

**CITY OF MOUNTAIN VIEW  
FINDINGS REPORT/ZONING PERMIT**

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APPLICATION NO.:

PL-2022-147

DATE OF FINDINGS:

January 25, 2023

EXPIRATION OF ZONING PERMIT:

January 25, 2025

**THIS DOCUMENT REPRESENTS THE ZONING PERMIT RECEIVED FOR THE SUBJECT SITE. THIS DOCUMENT DOES NOT WAIVE THE REQUIREMENT FOR SUBSEQUENT CITY APPROVALS AS APPLICABLE, INCLUDING, BUT NOT LIMITED TO, BUILDING PERMITS, EXCAVATION PERMITS, ETC.**

Applicant's Name:

**Shelley Hazlitt for Ellis Street Owner, LLC**

Property Address:

**350 Ellis Street**

Assessor's Parcel Nos.:

**160-53 015 and 160-53-016**

Zone:

**P(41)**

Request:

**Request for a Planned Community Permit and Development Review Permit to modify a previously approved Transit-Oriented Development Permit and Development Review Permit (394-99-TOD) to construct minor site and facade modifications, including modifications to publicly accessible spaces, at an existing office campus on a 19.6-acre project site; and a determination the project is categorically exempt pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.**

APPROVED

CONDITIONALLY   
APPROVED

DISAPPROVED

OTHER

**FINDINGS OF APPROVAL:**

The Planned Community Permit to allow minor site, building, and facade modifications at an existing office campus, including modifications to interior and exterior publicly accessible areas on-site, landscaping improvements, and rooftop amenity spaces, is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

A. The proposed development improvements are consistent with the provisions of the P(41) East Whisman Precise Plan (Precise Plan) since the proposed site modifications will meet the goals of the Mixed-Use Character Area of the Precise Plan to continue to promote civic spaces that serve future residents and workers in the vicinity. The proposed new landscaping, pedestrian paths, public outdoor seating areas, and publicly accessible café, dining, and restroom areas will maintain public space for the nearby commercial workers, visitors, and residents, replacing previous public spaces on-site. The rooftop decks will be expanded and enhanced with additional seating, umbrellas, landscaping, and decorative lighting to serve the employees on-site.

With adoption of the Precise Plan in 2019, which occurred after the original approval of this development, the City removed the Transit-Oriented Development Permit from the City Code; therefore, this permit type is no longer applicable. Additionally, the Conditional Use Permit previously approved (Application No. 411-14-UPA) for a restaurant use is no longer necessary or valid as the site no longer has a restaurant with a bar open to the public nor a valid alcohol license from the California Department of Alcoholic Beverage Control. However, the site can retain a restaurant use with or without liquor service as a permitted use in the Precise Plan, subject to approval from the California Department of Alcoholic Beverage Control;

B. The proposed development improvements are consistent with the East Whisman Mixed-Use Land Use Designation of the General Plan because the area promotes a mix of offices and other complementary uses within the core of the East Whisman area, and the site will remain an office use with a public café, dining area, and restrooms as well as outdoor public pathways, seating, and landscaped areas for enjoyment;

Owner

Agent

File

Fire

Public Works

- C. The proposed development improvements will not be detrimental to the public interest, health, safety, convenience, or welfare because the proposed modifications to the interior and exterior public access areas will continue to provide a café (restaurant) open to the public along with an expanded outdoor area, maintain public pathways in designated areas shown in the approved plans, and include retaining employee-only amenities on-site (e.g., fitness area, cafeteria, etc.) and expanded and enhanced outdoor rooftop amenity space;
- D. The proposed development improvements promote a well-designed development that is harmonious with existing and planned development in the surrounding area because the proposed site modifications, including the modified public café, dining area, and outdoor seating/landscaping, will continue to provide a publicly accessible amenity for the general public, including neighboring office employees, visitors of the office campus, and nearby residents as intended with the original development approval, while also enhancing the existing office campus by retaining on-site amenity spaces for employees (such as a fitness center and cafeteria); and
- E. The approval of the Planned Community Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15301 (“Existing Facilities”) because the proposed project includes minor alterations of existing interior building facilities, minor improvements of the building exterior, and enhancement of existing site improvements with no expansion of use.

The Development Review Permit to allow minor site and facade modifications at an existing office campus, including the modification of publicly accessible areas, 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, the East Whisman Precise Plan, and any City-adopted design guidelines since the proposed landscaping modifications will comply with the Water Conservation in Landscaping Regulations, and the proposed site modifications will comply with the goals of the General Plan, including LUD-8: to provide a network of pedestrian-oriented, sustainable, and public spaces. The project proposes to include enhanced landscaping around the pedestrian pathways, outdoor seating, and furniture and a publicly accessible café for the public to enjoy the surrounding public space;
- 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 the proposed café trellis will be constructed with rust-colored steel that will complement the existing neutral tones of the building as well the surrounding grove of redwood trees to be retained;
- 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, as the proposed landscaping will enhance the existing pedestrian pathways along Ellis Street, and the proposed café trellis will provide a shade structure and entry point to the publicly accessible café;
- 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 new large-canopy trees, new stormwater capture and treatment areas, and permeable pavers;
- E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by maintaining the existing pedestrian and vehicular access, circulation, and parking as well as proposing new pedestrian pathways from the sidewalk along Ellis Street to the building entrance; and
- F. The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15301 (“Existing Facilities”) because the proposed project includes minor alteration of existing building facilities (interior and exterior) and enhancement of existing site improvements with no expansion of use.

This approval is granted to construct minor site and facade modifications located on Assessor's Parcel Nos. 160-53-015 and 160-53-016. 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 plans prepared by HTK Studio, date stamped December 20, 2022 (Approved Plans).
- b. Project description letter prepared by HTK Studio, date stamped November 8, 2022.
- c. Color and materials board prepared by HTK Studio, date stamped July 8, 2022.

**THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:**

Planning Division—650-903-6306 or [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov)

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period 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. **CONSTRUCTION OF PUBLICLY ACCESSIBLE SPACES:** The applicant acknowledges that the Original Permit (394-99-TOD) included publicly accessible spaces to satisfy the requirements of the City Code and City Council, which were subsequently modified by an approved Subsequent Permit (411-14-UPA). This Permit includes modifications to the previously approved publicly accessible spaces, including the commons area and plaza as described in the Original Permit. Improvements to the publicly accessible open space, the modified commons area, and the modified plaza, all as identified on Sheet A0.1D of the approved plans, shall be contained within one building permit, with all construction completed and final occupancy approved (subject to final inspections from all applicable City departments) prior to granting occupancy on any other improvements included in this Permit proposed under a separate building permit. If the publicly accessible open space, the modified commons area, and the modified plaza as shown on Sheet A0.1D of the approved plans are not constructed, this permit will be rendered invalid and the Original Permit (394-99-TOD), Subsequent Permit (411-14-UPA) and existing covenant (Amended and Restated Covenants and Agreements and Deed Restrictions Related to Public Access dated May 22, 2021 (Document ID 15688446, Original Covenant)) will remain valid. If the publicly accessible open space, the modified commons area, and the modified plaza are commenced per Condition No. 2 prior to expiration of this permit (as it may be extended in accordance with Condition No. 3) and, thereafter, pursued to completion, the Original Permit and this permit will remain in effect and will not expire prior to expiration of the building permit, the Subsequent Permit will no longer be valid per Condition No. 4, and the Modified Covenant will replace the Original Convent per Condition No. 15. **(PROJECT-SPECIFIC CONDITION)**
3. **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).
4. **PREVIOUS APPROVALS:** Approval of this permit modification incorporates and updates conditions of approval from prior permits, including Permit No. 394-99-TOD (Original Permit), as applicable to the proposed modifications to the approved use and/or development. For regulatory purposes, all previous permits and conditions of approval shall remain valid. For regulatory purposes, all previous conditions of approval from the Original Permit shall remain valid unless specifically modified by this Permit. Permit No. 411-14-UPA (Subsequent Permit) is no longer valid unless construction of the publicly accessible spaces is not completed per Condition No. 2.

In compliance with Original Permit Condition No. 4, publicly accessible open spaces shall not be modified unless approved by the Zoning Administrator at a duly noticed public hearing.

**PERMIT SUBMITTAL REQUIREMENTS**

5. **REMEDIATION:** The applicant shall work with City staff, the necessary oversight agency (e.g., the U.S. Environmental Protection Agency, the State Department of Toxic Substances Control, State Regional Water Quality Control Board, County of Santa Clara Department of Environmental Health, etc.), and responsible parties, if necessary, to address any site remediation or building

design/construction requirements to ensure appropriate on-site improvements in accordance with the oversight agency standard practice; local, State, and Federal regulations; and City Code requirements. Design of remediation equipment, equipment placement, or remediation activities will need to be reviewed and may require approval by all parties. Prior to the issuance of any Building or Fire permits, the applicant shall either: (a) submit written proof of an approval from the oversight agency of remediation activity and/or building and site design as deemed consistent with the remediation activity; or (b) provide written proof the work is not subject to approval from an oversight agency. A Certificate of Occupancy cannot be issued until final inspections have been completed by the City and the oversight agency, if required.

6. **TENANT IMPROVEMENTS:** Details of interior tenant improvements are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
7. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
8. **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.
9. **COLOR CHIPS:** At submittal of building plan check, provide a set of color chips, and the color scheme shall be shown on the elevations.
10. **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).
11. **PRIVATELY OWNED, PUBLICLY ACCESSIBLE OPEN SPACE SIGNAGE:** If not already located on-site, the applicant shall provide on-site sign(s) along the Ellis Street frontage noting allowable access to the Privately Owned, Publicly Accessible Open Space prior to final inspection. The sign(s) shall be approved by the Zoning Administrator consistent with zoning regulations and subject to separate planning and building permits. Application form and submittal requirements for a planning permit are online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).

#### OPERATIONS

12. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the cafe arise, including, but not limited to, parking shortages, delivery truck issues, public access areas, 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 on the cafe 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.
13. **DAYS/HOURS OF OPERATION OF INTERIOR PUBLIC SPACES:** The permitted days and hours of operation of the publicly accessible bistro café, dining area, and public restrooms are Sunday through Saturday from 8:00 a.m. to 5:00 p.m. The café/dining area/restroom operator may set its hours of operations within the permitted hours and days, but all three interior spaces must have coordinated hours of operation. Any proposed change to the days and/or hours of operation, outside those permitted, will require review and approval by the Zoning Administrator and may require a modification to this permit.
14. **ROOF-DECK OPERATION:** The approved hours of operation for the rooftop area shall be limited to Sunday through Saturday, 8:00 a.m. to 5:00 p.m. and shall not allow amplified music. In the event any problems arise with the hours of operation or noise, the Zoning Administrator may hold a public hearing to review roof-deck operations and impose new or modified conditions of approval related to roof-deck operations 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.

#### SITE DEVELOPMENT AND BUILDING DESIGN

15. **PUBLICLY ACCESSIBLE OPEN SPACE/THROUGH CONNECTIONS:** This Permit includes modifications to the Original Permit, which authorized a publicly accessible plaza, pedestrian walkway across the site, pedestrian connections across the driveways,

and commons area, as defined in the Original Permit and documented in the Original Covenant. The Original Permit and Original Covenant excluded public access in the main employee courtyard, parking lots, and driveway areas.

This Permit modifies the publicly accessible space within the site to include additional upgraded landscape, trellis, and plaza areas along Ellis Street, new pedestrian pathways, new outdoor seating, and other improvements for public use and enjoyment around the new bistro café and dining area, and modified plaza and commons area, all as shown in the approved plans. Therefore, the Original Covenant shall be amended and restated to reflect the modified plaza and commons area as identified in the approved plans and include an updated Exhibit B (as amended and restated, the New Covenant). The New Covenant shall be in a form acceptable to the City Attorney, recorded, and run with the land. The New Covenant shall also provide indemnification to the City for liability resulting from activities on the land. The applicant shall have the right to restrict access in accordance with the terms of the Original Covenant, including to establish and enforce reasonable rules and regulations for the use, security, and safety, of the interior and exterior publicly accessible spaces and to install appropriate signage regarding access. The applicant shall not modify the aforementioned publicly accessible spaces in a manner that would physically or operationally preclude public access, including but not limited to, fencing and physical barriers, without express approval by the Zoning Administrator and issuance of all applicable City permits. This condition does not supersede the Original Permit Condition Nos. 4 and 8 but modifies these conditions to modify and expand the previously approved commons area as defined in the Original Permit, modify the previously approved plaza as identified in the Original Permit, define the publicly accessible area required within Buildings D and E, and include the Publicly Accessible Open Space, as to the extent shown in the New Covenant.

The New Covenant shall be recorded prior to issuance of the first building permit with the improvements associated with the publicly accessible areas. The New Covenant shall become null and void if the publicly accessible open space, the modified commons area, and the modified plaza, all as identified on Sheet A0.1D of the approved plans, are not commenced per Condition No. 2 prior to expiration of this permit (as it may be extended in accordance with Condition No. 3) and, thereafter, diligently pursued to completion. **(PROJECT-SPECIFIC CONDITION)**

16. **NEW BISTRO CAFÉ AND DINING AREA:** This Permit modifies a previously approved commons area and plaza, open to the public and approved under the Original Permit and Subsequent Permit. This Permit satisfies the intent of the Original Permit Condition Nos. 4 and 8 by maintaining a modified commons area, which serves as the public-serving commercial amenity required by the Original Permit Condition No. 8, open to the general public and consisting of a new approximately 459 square foot bistro café in Building E, new approximately 705 square foot dining area in Building E, provision of access to an existing restroom in Building D for café (public) customers, and provision of access between all three spaces through the exterior plaza. This modification results in less interior building area open to the general public at approximately 1,471 square feet (previously 22,908 square feet) and greater exterior area accessible to the public for use and enjoyment at approximately 35,024 square feet (previously 10,942 square feet) than approved in the Original Permit. For clarity purposes, the remainder of Building E will be retained and accessible to on-site employees use only and not for public use. **(PROJECT-SPECIFIC CONDITION)**
17. **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.
18. **ARTIFICIAL GREEN WALL SYSTEM:** The artificial green wall system proposed in the approved plans on the face of the entry canopies of Buildings A/B and C/D shall be maintained for the life of the project. Maintenance shall consist of regular monitoring and replacement of material that becomes worn or faded in order to continue to provide the appearance of healthy, living landscaping. Any future modifications to the approved green wall system will require review and approval by the Zoning Administrator and may require a modification to this permit. **(PROJECT-SPECIFIC CONDITION)**
19. **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.
20. **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.

21. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
22. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
23. **FENCES/WALLS:** 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 7' in height, measured from adjacent grade to the top of the fence or wall. The design and location must be consistent with the approved plans and comply with all setback and traffic visibility area requirements, subject to approval by the Zoning Administrator.
24. **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.
25. **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.

GREEN BUILDING

26. **GREEN BUILDING—TENANT IMPROVEMENTS:** All nonresidential tenant improvements, including building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above, must meet the mandatory measures of the California Green Building Standards Code and Title 24, Part 6.

TREES AND LANDSCAPING

27. **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. 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.
28. **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.
29. **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.
30. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
31. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by David Babby for Arbor Resources and dated June 29, 2022, 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.

32. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

#### NOISE

33. **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.

#### CONSTRUCTION ACTIVITIES

34. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
35. **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.
36. **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 in the area of known or suspected exposed contaminated soils will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile contaminated soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around the construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist contaminated 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 containing known or suspected contaminated soil with sheeting when work is not being performed.
37. **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 seven 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 by best management practices (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 seven 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.

Building Inspection Division—650-903-6313 or [building@mountainview.gov](mailto:building@mountainview.gov)

Entitlement review by the Building Inspection Division is preliminary. Building and Fire plan check reviews are separate permit processes applied for once the zoning approval has been obtained and appeal period has concluded; a formal permit submittal to the Building Inspection Division is required. Plan check review shall determine the specific requirements and construction compliance in accordance with adopted local, State, and Federal codes for all building and/or fire permits. For more information on submittal requirements and timelines, contact the Building Inspection Division online at [www.mountainview.gov/building](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.

38. **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, CALEnergy (in conjunction with the City of Mountain View Amendments), and the Mountain View Green Building Code (MVGBC). New building codes are anticipated to be effective January 1, 2023.
39. **ACCESSIBILITY REQUIREMENTS:**
  - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
  - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
40. **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).
41. **APPROVALS REQUIRED:** Project requires approval of the Santa Clara County Environmental Health Department (SCCHD) prior to building permit issuance 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.
42. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial space(s) will be required to obtain a separate building permit(s).
43. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
44. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
45. **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.
46. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per the CBC, Chapter 3.
47. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.



48. **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.
49. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction, when feasible. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306. If construction activities require the closure of, or encroachment into, any public sidewalk for any length of time, all necessary permit(s) from the Public Works Department must be obtained prior to issuance of the first building permit that includes work impacting the public sidewalk(s).
50. **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 prior to building permit issuance.
51. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any AMMR(s) is required to be formally submitted with the initial building permit to the Building Inspection Division. AMMRs will be reviewed by the Chief Building Official during the building plan check process. Approvals of AMMRs are not processed or provided prior to submittal to the Building Inspection Division.
52. **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.
53. **ALLOWABLE AREA FACTOR:** Project shall comply with the requirements per the CBC, Chapter 5.
54. **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.
55. **MEANS OF EGRESS:** Project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
56. **MVGBC CALGREEN:** Project shall comply with the CALGreen checklist requirements by the City of Mountain View.
57. **PLUMBING FIXTURES:** Project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
58. **FIRE ACCESS LANE(S):** Site must meet/maintain the existing fire access lane(s) at all times.
59. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
60. **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.

Fire Department—650-903-6343 or [fire@mountainview.gov](mailto:fire@mountainview.gov)

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

61. **FIRE SPRINKLER SYSTEM TENANT IMPROVEMENT:** The automatic fire sprinkler system shall be altered as necessary to accommodate interior improvements. Shop-quality drawings shall be submitted electronically for review and approval prior to installation. All new and/or existing water flow indicators and system control valves shall be monitored by a central station monitoring alarm company. All work shall conform to NFPA 13, NFPA 72, and Mountain View Fire Department specifications.
62. **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.)

63. **FIRE EXTINGUISHERS (COOKING AREAS):** Install Class K fire extinguishers in commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.12.5.)
64. **FIRE EXTINGUISHING SYSTEMS:** Shop-quality drawings for the cooking appliance fire extinguishing system(s) shall be submitted electronically. (California Fire Code, Section 904.2.2.)

#### FIRE DEPARTMENT ACCESS

65. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)

#### EGRESS AND FIRE SAFETY

66. **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 plan sheets in the drawing sets. (California Building Code, Section 1008.)
67. **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.)
68. **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.)
69. **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 not be 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.)
70. **GROUP A, E, I, AND R1 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.)
71. **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.)
72. **EMERGENCY PROCEDURE MAPS (OFFICE BUILDINGS):** In all office buildings two (2) or more stories in height, except high-rise buildings, a floor plan providing emergency procedures information shall be posted at every stairway landing, at every elevator landing, and immediately inside all public entrances to the building. The information shall be posted so that it describes the represented floor level and can be easily seen immediately upon entering the floor level or the building. Emergency procedures information shall be printed with a minimum of 3/16" high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to, the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)
73. **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

74. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. (California Fire Code, Section 304.3.)
75. **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. (Mountain View City Code, Section 14.10.18.)

Public Works Department—650-903-6311 or [public.works@mountainview.gov](mailto:public.works@mountainview.gov)

#### STREET IMPROVEMENTS

76. **DRIVEWAY 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 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, buildings and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.

#### UTILITIES

77. **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.
78. **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.
79. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department, 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 the issuance of any permits.
80. **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. Angled connections within service lines shall not be allowed. Utility profiles will be required for all new services.

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.

81. **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. A minimum 3' clearance shall be provided around and between each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
82. **REUSE OF EXISTING SEWER LATERAL:** City records show the existing sewer lateral was constructed 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.

Prior to issuance of any building permits, 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's Wastewater Supervisor at 650-903-6329 to schedule City maintenance staff to be present at the 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.

83. **CATHODIC PROTECTION:** Cathodic protection shall be required due to soil corrosivity.
84. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s).

#### SOLID WASTE AND RECYCLING

85. **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.
86. **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 Public Works Solid Waste and Recycling Division prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
87. **TRASH ENCLOSURE DESIGN AND DETAILS:** Label trash collection areas on architectural, civil, and landscape plan sheets. The property must have adequate trash, recycling, and organics/compost service. Display on plans indoor and outdoor trash receptacles layout, location, and dimensions to scale.

The existing Recology compost service level of one 4-yard bin far exceeds current needed capacity since the cafeteria is not currently in use, but once the café opens, the site may require a more frequent compost pick-up schedule to accommodate additional waste generation. It is not anticipated that the six-yard trash compactor, five times per week, or four-yard mixed recycling, five times per week, will need more service as a result of the café. However, if the trash becomes insufficient in the future as more people begin using the property, the property management shall increase service accordingly.

Show on plans an adequate number, size, and location of three sort-collection receptacles for compostable and recyclable materials in all indoor and outdoor areas where trash containers are provided and these materials are also generated. Display on the plans, two sort receptacles in areas where food waste is not generated, but trash and recyclables are.

New receptacles must have sufficient labels or colors (gray/black for trash, blue for recycling, and green for compost). In alignment with the City's Solid Waste programs, labels on new containers must include language or graphic images or both indicating the primary material accepted/prohibited in the container(s) with imprinted text or graphic images showing the primary materials accepted/prohibited in the container. All signage must be approved by the Solid Waste Program Manager prior to installation.

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

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

89. **SANTA CLARA VALLEY WATER DISTRICT WELLS:** Santa Clara Valley Water District requires the following note to be labeled on the building and improvement plans: “While the Santa Clara Valley Water District (District) has records for most wells located in the County, it is always possible that a well exists that is not in the District’s records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the Santa Clara Valley Water District or registered with the District and protected from damage.”
90. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: “The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development’s construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director or designated representative.”
91. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.”
92. **BUILDING PERMIT FOR TENANT IMPROVEMENTS:** For any future building permit for a potential tenant improvement project that exceeds the threshold of 600 square feet of addition or equivalent cost thereof, Public Works will require street and utility improvements. The required improvements may include, but are not limited to, replacement of damaged sidewalk; reconstruction of existing driveway approaches, or curb ramps to comply with the Americans with Disabilities Act (ADA) requirements; inspection of the existing sanitary sewer lateral to determine the condition of its reuse; installation of a separate landscape, and irrigation meter and service; and installation of a trash enclosure that meets the City’s Trash and Recycling Space Guidelines.

Fire and Environmental Protection Division—650-903-6378 or [FEPD@mountainview.gov](mailto:FEPD@mountainview.gov)

ENVIRONMENTAL SAFETY

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at [www.mountainview.gov/fep](http://www.mountainview.gov/fep). “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website at [www.mountainview.gov/fepforms](http://www.mountainview.gov/fepforms). Please note, new stormwater C3 requirements go into effect on July 1, 2023 in accordance with the City’s reissued Regional Permit.

93. **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.
94. **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.
95. **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.
96. **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.
97. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.

98. **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.
99. **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.
100. **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 irrigation 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.
101. **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 the fire sprinkler drain on the plans.
102. **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.
103. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

104. **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.scvrppp-w2k.com/consultants\\_list.shtml](http://www.scvrppp-w2k.com/consultants_list.shtml)

105. **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.

LINDSAY HAGAN, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

LH/EF/1/FDG  
PL-2022-147

DRAFT