

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2018

A RESOLUTION CONDITIONALLY APPROVING A
PLANNED COMMUNITY PERMIT AND A DEVELOPMENT REVIEW PERMIT
FOR A NEW MIXED-USE DEVELOPMENT CONSISTING OF A
231,210 SQUARE FOOT OFFICE BUILDING AND 635 NEW MULTI-FAMILY
RESIDENTIAL UNITS, RETAINING AN EXISTING 156,317 SQUARE FOOT
OFFICE BUILDING AND DEMOLISHING AN EXISTING 103,513 SQUARE FOOT
INDUSTRIAL BUILDING AT THE SITE, AND A HERITAGE TREE REMOVAL
PERMIT TO REMOVE 84 HERITAGE TREES AT 1255 PEAR AVENUE

WHEREAS, an application was received from the Sobrato Organization for a new mixed-use development consisting of a 231,210 square foot office building and 635 new multi-family residential units, retaining an existing 156,317 square foot office building and demolishing an existing 103,513 square foot industrial building at the site, and a Heritage Tree Removal Permit to remove 84 Heritage trees at 1255 Pear Avenue (Application No. PL-2017-380); and

WHEREAS, the City Council held a public hearing on October 23, 2018 on said applications and received and considered all evidence presented at said hearing;

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

1. The Planned Community Permit for a new mixed-use development project is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.44.70 of the City Code:

A. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines because the project complies with the General Plan goals and policies of the North Bayshore Change Area and is consistent with the North Bayshore Mixed-Use Land Use Designation and the standards and guidelines of the P-39 (North Bayshore) Precise Plan, with any requested development standard exceptions in substantial compliance with the purpose and intent of the Precise Plan;

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 office use

design and character is consistent with similar surrounding office uses in the area, and the proposed residential use complies with the P-39 (North Bayshore) Precise Plan standards and guidelines, which include designing new residential structures to be compatible with existing residential development in the area;

C. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by providing garage structures on-site to accommodate the parking generated by the office and residential uses; including new transportation-related improvements, dedication of a new extension to Inigo Way, and a publicly accessible bicycle/pedestrian greenway on the eastern edge of the property; improved vehicular and pedestrian access to and within the site; and new landscaping adjacent to these improvements;

D. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and enhances the landscaped environment throughout the project site and along adjacent public streetscapes with new trees and plants in conformance with the City's Water-Efficient Landscaping Guidelines and in substantial conformance with the North Bayshore Precise Plan Plant Palette;

E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing an on-site parking and circulation system with improved access to nearby public streets and transit facilities in the vicinity; and

F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

2. The Planned Community Permit to allow a new mixed-use office and residential project at this location is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

A. The proposed use and development is consistent with the provisions of the P-39 (North Bayshore) Precise Plan. The proposal clearly demonstrates superior site and building design and compatibility with surrounding

uses and developments through appropriate building setbacks from the public right-of-way and property lines that help improve the desired active pedestrian character of the area while also helping to protect the privacy of adjacent uses; implementation of wildlife-friendly building design strategies; parking provided within an integrated parking structure; and office and residential uses compatible with existing and planned surrounding uses. The request for an exception to the Precise Plan's 400' block length development standard (500' for the North parcel and 670' for the South parcel) is justified as the overall block and building layout meets the intent and purpose of the Precise Plan and results in a superior site design. The proposed site design includes blocks with several pedestrian and bicycle pathways between buildings that help break up the large existing blocks and site, and which allow convenient pedestrian and bicycle access throughout the site and to connections to public streets and a greenway, further supporting the intent and purpose of the key Precise Plan.

B. The proposed use and development is consistent with the General Plan Land Use Designation of North Bayshore Mixed-Use, which allows mixed-use developments, including: (1) office intensities up to 1.0 FAR in return for highly sustainable developments that provide innovative site, architectural, and landscape designs and transportation demand management measures to support the City's goals for reducing vehicle trips; (2) Precise Plan Residential Bonus FAR Tier I requirements that provide at least 15 percent affordable housing units on-site or comparable alternative in addition to a Local School Strategy to support local schools in or adjacent to the North Bayshore Area; and (3) green building and site design measures as specified in the Precise Plan.

The project also includes a LEED® Platinum-designed office building and Green Point rated (minimum 120 points) residential buildings; a Transportation Demand Management (TDM) Program designed to reduce peak-hour office trips and meet North Bayshore's single-occupancy vehicle (SOV) goals and reduce peak-hour residential trips; and long-term below-market lease rates for existing adjacent small businesses on 1110 La Avenida; and dedicates approximately 1.4 acres to the City of Mountain View for future development of affordable housing units.

C. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the design of the buildings and proposed uses are compatible with surrounding office and residential developments;

D. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding by providing a proposed land use consistent with office and residential uses in the area, including design features such as buildings located near streets and transitioning in bulk and mass towards adjacent residential uses; providing well-designed, area-appropriate

landscaping; and providing improved vehicular, bicycle, and pedestrian connections to the surrounding transportation network; 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 of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed mixed-use project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

3. The Heritage Tree Removal Permit to remove 84 Heritage trees is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the City Code:

A. It is appropriate and necessary to remove 81 Heritage trees due to the location of the trees in the project's building footprint and other site improvements, and poor health of the trees based on a certified arborist evaluation. It is appropriate and necessary to relocate Tree Nos. 216, 217, and 222 on-site due to their overall condition, relative good health, and other characteristics that make them good candidates for relocation;

B. It is appropriate and necessary to remove 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 to construct improvements and allow reasonable and conforming use of the property when compared to other similarly situated properties because the removal and relocation will allow the construction of the project to meet the purpose and intent of the P-39 (North Bayshore) Precise Plan, and the proposed removal of said trees will be replaced with approximately 162 new trees, including new street trees along the project frontage;

C. It is appropriate and necessary to remove 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 based on the nature and qualities of the trees as Heritage trees, including their maturity, aesthetic qualities such as their canopy, shape and structure, majestic stature, and visual impact on the neighborhood;

D. It is appropriate and necessary to remove 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 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;

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;

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;

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 proposed project is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed mixed-use project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

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

MA/2/RESO
891-10-23-18r-3

Exhibit: A. Conditions of Approval

CITY OF MOUNTAIN VIEW
FINDINGS REPORT/ZONING PERMIT

APPLICATION NO.: PL-2017-380
DATE OF FINDINGS: October 23, 2018
EXPIRATION OF ZONING PERMIT: October 23, 2020

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:

Sobrato Organization

Street Address of Property: 1255 Pear Avenue
Assessor's Parcel No.: 116-14-028, 116-14-089, 116-14-094, 116-14-095, 116-14-098, 116-14-126, and 116-14-136
Zone: P(39)

Request:

Request for a Planned Community Permit and Development Review Permit to allow a new mixed-use development consisting of a 231,210 square foot office building and 635 new multi-family residential units, retaining an existing 156,317 square foot office building and demolishing an existing 103,513 square foot industrial building at the site, and a Heritage Tree Removal Permit to remove 84 Heritage trees; and a determination that the project has prepared an Initial Study pursuant to Section 15168 ("Program EIR") of the CEQA Guidelines.

APPROVED [] CONDITIONALLY [X] DISAPPROVED [] CONTINUED [] OTHER []
APPROVED

****ZONING ADMINISTRATOR RECOMMENDATION TO CITY COUNCIL****

FINDINGS OF APPROVAL:

The Development Review Permit for a new mixed-use office and residential development at 1255 Pear Avenue 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 the Zoning Ordinance, the General Plan, and any City-adopted design guidelines because the project complies with the General Plan goals and policies of the North Bayshore Change Area and is consistent with the North Bayshore Mixed-Use Land Use Designation and the standards and guidelines of the P-39 (North Bayshore) Precise Plan, with any requested development standard exceptions in substantial compliance with the purpose and intent of the Precise Plan;
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 office use design and character is consistent with similar surrounding office uses in the area, and the proposed residential use complies with the P-39 (North Bayshore) Precise Plan standards and guidelines, which include designing new residential structures to be compatible with existing residential development in the area;

[] Owner [] Agent [] File [] Fire [] Public Works

- C. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by providing garage structures on-site to accommodate the parking generated by the office and residential uses; including new transportation-related improvements, including a dedication of a new extension to Inigo Way, and a publicly accessible bicycle/pedestrian greenway on the eastern edge of the property; improved vehicular and pedestrian access to and within the site; and new landscaping adjacent to these improvements;
- D. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and enhances the landscaped environment throughout the project site and along adjacent public streetscapes with new trees and plants in conformance with the City's Water-Efficient Landscaping Guidelines and in substantial conformance with the North Bayshore Precise Plan Plant Palette;
- E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing an on-site parking and circulation system with improved access to nearby public streets and transit facilities in the vicinity; and
- F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

The Planned Community Permit to allow a new mixed-use office and residential project at this location is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.50.55:

- A. The proposed use and development is consistent with the provisions of the P-39 (North Bayshore) Precise Plan. The proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments through appropriate building setbacks from the public right-of-way and property lines that help improve the desired active pedestrian character of the area while also helping to protect the privacy of adjacent uses; implementation of wildlife-friendly building design strategies; parking provided within an integrated parking structure; and office and residential uses compatible with existing and planned surrounding uses. The request for an exception to the Precise Plan's 400' block length development standard (500' for the North parcel and 670' for the South parcel) is justified as the overall block and building layout meets the intent and purpose of the Precise Plan and results in a superior site design. The proposed site design includes blocks with several pedestrian and bicycle pathways between buildings that help break up the large existing blocks and site, and which allow convenient pedestrian and bicycle access throughout the site and to connections to public streets and a greenway, further supporting the intent and purpose of the key Precise Plan.
- B. The proposed use and development is consistent with the General Plan Land Use Designation of North Bayshore Mixed-Use, which allows mixed use developments, including: (1) office intensities up to 1.0 FAR in return for highly sustainable developments that provide innovative site, architectural, and landscape designs and transportation demand management measures to support the City's goals for reducing vehicle trips; (2) Precise Plan Residential Bonus FAR Tier I requirements that provide at least 15 percent affordable housing units on-site or comparable alternative in addition to a Local School Strategy to support local schools in or adjacent to the North Bayshore Area; and (3) green building and site design measures as specified in the Precise Plan.

The project also includes a LEED® Platinum-designed office building and Green Point rated (minimum 120 points) residential buildings; a Transportation Demand Management (TDM) Program designed to reduce peak-hour office trips and meet North Bayshore's single-occupancy vehicle (SOV) goals and reduce peak-hour residential trips; and long-term below-market lease rates for existing adjacent small businesses on 1110 La Avenida; and dedicates approximately 1.4 acres to the City of Mountain View for future development of affordable housing units.

- C. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the design of the buildings and proposed uses are compatible with surrounding office and residential developments;
- D. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding by providing a proposed land use consistent with office and residential uses in the area, including design features such as buildings located near streets and transitioning in bulk and mass towards adjacent residential uses; providing well-designed area-appropriate landscaping; and providing improved vehicular, bicycle, and pedestrian connections to the surrounding transportation network; 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 of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed mixed-use project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

The Heritage Tree Removal Permit to remove 81 Heritage trees and relocate three Heritage trees is conditionally approved based on the conditions contained herein and the following findings per Section 32.35:

- A. It is appropriate and necessary to remove 81 Heritage trees due to the location of the trees in the project's building footprint and other site improvements, and poor health of the trees based on a certified arborist evaluation. It is appropriate and necessary to relocate Tree Nos. 216, 217, and 222 on-site due to their overall condition, relative good health, and other characteristics that make them good candidates for relocation;
- B. It is appropriate and necessary to remove 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 to construct improvements and allow reasonable and conforming use of the property when compared to other similarly situated properties because the removal and relocation will allow the construction of the project to meet the purpose and intent of the P-39 (North Bayshore) Precise Plan, and the proposed removal of said trees will be replaced with approximately 162 new trees, including new street trees along the project frontage;
- C. It is appropriate and necessary to remove the 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 based on the nature and qualities of the trees as Heritage trees, including their maturity, aesthetic qualities such as their canopy, shape and structure, majestic stature, and visual impact on the neighborhood;
- D. It is appropriate and necessary to remove the 81 Heritage trees and relocate Tree Nos. 216, 217, and 222 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;
- 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;
- 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;
- 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.
- H. The approval of the Heritage Tree Removal Permit for the proposed project is in compliance with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance was prepared pursuant to Section 15168 of the CEQA Guidelines and found that with implementation of the North Bayshore Precise Plan

standards and guidelines, standard City Conditions of Approval, State regulations, and mitigation measures identified in the North Bayshore Precise Plan EIR and the 2030 General Plan and Greenhouse Gas Reduction Program EIR, the proposed mixed-use project would not result in any new significant environmental impacts beyond those evaluated in these EIRs.

This approval is granted to construct a new mixed-use development consisting of a 231,210 square foot office building and 635 new multi-family residential units, and the removal of 81 Heritage trees and relocation of 3 Heritage trees located on all or parts of Assessor Parcel Nos. 116-14-136, 116-14-126, 116-14-098, 116-14-095, 116-14-028, 116-14-089, and 116-14-094. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by ArcTec and Studio T-Square for the Sobrato Organization dated September 13, 2018.
- b. Color and materials board prepared by ArcTec and Studio T-Square for the Sobrato Organization dated May 17, 2018, and kept on file in the Planning Division of the Community Development Department.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – 650-903-6306

1. **PUBLIC BENEFIT PACKAGE:** In compliance with the North Bayshore Precise Plan, the applicant is required to provide public benefits and meet other requirements in exchange for additional development intensity and to advance the goals and policies of the North Bayshore Precise Plan. The applicant has proposed to dedicate an approximate 1.4-acre parcel to the City for future expected development of affordable housing units that exceed the affordable housing requirements for the project site; preserve the building at 1110 La Avenida for use by local small businesses at affordable rents; include a LEED Platinum designed office building and 120-point Green Point Rated residential buildings; and include a Local School Strategy that provides funding for local schools in excess of State school fees. Final details of this information, including any legal or lease agreements, must be reviewed and approved by the City during building permit review and completed prior to issuance of building permits.
2. **EXPIRATION:** The Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit shall be valid for a period of two years from the date of City Council approval. Building permits for the project shall be issued within this two-year period or the permits shall become null and void unless an extension is granted.
3. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

PLANS AND SUBMITTAL REQUIREMENTS

4. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio or density in units per acre; (d) lot area (in square feet); and (e) total number of parking spaces.
5. **NOTIFICATION TO EMPLOYEES AND RESIDENTS:** All office tenants and residents at the site shall be notified by the property owner, property manager, and/or office building tenant that the site's environmental response to soil and groundwater contamination is subject to the jurisdiction of oversight agencies such the Department of Toxic Substances and Control (DTSC), Regional Water Quality Control Board (RWQCB), Santa Clara County Department of Environmental Health (DEH), and the Santa Clara Valley Water District (SCVWD).
6. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning

Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

7. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.
8. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
9. **COLOR SCHEME:** The proposed color scheme shall be shown on the elevations of the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

SITE DEVELOPMENT AND BUILDING DESIGN

10. **BUILDING DESIGN MODIFICATIONS:** Design modifications shall be made prior to issuance of a building permit and shall be shown on the building permit drawings, based on the project recommendation by the Development Review Committee (DRC). The following modifications are subject to review and approval by the Zoning Administrator to determine compliance with the DRC's recommendation and appropriateness of the proposed designs:
 - a. Continue to work with staff on the design of the office building frontage, including furnishings, shade, and landscape improvements to activate and engage the Inigo Way streetscape.
 - b. Continue to work with staff on the brick details of residential structures (South Parcel). The design objective is to help delineate the building bases and tops and add interest without being overly visually distracting.
 - c. Work with staff on options to refine the proportion of the "L-shaped" corner lobby entry awning on Building N2 and integrate this with other awning designs on the building.
 - d. Further refine the railing colors, materials, and patterns in the project to provide variety and interest throughout the development.
 - e. Submit a separate exhibit identifying proposed and schematic details, including details for recessed windows.
 - f. Refine the louvers on the South Parcel building windows to achieve a light, cohesive accent that coordinates well with proposed awnings.
 - g. Refine parapet walls to create simple, refined caps (including projecting features) that are well integrated with and proportioned to walls below on residential buildings.
11. **PUBLIC OPEN SPACE AREAS:** The project includes publicly accessible pedestrian/bike pathways and areas throughout the project. Where noted on the project plans, these pathways and areas shall be open and accessible to the public as outlined in that certain Covenants, Agreements, and Deed Restriction relating to Public Access to be executed by the applicant prior to issuance of building permits. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space, but shall not restrict access with fencing or other design/operational barriers.
12. **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.

13. **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.
14. **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.
15. **GROUND-FLOOR TRANSPARENCY:** Windows must maintain a minimum 75 percent transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
16. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator.
17. **ROOF EQUIPMENT:** All roof equipment must be concealed behind opaque (solid) screening designed to complement the buildings. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
18. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
19. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure(s) are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure(s) should match the architectural design, color, and materials of the primary structure.
20. **TRASH ENCLOSURE PAD:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
21. **NORTH BAYSHORE WASTE HANDLING:** Appropriate handling of food waste is required in the North Bayshore Area to preserve the health and safety of important wildlife, while reducing nuisance wildlife such as gulls, crows, ravens, jays, skunks, and raccoons. Thus, all properties with food service and/or food waste, in small or large quantities, must incorporate the following waste mitigation measures into their respective building and trash/recycling design:
 - All waste shall be collected into a central corral area, where separate garbage, recycling, and composting bins will be kept. A separate tallow container, used for collection of cooking oil and grease to be recycled or disposed of, shall be provided as well. Any bins used for cooking oil/grease, composting, and food waste shall include lids that seal tightly to prevent access by animals and incorporate a mechanism to prevent them from being inadvertently left open when not in active use. This waste bin corral shall be cleaned regularly.
 - A pulping system shall be incorporated into kitchen equipment to facilitate composting while minimizing the liquid that can be spilled in the garbage corral. The pulping system will grind the waste along with the compostable ware and feed these materials through a press that removes the liquid.
 - Indoor washing facilities for waste cans, mats, and mops shall be provided, thus avoiding the potential for bits of food waste to be deposited outdoors (where nuisance species can access them) as these items are

cleaned.

- Outdoor trash and recycling receptacles (e.g., in any outdoor eating or gathering areas) shall be routinely emptied throughout the day and during evening cleaning by the janitorial service, thus ensuring that cans do not fill up and allow food waste to spill out.
 - Signs shall be placed on dumpsters reminding users to close the lids so that they will not be inadvertently left open.
22. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review. The design and location must be approved by the Zoning Administrator and comply with all height and setback requirements.
23. **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'.
24. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
25. **BIKE RACKS (NEW AND EXISTING OFFICE):** The applicant shall provide at least 40 bike racks. The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near building entrances (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.
26. **BIKE RACKS (RESIDENTIAL):** The applicant shall provide at least 64 bike racks. The racks shall be an "inverted U," or equivalent as approved by the Zoning Administrator, and must secure the frame and both wheels. Racks should be located near building entrances (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or locating them there is otherwise infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault.
27. **BIKE LOCKERS (NEW AND EXISTING OFFICE):** The applicant shall provide at least 195 bike lockers, or equivalent, as approved by the Zoning Administrator. A written building management policy of permitting bicycles to be stored in designated areas within the structure where adequate security is provided may be approved by the Zoning Administrator as an alternative to bike locker facilities.
28. **BIKE LOCKERS (RESIDENTIAL):** The applicant shall provide at least 635 bike locker(s), or equivalent, as approved by the Zoning Administrator.
29. **SHOWER/CHANGING FACILITY (NEW OFFICE ONLY):** Eleven (11) unisex employee shower and changing room facilities shall be provided within the building and shown on the Building Permit drawings.
30. **PARKING MANAGEMENT PLAN (SHARED PARKING):** Prior to building permit issuance, the applicant shall develop a parking management plan describing parking allocation for residents, guests, and commercial uses within the project, subject to administrative approval by the Zoning Administrator.
31. **VISITOR/CUSTOMER PARKING:** The final location of all visitor/customer parking shall be shown on building permit plans and include appropriate signage and/or pavement markings subject to review and approval by the

Zoning Administrator.

32. **BIRD-SAFE DESIGN:** The following project design features shall be included in the project design and shown in building permit drawings to reduce bird strikes:

Residential Buildings

- a. All glass shall be clear, i.e., nonreflective.
- b. Overhangs, spatially offset adjacent faces, and other forms of architectural relief shall visually “break up” the exterior of the buildings to increase the likelihood that birds will perceive the building as a solid surface.
- c. Awnings shall be installed over many of the building’s windows, per the architectural plans, on different elevations at various heights to provide shading influence on windows, reducing reflectivity.
- d. Buildings shall include a variety of colors and material textures across adjacent faces and sections to further visually “break up” the exterior of the buildings.
- e. Artificial exterior building lighting should be minimized as feasible while still fulfilling security requirements to reduce luminosity and the attractiveness to nocturnally migrating birds.
- f. Artificial night lighting sources that direct light upward (skyward) should be avoided.
- g. To the extent feasible, LED lighting should be used for outdoor lighting schemes as they are generally believed to be less attractive to birds.

Office Building

- a. A minimum of 90 percent of the building’s glazing shall include “bird-safe” glazing treatments such as a fritted glass pattern and nonreflective solid/opaque materials.
- b. Some nonfritted glazing will be used for portions of the ground-floor facade; however, the ground floor is inset from the remainder of the structure and, thus, shaded under average conditions, reducing any reflective properties of the glazing in this space.
- c. Extensive fritted glazing up to 74’ from ground level (i.e., 14’ higher than the Plan’s 60’ requirement) shall be used to further reduce the likelihood and frequency of bird collisions.
- d. Small areas of glass facade between floors and on exterior columns will not be fritted or otherwise treated, but will feature solid (structural) materials within 6” to 10” behind the glass to make them effectively “bird-safe.”
- e. The hand railing on the building’s balcony shall feature fritted glass to help reduce bird collisions.
- f. Portions of the building’s facade below 60’ with untreated glazing are primarily located at or above the third story, where vegetation/landscaping will presumably be sparser and, thus, the risk of collision lower overall.
- g. Landscaping at ground level should not funnel flight paths towards the building facades.
- h. Outdoor patios and similar spaces on the upper stories and roof of the building should be as landscape-free as feasible to render them less attractive to birds.
- i. To reduce luminosity and attractiveness to nocturnally migrating birds, artificial night lighting (both on the exterior and interior) of the building should be minimized, while still fulfilling requirements for function and

safety. This may be accomplished by occupancy sensors, timers that control the lighting, and/or other methods, and is especially important during the spring and fall bird migration periods.

- j. Artificial night lighting sources that direct light upward (skyward) are prohibited.
 - k. To the extent feasible, LED lighting should be used for outdoor lighting schemes as they do not mimic natural lighting and are generally believed to be less attractive to birds.
33. **BIRD STRIKE MANAGEMENT PLAN:** A bird strike monitoring plan shall be developed and maintained for the life of the project to monitor post-construction bird strikes and evaluate whether additional bird-safe design measures are needed to reduce the frequency of bird strikes. The monitoring plan shall be submitted as part of the building permit submittal and approved prior to building permit issuance.

GREEN BUILDING AND SUSTAINABILITY MEASURES

34. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the North Bayshore Precise Plan green building measures (Appendix B and Chapter 4 of Precise Plan) mandatory measures of the California Green Building Standards Code and meet the intent of a minimum of 120 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
35. **GREEN BUILDING – NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED® Platinum certified. All mandatory prerequisite points and minimum point totals per category to attain the required LEED-certified status must be achieved unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through the U.S. Green Building Council (USGBC) is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
36. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building.

LANDSCAPING

37. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines and North Bayshore Precise Plan Plant Palette, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
38. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has designed in compliance with the North Bayshore landscaping guidelines and 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.
39. **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.

40. **SCREEN TREES:** The applicant shall revise the landscape plan to incorporate closely spaced evergreen trees along the eastern property line. The trees are necessary to screen views of and provide privacy for adjoining properties.

HERITAGE TREES

41. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
42. **STREET TREE SPECIES:** The species for all proposed new street trees along all public street frontages shall be selected in consultation with the Planning Division and the Parks Division of the Community Services Department.
43. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division and Community Services Division. Prior to final occupancy of each phase of the development, a compilation of all inspection dates and reports shall be submitted to the Planning Division and Community Services Division.
44. **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.
45. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with two replacement trees, for a total of 162 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.
46. **RELOCATION:** Heritage Tree Nos. 216, 217, and 222 and non-Heritage Tree Nos. 404, 478, 477, 554, 555, and 556 shall be relocated on site according to the landscaping plan and under the maintenance and care of the project arborist. Heritage Tree Nos. 216, 217, and 222 shall be temporarily relocated off-site under the specific care and maintenance of the project arborist, as outlined in the project's tree preservation plan
47. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by McClenahan Consulting and dated January 22, 2018, including further updated reports and recommendations, and additional required City tree protection measures, 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.
48. **SECURITY DEPOSIT:** The applicant shall take all precautions during construction activities to protect Heritage Tree Nos. 216, 217, and 222 and non-Heritage Tree Nos. 404, 478, 477, 554, 555, and 556. Measures shall include, but not be limited to, all preservation measures identified in the arborist report pursuant to this permit.

To demonstrate accountability for implementing tree preservation measures, the applicant shall provide a security deposit prior to building permit issuance. The deposit shall be placed into an account where no interest shall accrue with payment of a nonrefundable administrative fee. The amount of the deposit shall be determined by the Zoning Administrator based on City review and approval of a cost estimate provided by the applicant. At minimum, the cost estimate shall cover fees associated with a subsequent Heritage Tree Removal Permit process, if required, in accordance with Chapters 32 and 36 of the City Code; the cost of labor and materials for tree

removal(s) for all Heritage trees identified to be preserved; and the cost of labor and materials for tree replacement(s) for all Heritage Trees identified to be preserved, based on replacement tree species and sizes approved by the Zoning Administrator. The cost estimate submittal and fee deposit shall be completed prior to building permit issuance.

Upon completion of construction, the City will return the security deposit to the applicant upon issuance of a final Certificate of Occupancy for the project if either of the following conditions exist: (1) a site inspection by a certified arborist confirms the health of both the transplanted non-Heritage trees and the relocated Heritage trees, including any proposed for temporary relocation, were maintained according to the tree preservation guidelines and arborist recommendations for the trees, and that the preservation of said trees were conducted in a good faith effort, including regular inspection, care, and maintenance, with periodic site visits with City staff and the consulting arborist, and that no irrevocable damage or death of the trees has occurred due to the project's construction activity; or (2) upon completion of the Heritage Tree Removal Permit process and verification the trees have been removed and replaced. Should any Heritage tree proposed for relocation not survive based on confirmation from the City, then the City may require replacement of said tree(s) with trees of equivalent size and species.

49. **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 working days per damaged tree.

SIGNS

50. **SIGNAGE:** No signs are approved as part of this application. A Sign Permit Application shall be submitted in compliance with the North Bayshore Precise Plan and Chapter 36 of the City Code and shall include all signage proposed for the project site.

NOISE

51. **IMPACT PILE DRIVING:** Avoid impact pile driving where possible. Drilled piles cause lower vibration levels where geological conditions permit their use. **(NORTH BAYSHORE PRECISE PLAN EIR MITIGATION MEASURE NOI-4.1)**
52. **VIBRATORY ROLLERS:** Avoid using vibratory rollers and tampers near sensitive areas. **(NORTH BAYSHORE PRECISE PLAN EIR MITIGATION MEASURE NOI-4.2)**
53. **VIBRATION-GENERATING ACTIVITIES:** In areas where project construction is anticipated to include vibration-generating activities, such as pile driving, in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to present appropriate mitigation measures that may include the following:
- Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200' of the project. A qualified structural engineer should conduct this task.
 - Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
 - Construction contingencies would be identified for when vibration levels approached the limits.
 - At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile

driving activities. Monitoring results may indicate the need for more or less intensive measurements.

- When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.
 - Conduct postsurvey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities. **(NORTH BAYSHORE PRECISE PLAN EIR MITIGATION MEASURE NOI-4.3)**
54. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
55. **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 and ensure exhaust mufflers are in good condition; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment, such as air compressors or portable power generators, construction staging areas, and construction material areas, as far as practical from sensitive receptors; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible and when located near adjoining sensitive land uses; (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment; and (f) route all construction traffic via designated truck routes where possible and prohibit construction related heavy truck traffic in residential areas where feasible.
56. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)Ldn that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
57. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only .
58. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** Project-specific acoustical analyses are mandated by the State where noise levels exceed 60 dBA Ldn. A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by state noise regulations. The analyses shall meet the following noise reduction requirements. Interior average noise levels shall be reduced to 45 dBA Ldn or lower to meet State and local standards. New construction shall also achieve an interior noise level of 65 dBA (Lmax) through measures such as site design or special construction materials. The analysis should also consider measures to further reduce noise to minimize activity interference and sleep disturbance. Building sound insulation requirements would need to include the provision of forced-air mechanical ventilation for all new units exposed to exterior noise levels greater than 60 dBA Ldn, so that windows could be kept closed at the occupant's discretion to control noise. **(PROJECT-SPECIFIC CONDITION)**
59. **SOUND-RATED WINDOWS:** Provide sound-rated windows to maintain interior noise levels at acceptable levels. Preliminary calculations show that sound-rated windows with minimum Sound Transmission Class (STC) ratings of 28 to 30 would be satisfactory for units facing roadways to achieve acceptable interior noise levels. **(PROJECT-SPECIFIC CONDITION)**
60. **CONSTRUCTION EQUIPMENT:** Prohibit the use of heavy vibration-generating construction equipment, such as vibratory rollers or excavation using clam shell or chisel drops, within 20' of any adjacent building. **(PROJECT-SPECIFIC CONDITION)**
61. **DESIGNATED CONTACT:** Designate a person responsible for registering and investigating claims of excessive vibration. Where evidence supports a claim, the designer will recommend measures to remedy the situation. The contact information of such person shall be clearly posted on the construction site. **(PROJECT-SPECIFIC CONDITION)**

62. **CONSTRUCTION PLAN:** The construction contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance. **(PROJECT-SPECIFIC CONDITION)**

CONSTRUCTION PRACTICES AND NOTICING

63. **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 subcontractors 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.
64. **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 by contractors or other continued operations on-site. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
65. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, including all owners and tenants at the Santiago Villa Mobile Home Park, prior to construction of each major phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
66. **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 source of the complaint and will require that reasonable measures warranted to correct the problem be implemented. The contractor shall notify all adjacent uses of the construction schedule in writing. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site.
67. **REDUCE DIESEL PARTICULATE:** Measures to reduce diesel particulate matter (DPM) and PM10 from construction shall be implemented to ensure that short-term health impacts to nearby sensitive receptors are avoided.
- Water all active construction areas at least twice daily and more often during windy periods. Active areas adjacent to residences should be kept damp at all times.
 - Cover all hauling trucks or maintain at least 2' of freeboard.
 - Pave, apply water at least twice daily, or apply (nontoxic) soil stabilizers on all unpaved access roads, parking areas, and staging areas.
 - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas and sweep streets daily (with water sweepers) if visible soil material is deposited onto the adjacent roads.
 - Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas (i.e., previously graded areas that are inactive for 10 days or more).
 - Enclose, cover, water twice daily, or apply (nontoxic) soil binders to exposed stockpiles.
 - Limit traffic speeds on any unpaved roads to 15 mph.

- Replant vegetation in disturbed areas as quickly as possible.
 - Suspend construction activities that cause visible dust plumes to extend beyond the construction site.
 - Post a publicly visible sign(s) with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD phone number shall also be visible to ensure compliance with applicable regulations. **(NORTH BAYSHORE PRECISE PLAN EIR MITIGATION MEASURE AQ-2.1)**
68. **EXHAUST EMISSIONS REDUCTION:** The project will develop a plan demonstrating that the off-road equipment used on-site to construct the project will achieve at least a fleetwide average 77 percent reduction in exhaust PM_{2.5} emissions. **(PROJECT-SPECIFIC CONDITION)**
69. **PARTICULATE EMISSIONS STANDARDS:** All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously will meet, at a minimum, U.S. Environmental Protection Agency (EPA) particulate matter emissions standards for Tier 4 engines or equivalent. (Note that the construction contractor could use other measures to minimize construction period DPM emission to reduce the predicted cancer risk below the thresholds. The use of equipment that includes California Air Resources Board [CARB]-certified Level 3 Diesel Particulate Filters or alternatively-fueled equipment (i.e., nondiesel) would meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.) **(PROJECT-SPECIFIC CONDITION)**
70. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (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; (g) 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 measure Title 13, Section 2485, of California Code of Regulations). Clear signage shall be provided for construction workers at all access points; and (h) 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.
71. **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.

72. **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.
73. **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.
74. **CITY ARBORIST INSPECTION:** Any cutting, demolition, or excavation in the roadways along the project frontages, including saw cuts for new utilities, shall be supervised by a Parks Division arborist or inspector to ensure there is no damage to existing City irrigation mainlines, laterals, valve wires, or other similar facilities. The developer shall be responsible for repairing any damage promptly to City standards. Excavated areas within the roadway shall not be reburied until the Parks Division has confirmed all facilities remain intact or satisfactory repairs have been completed.
75. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:
- The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the project applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.
76. **BURROWING OWL HABITAT AREA:** This project is located in the Habitat Overlay Zone of the habitat area of burrowing owls, a protected Special Status species under the Endangered Species Act. Any construction activity in this area shall be performed carefully and with attention to any ground disturbances, exterior lighting, and operations of mechanical or construction equipment which may impact the species. During construction activity, if a burrowing owl is present within 250' of the site, then no disturbances or construction activity may occur that would cause the owl to abandon their burrow or nest. Additionally, the California Department of Fish and Wildlife (CDFW) must be contacted immediately and a safety plan will need to be developed and approved by CDFW to determine the impacts the project may have on the owl(s). Construction activity must cease during this period.

TECHNICAL REPORTS

77. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
78. **SITE INVESTIGATION AND REMEDIATION:** Prior to any ground-disturbing activities occurring as part of the project and issuance of a building permit, investigations shall be conducted to further assess the potential presence and extent of residual VOCs and other contaminants of concern. All testing shall be completed in conformance with an approved Work Plan to the satisfaction of an oversight agency (i.e., San Francisco Bay Regional Water Quality Control Board, Santa Clara County Department of Environmental Health, Department of Toxic Substance Control). Documentation of completion to the satisfaction of the oversight agency shall be provided to the City of Mountain View by each agency and/or department with jurisdiction prior to the issuance of any building permits. **(PROJECT-SPECIFIC CONDITION)**
79. **SITE MANAGEMENT PLAN:** Prior to any ground-disturbing activities occurring as part of the project and issuance of a building permit, a Site Management Plans (SMPs) and a Health and Safety Plan (HSP) shall be developed and/or modified for the project to establish appropriate management practices for handling and monitoring of chemically affected soil, soil vapor, and groundwater that potentially may be encountered during construction activities. The SMP shall be completed in conformance with an approved Work Plan to the satisfaction of an oversight agency (i.e., San Francisco Bay Regional Water Quality Control Board, Santa Clara County Department of Environmental Health, Department of Toxic Substance Control). Documentation of completion to the satisfaction of the oversight agency shall be provided to the City of Mountain View by each agency and/or department with jurisdiction prior to the issuance of any building permits.

Based on the phased approach for the northern parcel, the SMP will be prepared in two stages: initially to meet construction activities related to installation of a temporary parking area, and then modified to include criteria for the full development. The SMP for the southern parcel, prepared in 2013, was approved by Santa Clara County for the Phase 1 development activities. This SMP will be modified to incorporate criteria for the Phase 2 portion of the southern parcel. The SMPs shall be prepared/modified by an Environmental Professional and shall be submitted to an oversight agency for review and approval prior to construction. The SMPs shall also be provided to the City.

Prior to the start of any construction activity that involves below-ground work, information regarding site risk management procedures, including copies of the HSP and SMP, shall be provided to contractors for their review. SMP measures, including the following, shall be incorporated into the project design documents:

- Site control procedures to control the flow of personnel, vehicles, and materials in and out of the site.
- Measures to minimize dust generation, stormwater runoff, and tracking of soil off-site.
- Dewatering protocols, if dewatering is anticipated, including methods to evaluate water quality and discharge/disposal alternatives; the pumped water shall not be used for on-site dust control or any other on-site use.
- Protocols for conducting earthwork activities in areas where chemically-affected soil, soil vapor, and/or groundwater are present or suspected. Worker training requirements, health and safety measures, and material handling procedures shall be described.

- Perimeter air monitoring for dust during any activity that significantly disturbs chemically-affected site soil to document the effectiveness of dust control measures.
- Protocols to be implemented if buried structures, wells, debris, or unidentified areas of affected soil are encountered during site development activities.
- Protocols to characterize/profile soil suspected of being contaminated so that appropriate mitigation, disposal, or reuse alternatives, if necessary, can be implemented. Soil in contact with groundwater should be assumed to contain chemicals found in groundwater. All soil excavated and transported from the site should be appropriately disposed at a permitted facility.
- Stockpiling protocols for “clean” and chemically affected soil.
- Decontamination procedures to reduce the potential for construction equipment and vehicles to release site soils onto public roadways or other off-site transfer.
- Procedures to evaluate and document the quality of any soil imported to the site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals should not be accepted.
- Methods to monitor excavations and trenches for the potential presence of VOC-impacted vapors. Mitigation protocols shall be developed and implemented in the event elevated VOC vapors are released during excavation activities that may pose a risk to construction worker health and/or a risk to the health of occupants of neighboring properties.
- Protocols to evaluate if the residual contaminants will adversely impact the integrity of below-ground utility lines and/or structures.
- Measures to reduce soil vapor and groundwater migration through trench backfill and utility conduits. Such measures shall include placement of low-permeability backfill “plugs” at specified intervals on-site and at all locations where the utility trenches (within impacted soil or groundwater) extend off-site. In addition, utility conduits that are placed below groundwater shall be installed with water-tight fittings to reduce the potential for groundwater to migrate into the conduits.

The project applicant’s Environmental Professional shall assist in the implementation of the SMP for the property and shall perform part-time observation services during demolition, excavation, grading, and trenching activities. Upon completion of construction, the Environmental Professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the oversight regulatory agency and City. **(PROJECT-SPECIFIC CONDITION)**

80. **SOIL SAMPLING:** Soil sampling and laboratory analyses shall be completed on the Site to evaluate for the presence of residual: (1) environmentally persistent pesticides; (2) metals used in paint (lead), for agricultural purposes (arsenic, lead and mercury), and found in automotive repair and dismantling operations (cadmium, chromium, lead, nickel and zinc); and (3) for petroleum hydrocarbons and solvents in former automotive operations areas. If concentrations of constituents of potential concern are detected exceeding the lowest of the Regional Water Quality Control Board, Department of Toxic Substances Control, or U.S. Environmental Protection Agency residential screening levels, the chemically-affected soil shall be appropriately mitigated under the oversight of an appropriate agency, such as the Santa Clara County of Environmental Health, the Department of Toxic Substances Control or the San Francisco Bay Regional Water Quality Control Board. **(PROJECT-SPECIFIC CONDITION)**

81. **UNDERGROUND STORAGE TANKS:** Although the fuel leak cases were closed by overseeing regulatory agencies, residual petroleum hydrocarbon affected soil and ground water remain in place. Compliance with the oversight agency’s Site Management Requirements shall be achieved prior to construction activities in these areas. During

construction activities, the undocumented fill used to fill former UST excavations shall be removed and replaced as engineered fill under the observations and requirements of the Geotechnical Engineer of Record. If an organic vapor meter detects vapors greater than background levels or discolored soil is noted, discrete samples shall be collected of the excavated material and analyzed for constituents of potential concern at a frequency of one sample per 250 cubic yards. If concentrations of constituents of potential concern are detected exceeding the lowest of the Regional Water Quality Control Board, Department of Toxic Substances Control, or U.S. Environmental Protection Agency residential screening levels, this soil shall be appropriately disposed off-site. **(PROJECT-SPECIFIC CONDITION)**

82. **UNDOCUMENTED FILL:** During construction activities, undocumented fill, such as at 1230 La Avenida, shall be removed and replaced as engineered fill as directed by the Geotechnical Engineer of Record. If an organic vapor meter detects vapors greater than background levels or discolored soil is noted, discrete samples shall be collected of the excavated material and analyzed for constituents of potential concern at a frequency of one sample per 250 cubic yards. If concentrations of constituents of potential concern are detected exceeding the lowest of the Regional Water Quality Control Board, Department of Toxic Substances Control, or U.S. Environmental Protection Agency residential screening levels, this soil shall be appropriately disposed off-site. **(PROJECT-SPECIFIC CONDITION)**
83. **ASBESTOS SURVEY:** In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint for the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on these structures. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with California Occupational Safety and Health Administration (Cal/OSHA) standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District regulations. **(PROJECT-SPECIFIC CONDITION)**
84. **LEAD-BASED PAINT REMOVAL:** The removal of lead-based paint is not required if it is bonded to the building materials. However, if the lead-based paint is flaking, peeling, or blistering, it shall be removed prior to demolition. In either case, applicable OSHA regulations shall be followed; these include requirements for worker training, air monitoring, and dust control. During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed. Universal wastes, lubrication fluids, and refrigerants shall be removed before structural demolition begins. Before disposing of any demolition waste, the Demolition Contractor shall determine if the waste is hazardous and shall ensure proper disposal of waste materials. **(PROJECT-SPECIFIC CONDITION)**
85. **VAPOR BARRIER:** A chemical vapor barrier shall be installed beneath all occupied structures to mitigate the potential for chemical vapor intrusion within those structures. Vapor barriers shall be designed and installed according to current industry standards. Specifications for the vapor barrier shall include thickness, type, durability, and diffusion rates for potential VOCs of concern. The specifications shall also describe the effectiveness of the liner over the life of the building. A Long-Term Operations, Maintenance, and Monitoring Plan (OMMP) also shall be submitted for approval that presents the actions to be taken following construction to maintain and monitor the vapor intrusion mitigation system, and a contingency plan should the vapor mitigation system be damaged or fail. A financial assurance mechanism shall additionally be established (i.e., proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system) and described in the OMMP. An independent consultant approved by the City shall review the vapor barrier design and installation and shall certify that it meets current industry standards. A regulatory oversight agency (Santa Clara County Department of Environmental Health, Department of Toxic Substances Control, or the Regional Water Quality Control Board) shall also be contacted to determine whether additional requirements apply. **(PROJECT-SPECIFIC CONDITION)**
86. **GROUNDWATER CONTAMINATION:** Prior to redevelopment of the site, well records from the Santa Clara

Valley Water District (SCVWD) shall be researched and attempts made to locate abandoned water supply wells within the site area to be redeveloped. SCVWD records shall also be researched to confirm that the groundwater monitoring wells in the area to be redeveloped have been appropriately destroyed. If encountered during earthwork activities, septic systems shall be abandoned in accordance with Department of Environmental Health requirements. **(PROJECT-SPECIFIC CONDITION)**

87. **GROUNDWATER INTERCEPTION:** If utility trenches extend into the top of groundwater, appropriate measures will be implemented to reduce groundwater migration through trench backfill and utility conduits. Such measures shall include placement of low-permeability backfill “plugs” at intervals on-site and where the utility trenches extend off-site, watertight fittings for utility conduits to reduce the potential for groundwater to migrate into the conduits, and if deep foundation systems are proposed, the foundations shall incorporate measures to help reduce the potential for the downward migration of contaminated groundwater.
88. **EXISTING PRECISE PLAN MITIGATION MEASURES:** All mitigation measures identified in the North Bayshore Precise Plan Environmental Impact Report (EIR) apply to this project and must be addressed during building permit submittal and construction. Some of these mitigation measures may be superseded by more stringent City standards, code requirements, or with more detailed measures incorporated into the project’s environmental analysis. The applicant must note how they have addressed each mitigation measure to the satisfaction of the Zoning Administrator prior to building permit issuance.

LEGAL AGREEMENTS AND FEES

89. **HOUSING IMPACT FEE:** Prior to the issuance of the first building (foundation) permit, applicant shall pay a Housing Impact Fee based on the net new floor area and the fees in effect at the time of building permit issuance. Estimated fee is \$3.22 million, which incorporates credit for existing floor area.
90. **AFFORDABLE HOUSING PLAN:** The applicant has applied for a Tier I FAR Bonus Option as described in Section 3.4-1 of the North Bayshore Precise Plan. To satisfy one of the four requirements to obtain this FAR Bonus, applicant must either provide at least 15 percent of the total residential units on the project site at affordable rent prices, or donate land to the City that can accommodate at least 15 percent of the total residential units on the project site at affordable rents.

The Applicant has submitted an Affordable Housing Plan (“Plan”) in compliance with the North Bayshore Precise Plan to satisfy the Tier I FAR Bonus Option requirement by dedicating approximately 1.4 acres (a portion of existing APN No. 116-14-094) (“Property”) to the City. As part of this entitlement, the City also agrees to license use of the Property to the Applicant for use as construction staging for the Project.

Prior to issuance of the first building permit for the Project, the Applicant shall: (1) conduct Phase I and II environmental testing on the Property, before the Property is licensed to the applicant for use as a construction staging area, and shall submit the testing results to the City; (2) if the test results exceed the residential environmental screening thresholds of the agency responsible for oversight of this Property, then the Property shall be remediated to acceptable levels established by the oversight agency; (3) provide the City sufficient time in determining environmental suitability of the Property for residential use; (4) ensure that the Property must be able to be developed prior to the issuance of the first building permit for the proposed development, including the removal of any existing buildings on the Property; (5) complete the subdivision and irrevocable deed of trust for the Property to be deeded to the City; (6) comply with the North Bayshore Precise Plan Affordable Housing Guidelines; and (7) transfer ownership of the Property to the City prior to issuance of the first residential building permit or the Project’s first Certificate of Occupancy, whichever comes first. After the Applicant has finished use of the Property as a construction staging area, the Applicant shall complete additional Phase I and II environmental testing and shall submit the test results to the City. If the test results exceed the residential environmental screening thresholds of the agency responsible for oversight of this Property, then the Property shall be remediated to acceptable levels established by the oversight agency prior to the Project’s first Certificate of Occupancy.

Environmental suitability – and the appropriate remediation, if any – shall be based on oversight agency screening

levels and thresholds for residential use. Applicant shall fully remediate any soil contamination prior to transfer of the Property to the City. If groundwater contamination is detected under the Property but at a level determined by the Phase II testing that can be remediated with vapor barriers, passive ventilation, and podium parking, then the City would accept the Property for residential use. The applicant shall submit a completed SMP (Site Management Plan) for the site that will provide a cost estimate of any required building design that incorporates required remediation measures assuming a residential podium structure and units at the site. The applicant shall pay this cost estimate to the City prior to the first residential building permit or the Project's first Certificate of Occupancy, whichever comes first, for said remediation measures to facilitate the redevelopment of the site with residential uses. However, if the groundwater contamination exceeds remediable thresholds for residential use, the City will not accept land dedication to meet the affordable housing requirements to obtain a Tier 1 Bonus FAR. In this event, the City would accept dedication of the Property prior to issuance of the first building permits for use as a public park provided the site could be remediated to oversight agency screening levels suitable for park use. If the site is accepted by the City as a park, then appropriate parkland credit will be given according to Chapter 41 of the Mountain View City Code.

If the Applicant is not able to meet its affordable housing obligations through land dedication prior to issuance of the first residential building permit or the Project's first Certificate of Occupancy, whichever comes first, the Applicant shall meet its affordable housing obligation by providing at least 15 percent of the total residential units (95 units) on-site at affordable rents. All on-site affordable housing units in residential developments shall be constructed concurrently with or prior to the construction of market-rate units. In phased developments, the affordability requirement will be calculated on the basis of the whole development. The agreements and documents dedicating the land to the City shall be acceptable to the City Attorney.

To meet its affordable housing requirement by providing the units on-site, the Applicant shall provide a detailed plan that must be accepted by the City, prior to issuance of Certificate of Occupancy, for implementing the on-site affordability requirements in a timely manner and in substantial compliance with the North Bayshore Affordable Housing Guidelines.

91. **LAND USE DOCUMENT FEE.** Prior to the issuance of the first building permit, applicant shall pay a Land Use Document Fee of 0.26% of the project's building valuation.
92. **NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all planned developments and common-interest developments. The notice shall be in a form approved by the Planning Division and City Attorney's Office and shall be signed and notarized by the subdivider. The approved and executed Notice of Development Restrictions must be recorded on the land of the subdivision before the approval of the parcel or final map.
93. **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. 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.
94. **LOCAL SCHOOL STRATEGY:** The applicant has applied for a Tier I FAR Bonus Option as described in Section 3.4-1 of the North Bayshore Precise Plan. To satisfy one of the four requirements to obtain this FAR Bonus, the applicant is required to submit a Local School Strategy ("Strategy") to the City that complies with Section 3.4.5 of the North Bayshore Precise Plan to support new school development in or adjacent to the North Bayshore Precise Plan area. The Strategy must be memorialized as a legally binding agreement(s) between the project applicant and the Mountain View Whisman School District and Mountain View Los Altos High School District before issuance of building permits. **(PROJECT-SPECIFIC CONDITION)**
95. **SCHOOL IMPACT FEE:** In accordance with California Government Code Section 65996, project applicants shall pay the appropriate school impact fees to the Mountain View Whisman School District and Mountain View Los

Altos High School District to offset the increased demands on school facilities caused by the project.
(PROJECT-SPECIFIC CONDITION)

96. **SMALL BUSINESS PRESERVATION AGREEMENT:** The applicant has applied for a Tier I FAR Bonus Option as described in Section 3.4-1 of the North Bayshore Precise Plan. To satisfy one of the four requirements to obtain this FAR Bonus, the applicant is proposing a community benefit to meets the intent of the Business Preservation, Retention and Expansion policy described in Section 3.4.3 of the North Bayshore Precise Plan. The applicant has agreed to record a covenant against the property adjacent to the project (APN 116-14-137) known as 1110 La Avenida prior to issuance of building permits, that includes an existing approximately 16,368 square foot building, that includes the following conditions: (1) the building owner will give preference to the existing building tenants or tenants located within the North Bayshore Area as of December 12, 2017, when the Precise Plan was adopted, to the extent permitted by law; (2) the lease rate will not exceed 50 percent of the market-rate rent for similar sized and comparable buildings in the North Bayshore area as of the date of the execution of the lease or renewal of a lease; (3) the size of each such tenant space shall not exceed 6,000 square feet or 35 percent of the total building area, whichever is greater, and (4) based on the age of the building on this property, the leases and the covenant will expire on April 1, 2036. This date reflects the useful life of the building. The covenant shall be reviewed and approved by the City Attorney. **(PROJECT-SPECIFIC CONDITION)**
97. **NORTH BAYSHORE DEVELOPMENT IMPACT FEE:** The applicant shall pay the City a development impact fee per net new square foot of office building area for planned public improvements within the North Bayshore Precise Plan area prior to the issuance of the first building permit. This fee is based on the North Bayshore Nexus Study approved by the City Council. The estimated amount to be paid to the City is \$3.9 million. This fee shall be made payable to the City of Mountain View and submitted to the Planning Division.

TRANSIT-RELATED PROGRAMS AND OFF-SITE IMPROVEMENTS

98. **BUILDING AND SITE DESIGN:** The building and site design shall incorporate the following multi-modal improvements:
- a. Publicly accessible pathways through the site, as shown on Sheet SP 130 of the plan submittal set, and including a north-south pathway between the site's office and residential buildings, and an east-west pathway on the northern residential parcel;
 - b. There shall be a conveniently located ride-share drop-off and waiting areas on the site, as more specifically described on Sheet SP 130 of the project plan set.
99. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:
- a. Office Peak-Hour Vehicle Trip Cap. The site's existing and proposed office buildings shall have an office project-level trip cap of 332 a.m. peak hour vehicle trips (292 inbound and 40 outbound) and 298 p.m. peak-hour vehicle trips (51 inbound and 247 outbound) upon project occupancy, which will be established assuming a 45 percent SOV mode share and 10 percent carpool mode share, unless the applicant can demonstrate their proposed TDM program will likely result in a higher carpool mode share. The project level trip cap will be monitored over time as set forth below in the TDM Monitoring section.
 - b. Office TDM Plan. The applicant and/or property owner shall prepare a TDM plan with programs and measures to achieve a 45 percent SOV employee mode share.
 - c. Office TDM Plan Baseline Requirements. The TDM plan shall include the following measures and describe how these services will be provided, in addition to any other TDM measures needed to meet the project-level

vehicle trip cap:

- i. Priority parking for carpools and vanpool
 - ii. On-site employee transportation coordinator to serve as a liaison between the employer/property owner and the TMA and to oversee the TDM program
 - iii. Bicycle parking and shower and changing facilities as defined by this chapter
 - iv. Shared bicycles, if a bike-share service is not available in North Bayshore
 - v. Telecommute/flexible work schedule program
 - vi. Guaranteed ride home program
 - vii. Membership in the TMA
 - viii. Carpool matching services
 - ix. Shuttle services to connect employees to local transit services
 - x. Marketing of TDM programs to employees
- d. Residential Peak-Hour Vehicle Trip Cap: The site's residential buildings shall have a residential project-level trip cap of 134 a.m. peak hour vehicle trips (32 inbound and 102 outbound) and 192 p.m. peak-hour vehicle trips (112 inbound and 80 outbound), which is based on a parking ratio of 0.69 parking space per unit consistent with the North Bayshore Precise Plan parking standards.
- e. Residential TDM Plan. The applicant and/or property owner shall prepare a TDM plan with programs and measures to achieve the project vehicle trip cap.
- f. Residential TDM Plan Baseline Requirements. The TDM plan shall include the following baseline measures and describe how these services will be provided, in addition to any other TDM measures needed to meet the project-level vehicle trip cap:
- i. Unbundle parking from all residential leases. The monthly lease rates for the project shall be disclosed by the developer and shall include the monthly residential lease rates of residential units with dedicated parking, and residential units without dedicated parking.
 - ii. Join the Mountain View Transportation Management Association.
 - iii. Provide at least 11 on-site car share spaces.
 - iv. Provide 64 short-term and 635 long-term secure bike parking spaces.
100. **TRANSPORTATION COMMUTE ALTERNATIVES (RESIDENTIAL)**: The applicant/owner is required to offer commute benefits and transportation alternatives to all residents of the project for the lifetime of the project. These alternatives are to encourage use of public transit, bike ridership, provide alternatives to single-occupancy vehicle trips within the City, and aid residents in getting to and from key destinations within the City and area. The applicant/owner shall reimburse all residents for their monthly transportation costs relating to any commercially available alternative transportation service, including but not limited to, Caltrain service; VTA light rail or bus service; bike share; car share; vanpool; San Mateo County Transit; or similar types of alternative transportation service.

The applicant/owner shall appoint a commute coordinator on-site, or equivalent service or technology, to manage and monitor commute alternative programs and reimbursements for residents. Any modification to this transportation benefits program requires review and approval by the Zoning Administrator.

101. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner, or tenant, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the office and residential project-level vehicle trip caps as outlined in the project’s Transportation Demand Management (TDM) program, and if additional or modified TDM measures are required. The TDM report shall be prepared by an independent consultant and paid for by the property owner or tenant, and the consultant shall work with the property’s TDM coordinator. The TDM report will include a determination of historical employee and resident commute methods, which shall be informed by surveying all employees/residents at the project site and through driveway traffic counts. All nonresponses to the employee commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.

a. **TDM Reporting:** The initial TDM report for the project shall be submitted one year after the granting of the Certificate of Occupancy for the final building constructed at the site. Subsequent reports will be collected annually.

1. **Report Requirements:** The TDM report shall describe if the project has achieved their respective inbound and outbound a.m. and p.m. peak hour vehicle trip caps. If not, the report shall provide an explanation of how and why the trip cap has not been reached and a description of additional TDM measures that will be adopted in order to attain the project-level vehicle trip caps. The report shall also include other transportation related information that can help inform new or modified TDM measures for the project, including but not limited to, distance of residents to their place of employment, origin/destination information, project parking utilization studies, status of area transportation improvements, and resident/employee travel behavior surveys.
2. **Penalty for Noncompliance.** If after the initial TDM report the second annual report indicates that, in spite of the changes in the TDM program, or if the applicant fails to submit such a TDM report at the times described above, the City may assess the property penalties based on the penalty structure below. In determining whether the TDM Penalty is appropriate, the City may consider whether the property owner has made a good-faith effort to meet the TDM goals and allow the property a six-month “grace period” to implement additional TDM measures to meet either the vehicle trip caps. The TDM Penalty shall be paid to the MVTMA and used to promote alternatives to single-occupancy vehicle use in the City.

The TDM Penalty rates for office and residential uses are listed below:

<i>Southern Parcel (Mixed Use) Penalty Structure</i>		
Percentage Exceeding Vehicle Trip Cap	Penalty Amount (Office Trips)	Penalty Amount (Residential Trips)
1%	\$100,000	\$50,000
Each additional 1%	\$50,000	\$25,000

<i>Northern Parcel (All Residential) Penalty Structure</i>	
Percentage Exceeding Vehicle Trip Cap	Penalty Amount

1%	\$50,000
Each additional 1%	\$25,000

- 102. **TMA MEMBERSHIP:** The property owner or building occupant shall maintain ongoing membership in the Mountain View Transportation Management Association (MVTMA) for the life of the project.
- 103. **DRIVEWAY VISIBILITY:** Any landscaping, parking, and signage should be located to ensure unobstructed views for drivers entering and exiting the site. To maximize sight distance for vehicles exiting project driveways, street parking on La Avenida and Space Park Way within 15’ of the project driveways should be prohibited by installing red curbs on either side of the driveway. **(PROJECT-SPECIFIC CONDITION)**
- 104. **DROP-OFF AREA:** The entry plaza of the project would be designed with a large drop-off area for shuttles to drop off and pick up passengers. During the peak commute periods, to avoid ridesharing vehicles waiting in the drop-off area and blocking the way for inbound shuttles, a secondary drop-off area shall be designated for ridesharing vehicles, or some parking spaces in the plaza shall be designated as five-minute parking. **(PROJECT-SPECIFIC CONDITION)**
- 105. **CROSSWALKS:** Because the project would provide the public pedestrian/bicycle access on La Avenida, Space Park Way, and the Inigo Way extension, crosswalks shall be installed at the pedestrian/bicycle greenway access points on La Avenida and Space Park Way and at the Inigo Way extension/Space Park Way and Inigo Way extension/Pear Avenue intersections. **(PROJECT-SPECIFIC CONDITION)**
- 106. **SHUTTLE AND BUS CAPACITY:** As the project is developed, the building owner and tenant(s) shall work together with the Mountain View Transportation Management Association (TMA) and VTA to expand the MVgo shuttle service (increase the shuttle frequency or provide weekend shuttles) and increase the VTA bus capacity (increase the bus frequency or provide a new bus route) in the project area. **(PROJECT-SPECIFIC CONDITION)**

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

- 107. **STREET DEDICATION (INIGO WAY EXTENSION):** Dedicate a 78’ wide public street easement between Pear Avenue and Space Park Way as required by the Public Works Director, on the face of the map to accommodate dual vehicular lanes, separated bicycle lanes, bike buffers, landscaping areas, sidewalk areas, and bioretention facilities for the Inigo Way Extension as identified within the North Bayshore Precise Plan.
- 108. **STREET DEDICATION (PEAR AVENUE):** Dedicate a public street easement as required by the Public Works Director, on the face of the map to widen Pear Avenue to a uniform right-of-way width of 78’ (39’ half-street requirement) per the North Bayshore Precise Plan.
- 109. **STREET DEDICATION (INIGO WAY):** Dedicate a public street easement as required by the Public Works Director, on the face of the map to widen Inigo Way to a full uniform right-of-way width of 78’ (39’ half-street requirement) per the North Bayshore Precise Plan.
- 110. **STREET DEDICATION (LA AVENIDA):** Dedicate a public street easement as required by the Public Works Director, on the face of the map to widen La Avenida to a full uniform right-of-way width of 74’ (37’ half-street requirement) per the North Bayshore Precise Plan.
- 111. **STREET DEDICATION (SPACE PARK WAY):** Dedicate a public street easement as required by the Public Works Director, on the face of the map to widen Space Park Way to a full uniform right-of-way width of 78’ (39’ half-street requirement) per the North Bayshore Precise Plan.
- 112. **STREET CORNER DEDICATION (PEAR AVENUE/INIGO WAY EXTENSION):** Dedicate a public street corner

return easement as required by the Public Works Director, on the face of the map, at Pear Avenue and Inigo Way Extension.

113. **STREET CORNER DEDICATION (SPACE PARK WAY/INIGO WAY EXTENSION):** Dedicate two (2) public street corner return easements as required by the Public Works Director, on the face of the map, at Space Park Way and Inigo Way Extension.
114. **STREET CORNER DEDICATION (PEAR AVENUE/INIGO WAY):** Dedicate a public street corner return easement as required by the Public Works Director, on the face of the map, at the Pear Avenue and Inigo Way southeast corner intersection.
115. **PUBLIC ACCESS EASEMENT, COVENANTS AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES – EASTERN EDGE OF PARCELS 1 AND 4):** Prior to issuance of any building permits or approval of a Map, the owner shall dedicate a minimum 26' wide public access easement, covenants, agreements and deed restrictions (PAE) on private property along the eastern portion of this development as identified within the North Bayshore Precise Plan. The dedication shall indicate that:
- a. Public access shall be granted for nonautomotive use;
 - b. Owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the American with Disabilities Act (ADA);
 - c. The PAE shall run with the land and be binding upon any successors;
 - d. If Owner shall fail to abide by PAE, Owner agrees to pay all reasonable costs and expenses incurred by City in enforcing the performance of such obligations.
 - e. Owner agrees to defend, and hold City, its officers, employees, agents, and volunteers harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in performance of services or operations under the Dedication, including maintenance operations performed on the PAE by Owner or Owner's contractors, subcontractors, agents, or employees.

A legal description and plat of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the City for review.

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

116. **PUBLIC ACCESS EASEMENT, COVENANTS, AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES – WESTERN EDGE OF PARCEL 5):** Prior to issuance of any building permits or approval of a Final Map, the owner shall dedicate a 19' wide public access easement, covenants, agreements and deed restrictions (PAE) on private property along the eastern portion of this development as identified within the North Bayshore Precise Plan. The dedication shall indicate that:
- a. Public access shall be granted for nonautomotive use;
 - b. Owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
 - c. The PAE shall run with the land and be binding upon any successors;
 - d. If Owner shall fail to abide by PAE, Owner agrees to pay all reasonable costs and expenses incurred by City in enforcing the performance of such obligations.

- e. Owner agrees to defend, and hold City, its officers, employees, agents, and volunteers harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in performance of services or operations under the Dedication, including maintenance operations performed on the PAE by Owner or Owner's contractors, subcontractors, agents, or employees.

A legal description and plat of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the City for review.

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

- 117. **EASEMENT VACATIONS AND QUITCLAIMS:** All existing easements that are or will no longer be needed or conflict with the proposed buildings and structures shall be vacated by the City or quitclaimed.

The following easements shall be vacated from this property for this proposed development:

Vacations:

- 1.5' Sidewalk Easement (867 M42-44)
- 2.5' Sidewalk Easement (867 M 42-44)
- Sidewalk Easement "1" (867 M 42-44)
- Sidewalk Easement "2" (867 M 42-44)
- 10' Public Service Easement (536 M 2)
- 10' Public Service Easement (552 M 44)

Quitclaims:

- 10' PG&E and PT&T Easement (7310 OR 477, 8518 OR 467)
- 5' PG&E and PT&T Easement (0163 OR 482, 7451 OR 80)
- 3' PG&E and PT&T Easement (0163 OR 482)
- 10' Private Utility Easement (4654 OR 382, 4681 OR 366, 4654 OR 382)
- 10' Ingress & Egress Easement (7393 OR 656)

All vacations and quitclaims shall be recorded prior to the issuance of the building permit.

- 118. **PUBLIC UTILITY EASEMENT (WATER):** Dedicate a 20' public utility easement for the new 12" water main along the eastern edge of parcel 1 between La Avenida and Pear Avenue.
- 119. **PUBLIC WATER METER EASEMENTS:** Dedicate two (2) 15' by 6' public water meter easements along the La Avenida project frontage and one (1) 15' by 6' public water meter easement along the Space Park project frontage behind the street easement dedications to place the meters as identified on Sheet C400 of the Planning Application behind the public sidewalk.
- 120. **PUBLIC SIDEWALK EASEMENT:** Dedicate a public sidewalk easement at the southeast corner of the Pear Avenue and Inigo Way intersection as identified on Sheet TM-2 of the planning application.

FEEES

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

for the existing site use(s) and meter size(s) as applicable.

122. **STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.
123. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the rates in effect at time of payment.

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

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

124. **PARK LAND DEDICATION FEE:** Prior to issuance of any building permits and prior to approval of the final map as applicable, the applicant shall pay the Park Land Dedication Fee for each new residential unit in accordance with Chapter 41 of the City Code in effect at the time of the issuance of the building permit.

STREET IMPROVEMENTS

125. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the project along the Inigo Way extension and the existing La Avenida, Inigo Way, Pear Avenue, and Space Park Way frontages per the North Bayshore Precise Plan and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to: new full street construction (Inigo Way extension); curbs, gutters, driveways, curb ramps, and sidewalks; AC pavement overlay improvements; streetlights and appurtenances; fire hydrants; utility mains, services, lateral, meters, and appurtenances; street trees; streetlights, and appurtenances; bioretention facilities, striping, signage, markings and crosswalks.
- 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 and prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a 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: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department. Any changes to the standard agreement will require an additional one- to three-week processing time with the City Attorney's Office.
- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit and prior to the approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
126. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site improvement plans in accordance with Chapter 28 of the

City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating, but not limited to, the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (10 sets), an initial plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit and prior to the approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

127. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the initial submittal of the improvement plans. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees.
128. **POTHOLE PERMIT:** Obtain an Excavation Permit from the Public Works Department to conduct potholing in order to determine the depths and locations of existing subsurface utilities. Potholing shall be completed and the pothole data shall be included within the initial submittal of the building plans as required by the Project's Land Development Engineer.
129. **PARKING RESTRICTION:** All parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking – Fire Lane."
130. **ENCROACHMENT RESTRICTIONS:** Private facilities, including but not limited to structures, steps, hand rails, fences, and retaining walls shall not encroach into the public easements, including but not limited to the public rights-of-way, street easements or public utility easements, unless otherwise allowed by an adopted Precise Plan or as determined by the City within the Pear Avenue Extension Plaza area.
131. **TIE-BACK ENCROACHMENTS:** Temporary tie-backs or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100 percent) or provide a letter of credit (100 percent) or cash security (100 percent) securing the installation and warranty of the temporary tie-backs.
132. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, or textured concrete will not be allowed within the public street or sidewalk. These improvements can be considered in the Pear Avenue Extension Plaza area; however, this design layout must be reviewed and approved to the satisfaction of the City.
133. **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The owners shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within any common driveway or the Pear Avenue Extension Plaza area. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
134. **STRIPING AND SIGNAGE IMPROVEMENTS:** The signing and striping improvements shall comply with the City standard design requirements. These improvements must be reviewed and approved by the City prior to building permit issuance.
135. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, no sign over 3' in height shall be located within a vehicle sight triangle formed by measuring 35' along the front and side property lines.

136. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle sight triangle(s), fences, shrubs, bushes or hedges shall not exceed 3' in height while tree canopies shall maintain a minimum 6' vertical clearance at the driveway location.

UTILITIES

137. **WATER AND SEWER SERVICE:** Each apartment house, and place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
138. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.
139. **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.
140. **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk in the landscaped areas only. The bank of meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.
141. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.
142. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit a complete Excavation Permit Application to the Public Works Department for all applicable work within the public right-of-way. Permit applications are available from the Public Works Department. All work within City right-of-way must be consolidated on the site, off-site improvement or utility plans. Plans of the work, traffic control plans for work within the public roadway, insurance certificate and endorsement, and permit fees are required with the Excavation Permit Application.
143. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main. 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 shall be abandoned, and existing face-of-curb drains shall be removed.
144. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
145. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site.

146. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, telephone, cable television, and telecommunication conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the final map.

RECYCLED WATER

147. **RECYCLED WATER USE REQUIREMENT:** This site is within the City's current or future recycled water service area. Recycled water use is required per the City Code for all irrigation within the City's recycled water service area.
148. **RECYCLED WATER USE PERMIT:** Submit a Recycled Water Use Permit Application.
149. **RECYCLED WATER SERVICES:** Each recycled water use must have its own individual meter (i.e., exterior irrigation, dual-plumbing, cooling towers, etc.). All recycled water services must have a meter and a reduced-pressure principle backflow preventer.
150. **RECYCLED WATER PLANS:** Prepare recycled water plans in accordance with the City's Customer Guidelines for Recycled Water Use. The applicant shall follow the Guidelines, including, but not limited to, showing on the plans: size and location of all existing and new water meters, backflow preventers, new potable and recycled water pipelines, and existing potable and recycled water pipelines (if available); location of irrigation system components (controllers, quick couplers, valves, strainers, and constant pressure main lines); boundaries of the intended potable and recycled water use areas; locations of proposed recycled water advisory signs; a completed Site Information Box; and all applicable recycled water standard notes and details. If recycled water is being used for both irrigation and dual-plumbing, submit a recycled water plan package with all recycled water systems included (i.e., irrigation, plumbing, and/or mechanical), which will be reviewed by City staff and State reviewers.

The applicant shall meet with the Recycled Water Section prior to initial submittal of the building plans.

151. **RECYCLED WATER FEES AND COSTS:** The owner/developer will be responsible for paying all applicable costs and fees as part of the approval of any recycled water project.
152. **RECYCLED WATER SPECIAL INSPECTION:** The owner/developer is required to hire a third-party certified AWWA Cross-Connection Specialist to perform the construction inspection of ALL on-site recycled water systems, pursuant to the approved plans. With the first building permit submittal provide a memo stating the proposed AWWA Cross-Connection Specialist that will be performing the special inspection, their contact information, and their proposed scope of work for City's approval. The following note shall be clearly shown on the first sheet of the recycled water permit plans (i.e., landscape/irrigation, plumbing, mechanical, or civil plans): "Any installation for recycled water is required to have a Special Inspection by a certified AWWA Cross-Connection Specialist to ensure that the on-site recycled water system was constructed per the approved plans and specifications." The Specialist shall submit a report/checklist to the City (Public Services Division and Building Inspection Division) verifying that the on-site recycled water system was constructed per the approved plans and specifications. Receipt of inspection report/checklist is required prior to connection of the recycled water meter and building permit final.
153. **CROSS-CONNECTION TESTING:** After confirmation of the special inspection, a cross-connection test is required prior to receiving recycled water. The following note shall be clearly shown on the first sheet of the recycled water permit plans: "A cross-connection test is required prior to receiving recycled water." The cross-connection test will be performed by the City or its representative and must be performed prior to connection of the recycled water meter and building permit final. *For dual-plumbed buildings, the owner/tenant is required to hire an AWWA Cross-Connection Specialist to perform a visual cross-connection inspection every year, and a four-year shutdown test.*

154. **SITE SUPERVISOR:** The owner/developer is required to hire a Site Supervisor who has been trained City staff. The Site Supervisor can be the maintenance contractor in charge of operating and maintaining the recycled water

systems. The Site Supervisor must be present for the cross-connection test(s). Every year, the Site Supervisor must perform a visual inspection of the recycled water systems and submit an Annual Site Inspection Report to the City. For dual-plumbed buildings, the owner/tenant is required to hire an AWWA Cross-Connection Specialist to perform a visual cross-connection inspection every year, and a four-year shutdown test. For more information, refer to the City's Customer Guidelines for Recycled Water Use.

Provide to the City:

- a. Contact information of Site Supervisor.
- b. Completion of Site Supervisor Training with the City's Recycled Water Section.

155. **COVERAGE TEST:** After the system is installed and the Cross-Connection Test has successfully passed, a coverage test must be performed to ensure that overspray and ponding do not occur. The Coverage Test must be performed by the Site Supervisor. Coverage Test results must be submitted to the City prior to building occupancy. *The Division of Drinking Water does NOT allow recycled water piping inside or near food processing facilities and restaurants. Design all recycled water lines as far away from food facilities as possible.*

156. **DUAL-PLUMBED BUILDINGS:** All new commercial buildings or groups of new commercial buildings submitting for a building permit, where the total square footage of the building(s) is greater than twenty-five thousand (25,000) square feet, shall incorporate dual plumbing in the design of the building to allow the use of recycled water, when it becomes available, for flushing toilets and urinals and priming floor traps. The dual-plumbed recycled water system must comply with the requirements of California Code of Regulations Title 17, 22, and the California Plumbing Code. An Engineering Report and set of plans of the proposed site shall be prepared and provided to the City. Sites using recycled water for toilet and urinal flushing must have an on-site back-up water supply tank.

157. **DUAL PLUMBING ENGINEERING REPORT:** For dual-plumbed recycled water systems, the Engineering Report shall adhere to California Code of Regulations Title 22 § 60314 and must include a detailed description of intended use area, plans, and specifications of the piping system and on-site back-up tank, and the method to be used by the recycled water agency to ensure that cross-connection between the recycled water and potable water piping system will not occur. The Engineering Report shall be submitted to the City.

158. **DUAL PLUMBING ON-SITE BACK-UP WATER SUPPLY STORAGE:** Sites using recycled water for toilet and urinal flushing are required by the City to have an on-site back-up water supply. If recycled water is used for purposes other than toilet and urinal flushing, then an on-site back-up water supply may be installed at the discretion of the customer. The on-site back-up must adhere to all applicable codes and regulations, and must be equipped with an air gap to prevent cross-connection between the potable and recycled water systems.

159. **DUAL PLUMBING PLANS:** For dual-plumbed recycled water systems, prepare a set of plans with proposed piping system to be used, pipe locations of both recycled and potable systems, type and location of the outlets and plumbing fixtures that will be accessible to the public, and the methods and devices to be used to prevent backflow of recycled water into the public water system. *Please note, the Division of Drinking Water does NOT allow recycled water piping inside or near food processing facilities and restaurants. Design all recycled water lines as far away from food facilities as possible.*

SIDEWALKS AND DRIVEWAYS

160. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.

161. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) can be provided to

connect the proposed public sidewalk on each side of the proposed driveway.

162. **DAMAGED SIDEWALK IMPROVEMENTS:** The curbs, curb ramps, gutters, sidewalks, and driveways on Pear Avenue, Space Park Way, La Avenida, and Inigo Way are damaged and must be replaced. The specific areas and limits of the replacement work shall be drawn on the plans.
163. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.
164. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
165. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' of the driveway entrance to the underground parking garage shall be painted red.

RECYCLING

166. **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.
167. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (City Code Chapter 16, Article III).
168. **HOLDING AREA AND ROLL-OUT FEE:** Collection vehicles do not enter underground or enclosed structures with exceptions granted on a case-by-case basis by the Solid Waste Program Manager. Collection vehicles may not park in driveways where the public sidewalk is blocked. All trash, recycling, and compost containers must be transported by the property owner/manager to the approved holding area on service day and removed promptly following service. The final location and dimensions of the holding area must be approved by the Solid Waste and Recycling Section prior to issuance of a building permit. Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck.

STREET TREES

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

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

172. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
173. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains.

174. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage.
175. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage.
176. **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.
177. **LOT DRAINAGE:** Each commercial and residential lot shall be designed to drain toward the streets, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

MISCELLANEOUS

178. **CONSTRUCTION PLAN:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans showing the following:
1. Truck route for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
 2. Building construction phasing/construction equipment storage/construction parking plans: Show construction vehicles and equipment parking area and construction trailer location. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the contractor. No construction equipment or vehicles shall be stored or parked on residential streets or public parking lots. Construction contractors/workers are required to park on-site or at a private property arranged by the contractor and shall not be allowed to use neighboring residential streets for parking/storage; and
 3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.
 4. This plan shall consider circulation of transit vehicles (including both standard length and articulated buses) on the roadways surrounding the project site, as well as access to VTA's (Valley Transportation Authority's) North Yard facility by VTA buses. A copy of this plan will be routed to VTA for review and comment.

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

179. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide Traffic Control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans.
180. **SCVWD INFORMATION:** The owner/developer shall comply with, and the off-site and grading, drainage and utility plans shall include, a general note as follows: "Santa Clara Valley Water District (District) records indicate that 26 properly destroyed wells are located on the subject property. Because the wells are considered properly destroyed, no action is necessary to protect them or to bring them into compliance with the District Well

Ordinance.

Santa Clara Valley Water District (District) records indicate that 11 abandoned wells may be located on the subject property. If these wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage."

181. **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."
182. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete."
183. **OCCUPANCY RELEASE:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "For 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."
184. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
185. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 40 calendar days prior to the Council meeting.
186. **LOT MERGER:** The applicant's site is located on seven separate parcels of land as shown on the Tentative Map, and the existing or proposed building is located over the interior property lines. Prior to the issuance of the building permit, the applicant must legally merge the properties into five lots with a final map.
187. **REIMBURSEMENT AGREEMENT (WATER MAIN IMPROVEMENTS):** The City shall reimburse the developer for the construction costs to construct the new 12" water main improvements within Inigo Way Extension and the easterly portion of the project site between Pear Avenue and La Avenida. To be reimbursed by the City, the developer must enter into a reimbursement agreement with the City and the reimbursement agreement must be approved by the City Council. The reimbursement agreement requires the developer to competitively bid the street improvements and submit a minimum of three itemized bids from contractors who meet the City's minimum requirements, including the requirement to pay prevailing wages, for approval and selection of the lowest responsible bidder. The reimbursement agreement shall be executed prior to building permit issuance.

188. **REIMBURSEMENT AGREEMENT (STORM MAIN IMPROVEMENTS):** The City shall reimburse the developer for 50 percent of the construction costs to construct new 18" storm drain main improvements within Space Park Way from the Inigo Way Extension, east to the Santiago Villa Mobile Home Park. To be reimbursed by the City, the developer must enter into a reimbursement agreement with the City and the reimbursement agreement must be approved by City Council. The reimbursement agreement requires the developer to competitively bid the street improvements and submit a minimum of three itemized bids from contractors who meet the City's minimum requirements, including the requirement to pay prevailing wages, for approval and selection of the lowest responsible bidder. The reimbursement agreement shall be executed prior to building permit issuance.
189. **ENCROACHMENT AGREEMENT (PEAR AVENUE EXTENSION PLAZA):** The applicant shall enter into an encroachment agreement which contains provisions to construct and maintain nonstandard improvements allowed to encroach within the City's right-of-way along Pear Avenue. These improvements must be reviewed and approved by the City prior to construction of said improvements. Private improvements to serve the development, such as, but not limited to, private C3/bioretenion facilities and private bike parking, shall not be encumbered within this area. The encroachment agreement shall be entered into with the City prior to building permit issuance.
190. **SHORELINE BOULEVARD/HIGHWAY 101 (NB) OFF-RAMP (T-16) AND PLYMOUTH STREET REALIGNMENT (T-5) GATEWAY CAPACITY REQUIREMENTS:** The North Bayshore Precise Plan (NBPP) identifies capacity limitations at all three gateways. This development project is projected to add additional trips beyond the current Shoreline Boulevard gateway capacity. Priority transportation improvement projects are identified in the NBPP to accommodate additional gateway trips, including trips related to this development project.

The Highway 101/Shoreline Boulevard (NB) Off-Ramp Project (T-16) and the Plymouth Street realignment to Space Park Way Project (T-5) are identified within the NBPP as priority transportation improvement projects. Both improvement projects are needed to provide Shoreline Boulevard gateway capacity for this development project. Both improvement projects will be built by the City and are anticipated to be completed after the expected occupancy date of the development project.

Because of the above conditions, the City will not grant a building permit to construct the new office building in the North Bayshore Precise Plan area unless and until:

- The completion of the construction of the Highway 101/Shoreline Boulevard (NB) Off-Ramp Project (T-16) and the Plymouth Street realignment to Space Park Way Project (T-5) improvements.
- OR, if the applicant demonstrates, to the reasonable satisfaction of the Community Development Director and Public Works Director, that the office component of the project will not add any new vehicle trips beyond the NBS Gateway capacity prior to the completion of the Highway 101/Shoreline Boulevard (NB) Off-Ramp Project (T-16) and the Plymouth Street realignment to Space Park Way Project (T-5).

Building Inspection Division – 650-903-6313

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

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

192. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2016 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
193. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
 - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the 2016 CBC, Chapter 11B.
 - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the 2016 CBC, Chapter 11B.
194. **DUAL PLUMBING:** Project will be subject to the dual-plumbing requirements in the 2016 CBC, Chapter 16A and MVCC Sections 8.30 – 8.30.5.
195. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per the 2016 CalGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.45.
196. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to the Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
197. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate building permit.
198. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2016 CBC.
199. **EGRESS:** Site must meet accessible means of egress per the 2016 CBC, Section 1009.
200. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Please visit City of Mountain View – Fire & Environmental Protection Division online at www.mountainview.gov/fep or by phone at 650-903-6378 to obtain information and submittal requirements.
201. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the 2016 CBC.
202. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans per requirements of 2016 CBC, Section 1004.
203. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of building plan submittal to show how pedestrians will be protected per 2016 CBC, Section 3306.
204. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.
205. **SURVEY:** A survey will be required to be completed to verify structure placement.
206. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any submittals of AMMRs are required to be formally submitted with the complete initial building submittal. AMMRs will be reviewed by the Chief Building Official during the plan check process; approvals of AMMRs are not provided or processed prior to submittal to

the Building Inspection Division.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

207. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-03-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (City Code Sections 14.10.28, 14.10.29, and California Fire Code Section 903.)
208. **STANDPIPE SYSTEM:** Provide a Class III standpipe system. (City Code Sections 14.10.30, 14.10.31, 14.10.32, and 14.10.33 and California Fire Code Section 905.)
209. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
210. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' apart, and within 150' of all exterior walls.
211. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2016 Edition) and Mountain View Fire Department requirements.)
212. **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.)
213. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 907 and City Code Section 14.10.34.)
214. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code Section 907.)

FIRE DEPARTMENT ACCESS

215. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 506.)
216. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code Section 506.) **(Required for parking garage gates.)**
217. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code Section 503, and City Code Sections 14.10.15, 14.10.16 and 14.10.17.)
218. **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.)
219. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application or visit online at www.mountainview.gov/firerequirements. (California Fire Code Section 503.)
220. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code Section 503.)
221. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code Section 3002.)
222. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code Section 1008.)
223. **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.)
224. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code Section 1013.)
225. **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.)

226. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
227. **GROUP A, E, I, AND R-1 OCCUPANCIES:** Decorative Materials: All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
228. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
229. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)
230. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
231. **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.)
232. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code Section 1023.9.)
233. **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.)

HAZARDOUS CONDITIONS

234. **STATIONARY LEAD-ACID BATTERY SYSTEMS:** Stationary lead-acid battery systems shall comply with the California Fire Code Section 608.

EXTERIOR IMPROVEMENTS

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

Address signs shall be a minimum of 6" in height. (City Code, Section 14.10.19.)

OTHER

237. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code Section 1030.) **(Not required in Type IIIA construction.)**
238. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code Section 510.)

Fire and Environmental Protection Division – 650-903-6378

GENERAL

239. **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.
240. **FOOD SERVICE CHECKLIST:** Complete a "Food Service Checklist: Grease Control and Stormwater Pollution Prevention" for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.
241. **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.
242. **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.
243. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
244. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
245. **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.
246. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to

sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.

247. **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.
248. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
249. **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.

250. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml
251. **FULL TRASH CAPTURE (OFF-SITE IMPROVEMENT):** Projects located in "moderate," "high," or "very high" trash generating areas as outlined in the City's Long-Term Trash Load Reduction Plan that will construct off-site improvements to the public storm drain system shall install full trash capture protection within the newly constructed public storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer's recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.

HAZARDOUS MATERIALS

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

252. **HAZARDOUS MATERIALS:** If hazardous materials will be stored or used on-site (including paints, thinners, compressed gases, propane, diesel, gasoline, etc.), complete an Environmental Compliance Plan (ECP) application. Attach a copy of the completed ECP to your building plan submittal.
253. **INSTALLATION OR UPGRADE OF HAZARDOUS MATERIALS STORAGE:** Complete an "Installation or

Upgrade of Hazardous Materials Storage or Use Areas” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

254. **ABOVEGROUND DIESEL TANKS FOR EMERGENCY AND STANDBY GENERATORS:** Complete an “Aboveground Diesel Tanks for Emergency and Standby Generators” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
255. **INTERIOR/EXTERIOR ABOVEGROUND CLASS III-B TANKS:** Complete an “Interior/Exterior Aboveground Class III-B Tanks (including Waste Oil)” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

STEPHANIE WILLIAMS, PLANNING MANAGER/ZONING ADMINISTRATOR

SW/MA/2/FDG
PL-2017-380