 — modify to add definitions that are found in State Law that are missing from the ISPSC. *This is necessary to remain consistent with State Law.*

4. 7.45.090 — modify to amend definitions that are different between the ISPSC and State Law. *This is necessary to remain consistent with State Law.*

5. 7.45.100 — modify to amend the energy requirements in the ISPSC in favor of the California Energy Code. *This is necessary to remain consistent with State Law and the 2022 California Energy Code.*

6. 7.45.110 — modify to clarify the requirements of swimming pools and spas located in a flood hazard area. *This is necessary to remain consistent with chapter 7.24 Floodplain Management Regulations.*

7. 7.45.120 — modify to require all swimming pools to have barriers installed. *This amendment is necessary to remain consistent with State Law.*

8. 7.45.130 — modify to include water conservation efficiency in residential and public pools and spas. *This is necessary because of the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought and this amendment is necessary to remain consistent with State Law.*

9. 7.45.140 — modify to delete chapter 9 for permanent spas. *This is necessary because this chapter provides exceptions from code requirements that are in conflict with State Law.*

10. 7.45.150 — add this to adopt the referenced codes and standards listed in the ISPSC. *This*

is necessary to provide the tools necessary for the contractor and staff to properly enforce this code.

11. 7.45.160 — modify to clarify that where the code references the Residential Code, those provision are related to systems in detached one- and two-family dwellings and townhouses not more than threes stories in height. *This amendment is necessary to remain consistent with State Law.*

12. 7.45.170 — add this to adopt the American National Standard for Water conservation efficiency in pools and spas. *This is necessary because of the City of Dublin has a dry period of at least five months each year. Additionally, the area is subject to occasional drought and this amendment is necessary to remain consistent with State Law.*

Existing Building Code – DMC Chapter 7.46

The amendments to the Existing Building Code (Attachment 13) are required to adopt the California Existing Building Code (CEBC). Staff is recommending the following modification to this code:

1. Section 7.46.080 — add definitions for determination or substantially improved and substantially damaged existing buildings in a flood hazard zone. *This action is necessary to codify existing procedures and to be consistent with DMC chapter 7.24, Floodplain Management Regulations.*

Building Maintenance Code – DMC Chapter 7.48

The amendments to the Building Maintenance Code (Attachment 14) are required to adopt the latest International Property Maintenance Codes. The existing local amendments have been brought forward.

Green Building Code – DMC Chapter 7.94

The amendments to the Green Building Code (Attachment 15) are required to adopt the latest California Green Building Standards Code. The City's amendment for Electric Vehicle (EV) Parking to be installed at the Tier 2 has been brought forward. Bringing this amendment forward will meet and, in some cases, exceed the City's Climate Action Plan (CAP) requirements under measure SM-1. Staff recommends the following new amendments to this code:

1. Section 7.94.050, 7.94.070 and 7.94.100 — add these to include requirements for new buildings to be all electric with exceptions. The exceptions in the recommendations include: a) multi-family and commercial projects where the design team has provided evidence that an all-electric building is unable to meet established requirements under the California Building Energy Efficiency Standards; and b) commercial buildings containing kitchens or having the potential to contain kitchens, upon application, may install gas to the building for use in the kitchen areas. *These modifications are necessary to limit the greenhouse gas (GHG) emissions from natural gas. It is estimated that without the requirement for all-electric buildings, new construction will add over three million therms of natural gas use in Dublin by 2045. In addition, all-electric buildings have been found to be less expensive to construct and operate in Dublin's climate zone compared to*

constructing buildings with both gas and electric utilities, especially when paired with solar photovoltaic (PV) installations. Coupled with the communitywide 100% carbon-free energy of Measure CF-1 in the CAP, new building electrification will result in homes and businesses that emit no GHGs. In addition, this amendment will meet the requirements of measure EE-1 of the CAP.

STRATEGIC PLAN INITIATIVE:

None

NOTICING REQUIREMENTS/PUBLIC OUTREACH:

In accordance with Government Code Sections 50022.3 and 6066, notice of the public hearing scheduled to take place on November 15, 2022 will be published on November 5, 2022 and November 12, 2022 in the *East Bay Times*. Attachments were made available for public review prior to this public hearing in accordance with Government Code Sections 50022.1 et. Seq. and 6066. The City Council Agenda was posted.

ATTACHMENTS:

1) Resolution Approving Amendments to the California Building Standards Code
2) Exhibit A to the Resolution - 2022 California Building Standards Code Findings
3) Ordinance Amending Sections of the California Building Standards Code
4) Exhibit A to the Ordinance - DMC Chapter 5.08 Fire Code
5) Exhibit B to the Ordinance – DMC Chapter 7.24 Floodplain Management Regulations
6) Exhibit C to the Ordinance - DMC Chapter 7.28 Building Administration Code
7) Exhibit D to the Ordinance - DMC Chapter 7.32 Building Code
8) Exhibit E to the Ordinance - DMC Chapter 7.34 Residential Code
9) Exhibit F to the Ordinance - DMC Chapter 7.36 Electrical Code
10) Exhibit G to the Ordinance - DMC Chapter 7.40 Plumbing Code
11) Exhibit H to the Ordinance - DMC Chapter 7.44 Mechanical Code
12) Exhibit I to the Ordinance - DMC Chapter 7.45 Swimming Pool and Spa Code
13) Exhibit J to the Ordinance - DMC Chapter 7.46 Existing Building Code
14) Exhibit K to the Ordinance - DMC Chapter 7.48 Building Maintenance Code
15) Exhibit L to the Ordinance - DMC Chapter 7.94 Green Building Code

DUBLIN
CALIFORNIA

2022 California Building Standards Code and the Dublin Municipal Code

City Council
November 15, 2022

2022 California Building Standards Code

- CA Building Standards Commission adopts new codes every 3 years
- These codes include the CA Fire, Building, Residential, Electrical, Plumbing, Mechanical and Green Codes
- Enforceable at the Local Level
- Approved by the Commission with an enforcement date of January 1, 2023

2022 California Building Standards Code

- Floodplain Management Regulations, Existing Building Code, International Swimming Pool and Spa and Building Maintenance Codes.
- The City of Dublin may amend the State or Model Code to account for Local:
  - Climatic,
  - Geological, or
  - Topographical Conditions
- Historical Modifications by the City

Fire Code
Chapter 5.08 DMC

- 2022 California Fire Code
- Pallet Storage requirements are not longer necessary as these requirements have been added to the code.

Floodplain Management Regulations 7.24 DMC

- Updated to the latest standard
- Cumulative Substantial Improvement
- Dwelling Design
- Nonconversion agreements
- Repetitive Flood Damage Losses
- Determination of base flood elevation (BFE)

Building Regulations Administration Code Chapter 7.28 DMC

- Definitions Added
- New Codes – Swimming Pool & Spa and Existing Building Code
- Electronic plan check required
- Live Load Posting
- Inspections, required added

Building Code
Chapter 7.32 DMC

- 2022 CA Building Code
- Wall Bracing
- Floodplain updates
  - Definitions added
  - Violations procedures
  - Floodplain administrator

Residential Code Chapter 7.34

- 2022 California Residential Code
- Live / Work
- JADU meters
- Design Table updated
- Added Definitions for Substantially improved and damaged
- Flood hazard areas design requirements

Electrical, Plumbing, Mechanical, Codes Chapters 7.36, 7.40, and 7.44

- 2022 California Electrical Code
- 2022 California Plumbing Code
  - Removal of section deleting fire sprinkler changes that conflicted with Fire Code
- 2022 Mechanical Code

Swimming Pool and Spa Code Chapter 7.45 DMC

- 2021 International Swimming Pool and Spa Code
  - New Code

Existing Building Code
Chapter 7.46 DMC

- 2022 California Existing Building Code
  - Previously used without modifications
  - New definitions for Substantially Improved and Substantially Damaged.

Building Maintenance Code
Chapter 7.48 DMC

- 2021 International Property Maintenance Code
- Editorial updates only

Green Building Code
Chapter 7.94 DMC

- Readopting Tier 2 Electric Vehicle (EV) Parking Requirements.
- All Electric New Buildings and Qualifying alteration projects.
- Exceptions
  - 1) Unable to comply with the Energy Code
  - 2) Commercial Kitchens for cooking equipment when approved by the Building Official.

Recommendations

- Adopt the Resolution Approving Findings Regarding the need for Local Amendments to Provisions in the CA Building Standards Code, and
- Waive the Second Reading and Adopt the Ordinance Repealing and Replacing Chapters 5.08 (Fire Code), 7.28 (Buildings Regulations Administration Code), 7.32 (Building Code), 7.34 (Residential Code), 7.36 (Electrical Code), 7.40 (Plumbing Code), 7.44 (Mechanical Code), 7.48 (Building Maintenance Code) and 7.94 (Green Building Code) of the Dublin Municipal Code, and Repealing Chapter7.24 (Flood Control) and Adopting Chapter 7.24 (Floodplain Management Regulations) and Adding Chapter 7.46 (Existing Building Code) to the Dublin Municipal code, in Order to Adopt by Reference and Amend Provisions of the 2022 Edition of the California Building Standards Code, Title 24, California Code of Regulations, and Adding Chapter 7.48 (Swimming Pool Spa Code) to the Dublin Municipal code in Order to Adopt by Reference and Amend Provision of the 2021 Edition of the International Swimming Pool and Spa Code.