

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
CONDITIONALLY APPROVING A PLANNED UNIT DEVELOPMENT AND
DEVELOPMENT REVIEW PERMIT FOR A FOUR-STORY, 121-UNIT RESIDENTIAL
CONDOMINIUM PROJECT WITH A STATE DENSITY BONUS AND A
HERITAGE TREE REMOVAL PERMIT TO REMOVE 12 HERITAGE TREES AT
1919-1945 GAMEL WAY, 574 ESCUELA AVENUE, AND 1970 LATHAM STREET

WHEREAS, an application (Application No. PL-2019-211) was received from Kevin DeNardi of the DeNardi Group D/S Gamel Way LLC for a Planned Unit Development Permit and Development Review Permit to construct a 121-unit residential condominium project and a Heritage Tree Removal Permit to remove 12 Heritage trees on a 2.3-acre site located at 1919-1945 Gamel Way, 574 Escuela Avenue, and 1970 Latham Street; and

WHEREAS, the Zoning Administrator held a duly noticed public hearing on August 25, 2021 on said application and recommended the City Council conditionally approve the Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal Permit subject to the findings and conditions of approval attached hereto; and

WHEREAS, the City Council held a duly noticed public hearing on September 28, 2021 on said application and received and considered all evidence presented at said hearing, including the recommendation from the Zoning Administrator, City Council report, project materials, testimony, and written materials submitted;

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

1. The Planned Unit Development Permit to allow a 121-unit residential condominium development is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.46.95 of the Mountain View City Code:

a. The proposed land use(s) are allowed within the R3-1 (Multiple-Family Residential) Zoning District;

b. The proposed project is consistent with the Medium-Density Residential Land Use Designation of the General Plan because multi-family residential is an allowed use within that Land Use Designation (LUD), and the project is consistent with applicable

General Plan goals and policies, including Policies LUD 3.1 (Land Use and Transportation), LUD 3.5 (Housing Diversity), LUD 3.9 (Parcel Assembly), and LUD 9.3 (Enhanced Public Space);

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

d. 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 R3-1, Rowhouse Guidelines, and density bonus requirements and provides a multi-family development with density, height, and design which are compatible with the existing residential neighborhood character and includes other multi-family developments;

e. 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, a well-designed common open space area which includes built-in barbecues and counter, outdoor fire pits, picnic tables and benches, a shade trellis, and hard and softscape, and the landscape palette complies with the City's Water Conservation in Landscaping Regulations;

f. 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 provides a full-access driveway from Escuela Avenue with a ramp down to the underground garage, providing access to the building via stairs and an elevator; and the project provides the required number of parking spaces per the State Density Bonus Law, including area for resident bike parking within the underground garage and racks for residents and guests in the common areas;

g. The proposed project is in substantial compliance with the intent of requirements of the R3-1 Zoning District and State Density Bonus Law, 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 waivers to the requirements of Chapter 36 (Zoning) of the City Code because the design includes attractive articulation and architectural treatments, such as varied roof forms to break up the mass, such as gable and shed roof forms, front porches with stone columns, and stone veneer bases, metal railings, and wooden trellises. Building materials include smooth stucco, tile roofs, wood composite shutters, wrought iron balconies, guardrails, metal canopy frames, window grilles, and interlocking courtyard

pavers, engineered sandstone parapet caps, and the site layout results in a superior design, which includes full access to the underground parking garage, guest parking, and units facing the common open space area and the street;

h. The proposed project complies with the Design Guidelines as it is well-designed and integrated with the existing neighborhood character, which includes a variety of building types and styles; and

i. The approval of the Planned Unit Development Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 (“In-Fill Development Projects”) of the CEQA Guidelines because the project is consistent with the General Plan and the R3-1 Zoning District; occurs within 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 Development Review Permit to allow a 121-unit residential condominium development is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70 of the Mountain View City Code:

a. The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines since it is in compliance with the R3-1 zoning designation, Medium-High Density Residential General Plan Land Use Designation, and Density Bonus requirements. The project is consistent with the existing neighborhood character, which includes multi-family residential developments. The project is also consistent with the key General Plan goals and policies, including Policies LUD 3.1 (Land Use and Transportation), LUD 3.5 (Housing Diversity), LUD 3.9 (Parcel Assembly), and LUD 9.3 (Enhanced Public Space) as well as form and character guidance aimed at achieving improved pedestrian facilities, buildings engaging the street, minimized driveways, upper-floor step-backs, central open space, and visually interesting structures;

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 developments because it is a multi-family residential development that is well-designed and integrated with the existing neighborhood, which includes a variety of building materials and colors; it includes features such as smooth stucco, natural wood accents, stone veneer, metal railings, wood trellises at the upper

levels, and red metal awnings; all equipment will be screened; and exterior lighting will only light the areas intended with no off-site spillover;

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 utilizing a traditional Mediterranean design consistent with the dominant regional style and contextualized such that it is also consistent with the neighborhood character; pathways within the development provide pedestrian connectivity to interior units, common and private open space, underground garage, and public access easement along the northern property line with access to 1970 Latham Street; and the buildings are configured to provide activated street presence with front entries on Escuela Avenue and a central common open space for residents;

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 well-designed common open space area which includes built-in barbecues and counter, outdoor fire pits, picnic tables and benches with a shade trellis, and hard and softscape, and the landscape palette complies with the City's Water Conservation in Landscaping Regulations;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking because the project provides a full-access driveway from Escuela Avenue with a ramp down to the underground garage, providing access to the building via stairs and elevator, and the project provides the required number of parking spaces, including area for resident bike parking within the underground garage and racks for residents and guests in the common areas; and

f. The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15332 ("In-Fill Development Projects") because the project is an infill development in an existing residential neighborhood that is consistent with the applicable General Plan and zoning designation; is on a project site of less than five acres; contains no value as an endangered, rare, or threatened species habitat; would not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

Additionally, in accordance with City and State requirements, the Density Bonus is conditionally approved based on the following additional findings per Section 36.48.95 of the Mountain View City Code:

g. The project is a housing development that contains at least one of the features described in Section 65915(b) of the State Density Bonus Law to qualify for a density bonus, and all other eligibility requirements as described in Government Code Section 65915(c) have been met because more than 5% of the project units are for very low-income households, and the project includes 29 replacement units consisting of at least nine very low- and 20 low-income units consistent with State law (the relative number of very low-income units may be increased if the income level of additional tenant households are determined to be very low-income prior to the final day to vacate the premises);

h. The project has provided sufficient affordable units or otherwise meets the eligibility requirements for the bonus density as described in Section 65915(f) of the State Density Bonus Law because the project includes 29 low-income units (36% of base units), making it eligible for a 50% density bonus (40 additional units above the base density);

i. The project meets the eligibility requirements for reduced parking ratios as described in Section 65915(p) of the State Density Bonus Law because the project is located in a transit proximity area and within one-half mile of the existing stops along a high-quality transit corridor. Based on the Density Bonus Law, the project would be required to provide at least 109 spaces at 0.5 space per bedroom. The project proposes 121 parking spaces for residents and 20 parking spaces for guests, for a total of 141 parking spaces;

j. The development standard(s) requested to be waived would physically preclude the units or incentives/concessions provided in the project as described in Section 65915(e) of the State Density Bonus Law because the following waivers have been requested and would be granted under the State Density Bonus Law: (1) building coverage of 50% in lieu of 35%; (2) second-floor setback of 22' in lieu of 20'; (3) third-floor setback of 22' in lieu of 29'; (4) fourth-floor setback of 46' in lieu of 46'6"; (5) a building height of four stories and 54'4" in lieu of the permitted three stories and 45'; (6) a total floor area ratio (FAR) of 1.64 in lieu of the permitted 1.05; and (7) 49% of common usable open area in lieu of 55%.

3. The Heritage Tree Removal Permit to remove 12 Heritage trees (Tree Nos. 19, 37, 41, 42, 44, 45, 50, 51, 58, 59, 60, and 61) is conditionally approved based on the

conditions contained herein and the following findings per Section 32.35 of the Mountain View City Code:

a. It is necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services because as concluded by Kielty Arborist Services, who evaluated the site's trees and prepared an arborist report, dated August 12, 2021, which report was reviewed by the City arborist; Tree Nos. 19, 37, 41, 42, 44, 45, 50 51, 58, 59, 60, and 61 exhibit a variety of health issues, including poor form and health due to past poor pruning and/or topping for utility clearances, which cannot be remedied through forestry practices or intervention techniques and should be removed to prevent future risk of failure to project structures and residents;

b. It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the redevelopment of the site with 121 units either places Heritage trees within the footprint of the project's building and site improvements, or significantly impacts the trees via site grading, essential utilities, and Fire access necessary for the project. Tree Nos. 19, 37, 41, 42, 44, 45, 50, 51, 58, 59, 60, and 61 are located in areas in conflict with necessary grading building footprints; and

c. The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA) Guidelines, as it qualifies as a categorically exempt project per Section 15332 ("In-Fill Development") because the project is an infill development in an existing residential neighborhood that is consistent with the applicable General Plan and Zoning Designation; is on a project site of less than five acres; contains no value as an endangered, rare, or threatened species habitat; would not result in any significant effects, relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Planned Unit Development Permit, Development Review Permit, and Heritage Tree Removal 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.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6, as established by Resolution No. 13850, adopted by the City Council on August 9, 1983.

MN/6/RESO
813-09-28-21r-3

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2019-211**

1919, 1920, 1933, 1938, AND 1945 GAMEL WAY, 574 ESCUELA AVENUE, AND 1970 LATHAM STREET

The applicant is hereby notified, as part of this application, that the applicant is required to meet the following conditions in accordance with the Mountain View City Code and the State of California. Where approval by a City Department Director or Official 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 the applicant 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 construct a four-story, 121-unit residential condominium development with underground parking and a 50% State Density Bonus with waivers from development standards to replace 29 rental units and a Heritage Tree Removal Permit to remove 12 Heritage trees on a 2.3-acre project site; and a determination that the project is categorically exempt pursuant to Section 15332 ("In-Fill Development Projects") of the CEQA Guidelines located on Assessor's Parcel Nos. 154-21-007, 154-21-008, 154-21-009, 154-21-010, 154-21-011, 154-21-012, and 154-21-013.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division – 650-903-6306

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period or if there has been no significant construction activity for a period of one year following the last building inspection for an issued building permit, unless a Permit Extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date or continuation of construction.
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 Chapter 36 of the Mountain View City Code. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the expiration date of the original permit.
3. **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.

PERMIT SUBMITTAL REQUIREMENTS

4. **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 duly noticed public hearing, which can be referred to the City Council.
5. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in a written letter that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify 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.
6. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and

residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.

7. **AIR QUALITY:** The applicant is 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.
8. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
9. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color name.
10. **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 during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. 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 build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
11. **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.

SITE DEVELOPMENT AND BUILDING DESIGN

12. **BUILDING DESIGN/PLAN MODIFICATIONS:** Based on direction from the Development Review Committee (DRC), modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details prior to issuance of a building permit and shown on building permit drawings. The following modifications are subject to review and approval by the Zoning Administrator to confirm compliance with the DRC's recommendation(s):
 - a. Continue to work with staff on design/configuration of paths, ramps, and planting areas in the northwest corner of the site to maximize landscape opportunities between the building and driveway.
 - b. Continue to work with staff on refining column widths on ground-level porches and balcony above the main entry.
 - c. Continue to work with staff on the color and material board provide proper call-outs and make sure the colors are reflective of the renderings. Colors should have deeper, richer tones.
13. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes privately owned open space, improvements, and/or other facilities which shall be publicly accessible and include a public access easement along the northern property line with access to 1970 Latham Street. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space but shall not restrict access with fencing or other design/operational barriers.

14. **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.
15. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement, utilization, and finish 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.
16. **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.
17. **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.
18. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 3”.
19. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance and purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include windows, materials, and paint samples. Proposed primary and secondary (accent) paint colors should be painted next to each other on the mock-up for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
20. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
21. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
22. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
23. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall not exceed 7’ in height, 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 traffic visibility area requirements.
24. **PLAY STRUCTURE:** Provisions for a children’s play yard, including appropriate equipment, shall be included on the landscape plans to be approved by the Zoning Administrator and installed prior to any occupancy. The provision of such facilities and their location must be included in sales information to prospective purchasers.
25. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4” wide stripes. Double stripes shall be 18” apart, from outside edge to outside edge of the stripes, or 10” from inside edge to inside edge of the stripes. 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’. For parallel parking spaces, only single-striped or tic-mark is required

between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.

26. **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.
27. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors is 30 bike spaces. These spaces shall be provided as bike racks which 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 it is infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking if not visible from a street or public path.
 - b. Long-term bike parking for residents is one bike space per unit. These spaces shall be in a secure location to protect against theft and may include, but are not limited to, bike lockers, enclosed cages, or other restricted interior areas.
28. **GUEST PARKING:** The project shall provide guest parking spaces consistent with the approved plans. The final location of all guest parking shall be shown on building permit plans and include appropriate signage and/or pavement markings subject to review and approval by the Zoning Administrator.

GREEN BUILDING

29. **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 108 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.

TREES AND LANDSCAPING

30. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. 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.
31. **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.

32. **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.
33. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the four trees before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist’s reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
34. **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 at planning.division@mountainview.gov.
35. **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.
36. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
37. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage tree with two (2) replacement trees, for a minimum total of 24 replacement trees. Each replacement tree shall be no smaller than a 24” box and shall be noted on the landscape plan as Heritage or street replacement trees.
38. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist’s report prepared by Kielty Arborist Services, and dated August 12, 2021, shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6’ chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
39. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

NOISE

40. **MECHANICAL EQUIPMENT (NOISE):** 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.

41. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) L_{dn} that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
42. **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.
43. **PILE DRIVING NOISE REDUCTION:** The following measures shall be incorporated into construction plans and contractor specifications if pile driving is proposed: (a) multiple pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving would be reduced; and (b) temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the foundation pile holes as a standard construction noise control technique. Predrilling reduces the number of blows required to seat the pile.

CC&RS AND DISCLOSURES

44. **CC&Rs:** One electronic PDF 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 provide a completed CC&R checklist at submittal along with associated review fee made payable to the City of Mountain View. The checklist can be obtained by contacting the project planner or by e-mail inquiry to planning.division@mountainview.gov.
45. **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 R3-1 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. Copies of the master plan shall accompany the CC&Rs to be submitted to the Planning Division for review and approval.
46. **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.
47. **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 prepared 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

AGREEMENTS AND FEES

48. **INDEMNIFICATION.** The applicant shall indemnify and hold harmless the City and City's City Council, officers, employees, agents, boards, and commissions (the "Indemnified Parties") from and against any claim, action, or proceeding (collectively "Claims") brought by a third party against any of the Indemnified Parties seeking to attack, set aside, void, or annul any permit or approval authorized hereby for the Project, including the adoption of any environmental documents or categorical exemptions which relate to the approval. This indemnification requirement shall include, but is not limited to, reimbursing the City for all costs and expenses, including attorneys' fees, incurred by the City, and all damages, costs, expenses, attorneys' fees, and expert witness fees, that may be awarded to the prevailing party arising out of, or in connection with, the permits or related approvals.
49. **MUTUAL ACCESS:** The property owner shall prepare a legal agreement to be recorded on the property providing for mutual access between this project site and the property located at 1970 Latham Street along the northern property line. The agreement shall be reviewed and approved by the City Attorney and Zoning Administrator and shall state that it may not be modified without the City's consent.

CONSTRUCTION ACTIVITIES

50. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase.
51. **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.
52. **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.
53. **ON-STREET CONSTRUCTION PARKING RESTRICTION:** On-street construction parking is not permitted. The construction management plan shall include a monitoring and enforcement measure which specifics on-street parking will be monitored by the owner/operator of the property (or primary contractor), and penalties to be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project.
54. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' 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.
55. **DISTURBANCE COORDINATOR:** The 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.

56. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from ACMs and lead-based paint, the following measures are to be included in the project:
- a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.
 - b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

57. **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: (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; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
58. **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.
59. **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.

60. **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.
61. **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.
62. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).
63. **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 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.

64. **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 Neighborhoods and Housing 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. In addition to complying with the requirements of the Tenant Relocation Assistance Ordinance (TRAO), the following relocation benefits will be provided by the developer (and documented by recorded agreement on the project site) to all tenants that received a Notice of Intent (NOI), dated on or after January 3, 2020. The developer will continue to provide all other standard TRAO benefits in addition to the enhanced benefits described below:
- a. 42 months of rent subsidy for each qualifying tenant household (with a household income of up to 120% AMI plus \$5,000, as set forth in the TRAO) in the amount of the difference between a tenant's current monthly rent and the comparable market rent. (Note: This replaces the current TRAO benefit of three months of rent.)
 - b. Tenant has the first right of refusal to a newly constructed unit at an affordable price (up to 120% AMI). If the Tenant household earns above 120% AMI, the first right of refusal is required but the affordable price limit does not apply.
 - c. Tenant has the right to occupy their current rental unit until six months prior to construction. (Applies to all income levels.)
 - d. The BMR units constructed by the project will be deed-restricted in perpetuity.
 - e. Tenants who exercise the right of first refusal, as stated in subsection (b) above, will be provided interim relocation at a comparable rent while the new units are being constructed. If the interim unit available is at a higher rent, a rent subsidy to cover the difference, up to the amount under subsection (a) above, will be provided. Alternatively, the tenant can choose not to rent the interim unit and only receive the rent differential under subsection (a). This rent subsidy will be provided for a time frame of either 42 months or the duration of the interim relocation until the tenant can move into the new unit in the development, whichever is less. (Applies to tenants up to 120% AMI plus \$5000.)
 - f. Waiver of legal challenge for the project approval, requirements and conditions of approval, including the project requirement to replace all 29 existing units, as currently incorporated in the project application.
 - g. Escrow shall open after the City Council authorizes the City Manager to execute the Purchase and Sale Agreement. Escrow will close after the Building Inspection Division conducts its post demolition inspection and provides final approval that the demolition of all buildings on the project site has been completed.
 - h. The Purchase and Sale Agreement shall terminate if the planning entitlement expires before the demolition is complete.
 - i. The application for a demolition permit may only be submitted after the building permit application has been submitted and after the City provides its first round of comments.
 - j. Buyer shall pay: (a) all recording costs; (b) all premiums for the Title Policy and costs of additional endorsements and surveys (to the extent obtained by Buyer); (c) all escrow fees in connection with the purchase and sale of the City Property Rights; and (d) all other customary closing costs related to the transaction.

- k. The City of Mountain View will convey the Property to Buyer in the Property's then-existing physical state and condition, as-is and where-is, with all faults. The City will not make any representations or warranties regarding the physical condition of the Property.
65. **BMR OWNERSHIP, PROVIDING UNITS:** Prior to issuance of the initial building permit, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide 29 units within the development as Below-Market-Rate (BMR) units (at least nine very low-income and 20 low-income) consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the BMR 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.
 66. **BMR, PROCESS:** Prior to the first building permit submittal, the applicant shall contact the Housing and Neighborhood Services Division at 650-903-6379 to begin preparation of a BMR agreement for the project. The applicant shall submit the following information: (a) a copy of the Findings Report or Conditions of Approval; (b) a legal description of the property; (c) a plan indicating the location, size, and phasing of BMR units; and (d) additional information as requested by the Housing and Neighborhood Services Division. The BMR agreement must be recorded prior to building permit issuance.
 67. **DENSITY BONUS, OWNERSHIP UNITS SALES PRICE:** Under State Density Bonus Law, at least nine very low-income and 20 low-income units of for-sale affordable units must be sold at cost 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.

Building Inspection Division – 650-903-6313

Entitlement review by the Building Inspection Division is preliminary. Building and Fire plan check reviews are separate permit processes applied for once the zoning approval has been obtained and appeal period has concluded; a formal permit submittal to the Building Inspection Division is required. Plan check review shall determine the specific requirements and construction compliance in accordance with adopted local, State, and Federal codes for all building and/or fire permits. For more information on submittal requirements and timelines, contact the Building Inspection Division online at www.mountainview.gov/building. It is a violation of the MVCC for any building occupancy or construction to commence without the proper building and/or fire permits and issued Certificate of Occupancy.

68. **BUILDING AND FIRE PERMITS – CODE REQUIREMENTS: Obtaining Planning entitlement for this project is not an approval from Building or Fire.** A formal permit submittal to the Building Inspection Division is required. Plan check through the Building Inspection Division shall determine the specific project requirements and construction compliance in accordance with Federal, State, and local codes adopted for all building and/or fire permits.

Entitlement review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review is a separate permit application process that can only be applied for once the Planning approvals have been obtained and the required appeal period has passed. For information on how to submit for building and fire permits, please refer to the Building Inspection Division's website – www.mountainview.gov/submitbuildingpermit for review timelines and document requirements.

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

69. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2019 California Codes: Building, Residential, Fire, Electrical, Mechanical,

Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).

70. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
 - **CHAPTER 11A:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
 - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
 - **GUEST PARKING:** At least 5% of the guest parking spaces are required to be accessible per the CBC, 1109A.5.
 - **ASSIGNED PARKING:** At least 2% of the assigned parking spaces are required to be accessible per the CBC, 1109A.4.
71. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per CALGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.46.
72. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
73. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department (SCCHD) prior to submittal to the Building Inspection Division. Please visit SCCHD online at www.sccgov.org or by phone at 408-918-3400 to obtain information and requirements for approval.
74. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
75. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
76. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of the CBC, Section 907.5.2.2.
77. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per the CBC, Section 903.2.8.
78. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC Table 706.4c as amended in MVCC Section 8.10.22.
79. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the CBC.
80. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per the CBC, Table 508.4.
81. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Section 1004.
82. **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 the CBC, Section 3306.

- 83. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.
- 84. **SURVEY:** A survey will be required to be completed to verify structure placement.
- 85. **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.
- 86. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Please visit the City of Mountain View – Building and Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

- 87. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13 (2016 Edition), NFPA 24 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (City Code Sections 14.10.27, 14.10.28, and California Fire Code Section 903.)
- 88. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code Section 905.)
- 89. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
- 90. **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. Installation shall be complete and the system shall be tested prior to combustible construction.
- 91. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2016 Edition) and Mountain View Fire Department requirements.)
- 92. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50'/75' of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3 and California Fire Code, Section 906.)
- 93. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of

fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Contact 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 Fire Code, Section 907 and City Code, Section 14.10.33.)

94. **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 907.2.10.)
95. **CARBON MONOXIDE ALARMS:** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

FIRE DEPARTMENT ACCESS

96. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Contact the Building Inspection Division at 650-903-6313 for instructions or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 506.)
97. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Inspection Division at 650-903-6313 for instructions. (Required for parking garage gates and secured stairwell access.)
98. **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 14.10.14, 14.10.15, and 14.10.16.)
99. **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. Contact the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
100. **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. Contact 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.)
101. **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.)
102. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.)

EGRESS AND FIRE SAFETY

103. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1008.)
104. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.)
105. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.1.10.)
106. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
107. **GROUP A, E, I, AND R-1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
108. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
109. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
110. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
111. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1023.9.)
112. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

EXTERIOR IMPROVEMENTS

113. **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. Contact the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code, Section 304.3.)

114. **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 14.10.18.)

OTHER

115. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R 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.)
116. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

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RIGHTS-OF-WAY

117. **PUBLIC ACCESS EASEMENT, COVENANTS, AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits and prior to approval of the final map, the owner shall dedicate a 4' wide public access easement (PAE), covenants, agreements, and deed restrictions on private property adjacent to the private driveway from Gamel Way to the 1970 Latham Street parcel. The dedication shall indicate that:
- a. Public access shall be granted for nonautomotive use;
 - b. The owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
 - c. The PAE shall run with the land and be binding upon any successors;
 - d. If the owner shall fail to abide by the PAE, the owner agrees to pay all reasonable costs and expenses incurred by the City in enforcing the performance of such obligations; and
 - e. The owner agrees to defend, and hold the City and the City's officers, employees, agents, and volunteers harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in performance of services or operations under the Dedication, including maintenance operations performed on the PAE by the owner or the owner's contractors, subcontractors, agents, or employees.

A legal description (metes and bounds) and plat map (drawing) of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

Associated improvements within the PAE (PAE Improvements) shall be constructed by the owner and approved by the City.

118. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 8' wide public utility easement (PUE) along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, as required by the Public Works Director. The property owner or homeowners association 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 the PUE

shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following:

- Garages, sheds, carports and storage structures;
- Balconies and porches;
- Retaining walls;
- C.3 bioretention systems; and
- Private utility lines running longitudinally within the PUE.

Exceptions to these PUE requirements may be considered by the Public Works Director in conjunction with the review and approval of the off-site improvement plans and building permit plans for the project.

119. **PUBLIC UTILITY EASEMENT:** Dedicate a public utility easement for the proposed public gas service, as required by the Public Works Director. The dedication statement shall specify that the easement shall be kept clear of trees, shrubs, and structures and that the property owner shall maintain the vehicle surfacing over the easement.
120. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
121. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way vacations(s), submit to the Public Works Department for review and approval a legal description (metes and bounds), plat map (drawing), and other required documents per the City's Legal Description and Plat Requirements. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

FEES

122. **MAP PLAN CHECK FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.27.b and 28.19.b of the City Code per the rates in effect at time of payment. An initial map plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial map plan check submittal.
123. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits and prior to approval of the final map, 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 adopted 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.

124. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the transportation impact fee for the development. Residential category fees are based

on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.

125. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits and prior to approval of the final map, 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.
126. **SANITARY SEWER FAIR SHARE CONTRIBUTION:** As this project proposed 41 additional units over the existing zoning, a Utility Impact Study is required to determine the effects of increased sewer flows resulting from the development beyond the levels anticipated under the adopted General Plan. Prior to issuance of the building permit and approval of the final map, the applicant shall be required to pay a proportionate fair-share contribution to the City to upsize the sanitary sewer pipelines in the system to achieve appropriate performance and capacity.
127. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the Park Land Dedication Fee approximately of \$3,024,000 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.
128. **STORM DRAINAGE FEE:** Prior to issuance of any building permits and prior to approval of the final map, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
129. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to:
 - For 1920 Gamel Way: Domestic, irrigation and fire water services, meters and appurtenances, and fire hydrant; sewer service; storm connection; undergrounding of existing overhead electric and communication lines; new curb, gutter, and sidewalk along Escuela Avenue; half-street overlay on Escuela Avenue; and bulb-out at the northwest corner of Latham Street and Escuela Avenue.
 - For 1970 Latham Street: Relocation of fire service from the end of Gamel Way to the Latham Street frontage; reconnection of gas service from the existing main in Gamel Way to the new service line the driveway; and reconnection of the overhead electric service from the end of Gamel Way.
- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit or approval of the final map.
- b. **BONDS/SECURITIES:** Sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100%) or provide a cash deposit (100%) or provide a letter of credit (150%) securing the installation and warranty of the off-site 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.

- c. **INSURANCE:** Provide a Certificate of Insurance and endorsements for Commercial General Liability and Automobile Liability, naming the City as an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit. 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, One Million Dollars (\$1,000,000) Pollution Legal Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
130. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public 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 California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), an initial plan check fee and map 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 final map. 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 full-size and 2 half-size 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 or approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
 131. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit 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. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).

Traffic control plans shall be prepared, stamped, and signed by a California-registered Traffic Engineer (T.E.).
 132. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of the street and utility improvements. Construction cost estimate shall include private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. 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. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
 133. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit to the Public Works Department a complete Excavation Permit Application for all applicable work within the public right-of-way. Permit applications are available on the Internet from the Public Works Department website. All work within City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.

134. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, ramp landings, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
135. **TIE-BACK ENCROACHMENTS:** Temporary tie-backs or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100%) or letter of credit (100%) or cash security (100%) securing the installation and warranty of the temporary tie-backs.
136. **DRIVEWAY SIGHT TRIANGLE:** The building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers and telecom boxes) shall conform to City Standard Detail A-22, Side Street/Driveway Pedestrian and Vehicular Triangle of Safety.
137. **STREETLIGHTS:** Three or more City standard streetlights shall be installed along the project street frontage of Escuela Avenue or across the street per City standards. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer.
138. **PHOTOMETRICS:** Provide photometrics for the midblock crosswalk to ensure street lighting is adequate. Photometric analysis shall be between two closest streetlights to the crosswalk. Show illumination for roadway, sidewalks, and crosswalk separately. Additional street lighting may be needed upon review of crosswalk photometrics. Provide photometrics for intersection of Escuela Avenue/Latham Street to ensure street lighting is adequate. .
139. **MIDBLOCK CROSSING:** If existing solar panels at the midblock crosswalk are blocked by the project or any shadows of the project, the applicant will be solely responsible for modifying the solar and/or electrical features of the enhanced crosswalk to ensure proper operation.

STREET IMPROVEMENTS

140. **STREET OVERLAY:** Half-street overlay (minimum 2" grind and overlay) along Escuela Avenue project street frontage shall be required due to multiple utility trenches and impacts from the anticipated construction traffic.

UTILITIES

141. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans to determine the depths and locations of existing subsurface utilities. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including but not limited to, pothole location and depth of utility.
142. **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.
143. **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.
144. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
145. **WATER METER BANK:** Water meters shall be arranged in a bank of meters and located behind the public sidewalk in the landscaped areas only in accordance with City standards. Water meters shall not be located in driveway

approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.

146. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit to the Public Works Department 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 prior to issuance of any permits.
147. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall 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.
148. **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.
149. **UNDERGROUND SERVICES:** All new and existing electric and telecommunication facilities serving the site are to be placed underground, including transformers. The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (If allowed by the City, aboveground transformers, power meters, and pedestals 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.)
150. **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, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. These plans shall be combined and made a part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate utility easements that are necessary for the common utility on the final map. All boxes required along the frontage shall be behind the sidewalk in the Public Utility Easement.

CURBS, SIDEWALKS, AND DRIVEWAYS

151. **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.
152. **AMERICANS WITH DISABILITIES ACT SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) may be provided to connect the proposed public sidewalk on each side of the proposed driveway.
153. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Escuela Avenue except the recently constructed bulb-out.

154. **ON-STREET PARKING RESTRICTIONS:** Parking shall be prohibited along Escuela Avenue along the entire project frontage from the project driveway to 10' south of the midblock bulb-out. Painted red curb shall be installed to discourage on-street parking.
155. **CURB BULB-OUT:** A new curb bulb-out shall be installed at the northwest corner of Escuela Avenue and Latham Street. A 24" wide high-visibility ladder-style crosswalk shall be painting across Escuela Avenue and Latham Street per the City's latest standard.
156. **STOP-CONTROLLED:** All egress points to public streets or public easements shall be STOP-controlled in order to control conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway and, therefore, improve safety.

SOLID WASTE AND RECYCLING

157. **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.
158. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Solid Waste and Recycling Section prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
159. **TRASH ENCLOSURE DESIGN AND DETAILS:**

New Building: Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include the following:

- The property must have containers for trash, recycling, and compost. Trash room details, including interior measurements to scale, must be displayed on plan sheets and show proper clearances of 1' between containers, walls, and interior curbs, and 6' aisle ways to accommodate bin movement in/out of the trash rooms. Level 1 trash room must have a roll-up style door that has a minimum 8' wide opening and provide keypad access to the hauling company. Property shall have minimum number of containers as shown below:
 - Seven (7) two-yard trash bins;
 - Two (2) two-yard cardboard bins;
 - Seventeen (17) 96-gallon recycle carts for paper and containers; and
 - Two (2) 96-gallon compost carts.
- Trash and cardboard containers may have twice-per-week collection. Recycle and compost carts may not have more than once-per-week collection. If the above number of carts is not adequate, the property shall provide space for additional carts.
- The collection company will not enter underground garages. Therefore, property maintenance is responsible for transporting all bins from the below-grade trash room to either the at-grade trash room or to the staging area.
- Collection company will not collect carts from the trash rooms. Carts shall be placed outside the trash room in the staging area.
- Pathway for bin movement from trash room to collection vehicle must be smooth, flat, and minimum 6' wide.

- Display the staging area on architectural, civil, and landscape plan sheets.
- This development must utilize three trash chutes to collect trash and recycling. Chutes must be designed to collect three separate material streams – trash, paper, and containers. At each location where residents have access to the chutes, room shall be available for containers (slim jims) to collect separated organics (food scraps). Property is responsible for procuring these containers and transporting the contents to the compost carts located in the main trash rooms.
- All chute vestibules must have signage with sorting instructions according to the City’s programs, and all signage must be approved by the City’s hauler.
- Property management shall provide 60 days’ notice, prior to occupancy, to the City’s waste hauler in order to set up collection services and allow time to procure all equipment.
- Prior to occupancy, trash enclosures and collection areas must be accessible to the collection company. Travelways must be complete for proper vehicle circulation.
- The trash rooms shall only be used for trash, recycling, and compost containers. It is not to be used for storage. The access door shall be clearly labeled “trash room.”
- Roll-out fees charged by the City’s trash hauler will apply for containers that must be rolled more than 30’ from any holding area to the truck.
- Include site circulation plan.
- Overhead clearances of 15’ in the travelway and 22’ at the point of collection shall be maintained at all times.

1970 Latham Street (N) Trash Enclosure

- The applicant shall build a new enclosure on the adjacent 1970 Latham Street property to replace the existing one that will no longer be accessible.
- The enclosure shall measure 28’ 6-1/2” wide x 18’ 1-1/2” deep and have two sets of double doors, both with 9’ wide openings.
- The doors shall have means to secure them in both the fully open and closed positions (e.g., cane bolts).
- The roof shall provide minimum 9’ overhead clearance from finished floor to interior ceiling.
- The enclosure will accommodate four (4) two-yard trash bins and eight (8) 96-gallon recycle carts. The (N) enclosure will be located along the north side of the travelway.
- An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum of 10’ beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.

160. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers. Trash room/enclosures shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled “Trash Room.”

STREET TREES

161. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
162. **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 shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. 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.
163. **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)

164. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
165. **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.
166. **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. Show and identify path of surface water release on the grading and drainage plans.
167. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage prior to approval of the building permit or final map.
168. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage prior to approval of the building permit or final map.

MISCELLANEOUS

169. **CONSTRUCTION MANAGEMENT PLANS:** 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:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
 2. **Construction Phasing, Equipment, Storage, and Parking:** Show construction vehicles and equipment parking area, material storage and lay-down area, and construction trailer location for each phase of construction. 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 permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring 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.

170. **VALLEY WATER WELLS:** Valley Water (formerly Santa Clara Valley Water District) requires the following note be shown on the plans: While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in the Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.
171. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: "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 designated representative."
172. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: "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 as well as trash rooms and/or enclosures, 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 (such as, but not limited to, improvements to allow circulation for trash collection vehicles), 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."
173. **PRELIMINARY TITLE REPORT:** Upon submittal of the initial building permit and improvement plans, the applicant shall 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. The title report shall be dated within six months of the initial plan submittal. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
174. **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 a minimum 40 calendar days prior to the Council meeting.

ENVIRONMENTAL SAFETY

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/civicax/filebank/blobdload.aspx?BlobID=13392.

175. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a “Storm Drain/Sanitary Sewer Discharges” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
176. **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.
177. **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.
178. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (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.
179. **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.
180. **FIRE SPRINKLERED BUILDINGS:** New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of fire sprinkler drain on the plans.
181. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.
182. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

183. **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.

184. **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

185. **FULL TRASH CAPTURE (OFF-SITE IMPROVEMENT):** Projects located in “moderate,” “high,” or “very high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that will construct off-site improvements to the public storm drain system shall install full trash capture protection within the newly constructed public storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer’s recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.

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. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.

NOTE: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk’s Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

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. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.