

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT TO ALLOW A 323-UNIT ADDITION TO AN EXISTING 402-UNIT RESIDENTIAL DEVELOPMENT WITH THREE NEW SUBTERRANEAN GARAGES, NEW AMENITY BUILDING/LEASING OFFICE, AND NEW 1.34-ACRE PUBLIC PARK; AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE 57 HERITAGE TREES AT 555 WEST MIDDLEFIELD ROAD

WHEREAS, an application (Application No. PL-2017-004) was received from Avalon Bay Communities Inc. for a Planned Community Permit and a Development Review Permit to allow a 323-unit addition to an existing 402-unit residential apartment development with three new subterranean garages, a new amenity building/leasing office, and new 1.34-acre public park; and Heritage Tree Removal Permit to remove 57 Heritage trees located at 555 West Middlefield Road; and

WHEREAS, the Environmental Planning Commission held a public hearing on January 5, 2022 on said application and recommended the City Council conditionally approve the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit subject to the recommended findings and conditions of approval; and

WHEREAS, the City Council held a public hearing on February 8, 2022 on said applications and received and considered all evidence presented at said hearing, including the resolutions and project materials from the Environmental Planning Commission and City Council report and materials;

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

1. The Planned Community Permit is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.50.55 of the City Code:

a. The proposed use and development is consistent with the provisions of the P (Planned Community) District, and the proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments; or, if variations from requirements in the applicable Precise Plan are granted, the proposal

clearly demonstrates superior site and building design and is in substantial compliance with the intent of the requirements in the applicable Precise Plan since the P District standards have been developed around the project based on policy direction from the 2030 General Plan. The proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments by providing appropriate building setbacks from the public right-of-way; architecture which responds to the project site surroundings; and all parking provided within underground parking garages;

b. The proposed use or development is consistent with the High-Low Density Residential Land Use Designation of the General Plan as the project proposes a residential development up to 50 dwelling units per acre and is four stories tall;

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the project will comply with applicable health and safety codes; is an infill project located within an area that is already developed; is compatible with existing and planned land uses in the area; will provide appropriately designed points of ingress and egress for vehicles and pedestrians; will provide access via public streets and sidewalks; and is conveniently located near existing public transportation and commercial services;

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project is designed to be consistent with the development standards as established by the General Plan and provides a proposed use that is compatible with other residential developments in the area, including design features, such as by locating the buildings near the street and providing well-designed, region-appropriate landscaping and below-grade parking. The project has been reviewed and recommended for approval by the City's Development Review Committee, demonstrating the high-quality design of the development; and

e. The approval of the Planned Community Permit complies with the California Environmental Quality Act (CEQA) Guidelines because an Environmental Impact Report (EIR) has been prepared and circulated for public comment for the required 45 days, which ended on June 28, 2021. The City received 22 comment letters on the Draft EIR and has provided a response to these comments in the Final EIR. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval, with the exception of a significant unavoidable air quality impact exposing existing on-site sensitive receptors to substantial pollutant concentrations of PM 2.5 during construction only, for which a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program has been adopted by this Council.

2. The Development Review Permit is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70:

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 the project is consistent with General Plan goals and policies, including Policies LUD 8.3 (Enhanced publicly accessible bicycle and pedestrian connections), LUD 8.5 (Pedestrian and bicycle amenities), POS 1.2 (Recreation facilities in new residential developments), and form and character guidance aimed at achieving improved pedestrian facilities, buildings engaging the street, minimized driveways, upper-floor step-backs, courtyards, and outdoor areas integrated with building entrances and visually interesting structures. The project provides appropriate building setbacks from the public right-of-way, consistent with other residential developments in the City; provides innovative architecture which responds to the project site surroundings and topographic conditions of the site; and includes a residential land use which is compatible with the surrounding land uses;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development because all of the new buildings include traditional residential elements in the contemporary residential building design, highlight ground-level unit entries, improve upper-floor step-backs, provide more visual interest and wall movement, recess windows, and use building materials and detailing to incorporate more residential neighborhood character;

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 wide, well-landscaped sidewalks and interior landscaped courtyard areas; planting new, attractive landscaping; providing publicly accessible amenities, such as bicycle parking, to enhance on-site amenities and public streetscape; and providing an appropriate amount of on-site underground vehicular and bicycle parking to serve the project;

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 providing a variety of new trees, plants, and landscape materials providing visual interest; and complies with City 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 by improving the public sidewalks around the project site, appropriately designing ingress and egress from the

underground garages to avoid vehicular and pedestrian conflicts, and improving bicycle/pedestrian access to the adjacent public streets; and

f. The approval of the Development Review Permit complies with the CEQA Guidelines because an EIR has been prepared and circulated for public comment for the required 45 days, which ended on June 28, 2021. The City received 22 comment letters on the Draft EIR and has provided a response to these comments in the Final EIR. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval, with the exception of a significant unavoidable air quality impact exposing existing on-site sensitive receptors to substantial pollutant concentrations of PM 2.5 during construction only, for which a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program has been adopted by the City Council.

3. The Heritage Tree Removal Permit is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the 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 based on the arborist report prepared for the project and reviewed by the City arborist that concludes the removal of 57 Heritage trees is necessary for construction of the project due to their poor health and location within the proposed building footprints and construction of the subterranean garage. 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 based on a portion of the trees being in poor health, the location of the trees being within the footprint of the new structure, or the proximity of the trees to the area of excavation needed for the subterranean parking. The 57 Heritage tree removals are necessary to allow reasonable and conforming use of the property when compared to other similarly situated properties because a majority of the existing trees are within the footprint of the existing building and other site improvements which are necessary to accommodate a higher-density residential development and achieve pedestrian and circulation improvements;

b. The approval of the Heritage Tree Removal Permit complies with the CEQA Guidelines because an EIR has been prepared and circulated for public comment for the required 45 days, which ended on June 28, 2021. The City received 22 comment letters on the Draft EIR and has provided a response to these comments in the Final EIR. All significant impacts of the project have been mitigated to less than significant with the incorporation of mitigation measures and standard City conditions of approval, with the exception of a significant unavoidable air quality impact exposing existing on-site

sensitive receptors to substantial pollutant concentrations of PM 2.5 during construction only, for which a Statement of Overriding Considerations and Mitigation Monitoring and Reporting Program has been adopted by the City Council.

BE IT FURTHER RESOLVED that the Planned Community 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.

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DP/1/RESO  
807-02-08-22r-1

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL  
APPLICATION NO.: PL-2017-004  
555 WEST MIDDLEFIELD ROAD**

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 allow a 323-unit addition to an existing 402-unit residential development with three new subterranean garages, a new amenity building/leasing office, and new 1.34-acre public park; and Heritage Tree Removal Permit to remove 57 Heritage trees located on Assessor's Parcel No. 158-49-001. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project drawings prepared by BDE for Avalon Bay Communities Inc., date stamped December 6, 2021.
- b. Color and materials board prepared by BDE for Avalon Bay Communities Inc., date stamped August 15, 2021.
- c. 555 West Middlefield Road Project Final Environmental Impact Report, Statement of Overriding Considerations for Significant Air Quality Impacts, and Mitigation Monitoring or Reporting Program was prepared by the City and kept on file in the Planning Division of the Community Development Department.

**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 the first building permit (excluding demolition permit) has not been issued and construction activity has not commenced within the two-year period, 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.
2. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).
3. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

**PERMIT SUBMITTAL REQUIREMENTS**

4. **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.
5. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. 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. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
7. **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.
8. **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.
9. **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.
10. **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 names.
11. **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.
12. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).
13. **MASTER SIGN PROGRAM:** The applicant shall develop a master sign program for this property as part of a separate planning permit. The program shall identify suitable sign locations, types, sizes, colors, and materials in written and visual forms for all buildings/tenant spaces on-site with a common theme for signage that is compatible with the structures and uses. Application form and submittal requirements are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).

#### OPERATIONS

14. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

15. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 8:00 a.m. to 10:00 p.m., and shall not allow amplified music. These operation limits shall be included in all Covenants, Conditions, and Restrictions (CC&R) documents and rental lease disclosures. In the event any problems arise with the hours of operation or noise, the Zoning Administrator may hold a public hearing to review common-area operations and impose new or modified conditions of approval in response to public comment received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
16. **PARKING MANAGEMENT PLAN:** Prior to building permit issuance, the applicant shall develop a parking management plan describing parking allocation for residents, and guests on the project site, subject to administrative approval by the Zoning Administrator prior to building permit issuance.
17. **LOADING/DELIVERY PLAN:** Prior to building permit issuance, the applicant shall develop a plan specifying measures to manage on-site deliveries and loading, which may include measures to tailor delivery hours and/or days to limit conflicts with peak traffic times or adjacent land uses.

#### SITE DEVELOPMENT AND BUILDING DESIGN

18. **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. Refine the Block B building's primary corner design to reduce visual impact of the fourth-floor deck/trellis element.
  - b. Refine material transition details, Block C and Block B.
  - c. Refine the Block B and Block C entry porch designs to achieve better integrated and proportioned features, such as through deeper eave overhangs, modified wood column dimensions, narrower stairs, providing a solid fascia on each side of the porch roof, etc.
  - d. Refine the proposed material palette, including the:
    - (1) Styles of the proposed Prodeema siding to complement building architecture and provide variety between buildings (e.g., clapboard profile on one building and concealed slat profile on another).
    - (2) Daltile color(s) proposed to be added to existing buildings to complement the Prodeema siding materials proposed on the new buildings.
  - e. Enhance landscaping the garage and building entrances.
  - f. Refine the height of the Block B garage opening/bring the siding down further.
  - g. Refine the Block B East elevation (next to garage entry) by adding a pedestrian awning to match the main entry awning at the corner.
  - h. Refine Block B and Block C by adding standalone awnings/trellises above garage entries.
19. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes a pedestrian and bicycle path through the project site, connecting Middlefield Road to Cypress Point Drive, which shall be publicly accessible in accordance with the terms and conditions set forth in the project's public access easement. This pathway has a recorded public



access easement on the Parcel Map, and the property owner/operator shall not restrict public access with fencing or other design/operational barriers. **(PROJECT-SPECIFIC CONDITION)**

20. **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.
21. **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.
22. **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.
23. **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.
24. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 3" unless otherwise shown on the submitted plans and approved as part of the project design.
25. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, as a part of the permit inspection process during construction of each building, and prior to purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include windows, trim material, stucco finishes, wood panels, stone(s), board and batten samples, 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. **(PROJECT-SPECIFIC CONDITION)**
26. **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.
27. **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 areas.
28. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
29. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure. For food-serving uses or trash compactors, the trash enclosure must be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device. An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.

30. **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 exceed 6' 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.
31. **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'.
32. **LIGHTING PLAN:** The applicant shall submit a lighting plan in building permit drawings. 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, which is demonstrated with photometric contours extending beyond the project property lines. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
33. **ROOFTOP DECK LIGHTING:** Proposed lighting fixtures on the rooftop decks and courtyards shall not be visible from ground level on adjacent public streets. Any string lighting shall be designed to include shades to avoid light spillover and be screened so they are not visible from off-site. Limited pedestrian-scale/building-mounted lighting along pathways may be permitted subject to review and approval of photometric lighting plan submitted as part of the building permit drawings.
34. **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 with a minimum of 35 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 with 487 bike spaces. 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. Any area used for long-term bike parking shall not be included in zoning calculations for floor area or building coverage.
  - c. One bicycle repair station shall be located on-site at grade-level. Specifications, location, and details shall be included on drawings submitted for building permit review.

#### GREEN BUILDING

35. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and qualified to meet the LEED Gold® Certification standards. All mandatory prerequisite points and minimum point totals per category to attain LEED Gold® status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through LEED 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

36. **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 one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. Plans shall include a minimum of 75% native landscaping plants and tree species. 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](http://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. **(PROJECT-SPECIFIC CONDITION)**
37. **LANDSCAPE 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.
38. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees. 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 submitted for building permit review. New street trees shall be planted in accordance with Detail F-1 of the Public Works 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. Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
39. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Inspection Division with building permit submittal.
40. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation or underground parking garage, the design of the building and/or parking garage may need to be altered to maintain the health of the trees prior to building permit issuance.
41. **MONTHLY ARBORIST INSPECTIONS:** Throughout 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](mailto:planning.division@mountainview.gov).
42. **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.
43. **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.
44. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage tree with a minimum of two replacement trees, for a total of 114 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.

45. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
46. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Hort Science and dated October 29, 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.
47. **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.
48. **TREE RELOCATION(S):** Tree(s) noted in the arborist report prepared by Hort Science, and dated October 29, 2021 and shown in project landscape plans, shall be relocated on-site as identified in the approved site and landscape plans.

NOISE

49. **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.
50. **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.
51. **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.
52. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) $L_{dn}$  or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels.

These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

53. **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. Pre-drilling reduces the number of blows required to seat the pile.

#### TRANSPORTATION PROGRAMS AND IMPROVEMENTS

54. **TRANSPORTATION DEMAND MANAGEMENT PROGRAM:** The property owner, property manager(s), and homeowners association (HOA), or their representative(s), (collectively, "the owners") are required to maintain a Transportation Demand Management (TDM) program which provides commute and transportation alternatives to employees/residents of the project for the life of the project. The TDM program measures shall be formally accepted by the property owners prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:
- a. Join and maintain ongoing membership in the MVTMA for the life of the project.
  - b. Provide and maintain maximum vehicle parking, minimum bike parking, and two bicycle repair stations as approved in the project.
  - c. Provide local transportation information to all residents through a website, leasing office, and/or initial sale information.
  - d. Provide a TDM coordinator to support the implementation and evaluation of the site's TDM program.
  - e. Provide coworking space with high-speed internet connections and printing/scanning services.
  - f. Provide at least two parking spaces at no cost to car-share operators with the possibility of increasing up to four spaces over time in response to demand.
  - g. Provide convenient delivery storage space for each of the new residential buildings.
55. **TRANSIT PASSES:** The property owner shall offer one annual Santa Clara Valley Transportation Authority (VTA) SmartPass for each resident of the unit, upon close of escrow or first lease after Certification of Occupancy for each unit, or an equivalent dollar amount (approximately \$90, price subject to change) on an alternative transit pass desired by the resident(s) for the same duration. The intent is to encourage alternative transit use by residents of the project. **(PROJECT-SPECIFIC CONDITION)**
56. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner(s), or representative, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the goal of ten percent (10%) peak-hour vehicle trip reduction by residents within the project. The TDM report shall be prepared by an independent consultant and paid for by the property owner(s) or their representative; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical resident commute methods, which shall be informed by surveying all residents living on the project site and through driveway traffic counts. All nonresponses to the resident commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent,

licensed consultant and paid for by the property owner(s) or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.

- a. **TDM Reporting:** The initial TDM report for the project will be submitted on December 1, or the following business day thereafter if a weekend, one year after the granting of the Certificate of Occupancy for ten percent (10%) or more of the project. Subsequent reports will be collected annually on December 1.
- b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved ten percent (10%) peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal; or (2) state that the project has not achieved the ten percent (10%) peak-hour vehicle trip reduction, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal required for the project.

#### CC&RS AND DISCLOSURES

57. **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 email inquiry to [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
58. **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 Planned Community 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.
59. **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.
60. **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

61. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and the City's officers, agents, and employees in any action brought by a third party to void this Permit(s). The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.
62. **MUTUAL ACCESS:** The property owner shall prepare a legal agreement to be recorded on the property providing for mutual access between Block A, Block B, and Block C on the project site. 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.

63. **AVIGATION EASEMENT:** If deemed necessary by the Santa Clara County Airport Land Use Commission, an avigation easement shall be recorded for the property prior to the issuance of building permits. Proof of an executed avigation easement shall be provided to the Planning Division prior to issuance of a building permit.
64. **COMMUNITY BENEFIT PACKAGE:** The applicant has proposed to provide public/community benefit funds to the City based on the increased development intensity allowed by the General Plan Amendment in the amount of \$1,977,025. Payment must be provided prior to issuance of the first building permit (excluding demolition permit).

#### CONSTRUCTION ACTIVITIES

65. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
66. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** 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. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours and contact information, including an after-hours contact. 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.
67. **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 plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will 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. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
68. **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.
69. **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.
70. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination, if any, and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements. **(PROJECT-SPECIFIC CONDITION)**

71. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) 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 ACMs, 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.

72. **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.
73. **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) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
74. **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.

75. **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 their authority, the Coroner 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.
76. **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.
77. **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).
78. **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.

79. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**

- Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
- Avoid using vibration rollers and tampers near sensitive areas.
- In areas where project construction is anticipated to include vibration generating activities, vibration studies shall be conducted to determine the areas of impact and to present appropriate mitigation measures that may include the following:
  - Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;
  - Develop a vibration monitoring and contingency plan;
  - Construction contingency plan; and
  - Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

MITIGATION MEASURES

80. **MITIGATION CERTIFICATION:** Prior to occupancy of any structure or establishment of any use, the property owner, Avalon Bay Communities Inc., shall inspect the site and shall certify, in writing, that all mitigation measures listed in the Draft EIR have been correctly implemented.
81. **AIR QUALITY—Use Clean Diesel-Powered Equipment During Construction to Control Construction-Related NO<sub>x</sub> Emissions.** The Project developer shall ensure that all off-road diesel-powered equipment used during construction will be equipped with EPA Tier 4 Final engines. The construction contractor shall submit evidence of the use of EPA Tier 4 Final engines, or cleaner, for Project construction to the City prior to the commencement of construction activities. **(MM AQ-2a)**
82. **AIR QUALITY—Use On-Road Haul Trucks With Model-Year 2010 And Newer Engines During Construction.** The Project developer shall ensure that contractors, as a condition of contract, use diesel trucks that have 2010 model year or newer engines but no less than the average fleet mix for the current calendar year, as set forth in CARB’s EMFAC2017 model database, unless such trucks cannot be obtained. In the event that 2010 model year or newer diesel trucks cannot be obtained, the applicant, in coordination with the construction contractor, shall provide documentation to the City showing that a good-faith effort to locate such engines was conducted, with outreach to at least two vendors. Prior to permit issuance, the applicant shall submit evidence of compliance with this mitigation measure to the City from a third-party evaluator. **(MM AQ-2b)**
83. **AIR QUALITY—Use Low-VOC Architectural Coatings During Construction.** The Project developer shall use low-VOC (i.e., ROG) coatings, beyond local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings), for all residential and nonresidential interior and exterior paints during construction. Coatings must meet the low-VOC standard of less than 50 grams of VOC per liter of paint. After the start of construction activities, the contractor shall submit quarterly reports to the City, documenting compliance with this measure by providing an inventory that lists the VOC content of all coatings purchased and applied during construction activities. **(MM AQ-2c)**
84. **CULTURAL RESOURCES—Conduct Preconstruction Archaeological Sensitivity Training.** Prior to the start of any Project construction activities, a qualified archaeologist shall conduct a preconstruction archaeological sensitivity training to the excavation crew. This training shall include an overview of what cultural resources are and why they

are important, archaeological terms (such as site, feature, deposit), Project site history, types of cultural resources likely to be uncovered during excavation, laws that protect cultural resources, and the unanticipated discovery protocol, as outlined in PL-118 [insert appropriate condition number in final]. (MM CUL-2)

85. **GREENHOUSE GAS EMISSIONS – Implement BAAQMD’s Best Management Practices to Reduce GHG Emissions from Construction.**

- Use alternative-fuel (e.g., biodiesel, electric) construction vehicles/equipment (at least 15% of the Project’s construction fleet);
- Use local (within 200 miles) building materials (at least 10%); and
- Recycle at least 50% of construction waste or demolition materials. (MM GHG-1)

86. **HAZARDS AND HAZARDOUS MATERIALS – Conduct a Comprehensive Building Materials Survey.** Prior to the issuance of a demolition permit, a comprehensive Hazardous Building Materials Assessment shall be conducted by a licensed contractor prior to demolition activities associated with the project. Should this assessment verify that lead-based paint and/or asbestos or other hazardous building materials are present, the following actions shall be implemented:

- A health and safety plan shall be developed by a certified industrial hygienist for potential lead-based paint, asbestos or other hazardous building materials risks present during demolition. The health and safety plan shall then be implemented by a licensed contractor.
  - Both the federal Occupational Safety and Health Administration (OSHA) and the California Occupational Safety and Health Administration (Cal/OSHA) regulate worker exposure during construction activities that affect lead-based paint. The Interim Final Rule found in 29 Code of Federal Regulations, Part 1926.62 covers construction work in which employees may be exposed to lead during such activities as demolition, removal, surface preparation for repainting, renovation, cleanup, and routine maintenance.
- Prior to demolition of construction debris containing asbestos, the Bay Area Air Quality Management District (BAAQMD) shall be notified 10 days prior to initiating construction and demolition activities.
  - Asbestos shall be disposed of at a licensed disposal facility. Section 19827.5 of the California Health and Safety Code, adopted January 1, 1991, requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable Federal regulations regarding hazardous air pollutants, including asbestos.
  - The local office of the Cal/OSHA shall be notified of asbestos abatement activities.
  - Asbestos abatement contractors shall follow State regulations contained in 8 CCR 1529 and 8 CCR 341.6 through 341.14 where there is asbestos-related work involving 100 square feet or more of asbestos containing material.
  - Asbestos removal contractors shall be certified as such by the Contractors licensing Board of the State of California. (MM HAZ-2)

87. **TRIBAL CULTURAL RESOURCES – Stop Work Within 100’ of the Find if Tribal Cultural Properties are Encountered During Ground-Disturbing Activities.** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100’ of the find shall halt until a qualified archaeologist and Native American representative can assess the significance of the find. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop

a treatment plan, which could include site avoidance, capping, or data recovery. The City of Mountain View, or the appropriate agency, shall be responsible for ensuring that recommendations regarding treatment and reporting are implemented. (MM TCR-1)

88. **UTILITIES AND SERVICE SYSTEMS – Fair-Share Contribution Towards Sanitary Sewer Improvements.** The City of Mountain View Public Works Department determined and assigned responsibility for the applicant’s fair-share contribution for upgrades and improvements to the City’s wastewater infrastructure in the utility impact study (Appendix 3.16-1) prepared for the Project (see Table 5-7 in the utility impact study). The applicant shall contribute the identified fair share amount to fund capital improvements to the sanitary sewer system prior to issuance of a grading and/or building permit. (MM UTL-1)

Neighborhoods and Housing Division – 650-903-6379

89. **BMR RENTAL, PROVIDING UNITS:** Prior to issuance of building permits, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide at least 15% of the total number of dwelling units within the development as Below-Market-Rate (BMR) units consistent with Chapter 36, Article XIV, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives.
90. **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.
91. **BMR, FRACTIONAL IN-LIEU FEES:** The building permit submittal shall identify the aggregate net new habitable square footage of all residential units in the project. Prior to the issuance of the first building permit for the development, the applicant shall pay a Rental Housing In-Lieu Fee as defined by the City fee schedule for all net new habitable square feet as applied to the total project. (PROJECT-SPECIFIC CONDITION)
92. **VOLUNTARY RENT REDUCTION DURING CONSTRUCTION:** The building permit submittal shall identify the framework for determining the amount of temporary rent reduction tenants will be offered as a part of a Voluntary Agreement (as outlined in Section E of Chapter 7 of the CSFRA Regulations) during Major Construction on-site. Major Construction means construction activities, including, but not limited to, those necessary for ground clearing, grading, excavation, foundation building, structure erection, and finishing, that are likely to last at least thirty (30) days. The applicant shall comply with the procedures in Section E (Voluntary Agreement to Temporarily Reduce Rent for Major Construction and Capital Improvements) of Chapter 7 of the CSFRA Regulations with respect to any such agreements entered into with existing residents. The applicant shall submit a copy of any voluntary agreements between the applicant and existing tenants that have been fully completed in advance of the Major Construction on-site to the City’s Rent Stabilization Program prior to building permit issuance.

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, please visit the Building Inspection Division online at

[www.mountainview.gov/building](http://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.

93. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon building permit 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).
94. **ACCESSIBILITY REQUIREMENTS:**
  - **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.
  - **PARKING (CHAPTER 11A):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11A.
  - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
  - **GUEST PARKING:** At least 5% of the guest parking spaces are required to be accessible per the CBC, Chapter 11A, Section 1109A.5.
  - **ASSIGNED PARKING:** At least 2% of the assigned parking spaces are required to be accessible per the CBC, Chapter 11A, Section 1109A.4.
95. **PLUMBING:** Project will be subject to the submetering requirements per SB 7 (Housing: Water Meters for Multi-Unit Structures).
96. **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).
97. **APPROVALS REQUIRED:** Project requires approval of the Santa Clara County Environmental Health Department (SCCHD) prior to building permit submittal to the Building Inspection Division. Visit SCCHD online at [www.sccgov.org](http://www.sccgov.org) or by phone at 408-918-3400 to obtain information and requirements for approval.
98. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
99. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
100. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of the CBC, Section 907.5.
101. **FIRE PROTECTION (PROJECTIONS):** Overhangs and other projections will not be permitted to cross property lines, including any property lines between units.
102. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per the CBC, Section 903.2.8.

103. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC Table 706.4c, as amended in MVCC Section 8.10.24.
104. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Visit the City of Mountain View Fire and Environmental Protection Division online at [www.mountainview.gov/fep](http://www.mountainview.gov/fep) or by phone at 650-903-6378 to obtain information and submittal requirements.
105. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per the CBC, Chapter 3.
106. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
107. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Sections 1004 and 1028.
108. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
109. **EV PARKING REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL (NEW CONSTRUCTION):** Parking shall comply with 15% EV2 installed and Level 3/DC fast charger for every 100 spaces per Table 101.10, as amended in MVCC Section 8.20.9, Subsection 101.10.1.1.3.c.
110. **EV PARKING REQUIREMENTS FOR MIXED-USE DEVELOPMENT (NEW CONSTRUCTION):** Parking shall comply and meet the requirements applicable to each primary occupancy in accordance with Table 101.10 and Table A5.106.5.3.2, as amended in MVCC Section 8.20.13, Subsection 101.10.1.3.
111. **ELECTRIC REQUIREMENTS FOR MULTI-FAMILY RESIDENTIAL (NEW CONSTRUCTION):** Natural gas is prohibited. The following list of items shall be electric installation: space-conditioned equipment, clothes dryers, cooking appliances, fireplaces, and/or fire pits. Water-heating systems and equipment shall be electric or solar as amended in MVCC Section 8.20.9, Subsections 101.10.1.1.3.e through h.
112. **ELECTRIC REQUIREMENTS FOR MIXED-USE DEVELOPMENT (NEW CONSTRUCTION):** Natural gas is prohibited. Electric requirements shall comply and meet the requirements applicable to each primary occupancy in accordance with Table 101.10 as amended in MVCC Section 8.20.13, Subsection 101.10.1.3.
113. **PHOTOVOLTAIC SYSTEM FOR MULTI-FAMILY RESIDENTIAL (NEW CONSTRUCTION):** Photovoltaic (PV) shall be installed on 50% of roof area as amended in MVCC Section 8.20.9, Subsections 101.10.1.1.3.e through h.
114. **SUPERFUND SITE (MEW):** The project site resides in the Middlefield-Ellis-Whisman (MEW) Superfund Area and may be required to implement Environmental Protection Agency (EPA) mitigation measures prior to and during construction. Provide EPA acknowledgement and approval upon building permit submittal.
115. **SURVEY:** A survey will be required to be completed to verify structure placement.
116. **SCHOOL IMPACT FEE:** Project is subject to school impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos Union High School District at [www.mvla.net](http://www.mvla.net) or 650-940-4650; *and* Mountain View Whisman School District at [www.mvwsd.org](http://www.mvwsd.org) or 650-526-3500; or Los Altos Elementary School District at [www.lasdschools.org](http://www.lasdschools.org) or 650-947-1150.

117. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building and Fire Division online at [www.mountainview.gov/building](http://www.mountainview.gov/building) or contact by phone at 650-903-6313 to obtain information and submittal requirements.
118. **ALLOWABLE AREA FACTOR:** Project shall comply with the requirements per the CBC, Chapter 5.
119. **FIRE-RESISTANCE RATING:** Project shall comply with the requirements per the CBC, Chapter 6 (Table 602), Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance.
120. **BUILDINGS ON THE SAME LOT:** Walls, opening protection, projections, and roof coverings for buildings on the same lot shall comply with the requirements per the CBC, Chapter 7 (Section 705.3).
121. **MAXIMUM AREA OF EXTERIOR WALL OPENINGS:** Project shall comply with the requirements per the CBC, Chapter 7 (Table 705.8).
122. **MEANS OF EGRESS:** Project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
123. **EMERGENCY ESCAPE AND RESCUE:** Project shall comply with the egress window requirements per the CBC, Section 1030.
124. **MVGBC CALGREEN:** Project shall comply with the CALGreen checklist requirements by the City of Mountain View.
125. **PLUMBING FIXTURES:** Project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
126. **BUILDING UTILITIES:** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
127. **FIRE ACCESS LANE(S):** Site must meet/maintain the existing fire access lane(s) at all times.
128. **SERVICE DISCONNECT:** The service-disconnecting means shall have a rating of not less than 125 amperes, as amended in MVCC Section 8.51.D.
129. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.
130. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** 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. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the MVCC and/or suspension of building permits.

Community Services Department – Forestry and Roadway Landscape Division – 650-903-6273

131. a. The applicant shall include tree protection measures in the building permit plans. The drawings must include the locations of tree protection zone fencing for trees to be preserved and must be approved by the Zoning Administrator prior to building permit issuance.
- b. The applicant shall include the following tree protection guidelines in the building permit plans:
  - i. Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to demolition, grubbing, or grading. Fences shall be 6' tall chain link. Fences are to remain until all grading and

construction are completed. Fences may not be relocated or removed without permission of the Project Arborist.

- ii. No grading, construction, demolition, or other work shall occur within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the Project Arborist.
- iii. Construction trailers, traffic, and storage areas must remain outside fenced areas at all times.
- iv. Prior to grading, pad preparation, excavation for foundations/footings/walls, trenching, trees may require root pruning outside the TREE PROTECTION ZONE. Any root pruning of roots larger than 2" in diameter required for construction purposes shall receive the prior approval of, and be supervised by, the Project Arborist.
- v. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the Project Arborist so that appropriate treatments can be applied.
- vi. Sufficient irrigation to maintain tree health will be provided throughout the duration of the project.

Fire Department – 650-903-6343

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

- 132. **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. Shop-quality drawings shall be submitted electronically 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 [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (City Code Sections 14.10.27 and 14.10.28 and California Fire Code Section 903.)
- 133. **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.)
- 134. **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.)
- 135. **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.
- 136. **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 the start of combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Shop-quality drawings shall be submitted electronically for review and approval. (NFPA 24 (2016 Edition) and Mountain View Fire Department requirements.)



137. **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.)
138. **FIRE EXTINGUISHERS (COOKING AREAS):** Install Class K fire extinguishers in the commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.12.5.)
139. **FIRE EXTINGUISHING SYSTEMS:** Shop-quality drawings for the cooking appliance fire extinguishing system(s) shall be submitted electronically. Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 904.2.2.)
140. **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. Shop-quality drawings shall be submitted electronically 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 [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 907, and City Code, Section 14.10.33.)
141. **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.)
142. **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

143. **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 [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 506.)
144. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer’s directions. Contact the Building Inspection Division at 650-903-6313 for instructions.
145. **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.)
146. **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.)
147. **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 [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 503.)

148. **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.)
149. **STRETCHER REQUIREMENTS:** In all structures with one or more passenger service elevators, 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 3002.4a.)

#### EGRESS AND FIRE SAFETY

150. **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.)
151. **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.)
152. **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.)
153. **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.)
154. **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.)
155. **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.
156. **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 1004.9.)
157. **ON-SITE DRAWINGS:** Submit PDF (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
158. **STAIRWAY IDENTIFICATION SIGNS:** For stairs connecting three (3) 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.)

159. **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

160. **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 visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 304.3.)
161. **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 and a minimum of 0.5" in width. (City Code, Section 14.10.18.)

#### OTHER

162. **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.)
163. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

Public Works Department – 650-903-6311

#### RIGHTS-OF-WAY

164. **STREET DEDICATION:** Dedicate a public street in fee as required by the Public Works Director to complete the cul-de-sac. The property line shall be 10' behind the face of curb.
165. **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 6' to 8" wide public access easement (PAE), covenants, agreements, and deed restrictions on private property along the pedestrian pathway from Moffett Boulevard to Cypress Point Drive. The dedication shall indicate that:
- Public access shall be granted for nonautomotive use;
  - 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);
  - The PAE shall run with the land and be binding upon any successors;
  - 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
  - The owner agrees to defend, and hold the City and 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.

166. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 5' 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.

167. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way dedication(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

168. **MAP PLAN CHECK FEE:** Prior to issuance of the first building permit 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.

169. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of the first building permit 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.

170. **TRANSPORTATION IMPACT FEE:** Prior to issuance of the building permit for each phase involving construction of residential units (i.e., Buildings B and C), the applicant shall pay the transportation impact fee for the development of the phase at issue on a per-unit basis. 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), including all existing residential units as applicable.
171. **WATER AND SEWER CAPACITY CHARGES:** 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 demand of the improvements that previously existed on the site as well as all existing residential units that will remain. Fees need to be paid on a phased basis per the Public Works Fee Schedule prior to issuance of the building permit for each phase.
172. **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 for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. Credit is given for 1.3-acre park dedicated to the City. Fee is not applicable for Below-Market-Rate (BMR) units. Based on 323 new units, with 48 BMR units, 1.34-acre park dedication, and a land value of \$9,500,000, the fee will be \$2,964,000.
173. **PARK LAND DEDICATION:** Prior to issuance of any building permit, dedicate in fee 1.34 acres of public park land in accordance with Chapter 41 of the City Code for the development as part of the final map.

Prior to the approval of the final map, the applicant shall: (1) provide a written report, prepared and signed by a licensed environmental and/or soil consultant, to disclose all known hazardous materials and contaminants on the park site based on previous testing and reports; (2) hire an independent environmental and soil consultant, acceptable to the City, to test and evaluate the site if the City determines that additional testing is required. The testing shall determine if there are any hazardous materials or contaminants on the park site and may include a Phase II Environmental Site Assessment in accordance with ASTM International Standard E1527-05, if determined necessary by the City; (3) be responsible for removing or remediating hazardous material and contaminants found on the site so that the site is suitable for use as an open space park site; and (4) address any hazardous material and/or contamination identified in the report. The applicant shall agree to protect, defend, indemnify, and hold harmless the City and the City's directors, officers, employees, and agents from and against any environmental liability related to any hazardous substances arising from or caused by acts of the applicant or the applicant's agents or contractors (collectively referred to as the "applicant" herein) at the property, and any and all claims, demands, judgments, settlements, damages, actions, causes of action, injuries, administrative orders, consent agreements and orders, liabilities, losses, penalties, and costs related to hazardous substances or contamination arising from or caused by acts of the applicant, including, but not limited to, any clean-up costs, remediation costs, and response costs, and all expenses of any kind whatsoever, including reasonable attorneys' fees and expenses, including, but not limited to, those arising out of loss of life caused by, or arising from, acts of the applicant; injury to persons, property, or business caused by, or arising from, acts of the applicant; or damage to natural resources in connection with the activities of applicant, the foregoing being collectively referred to as "claims," which:

- a. Arise out of the actual, alleged, or threatened migration, spill, leaching, pouring, emptying, injection, discharge, dispersal, release, storage, treatment, generation, disposal, or escape of any hazardous substances onto or from the premises; or

- b. Actually or allegedly arise out of, in connection with the premises, the use, specification, or inclusion of any product, material, or process containing hazardous substances, the failure to detect the existence or proportion of hazardous substances in the soil, air, surface water, or groundwater, or the performance of or failure to perform the abatement of any hazardous substances source or the replacement or removal of any soil, water, surface water, or groundwater containing any hazardous substances; or
- c. Arise out of the breach of any covenant, warranty, or representation-contained in any statement or other information given by applicant to City in connection with environmental matters; or
- d. Arise out of any enforcement or remedial action or any judicial or administrative action brought pursuant to any environmental law.

The applicant and the applicant's successors and assigns shall bear, pay, and discharge, when and as the same become due and payable, any and all such judgments or claims for damages, penalties, or otherwise against City, as provided in this section; shall hold City harmless for those judgments or claims; and shall assume the burden and expense of defending all suits, administrative proceedings, and negotiations of any description with any and all persons, political subdivisions, or government agencies.

- 174. **PARK LAND CONDITION:** Prior to the City's acceptance of the off-site improvements, the parcel dedicated for a public park shall clear of any debris, graded towards the public street and the topsoil stabilized.

#### STREET IMPROVEMENTS

- 175. **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, new curb, gutter, sidewalk, and half-street grind and overlay along the complete project frontage (this overrides the project plans), new stormwater, sanitary sewer, and water meter connections for each building and the public park, new backflow preventer and water meters, new electroliers, and undergrounding of overhead electric.
- 176. a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the 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](http://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 the 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 final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Pollution Legal Liability Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
- 177. **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 off-site improvement plans shall cover the entire project frontage and be submitted concurrently with the first building permit. 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 and 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 two 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.

178. **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.).

179. **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.
180. **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.
181. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
182. **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.
183. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, the site shall be compliant with Corner Triangles of Safety per the latest City Public Works Standard Details and to the satisfaction of the Public Works Director. The Project will be required to remove or modify all objects, including, but not limited to, landscape, hardscape, monument signs, mailbox banks/cluster, planters, retaining walls, seat walls,

bicycle racks, partitions, miscellaneous structures (including columns), parking stalls, bicycle racks, etc., that are not compliant with safety triangle height and clearance requirements.

184. **DRIVEWAY [OR SIDE STREET] SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the latest City Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to, landscape, hardscape, poles, bollards, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, building and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
185. **STREETLIGHTS:** The existing streetlights are not current City standard. New City standard streetlights shall be installed along the project street frontage of Middlefield Road, Moffett Boulevard, and Cypress Point Drive per City standards. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer.
186. **STREET OVERLAY:** Half-street overlay (minimum 2" grind and overlay) along Middlefield Road, Moffett Boulevard, and Cypress Point Drive project street frontage shall be required due to multiple utility trenches and impacts from the anticipated construction traffic. Full-depth pavement restoration will be required where there are failures on Middlefield Road, Moffett Boulevard, and the intersection of Moffett Boulevard and Cypress Point Drive.

#### UTILITIES

187. **UTILITY AND PAVEMENT 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 and the existing pavement section. 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.
188. **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.
189. **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.
190. **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.
191. **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.
192. **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.
193. **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. All existing storm drain curb inlet grates shall be upgraded to the current City standard.

194. **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.
195. **REUSE OF EXISTING SEWER LATERAL:** Our records show the existing sewer lateral was constructed in 1963 as part of the original development and may have outlived its useful life. Unless the applicant conducts a video inspection of the lateral and it is determined by the City to be in satisfactory condition for reuse, the construction of a new sewer lateral from the property line to the City main will be required, including the installation of a new property line sewer cleanout. The video inspection shall be completed prior to the first submittal of the improvement plans and the results incorporated within.

Prior to submittal of the improvement plans, the applicant shall conduct a video inspection of the lateral. A representative from the Public Services Division must be present to observe the video inspection. Please contact the Public Services Division Wastewater Supervisor at 650-903-6329 to schedule a City maintenance person to be present at time of video inspection.

After reviewing the recording, the City will determine if the lateral and/or cleanout requires replacement. If an existing cleanout is not present, a new cleanout shall be installed. If a new sewer lateral is required, it shall be installed with 10' minimum horizontal clearance from any existing trees to protect against root intrusion and 5' minimum horizontal clearance from the existing water service to protect against cross-contamination. The applicant shall submit an Excavation Permit Application for replacement/installation and pay any applicable fees prior to issuance of any building permits.

196. **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.)
197. **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.
198. **PUBLIC STREET C3 COMPLIANCE:** Installation of C3 improvements along Moffett Boulevard along the street shall be installed at the north end of the new curb and gutter or as otherwise approved by the Public Works Director.

## SIDEWALKS AND DRIVEWAYS

199. **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.
- For modified or newly constructed traffic signals, existing nonconforming access ramps shall be reconstructed to comply with ADA requirements. The proposed ADA ramp shown along Middlefield Road shall be removed from the project.
200. **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.
201. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Middlefield Road, Moffett Boulevard, and Cypress Point Drive.
- For Moffett Boulevard, the sidewalk shall be 8' wide and the planter strip shall meet City standards except where infeasible due to VTA requirements or ADA compliance. The final design shall be approved by the Public Works Director. During the review of the off-site improvement plan, City staff will engage with VTA staff to determine if the bus island can be modified to allow for a wider sidewalk.
  - For Middlefield Road, the curb, gutter, and sidewalk along the project frontage shall be replaced with new curb, gutter, and detached sidewalk. The sidewalk shall transition from the existing sidewalk at the western property edge and continue until the end point of the existing sidewalk. The sidewalk may meander around the one existing street tree. Additional street trees shall be planted in the planter strip.
  - For Cypress Point Drive, new curb, gutter, and detached sidewalk along the complete project.
202. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on the project frontages out of sidewalk and relocate to the Public Utility Easement, landscape strip, or behind the back of curb. Utility boxes must be located so they fit entirely within the utility easement, landscape strip, or behind the curb and shall not encroach into the sidewalk.
203. **RED CURBS:** Street curbs along Middlefield Road and Moffett Boulevard shall be painted red and posted as "No Parking."
204. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs adjacent to the driveway entrance shall be painted red a minimum of 15' in each direction, as determined and approved by the City Traffic Engineer.

## RECYCLING

205. **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.
206. **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.

207. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include:

- Site circulation for collection vehicle and how it will access each staging area. Vehicles will not back more than 150' and will not back around corners. Provide on-site turnaround whenever possible.
- Property must have trash, recycling, and organics. Display on plans trash room layout, location, and dimensions to scale with the following minimum service levels:

<b>Block B (2 Trash Rms)</b>					
203 Units					
	Qty	Size	Type	Times Per Week	Total Yds/Gals
Trash	2	3	compactor	2	36
Paper	2	2	compactor	2	24
Containers	2	2.3	bin	1	6.9
Compost	4	96	cart	1	384

<b>Block B Cabana</b>					
78 Units					
	Qty	Size	Type	Times Per Week	Total Yds/Gals
Trash	1	3	compactor	2	18
Paper	1	2	compactor	2	12
Containers	1	2.3	bin	1	2.3
Compost	2	96	cart	1	192

<b>Lot 3 (2 trash rooms)</b>					
353 Units					
	Qty	Size	Type	Times Per Week	Total Yds/Gals
Trash	5	2	compactor	2	60
Paper	2	2	compactor	2	24
Containers	5	2.3	bin	1	11.5
Compost	6	96	cart	1	576

<b>Block C Cabana</b>					
102 Units					
	Qty	Size	Type	Times Per Week	Total Yds/Gals
Trash	2	3	compactor	2	36
Paper	1	2	compactor	2	12
Containers	1	2.3	bin	1	2.3
Compost	2	96	cart	1	192

(Note: Compacted service levels calculated at 3:1 ratio.)

### **Block B and C Cabana Trash Enclosures**

- Must utilize three residential chutes to collect trash, paper, and container recycling.
- Provide intake vestibule for residential access and space for green containers (slim jims) to collect separated organics (food scraps) and signage with sorting instructions according to the City's programs. All signage requires approval by the Solid Waste Program Manager prior to installation. Property maintenance staff must transport collected compost to the collection carts located in trash room.
- Trash room doors must have minimum 8' wide opening. Provide means to secure doors in both fully open and closed positions (e.g., cane bolts and drop-pin holes). Doors cannot encroach upon travel way/fire lane.
- North trash room: Post No Parking signs on enclosure door. No storage allowed in trash room other than trash bins and label "Trash Room."
- North trash room: Install concrete pad the same width as the enclosure and extending a minimum of 10' beyond the enclosure access doors designed to accommodate the weight of a 60,000-pound collection vehicle at point of collection.
- Block C Lot entrance to trash enclosure: Pavers not allowed in the path of vehicle travel. Concrete, stamped concrete, and asphalt are okay to use in the travelways.
- Maintain 15' overhead clearances in the travelway and 22' at the point of collection.
- Prior to occupancy, trash room and collection area must be accessible to the collection company. Travelways must be complete for proper vehicle circulation.

### **Block B Staging Area**

- Show trash staging areas on all initial building permit site plans (architectural, civil, landscape). Final staging area location and dimensions require approval by the Solid Waste and Recycling Section prior to issuance of a building permit.
- Install concrete stress pads the same width as the staging areas and extending a minimum of 10' beyond the enclosure access doors designed to accommodate the weight of a 60,000-pound collection vehicle at the point of collection.
- Lot entrance to staging area: Pavers not allowed in the path of vehicle travel. Concrete, stamped concrete, and asphalt are okay to use in the travelways.
- Staging area minimum dimensions required:
  - Block B: 14' wide x 22'11" deep
  - Block B Cabana: 14' wide x 7'3" deep

### **Block C Trash Room and Vestibules**

- East and West Trash Rooms: Property maintenance responsible for rolling bins/carts to designated staging area for service and removal promptly after.
- East and West resident vestibules: Must utilize three residential chutes to collect trash, paper and container recycling. Provide residential access and space for green containers (slim jims) to collect separated organics (food scraps) and signage with sorting instructions according to the City's programs. All signage requires

approval by the Solid Waste Program Manager prior to installation. The compost collected shall be transported by property maintenance staff to the collection carts located in trash room.

208. **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

209. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
210. **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](http://www.mountainview.gov/planningforms).
211. **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)

212. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
213. **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.
214. **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.
215. **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.
216. **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

217. **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 (the use of Cypress Point Drive shall be minimized);
  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.

218. **PARK LAND USE DURING CONSTRUCTION:** A license agreement at the fair market rental rate of the land is required for the use parcel dedicated to the City as a public park for construction staging or temporary residential parking during the construction of the project.
219. **VALLEY WATER WELLS:** Valley Water (formerly the 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 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.
220. **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 the Public Works Director's designated representative."
221. **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."

222. **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.
223. **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.

Fire and Environmental Protection Division – 650-903-6378

#### GENERAL

224. Prior to Phase II, demolition of existing leasing office and amenity building (pool, and spa), a closure plan shall be submitted to Fire and Environmental Division for review and approval.

#### HAZARDOUS MATERIALS

For more information, materials, and worksheets, contact the Fire and Environmental Protection Division of the Fire Department online at <http://www.mountainview.gov/fep> or by phone at 650-903-6378.

225. **HAZARDOUS MATERIALS:** Complete a Hazardous Materials Business Plan. (New business.)

#### URBAN RUNOFF

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. “Stormwater Quality Guidelines for Development Projects” can also be accessed at the following link to the Fire Department website: <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392>.

226. **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.
227. **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.
228. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
229. **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.

230. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
231. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas such as overflow parking, emergency access roads, and alleys shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
232. **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.
233. **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.
234. **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.
235. **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.
236. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
237. **STORMWATER TREATMENT (C.3):** This project will create or replace more than 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.

238. **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](http://www.scvurppp-w2k.com/consultants_list.shtml)
239. **FULL TRASH CAPTURE:** Projects located in “moderate,” “high,” or “very high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing 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: 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.