

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2015

A RESOLUTION FOR A PLANNED COMMUNITY PERMIT FOR A HABITAT
EXPANSION AND RESTORATION PROJECT AND A HERITAGE TREE REMOVAL
PERMIT TO ALLOW THE REMOVAL OF 119 HERITAGE TREES
AT THE CHARLESTON RETENTION BASIN

WHEREAS, an application was received from Google Inc. for a Planned Community Permit for a habitat expansion and restoration project and a Heritage Tree Removal Permit to allow the removal of 119 Heritage trees at the Charleston Retention Basin; and

WHEREAS, the Zoning Administrator held a public hearing on October 28, 2015 on said applications and recommended that the City Council conditionally approve the Planned Community Permit and Heritage Tree Removal Permit subject to the findings and conditions of approval contained in the Findings Report; and

WHEREAS, on December 1, 2015, the City Council held a public hearing on said applications and received and considered all evidence presented at said hearing, including the recommendation for approval from the Zoning Administrator;

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

1. That the Zoning Administrator hereby recommends the City Council approve the Planned Community Permit pursuant to the following required findings in Section 36.50.55 of the City Code:

a. The proposed project is consistent with the provisions of the North Bayshore Precise Plan and the Flood Plain District. The proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments because it includes the expansion and restoration of the native habitat area surrounding the existing Charleston Retention Basin with the comprehensive replanting of the upland basin areas with native plants and trees and the realignment and improvement of the existing pedestrian path around the basin; and

b. The proposed use or development is consistent with the High-Intensity Office and Parks, Schools, and City Facilities Land Use Designations of the General Plan

which is intended for City facilities which support office development infrastructure and provides recreational facilities; and

c. The proposed project will not be detrimental to the public interest, health, safety, convenience, or welfare because the project will provide restored and expanded habitat areas in the ecologically diverse North Bayshore Area; and

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by improving the existing natural habitat, improving pedestrian and bicycle circulation, and increases recreation opportunities in and around the Charleston Retention Basin; and

e. The approval of the Planned Community Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study and Mitigated Negative Declaration have been prepared and circulated for public comment and 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.

2. That the Zoning Administrator hereby recommends the City Council approve the Heritage Tree Removal Permit, pursuant to the following required findings in Section 32.35 of the City Code:

a. It is appropriate and necessary to remove nonnative and hazardous trees to allow for the comprehensive replanting of the upland basin areas with native plants and approximately 1,873 native trees (including 119 oak replacement trees); and

b. It is appropriate and necessary to remove the trees in order to realign the basin's perimeter pathway which will allow the expansion of the native habitat areas and the replacement of nonnative and nonhealthy trees with native tree and plant species; and

c. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including their maturity and aesthetic qualities such as canopy, shape and structure, majestic stature, and visual impact on the area; and

d. It is appropriate and necessary to remove the trees to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest; and

e. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters; and

f. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity; and

g. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole; and

h. The approval of the Heritage Tree Removal Permit for the removal of 119 Heritage trees complies with the California Environmental Quality Act (CEQA) because an Initial Study and Mitigated Negative Declaration have been prepared and circulated for public comment and 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.

3. That the Planned Community Permit and Heritage Tree Removal Permit are recommended for approval subject to the applicant's fulfillment of all of the conditions which are attached hereto in Exhibit A and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

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

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818-12-01-15r-E

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NO.: 001-15-PCZA
Charleston Retention Basin

The applicant is hereby notified, as part of this application, that (s)he is required to meet the following conditions in accordance with the City Code of the City of Mountain View and the State of California. The lead department with which the applicant will work is identified on each condition where necessary. Where approval by the Community Development Director, City Engineer, Public Works Director, City Attorney, or Fire Department is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws and regulations, and accepted engineering practices for the items under review. Additionally, the applicant is hereby notified that (s)he is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are not herein specified:

Community Development Department – (650) 903-6306

1. **APPROVAL EXPIRATION:** The project is approved to be developed in two phases. Phase 1 includes the improvements on the southern side and northwest quadrant of the basin, including the two bridge connections and Phase 2 involves the installation of the remainder of the improvements along the northern and eastern sides of the basin, approximately one year after the completion of Phase 1. Issuance of building permits and compliance with the conditions of approval for both phases of development shall be complete within five years of the date of Council approval or the permit shall be deemed null and void.
2. **EXTENSION OF APPROVAL:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

SITE DEVELOPMENT AND BUILDING DESIGN

3. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped. Double stripes shall be 12" apart, from outside edge to outside edge of the stripe. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7-1/2'. For parallel parking spaces, only single-striped is required. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.

LANDSCAPING

4. **LANDSCAPING:** Detailed landscape and irrigation plans encompassing all plantable areas shall be included in the Building Inspection Division plan set submittal and shall be consistent with the conceptual drawings that were approved by the City Council. The drawings must be approved by the Zoning Administrator and Community Services Director prior to building permit issuance and implemented prior to final building inspection.

HERITAGE TREES

5. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.

NOISE

6. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment

as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

CONSTRUCTION PRACTICES AND NOTICING

7. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of grading permits, and the recommendations made in the geotechnical report will be implemented as part of the project.
8. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
9. **CONSTRUCTION PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
10. **DISTURBANCE COORDINATOR:** The project applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence or other suitable location.
11. **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; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD’s phone number will also be visible to ensure compliance with applicable regulations. Additional measures may be identified by the BAAQMD or contractor as appropriate.
12. **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.

13. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
14. **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.

LEGAL AGREEMENTS

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

MITIGATION MEASURES

16. **MM BIO-1.1: AVOIDANCE OF THE NESTING SEASON.** If construction or removal of trees and vegetation occurs outside the nesting season, impacts on protected nesting birds would be avoided. The nesting season for most birds in the North Bayshore Area extends from February 1 through August 31. Work activities performed during the September 1 to January 31 period would not be subject to the preactivity surveys and nest buffers described in MM BIO-1.3.
17. **MM BIO-1.2: PREACTIVITY SURVEYS.** If construction activities occur between February 1 and August 31, preactivity surveys for active nests shall be conducted by a qualified biologist. These surveys shall be conducted no more than seven days prior to the initiation of work activities in any given area. During each survey, the biologist shall inspect all potential nesting habitats (e.g., trees, shrubs, and buildings) within the work area; within 300' of the work area for raptor nests; and within 100' of the work area for nests of other birds.
18. **MM BIO-1.3: NEST BUFFERS.** If an active nest (i.e., a nest with eggs or young, or any completed raptor nest attended by adults) is found sufficiently close to work areas to be disturbed by these activities, the biologist, in coordination with the California Department of Fish and Wildlife (CDFW), shall determine the extent of a disturbance-free buffer zone to be established around the nest. Typical buffer zones are 300' for nests of raptors and 100' for nests of other birds. The biologist, in consultation with the CDFW, may determine that a reduced buffer is appropriate in some instances. Topography, buildings, or vegetation that screen a nest from the work area, or very high existing levels of disturbance (indicating the birds' tolerance to high levels of human activity), may indicate that a reduced buffer is appropriate. No new activities (i.e., work-related

activities that were not ongoing when the nest was established) will occur within the buffer as long as the nest is active.

19. **MM BIO-1.4: NESTS OF COMMON YELLOWTHROATS.** San Francisco common yellowthroat nests are inherently difficult to locate because of accessibility and the reclusiveness of the species. To protect active nests of this species, the biologist will map the territories of common yellowthroats within the retention basin during the preconstruction survey by observing the movements and behaviors of individuals. Nesting by yellowthroats within this mapped area will be assumed. The biologist will coordinate with the CDFW to determine the extent of a disturbance-free buffer zone around this area.
20. **MM BIO-2.1: STREAMBED ALTERATION AGREEMENT FROM CDFW.** Prior to any construction activities, the project shall obtain a Streambed Alteration Agreement from the CDFW per Section 1602 of the California Fish and Game Code. CDFW may require on- or off-site compensatory mitigation for project impacts.
21. **MM BIO-2.2: OBTAIN REGULATORY PERMITS.** Prior to any construction activities, the project shall obtain a Section 404 fill permit from the USACE and a Section 401 Water Quality Certification from the RWQCB.
22. **MM BIO-2.3: WATER QUALITY.** To the extent practicable, all grading within and upslope from jurisdictional features shall occur during the dry season. If grading is to occur during the rainy season, the primary Best Management Practices (BMPs) selected shall focus on erosion control. End-of-pipe sediment control measures (e.g., basins and traps) shall be used only as secondary measures. The following BMPs will be implemented during construction:
 - No earthwork or ground-disturbing activities will take place within wetted areas of the basin.
 - No litter, debris, or sediment shall be dumped into storm drains. Work crews shall be educated about the impacts of trash in sensitive habitats. Enclosed trash containers shall be provided and trash and debris shall be removed from the site daily.
 - Vehicles and equipment will be driven only on established roads and crossings. Routes and boundaries will be clearly marked and will be located outside of the driplines of preserved trees.
 - Equipment shall be staged and vehicles shall be parked only on established access roads and flat surfaces, avoiding driplines of preserved trees.
 - The integrity and effectiveness of construction fencing and erosion control measures shall be inspected daily. Corrective actions and repairs shall be carried out immediately for fence breaches and ineffective BMPs.
 - Fueling, washing, and maintenance of vehicles should occur more than 100' away from drainage structures. Equipment shall be regularly maintained to avoid fluid leaks. Any leaks shall be captured in containers until equipment is moved to a repair location. Hazardous materials shall be stored more than 100' away from drainage structures. Containment and clean-up plans will be prepared and put in place for immediate cleanup of fluid or hazardous materials spills.
 - Stormwater pollution prevention inspections shall be made at appropriate intervals (frequency to be determined as part of the SWPPP preparation process, but at a minimum likely before and after rain events).
 - Additional impervious surface treatment measures shall be implemented during construction and may include temporary bioswales, filters, and/or detention ponds.
23. **MM BIO-3.1: HERITAGE TREE REPLACEMENT.** The applicant shall offset the loss of each Heritage tree with a minimum of one new tree, for a total of 119 replacement trees. Each replacement tree shall be no smaller

than a 24" box and shall be noted on the landscape plans submitted for review to the City as a Heritage replacement tree.

24. **MM BIO-3.2: TREE MONITORING PLAN.** The applicant shall develop a tree monitoring and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. The monitoring plan shall include, but is not limited to, identifying methods for monitoring tree survival, duration and frequency of monitoring efforts, planting success criteria, requirements for dead tree replacement, methods of invasive plant and weed control, temporary irrigation methods, contingency measures if performance measures are not achieved, and responsible parties. The tree monitoring and preservation plan will be developed in accordance with Chapter 32: Articles I and II of the Mountain View City Code and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.
25. **MM BIO-3.3: TREE-PROTECTION MEASURES.** In order to minimize the impacts on tree species associated with the Charleston Retention Basin, the project shall implement the following tree-protection measures:
- Final grading and construction plans shall clearly identify the size and species of all trees proposed for removal, consistent with the arborist plan review report.
 - Trees that are not scheduled for removal will be clearly marked for avoidance. Fenced enclosures for individual trees or groups of trees to be protected shall be erected at the driplines of trees, where possible, or as established by the arborist. Soil disturbance within this protection zone will not be permitted.
 - Compaction of the soil causes a significant impact on trees during construction. If compaction to the upper 12" of the soil profile occurs, or is proposed, then one or more of the following measures shall be implemented as recommended by the arborist: (1) 4" of chip bark mulching shall be placed on top of the tree-protection zone and enclosed within the protective fencing; and (2) a soil aeration system which is designed and specified by an arborist.
 - Paving, hardscape, and other soil compacting material that encroaches upon the tree-protection zone should include an aeration system designed by an arborist.
 - Tree roots will not be left exposed to the air, and will be protected with wet burlap or peat moss until the excavated area is ready for backfill. During backfill, careful tamping and punching 12" holes in the compacted ground using an iron bar can help achieve the desired amount of soil aeration for regrowth.
 - The ends of damaged tree roots will be cleanly removed with a smooth cut. Damaged bark will be removed with a cut that is tapered at the top to provide drainage at the base of the wood. During periods of drought or grading, spray the trunk, limbs, and foliage of remaining trees to remove accumulated dust.
26. **MM HAZ-1.1: TOXIC ASSESSMENT.** A toxic assessment report shall be prepared and submitted to the City prior to issuance of a grading permit. The applicant must demonstrate that hazardous materials do not exist on the site, or that construction activities and the proposed use of this site are approved by: the City of Mountain View Hazardous Materials Division of the Fire Department; the Santa Clara County Department of Environmental Health; the Regional Water Quality Control Board; and any Federal agency, including the U.S. Environmental Protection Agency, with jurisdiction. No grading permit will be issued until each agency and/or department with jurisdiction has released the site as clean or an approved site toxics mitigation plan has been approved.
27. **MM HAZ-1.2: 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:

- Contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training.
- Contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options.
- Contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation.
- Contractor will water/mist soil as it is being excavated and loaded onto transportation trucks.
- Contractor will place any stockpiled soil in areas shielded from prevailing winds.
- Contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

Public Works Department – (650) 903-6311

RIGHTS-OF-WAY

28. **ACCESS EASEMENT (BIKE AND PEDESTRIAN IMPROVEMENTS):** Dedicate a public access easement(s) to accommodate the bicycle and sidewalk improvements around the Charleston Retention Basin to the satisfaction of the Public Works Director and City Attorney.
29. **ACCESS EASEMENT (CITY MAINTENANCE VEHICLES AND EQUIPMENT):** Dedicate public access easement(s) or other suitable easement(s) to accommodate City access for maintenance vehicles and equipment around the Charleston Retention Basin to the satisfaction of the Public Works Director and City Attorney.
30. **PLAT AND LEGAL DESCRIPTION:** For the proposed public access easement dedications per the Legal Description and Plat Requirements, submit an 8.5"x11" plat (drawing), legal description stamped by a registered civil engineer or land surveyor, and a copy of the current preliminary title report or property deed of the owner's property.

STREET IMPROVEMENTS

31. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include, but are not limited to, utility service(s), bike and pedestrian pathway, raised crosswalk design, pedestrian bridge, grading, landscaping, sidewalk, curb and gutter improvements.
 - 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 building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at <http://www.fms.treas.gov/c570/index.html>. 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.
 - b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance

requirements are available from the Public Works Department.

32. **OFF-SITE PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (nine sets), construction cost estimate, and copy of the current preliminary title report or property deed must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit.
33. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.
34. **EXCAVATION PERMIT:** Prior to the issuance of the building permit, submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way, including, but not limited to, utility service, bike and pedestrian pathway, raised crosswalk, pedestrian bridge, grading, landscaping, sidewalks, curbs and gutter improvements. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.

UTILITIES

35. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Storm sewer laterals and water services shall have a minimum 5' horizontal separation from each other.
36. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all proposed 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.

SIDEWALKS AND DRIVEWAYS

37. **CHARLESTON ROAD RAISED CROSSWALK IMPROVEMENTS:** Raised crosswalk improvements at the Charleston Road connection to the proposed bicycle and pedestrian facilities must be approved by the Public Works Department prior to construction. Plans shall include, but are not limited to, grading and drainage, striping and signage, and traffic control within the off-site improvement plans.
38. **ADA SIDEWALK REQUIREMENTS:** All new sidewalk improvements shall be designed and constructed to meet ADA requirements.
39. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.

RECYCLING

40. **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

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violate Mountain View City Code Sections 16.13 and 16.17 and result in Code Enforcement action.

41. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).

CHARLESTON RETENTION BASIN TREES

42. **TREE LOCATIONS:** The location of existing trees to remain, existing trees to be removed, and new trees in the Charleston Retention Basin shall be shown on the grading, utility, and landscaping plans. New trees are to be planted a minimum of 5' from existing storm drain lines and new water lines. New street tree species must be approved by the City's Parks and Open Space Division.
43. **TREE IRRIGATION:** Charleston Retention Basin trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

44. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
45. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.

FLOOD ZONE

46. **AE FLOOD ZONE:** The site is located within Special Flood Hazard Zone AE 11, and the site designs must comply with the drainage and flood control requirements of the City Code. Applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of the building permit.
47. **GRADING REQUIREMENTS:** For sites located within a special flood hazard zone, the grading or site plan must show the base flood elevation for Flood Zone AE. All elevations must be referenced to a City elevation benchmark. The benchmark number, description, elevation, and datum year shall be noted on the grading plan.
48. **FLOOD ZONE ELEVATION DATUM:** All base flood elevations on the FEMA Flood Insurance Rate maps are based on the North American Vertical Datum of 1988 (NAVD 88). Please note that the NAVD 88 is several feet higher than the NGVD 29 datum. The elevations required in the Flood Development Permit Application are to be based upon City elevation benchmarks using the NAVD 88 elevation datum. The City's 1998 elevation benchmark survey lists the NGVD 29 and NAVD 88 elevations of City benchmarks within the City. The 2010 benchmark survey is available at the counter of the Public Works Department.

MISCELLANEOUS

49. **CONSTRUCTION PLAN:** Submit a construction traffic and parking management plan with the building plans showing the following: (1) truck route for construction and delivery trucks that does not include neighborhood residential streets; (2) construction phasing; and (3) on-site locations for staging, storing construction vehicles, equipment area, construction trailer, and worker parking. The public street shall not be used for any construction-related activities, including parking for workers and storage of vehicles.
50. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."

51. **BUILDING PERMIT FINALS:** Building permits will not be finalized until the off-site improvements have been constructed and/or accepted to City Public Works standards and are complete and ready for acceptance.
52. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents.
53. **U.S. FISH AND WILDLIFE SERVICES PERMIT:** Apply for a U.S. Fish and Wildlife Service (USFWS) Permit for all work within USFWS jurisdiction, as necessary. Work within this retention basin must be in accordance with USFWS requirements.
54. **UNITED STATES ARMY CORPS OF ENGINEERS PERMIT:** Apply for a Army Corps of Engineers (USACE) permit for all work within USACE jurisdiction, as necessary. Work within this retention basin must be in accordance with USACE requirements.
55. **ENCROACHMENT AGREEMENT:** The applicant shall be required to obtain an encroachment agreement from the City for the maintenance of the nonstandard improvements within the Charleston Retention Basin which shall include, but not be limited to, the new bridges and appurtenances.
56. **SIGNAGE:** Any signage proposed for the Charleston Retention Basin shall be reviewed and approved for content, design, and placement locations by the Public Works Director and Community Services Director prior to manufacture and placement of the signs.

Building Inspection Division – (650) 903-6313

57. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at (650) 903-6313.
58. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code.
59. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11B.
60. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2013 CBC, Section 3306.

Fire Department – (650) 903-6343

FIRE DEPARTMENT ACCESS

61. **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 Mountain View City Code, Sections 14.10.17, 14.10.18.)

62. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection Division at (650) 903-6313 for specifications. (California Fire Code, Section 503.)
63. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at (650) 903-6313 for specifications and application. (California Fire Code, Section 503.)

Fire and Environmental Protection Division – (650) 903-6378

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/city_hall/fire/programs_n_services/environmental_safety.asp

64. **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.
65. **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.
66. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
67. **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 multiprogrammable 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.
68. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** Construction BMPs shall be implemented for reducing the volume of runoff and pollution in runoff to the maximum extent practicable during site excavation, grading, and construction. All measures shall be included in the project's Stormwater Management Plan (described below) and printed on all construction documents, contracts, and project plans. These would include: (a) Restrict grading to the dry season or meet City requirements for grading during the rainy season; (b) Use effective, site-specific erosion and sediment control methods during the construction periods. Provide temporary cover of all disturbed surfaces to help control erosion during construction.

Provide permanent cover as soon as is practical to stabilize the disturbed surfaces after construction has been completed; (c) Cover soil, equipment, and supplies that could contribute nonvisible pollution prior to rainfall events or perform monitoring of runoff. Cover stockpiles with secure plastic sheeting or tarp; (d) Implement regular maintenance activities such as sweeping driveways between the construction area and public streets. Clean sediments from streets, driveways, and paved areas on-site using dry-sweeping methods. Designate a concrete truck washdown area; (e) Dispose of all wastes properly and keep site clear of trash and litter. Clean up leaks, drips, and other spills immediately so that they do not contact stormwater; and (f) Place fiber rolls or silt fences around the perimeter of the site. Protect existing storm and sewer inlets in the project area from sedimentation with filter fabric and sand or gravel bags.

69. **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.