

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2018

A RESOLUTION CONDITIONALLY APPROVING A
PLANNED UNIT DEVELOPMENT AND DEVELOPMENT REVIEW PERMIT
TO CONSTRUCT A 20-UNIT ROWHOUSE DEVELOPMENT, INCLUDING
A 20 PERCENT STATE DENSITY BONUS, AT 828 TO 836 SIERRA VISTA AVENUE
AND 1975 AND 1979 COLONY STREET

WHEREAS, an application was received from Laura Zuckerman for D&C Development for a Planned Unit Development and Development Review Permit to construct a 20-unit rowhouse development, including a 20 percent State Density Bonus, at 828 to 836 Sierra Vista Avenue and 1975 And 1979 Colony Street (Application No. PL-2017-244); and

WHEREAS, on September 26, 2018, at a duly noticed public hearing, the Zoning Administrator considered this request and recommended the Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit be approved subject to the attached Conditions of Approval; and

WHEREAS, the City Council held a public hearing on October 16, 2018 on said applications and received and considered all evidence presented at said hearing, including the resolutions and project materials from the Environmental Planning Commission and City Council report and materials;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Mountain View finds:

1. The Development Review Permit for a 20-unit rowhouse development, including a 20 percent State Density Bonus, is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the development, which is a multiple-family development, is allowed by the R3-2 (Multiple-Family Residential) Zoning District and the Medium-Density Residential General Plan Land Use Designation, and the Rowhouse Guidelines, and is consistent with the existing residential neighborhood

character, which is primarily single-family residential with multi-family and townhouse developments;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because it is well-designed and integrated with the existing neighborhood character, which includes a variety of building types and styles; it includes features seen in the area such as traditional gable, hip and shed roof forms, raised front porches, brackets and corbels; varied exteriors and building materials which include stucco horizontal siding, board and bat siding, and stone veneer bases;

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by using a traditional design consistent with the neighborhood character, are consistent with the R3 residential development standards by meeting or exceeding requirements, providing a step-up to the front entries along the public street, twelve (12) units face the public street to provide a pedestrian-friendly street presence, and by providing a well-designed landscape plan. Pathways within the development provide pedestrian connectivity to interior units, common and private open space, and garages and guest parking;

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by including a well-designed landscape plan with a variety of tree types, a large number of new trees, new street trees, and a well-designed common open-space area. The landscape palette complies with the Water Conservation in Landscape Regulations, and the driveway entrance is attractive with a pedestrian path, landscaping, and decorative paving;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, a two-way driveway with a pedestrian path to access individual units, common open space, garages for each unit, and guest parking;

f. The residential development includes a State Density Bonus for two bonus units and provides one of the two as an on-site, very-low income unit (5 percent of the total units). The City Code requires 10 percent Below-Market-Rate (BMR) by either providing 10 percent affordable units or by payment of an in-lieu fee. Since the 50 percent of the BMR requirement is met by providing one on-site very-low income unit, the applicant will meet the remaining 50 percent of the BMR requirement by payment of the in-lieu fee for 10 units (50 percent of the units) to meet the affordable

housing obligation. The Density Bonus allows waivers or reduced development standards and a reduced development standard includes an increase in building coverage for the front porches from the maximum 35 percent allowed to 38.73 percent. The project is consistent with City and the State Density Bonus regulations;

The Zoning Code Density Bonus section also provides for a reduced parking standard with a parking requirement not to exceed 2 parking spaces for two- to three-bedroom units and 2.5 parking spaces for four-bedroom units, inclusive of handicap and guest parking. The project complies with this parking provision with 43 parking spaces. The reduced development standard for building coverage and reduced parking are both necessary to construct the project with a 20 percent Density Bonus and would not be a hazard or nuisance to the City at-large or establish a use or development inconsistent with the goals and policies of the General Plan, as further discussed in the findings herein; and

h. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because the project qualifies as categorically exempt per Section 15332 (“In-Fill Development Projects”) because the project is consistent with the General Plan Land Use Designation and policies and all zoning regulations and designations; it occurs within the City limits; is located on a project site of no more than five acres; is substantially surrounded by urban uses; the site has no known habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services.

2. The Planned Unit Development Permit for a 20-unit rowhouse development, including a 20 percent State Density Bonus, is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.44.70 of the City Code:

a. The proposed land use(s) are allowed within the R3-2 (Multiple-Family Residential) Zoning District and in the Medium-Density Residential Land Use Designation of the General Plan, and the request under the State Density Bonus Law of one Density Bonus of 5 percent of the total units as one very-low affordable unit (AMI) proposed; with a reduced development standard allowed and Zoning Code Section 36.14: an increase in building coverage for the front porches from the maximum 35 percent allowed to 38.71 percent. The Zoning Code Density Bonus section also provides for a reduced parking standard not to exceed 2 parking spaces for two- to three-bedroom units and 2.5 parking spaces for four-bedroom units, inclusive of handicap and guest parking. The project complies with this parking provision with 43 parking spaces;

b. The site is physically suitable for the type and intensity of the land use being proposed since the site is currently a residential development of similar size and density zoned for multiple-family residential development and is a relatively flat lot with access, utility service, and site amenities for a residential development;

c. The proposed project would be harmonious and compatible with existing and future developments within the zoning district and surrounding area because it is consistent with the medium-density requirements, and the existing neighborhood character which is primarily single-family residential with multi-family and rowhouse developments;

d. The proposed residential project will constitute a residential environment of sustained desirability and stability and will result in an intensity of land utilization no higher than, and standards of open space no less than, permitted for a similar development within the zoning district because it includes a well-designed landscape plan with a variety of tree types, and a well-designed, common open-space area. The landscape palette complies with the Water Conservation in Landscaping Regulations;

e. The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community because the project conforms to the pertinent health and safety codes; it is an infill development within a developed area; it provides a two-way driveway to access parking with units that face onto the public streets or a landscaped, common open-space area in the center of the development; and the project complies with the requirements of the Rowhouse Guidelines;

f. The proposed project is in substantial compliance with the intent of requirements of the R3-2 Zoning District, and implementation of the proposed harmonious and integrated Planned Unit Development design is superior to standard development in the underlying zone and, therefore, justifies the exceptions to the requirements of this chapter because the project complies with the requirements of the Rowhouse Guidelines because it includes attractive articulation and architectural treatments such as porches, gable, hip and shed roof forms to break up the mass, provides a two-way driveway providing access to individual garages and guest parking, units face either onto the public street or a central landscaped, and common open-space area;

g. The proposed project complies with the Design Guidelines for rowhouses because it is well-designed and integrated with the existing neighborhood character, which includes a variety of building types and styles; it includes features seen in the area such as traditional gable, hip, and shed roof forms; front porches with wood columns, railings, and corbels; varied exteriors, primarily stucco with horizontal siding

and board and bat siding and stone veneer bases. Twelve (12) units face the public street to provide a pedestrian-friendly street presence;

h. The residential development includes a State Density Bonus for two bonus units and provides one of the two as an on-site, very-low income unit (5 percent of the total units). The City Code requires 10 percent Below-Market Rate (BMR) by either providing 10 percent affordable units or by payment of an in-lieu fee. Since the 50 percent of the BMR requirement is met by providing one on-site very-low income unit, the applicant will meet the remaining 50 percent of the BMR requirement by payment of the in-lieu fee for 10 units (50 percent of the units) to meet the affordable housing obligation. The Density Bonus allows waivers or reduced development standards and a reduced development standard is included to increase the building coverage for the front porches from the maximum 35 percent allowed to 38.73 percent. The project is consistent with City and the State Density Bonus regulations;

The Zoning Code Density Bonus section also provides for a reduced parking standard with a parking requirement not to exceed 2 parking spaces for two- to three-bedroom units and 2.5 parking spaces for four-bedroom units, inclusive of handicap and guest parking. The project complies with this parking provision with 43 parking spaces. The reduced development standard for increased building coverage and reduced parking are both necessary to construct the project with a 20 percent Density Bonus and would not be a hazard or nuisance to the City at-large or establish a use or development inconsistent with the goals and policies of the General Plan, as further discussed in the findings herein; and

i. The approval of the Planned Unit Development Permit for the proposed project complies with the CEQA because the project qualifies as categorically exempt per Section 15332 ("In-Fill Development Projects") and because the project is consistent with the General Plan Land Use Designation and policies and all zoning regulations and designations; it occurs within the City limits; is located on a project site of no more than five acres; is substantially surrounded by urban uses; the site has no known habitat for endangered, rare, or threatened species; the project would not result in any significant impacts relating to traffic, noise, or air quality; and the site can be served by all required utilities and public services.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Planned Unit Development and Development Review Permit for said project are hereby granted subject to the developer's fulfillment of all the conditions which are attached hereto as Exhibit A and incorporated herein by reference.

PB/2/RESO
815-10-16-18r

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2017-244
828 to 836 Sierra Vista Avenue and 1975 and 1979 Colony Street**

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the City Code of the City of Mountain View and the State of California. The lead department is identified on each condition where necessary. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, Chief Building Official, or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted practices for the item(s) under review. The applicant is hereby notified that (s)he is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are noted herein.

This approval is granted to 828 to 836 Sierra Vista Avenue and 1975 and 1979 Colony Street, located on Assessor Parcel Nos. 153-04-001, 153-04-017, 153-04-018, and 153-04-019. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by Dave Veneman for SDG Architects dated September 13, 2018.
- b. Color and materials board prepared by Dave Veneman for SDG Architects dated September 13, 2018, and kept on file in the Planning Division of the Community Development Department.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

- 1. **EXPIRATION:** The Planned Unit Development Permit and Development Review Permit shall be valid for a period of two years from the date of the City Council approval. Building permits for the project shall be issued within this two-year period or the permits shall become null and void unless an extension is granted by the Zoning Administrator.
- 2. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator, in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

PLANS AND SUBMITTAL REQUIREMENTS

- 3. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio or density in units per acre; (d) lot area (in square feet); and (e) total number of parking spaces.
- 4. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
- 5. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by

the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.

6. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
7. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

8. **BUILDING DESIGN MODIFICATIONS:** The applicant shall submit revised plans addressing architectural design, building materials, colors, landscaping, and/or other site or building design details as identified below, based on direction from the Development Review Committee (DRC), and subject to review and approval by the Zoning Administrator prior to issuance of a building permit:
 - a. **Corner Units:** Continue to work with staff to refine the articulation and detailing of side elevations facing the corner of Sierra Vista Avenue and Colony Street to create simple but effective two-story massing and high-quality detailing consistent with the architectural style of the project, based on the initial revisions incorporated in the plans and generally utilizing some mix of projecting bays with shed roofs and corbels.
 - b. **End Units:** Continue to work with staff to add detailing and visual interest to end units facing on-site pedestrian pathways (paseos) and off-site neighbors (on Excell Court) such as enhanced window details, additional stone accents, and other architectural details and/or material changes.
 - c. **Rear Elevations:** Continue to work with staff to increase detailing and visual interest on rear elevations, particularly on units with greater visibility from adjacent public streets.
 - d. **Window Trim:** Refine window trim design to provide a high level of detailing and appearance of recess and with a smooth, paintable surface to contrast with stucco walls.
 - e. **Paving Design:** Expand the decorative driveway paving at the site entry and other highly visible site locations.
 - f. **Paseos:** Refine the design of on-site paseos to incorporate special paving, landscaping, and pedestrian-scaled lighting to meet Rowhouse Guidelines direction for paseos to serve as an extension of internal streets for pedestrian use and create a comfortable safe pedestrian environment.
 - g. **Utility Screening:** Continue to work with staff on adequate screening of aboveground utilities, including AC units, meters, and backflow preventers, incorporating proposed screening details into the landscaping plans.
9. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
10. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement and utilization of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

11. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
12. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
13. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building up to 2".
14. **PAINT SAMPLES:** The applicant shall paint a portion of the building with the proposed color scheme for inspection. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
15. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the building. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
16. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review and shall not exceed 3' in the front yard setback or vision safety triangle, or exceed 6' in height outside of those areas, as measured from adjacent grade to the top of the fence or wall. The design and location must be approved by the Zoning Administrator and comply with all setback and height requirements. **(PROJECT SPECIFIC CONDITION)**
17. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
18. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
19. **BIKE RACKS:** The applicant shall provide at least two bike racks (Class II). The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.

GREEN BUILDING AND SUSTAINABILITY MEASURES

20. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 111.8 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance

with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

LANDSCAPING

21. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
22. **LANDSCAPING:** An amended arborist report is required to address preserving the off-site trees where the tree canopy and roots are located on the property line along Excell Court and the perimeter retaining wall will be constructed, and on-site monitoring by an arborist is required during construction. A contract is required for on-site monitoring by an arborist prior to issuance of any building permit. The report shall be submitted and reviewed as part of the Building Permit submittal for review and approval by the Zoning Administrator prior to permit issuance. **(PROJECT-SPECIFIC CONDITION)**
23. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
24. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
25. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division.
26. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.

SIGNS

27. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require a separate Planning and/or building permit. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

NOISE

28. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.

29. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors can remain closed when the restaurant is in operation.
30. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)Ldn that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
31. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

CONSTRUCTION PRACTICES AND NOTICING

32. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
33. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
34. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
35. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 500' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
36. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
37. **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
38. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management

District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.

39. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
40. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
41. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
42. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' 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 City shall include a standard inadvertent discovery clause in every construction contract to inform

contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.

43. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

TECHNICAL REPORTS

44. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

CC&RS AND DISCLOSURES

45. **NOTICE TO TENANTS AND TENANT RELOCATION ASSISTANCE:** The applicant shall comply with the provisions of the City's Tenant Relocation Assistance Ordinance. This includes, but is not limited to, consulting with the City's Neighborhood Preservation Division and retained relocation consultant to provide: (1) all required notices to tenants; (2) information to the relocation consultant for tenant eligibility determination; (3) funding for the relocation consultant services; and (4) relocation assistance payments to eligible tenants.
46. **CC&Rs:** Four copies of the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association shall be submitted to the Planning Division and approved by the City Attorney prior to building permit issuance. The applicant shall attach a completed CC&R checklist to the CC&Rs upon submittal along with associated review fee made payable to the Mountain View City Attorney's Office. The checklist can be obtained in the Planning Division Lobby or call at 650-903-6306.
47. **MASTER PLAN:** The applicant shall prepare a master plan which establishes rules for modifications or additions of any building structures at this site, including fences, trellises, sunshades, and accessory buildings, as well as modifications to principal buildings. These rules shall be consistent with the provisions of the R3-2 Zoning District and shall be approved by the Zoning Administrator. The Covenants, Conditions, and Restrictions (CC&Rs) shall specifically state that the master plan establishes the rules for additions/modifications to the complex and that changes to the master plan require approval by the Zoning Administrator. Two copies of the final master plan shall be submitted to the Planning Division to remain on file.

48. **GARAGES:** Garages are to be used for resident parking only. Storage is permitted so long as it does not prevent use of garage for required vehicle parking.
49. **PROJECT INFORMATION:** All marketing and sales literature, leasing information, and the Covenants, Conditions, and Restrictions (CC&Rs) for the complex shall clearly state that this project is complete as built and that no further expansions to the building structures are permitted without Planning Division approval. Any revisions to the project would require a separate application to the City by the homeowners association and would need to establish rules for all units in the complex.

LEGAL AGREEMENTS AND FEES

50. **BMR OWNERSHIP, IN-LIEU FEES:** Prior to issuance of building permits, the applicant shall enter into written agreements with the City that will require the applicant to pay a Below-Market-Rate (BMR) Housing In-Lieu Fee to the City consistent with City Code Sections 36.80 through 36.89 and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. The in-lieu fee payment shall be 3 percent of the actual gross sales price of each unit and shall be paid upon the close of escrow for each unit.
51. **BMR OWNERSHIP, PROVIDING UNITS:** Prior to issuance of building permits, the applicant shall enter into a written agreement with the City that will require the applicant to provide at least 5 percent of the total number of dwelling units within the development as Below-Market-Rate (BMR) units and pay an in-lieu fee for fractions of a unit consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. Prior to issuance of building permits, the applicant shall also submit a plan indicating the location, size, and phasing of BMR units. The applicant proposes providing one unit, or 5 percent of the total units, as a very-low income affordable housing unit as allowed by the State Density Bonus Law. Ten percent (10%) BMR is required; therefore, the applicant is required to provide the remaining 50 percent of the Below-Market-Rate requirement by payment of the 3 percent in-lieu fee for 10 of the units to meet the affordable housing obligation required by the City Code. **(PROJECT-SPECIFIC CONDITION)**
52. **BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department, 650-903-6379: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the Below-Market-Rate (BMR) condition; and (c) a legal description of the property.

At the time of submittal for building permits, the applicant shall contact the Administrative and Neighborhood Services Manager, 650-903-6379, and a BMR agreement will be prepared for the project. Before building permits can be issued, the BMR agreement must be signed by the developer, and, if applicable, a 10 percent deposit of the required BMR fees must be paid to the City.

53. **DENSITY BONUS, AFFORDABLE HOUSING UNITS:** Under provisions of the State Density Bonus Law, the applicant must submit an offer to construct one affordable ownership unit for very low (30 percent to 50 percent) AMI. The applicant shall enter into an agreement with the City consistent with the Costa-Hawkins Act to provide these on-site affordable rental housing units, which shall be executed prior to issuance of the first building permit for the project. **(PROJECT SPECIFIC CONDITION)**
54. **DENSITY BONUS, OWNERSHIP UNITS SALES PRICE:** Under State Density Bonus Law, for-sale affordable units must be sold at costs as defined in the Health and Safety Code (HSC) Section 50052.5, based on "housing costs" defined in the California Code of Regulations, Title 25, Section 6920.
55. **NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all

planned developments and common-interest developments. The notice shall be in a form approved by the Planning Division and City Attorney's Office and shall be signed and notarized by the subdivider. The approved and executed Notice of Development Restrictions must be recorded on the land of the subdivision before the approval of the parcel or final map.

- 56. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Unit Development and Development Review Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

- 57. **STREET DEDICATION:** Dedicate a public street easement as required by the Public Works Director to widen Colony Street 35' from the centerline of the street.

- 58. **STREET CORNER DEDICATION:** Dedicate a 20' radius public street corner return in fee/easement as required by the Public Works Director at Colony Street and Sierra Vista Avenue.

- 59. **PUBLIC UTILITY EASEMENT (PUE) DEDICATION:** Dedicate a 10' wide public utility easement (PUE) on Sierra Vista Avenue and 5' wide PUE behind the 5' street dedication on Colony Street along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication and cable television facilities. The property owner or Home Owners Association (HOA) shall maintain the surface improvements over the easement, and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify that the easement be kept clear of buildings and other permanent structures/facilities including but not limited to, the following:

- C.3 bioretention systems;
- Private utilities running longitudinally within the PUE;
- Private transformers and utility boxes;
- Retaining walls;
- Structures such as garages, sheds, carports, storage structures;
- Any projections/overhangs such as balconies, porches, building/roof overhangs, bay windows.

- 60. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the water and sewer capacity fees for the development. The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. There are separate charges for different types of residential categories so that the capacity charges reasonably reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size and the building area and building use, respectively. Credit is given for the existing site use(s) and meter size(s) as applicable.

FEES

- 61. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.

62. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the rates in effect at time of payment.

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums.

Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

63. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the Park Land Dedication Fee (approximately \$20,000 to \$40,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credit against the Park Land Dedication Fee will be allowed for private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.

STREET IMPROVEMENTS

64. **PUBLIC AND COMMON IMPROVEMENTS:** Install or reconstruct standard public and private improvements that are required for the subdivision and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to, the following: new curb, gutter, ADA curb ramp, driveway, and sidewalk along the project frontage on Sierra Vista Avenue and Colony Street; water, sewer and storm drainage facilities; joint trench utilities; resurface half-street pavement along the project frontage per City standards; undergrounding of existing joint poles, overhead frontage lines and services; new storm main extension up to Old Middlefield Way; and private street, including private storm, sewer, water, and joint trench mains within the private street.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public and private improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a letter of credit (150 percent) or cash security (100 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.
- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, and One Million Dollars (\$1,000,000)

Workers' Compensation. The insurance requirements are available from the Public Works Department.

65. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating, but not limited to, the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), an initial plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
66. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the initial submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.
67. **POTHOLE PERMIT:** Obtain an Excavation Permit from the Public Works Department to conduct potholing in order to determine the depths and locations of existing subsurface utilities. Potholing shall be completed prior to the first submittal of the building plans as required by the Project's Land Development Engineer.
68. **PARKING RESTRICTION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking – Fire Lane."
69. **ENCROACHMENT RESTRICTIONS:** Private facilities including, but not limited to, structures, steps, handrails, fences, and retaining walls shall not encroach into the public easements including, but not limited to, the public rights-of-way, street easements, or public utility easements, unless otherwise allowed by an adopted Precise Plan.
70. **SPECIAL PAVERS AND CONCRETE:** The proposed pavers, colored concrete, or textured concrete will not be allowed within the public street or sidewalk.
71. **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The homeowners association shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within the common driveway. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
72. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, no sign over 3' in height shall be located within a vehicle sight triangle formed by measuring 35' along the front and side property lines.
73. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle sight triangle(s), fences, shrubs, bushes or hedges shall not exceed 3' in height while tree canopies shall maintain a minimum 6' vertical clearance at the driveway location.

UTILITIES

74. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
75. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.
76. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The developer will continue to work with the City to determine the final location of the irrigation meter and backflow preventer.
77. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.
78. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site, off-site improvement, or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.
79. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.
80. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
81. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
82. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, telephone, cable television, and telecommunication conduits and vaults. These plans shall be combined and made a part of the improvement

plans. Dedicate utility easements that are necessary for the common utility on the final map.

SIDEWALKS AND DRIVEWAYS

83. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
84. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new driveway approaches. Tapers (conforms) can be provided to connect the proposed public sidewalk on each side of the proposed driveway.
85. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.
86. **RED CURB AT DRIVEWAY ENTRANCE AND CORNER CURB RAMP:** Street curbs adjacent to the site's proposed driveway entrance and corner curb ramp shall be painted red. The red curb shall be installed 15' west and 25' east of the respective edges of the proposed driveway entrance and 35' west and 25' north of the respective edges of the proposed corner curb ramp.

RECYCLING

87. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
88. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (City Code Chapter 16, Article III).

STREET TREES

89. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
90. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form available online at www.mountainview.gov/planningforms.
91. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

92. **GRADING, DRAINAGE, AND UTILITY PLANS:** Prepare on-site drainage, grading, and utility plans in accordance with Chapter 28 of the City Code and the Standard Design Criteria for Common Green and Townhouse-Type Condominiums. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 30'. Drainage, grading, and utility plans (10 sets) and completed infrastructure data form must be submitted together as a separate package concurrent with the first submittal of the building plans. The drainage, grading, and utility plans must be approved and signed by the Public Works Department. After the plans have been signed by the

Public Works Department, 10 black-line sets and 1 Xerox Mylar (4 mil) set of the plans must be submitted to the Public Works Department prior to the issuance of the building permit. Where both off-site improvement plans and on-site drainage, grading, and utility plans are required, the plans shall be combined into one set. For on-site common driveway improvements, utility improvements, and public improvements, the developer shall sign an improvement agreement prepared by the City, submit bonds, cash security or letter of credit in a form approved by the City Attorney's Office, provide a Certificate of Insurance and endorsement naming the City an additional insured, and pay plan check and inspection fees for the work, prior to the issuance of a building permit.

93. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property. A face-of-curb inlet/outlet is required to drain into the curb of the street.
94. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.
95. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

FLOOD ZONE

96. **AO FLOOD ZONE:** The site is located within Special Flood Hazard Zone AO, and must comply with the drainage and flood control requirements of the City Code. The elevation of the lowest floor of the building must be at least 1' above the highest adjacent grade and must be above elevation 12.75 (NAVD 88). The highest adjacent grade is defined as the highest natural elevation of the ground surface prior to construction next to the proposed walls of the structure. Applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of the building or Foundation Permit. It is recommended that this permit be obtained before the design of the building plans in order to avoid potential redesign of the building.
97. **FLOOD ZONE MAP REVISIONS:** In the AO Flood Zone, where the street acts as a flood control device, if the elevation of the lowest floor and adjacent grade of an existing building is at least 1' above the highest street curb elevation (or street centerline where there are no street curbs), an existing building may qualify for a Letter of Map Amendment or Revision from FEMA to take the existing building out of the 100-year flood zone. Once the existing building is taken out of the flood zone, the applicant does not need to comply with the City's flood zone requirements. The applicant will need to hire a registered land surveyor or civil engineer to survey the site and submit an application to FEMA. FEMA's Letter of Map Amendment application for a single-family home is called "MT-EZ" and can be downloaded from the following web site: www.fema.gov. The applicant must obtain a Letter of Map Amendment or Revision from FEMA before the issuance of a building permit in order to be exempted from the City's flood zone requirements.
98. **GRADING REQUIREMENTS:** For sites located within a special flood hazard zone, the grading or site plan must show the elevation of the finished pad, lowest floor, highest adjacent grade for Flood Zone AO, and base flood elevation for Flood Zone AE. All elevations must be referenced to a City elevation benchmark. The benchmark number, description, elevation, and datum year shall be noted on the grading plan.
99. **ELEVATION CERTIFICATE:** The following note shall be clearly shown on the first sheet of the building permit plans: "An elevation certificate shall be submitted to the Chief Building Official and Public Works Director prior to

the issuance of a Certificate of Occupancy.” The FEMA Elevation Certificate can be found on the FEMA website at: <https://www.fema.gov/media-library/assets/documents/160>.

- 100. **FLOOD INSURANCE CONSIDERATIONS:** The applicant may want to consider elevating an additional 1’ or 2’ to lower the flood insurance premiums. If the structure’s grading pad is raised at least 1’ above the base flood elevation, the owner has the option to obtain a Letter of Map Revision to take the structure out of the special flood hazard zone. With a Letter of Map Revision, the owner would not be required to obtain flood insurance for the raised structure. However, the structure and site must be designed and constructed in accordance with FEMA’s requirements for a Letter of Map Revision, which are more stringent than the City’s requirements for raising a structure.
- 101. **FLOOD ZONE ELEVATION DATUM:** All base flood elevations on the FEMA Flood Insurance Rate maps are based on the North American Vertical Datum of 1988 (NAVD 88). Please note that the NAVD 88 is several feet higher than the NGVD 29 datum. The elevations required in the Flood Development Permit Application are to be based upon City elevation benchmarks using the NAVD 88 elevation datum. The City’s 1998 elevation benchmark survey lists the NGVD 29 and NAVD 88 elevations of City benchmarks within the City. The 2010 benchmark survey is available at the counter of the Public Works Department.

MISCELLANEOUS

- 102. **CONSTRUCTION PLAN:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans showing the following:
 - 1. Truck route for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
 - 2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and
 - 3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

The construction traffic and parking management plan must be approved prior to the issuance of a demolition permit.

- 103. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
- 104. **SCVWD INFORMATION:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include a general note as follows (to the cover sheet): “While the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage.”

105. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."
106. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete."
107. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
108. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 40 calendar days prior to the Council meeting.
109. **STORM DRAIN SYSTEM STUDY:** In order to fully evaluate the performance of the proposed storm drain system, we will need an analysis to show the design flow from the proposed development, the capacity of the proposed new pipelines, and the change in flow and capacity performance of the existing pipeline along Old Middlefield Way, with the proposed connection.

The developer can obtain the hydraulic data of the existing storm drain pipeline at Old Middlefield Way from our storm drain master plan consultant, Schaaf and Wheeler, but the developer should be expected to pay for Schaaf and Wheeler's time to provide the data for the analysis.

The City will also need a stormwater management plan for the postconstruction on-site stormwater management measures. Plan Sheet C6.0 included the design, but the City will also need a report for that.

Building Inspection Division – 650-903-6313

110. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and any appeal period has passed. To submit for building permits, please refer to the Building Inspection Division's "Submittal Requirements" for document requirements and project review times online at www.mountainview.gov/submitbuildingpermit.

No construction work can commence without the appropriate building permit(s) and no new occupancy shall commence without a Certificate of Occupancy. Please visit City of Mountain View – Building & Fire Division online at www.mountainview.gov/building or by phone at 650-903-6313 to obtain information and submittal requirements.

111. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2016 California Codes: Residential, Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
112. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
 - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the 2016 CBC, Chapter 11B.
 - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the 2016 CBC, Chapter 11B.
 - **PARKING REDUCTIONS (CHAPTER 11B):** Parking reductions granted through a Planning/Zoning permit do not reduce the amount of required accessible spaces. The project will be required to comply with the accessible parking requirements in the 2016 CBC, Chapter 11B.
 - **GUEST PARKING:** At least 5 percent of the guest parking spaces are required to be accessible per the 2016 CBC, 1109A.5.
113. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per the 2016 CalGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.45.
114. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to the Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
115. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2016 CBC.
116. **EGRESS:** Site must meet accessible means of egress per the 2016 CBC, Section 1009.
117. **FIRE PROTECTION (PROJECTIONS):** Overhangs and other projections will not be permitted to cross property lines, including any property lines between units.
118. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per 2016 CBC, Section 903.2.8.
119. **FIRE SEPARATION WALLS:** Provide the required Fire Wall Resistance Ratings per 2016 CBC Table 706.4(c) as amended in MVCC Section 8.10.22.
120. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the 2016 CBC.
121. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per 2016 CBC, Chapter 5.
122. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of building plan submittal to show how pedestrians will be

protected per 2016 CBC, Section 3306.

123. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.
124. **SEPARATION:** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted per the 2016 CBC, Section 406.3.4.
125. **SURVEY:** A survey will be required to be completed to verify structure placement.
126. **SCHOOL IMPACT FEE:** Project will be subject to School Impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos High School District *and* Mountain View Whisman School District *or* Los Altos Elementary School District.
127. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any submittals of AMMRs are required to be formally submitted with the complete initial building submittal. AMMRs will be reviewed by the Chief Building Official during the plan check process; approvals of AMMRs are not provided or processed prior to submittal to the Building Inspection Division.
128. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Please visit City of Mountain View – Building & Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313, to obtain information and submittal requirements.
129. **EMERGENCY ESCAPE AND RESCUE OPENINGS:** Project shall comply with the egress window requirements by the 2016 CRC, section R310.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

130. **RESIDENTIAL FIRE SPRINKLER SYSTEM:** Provide an approved automatic fire sprinkler system designed in accordance with NFPA 13D (2016 Edition) and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (California Residential Code Section R313.)
131. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' apart, and within 150' of all exterior walls.
132. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code Section 907.)

FIRE DEPARTMENT ACCESS

133. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code Section 503, and City Code Sections 14.10.15, 14.10.16 and 14.10.17.)

134. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
135. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 503.)
136. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code Section 503.)

EGRESS AND FIRE SAFETY

137. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications.

EXTERIOR IMPROVEMENTS

138. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. Call the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code Section 304.3.)
139. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (City Code, Section 14.10.19.)

OTHER

140. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code Section 1030.)

[Fire and Environmental Protection Division](http://www.mountainview.gov/fep) – 650-903-6378

HAZARDOUS MATERIALS

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at www.mountainview.gov/fep. "Stormwater Quality Guidelines for Development Projects" can be accessed on the Fire Department website: www.mountainview.gov/civica3/filebank/blobdload.aspx?BlobID=13392.

141. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.

142. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
143. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
144. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
145. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.
146. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
147. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

The "Stormwater Quality Guidelines for Development Projects" document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City's guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

COMMENT: On the building plan submittal, show how runoff from the driveway onto Sierra Vista Avenue, at the southeast corner of the site, will drain to Treatment System A-3.

148. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: <http://www.scvurppp->

w2k.com/consultants_list.shtml

NOTE: The applicant shall file a final map for approval and recordation in accordance with the approved Planned Unit Development (PUD), the City Code, and the State Map Act. The permit authorizing approval of the PUD is conditioned upon obtaining an approved final map. Failure to obtain an approved subdivision shall render the PUD invalid.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

PB/2/CDD
815-10-16-18COA