

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
AMENDING CITY OF MOUNTAIN VIEW RESOLUTION NO. 18935 APPROVING  
A MIXED-USE ADDITION AT 194-198 CASTRO STREET TO MODIFY  
CONDITION OF APPROVAL NO. 65 REGARDING PARKING IN-LIEU FEES

WHEREAS, on October 8, 2024, the City Council adopted Resolution No. 18935, which conditionally approved a Planned Community Permit, Development Review Permit, Historic Preservation Permit, and Provisional Use Permit (collectively, the “Development Permits”) for a mixed-use addition at 194-198 Castro Street (Application No. PL-2022-243); and

WHEREAS, the project includes a three-story, 5,733 square foot mixed-use building addition with administrative office on the upper floors and a roof deck adjacent to an existing two-story, 7,608 square foot historic building with office and ground-floor restaurant, replacing an existing outdoor patio, on a 0.14-acre site; and

WHEREAS, Assembly Bill (AB) 2097, codified at Government Code Section 65863.2, limits the ability of a public agency to impose or enforce minimum automobile parking requirements on development projects located within one-half mile of a “major transit stop.” However, AB 2097 does “not reduce, eliminate, or preclude the City’s enforcement of any requirement imposed on a new multi-family residential or nonresidential development that is located within one-half mile of public transit to provide electric vehicle supply equipment installed parking spaces or parking spaces that are accessible to persons with disabilities that would have otherwise applied to the development.”; and

WHEREAS, for this particular development project, AB 2097 and Section 36.32.50 (Required Number of Parking Spaces) and Section 8.20.44 ([Subsection 5.106.5.3.2 amended and Table 5.106.5.3.2 added](#)) of the City Code authorize the City to enforce parking requirements for electric vehicle (EV) supply equipment (EVSE)-installed parking spaces and Americans with Disabilities Act (ADA)-accessible parking spaces; and

WHEREAS, following adoption of Resolution No. 18935, staff identified an inadvertent error in their calculation of the parking in-lieu fee Condition of Approval (COA) No. 65. Specifically, staff calculated the required number of parking spaces based on EV parking stalls (based on the required number of EV-capable stalls required for the project) when it should have been calculated based on the number of EVSE-installed parking spaces, resulting in imposition of a greater parking in-lieu fee than the actual requirement; and

WHEREAS, based upon staff's corrected calculation, the project is only required to pay parking in-lieu fees for four parking spaces: three EVSE-installed parking spaces and one ADA-accessible parking space; and

WHEREAS, the project was previously determined to be categorically exempt from the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* (CEQA), pursuant to CEQA Guidelines (Cal. Code Regs., Title 14) Section 15332 ("In-Fill Development") and Section 15331 ("Historic Resource Restoration/Rehabilitation"). The proposed modification to the parking in-lieu fee COA does not alter the project's qualification for the categorical exemptions claimed for the original project approval. The project continues to be exempt under CEQA Guidelines Section 15332 and Section 15331 for the grounds discussed in Resolution No. 18935 and there is no new substantial evidence of potentially significant impacts; now, therefore, be it

RESOLVED: that City of Mountain View Resolution No. 18935 is hereby amended to modify the Conditions of Approval as shown in Exhibit A, attached hereto and incorporated herein. Specifically, COA No. 65 is hereby modified to correctly reflect a parking in-lieu fee based on the required number of EVSE-installed parking spaces and accessible parking spaces as follows:

**"PARKING IN LIEU FEE:** Prior to the issuance of the first building (foundation) permit, the applicant shall pay the City a parking in-lieu fee for all required parking spaces not provided on the project site. This permit approves an office use that requires 11 parking spaces, of which ~~three (3)~~<sup>eight (8)</sup> EVSE and one (1) accessible parking spaces are paid for with an in-lieu fee. Fees shall be made payable to the City of Mountain View for ~~three (3)~~<sup>eight (8)</sup> EVSE and one (1) accessible parking stall consistent with Section 36.32.50 (Required Number of Parking Spaces) of the City Code~~State Law (AB 2097)~~ and submitted to the Planning Division, prior to building permit issuance, based on the adopted fee schedule."; and be it

FURTHER RESOLVED: that this Resolution shall become effective immediately upon adoption.

#### NOTICE

The conditions of project approval attached hereto include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day period in which the applicant may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a) has begun as of the date this Resolution is adopted. If the applicant fails to file a protest within

this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees, dedications, reservations, or exactions.

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CDD/JT-10-28-25r

Exhibit:   A.   Amended Conditions of Approval

**CONDITIONS OF APPROVAL**  
**APPLICATION NO.: PL-2022-243**  
**194-198 CASTRO STREET**

The applicant is hereby notified, as part of this application, that the applicant is required to meet the following conditions in accordance with the Mountain View City Code and the State of California. Where approval by a City Department Director or Official is required, that review shall be for compliance with all applicable conditions of approval, adopted policies and guidelines, ordinances, laws, and regulations, and accepted practices for the item(s) under review. The applicant is hereby notified that the applicant is required to comply with all applicable codes or ordinances of the City of Mountain View and the State of California that pertain to this development and are noted herein.

This approval is granted to construct a new three-story, 5,733 square foot building addition with a roof deck adjacent to an existing two-story, 7,608 square foot historic building with office and ground-floor restaurant, replacing an existing outdoor patio, located on Assessor's Parcel No. 158-15-013. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by John S. Tabuena-Frolli for Chee-Yee Chong of Hanson America, LLC, dated July 17, 2024.
- b. Historic Resource Assessment Peer Review and Secretary of Interior Standards Compliance Analysis Memorandum prepared by Hannah Simonson with Page & Turnbull, dated July 18, 2024.
- c. Arborist Report prepared by Scott Moncrieff (WE-10627A) with Alpine Landscapes.
- d. Transportation Demand Management program prepared by Hexagon Transportation Consultants, Inc., for Hanson America LLC, dated August 23, 2023.

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

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

1. **APPLICABILITY OF THIS PERMIT:** This Permit shall apply to any business/owner entity whose use and operational characteristics match those of the approved use. Intensification of the approved use shall require an amendment to this Permit. A change to a different permitted use may require a new Permit. This Permit shall continue to be valid upon a change of ownership/operator of the site, business, service, use(s), or structure that was the subject of this approval provided the new owner/operator agrees in writing to all applicable conditions and operating standards prior to reopening or maintaining the use or structure(s) under the new ownership. Any new owner/operator must submit a wet (original) signed letter to the Planning Division noting agreement with the enclosed conditions which includes notation of this permit number and the new business/operator name. This letter may be requested by the City at any time.
2. **EXPIRATION:** If the approved use does not commence within two years of this approval, subject to all applicable conditions and permits from applicable government agencies (inclusive of City permits), this approval shall be null and void.
3. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
4. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).

5. **ABANDONMENT OF USE:** The approved use shall be considered abandoned if the approved use in this tenant space (or building) ceases for a period of six months or more, at which point this Permit shall have expired and a new Permit shall be required. Determination of the abandonment of the use shall be based on the best available data, which may include business license, tax payment records, utility records, and other government agency permits or licenses.
6. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

#### PERMIT SUBMITTAL REQUIREMENTS

7. **AIR QUALITY:** The applicant is required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
8. **TENANT IMPROVEMENTS:** Details of interior tenant improvements are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
9. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
10. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
11. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
12. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.
13. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
14. **COLOR CHIPS:** At submittal of building plan check, provide a set of color chips, and the color scheme shall be shown on the elevations.
15. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

16. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit submittal. The applicant must demonstrate that hazardous materials do not exist on the site or that construction activities and the proposed use of this site are approved by: the City Fire Department (Fire and Environmental Protection Division); the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or a site toxics mitigation plan has been approved.
17. **SOIL MANAGEMENT PLAN:** Prepare a soil and groundwater management plan for review and approval by the Santa Clara County Department of Environmental Health (SCCDEH). Proof of approval or actions for site work required by the SCCDEH must be provided to the Building Division prior to issuance of any demolition or building permits.
18. **VIBRATION AND SETTLEMENT PLAN:** At building permit submittal, the applicant shall prepare a Vibration and Settlement Plan which specifies monitoring and mitigation measures to avoid damage to the adjacent building(s) as a result of project construction. Approved monitoring protocols shall be in place prior to issuance of any building permits for the project.
19. **BIRD-STRIKE MANAGEMENT PLAN:** A bird-strike management plan, which provides project design features to reduce bird strikes, and a bird-strike monitoring plan postconstruction shall be submitted as part of the building permit submittal with recommended provisions included in the building permit plans.
20. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).
21. **MASTER SIGN PROGRAM:** The applicant shall develop a master sign program for this property as part of a separate planning permit. The program shall identify suitable sign locations, types, sizes, colors, and materials in written and visual forms for all buildings/tenant spaces on-site with a common theme for signage that is compatible with the structures and uses. Application form and submittal requirements are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).

#### OPERATIONS

22. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
23. **DAYS/HOURS OF OPERATION:** The approved days and hours of operation are Monday through Sunday from 8:00 a.m. to 10:00 p.m. for the retail space. Any proposed change to the approved days and/or hours of operation will require review and approval by the Zoning Administrator and may require a modification to this permit.
24. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 8:00 a.m. to 6:00 p.m. daily and shall not allow amplified music. In the event any problems arise with the hours of operation or noise, the Zoning Administrator may hold a public hearing to review common-area operations and impose new or modified conditions of approval in response to public comment received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
25. **LOADING/DELIVERY PLAN:** Prior to building permit issuance, the applicant shall develop a plan specifying measures to manage on-site deliveries and loading, which may include measures to tailor delivery hours and/or days to limit conflicts with peak traffic times or adjacent land uses.

SITE DEVELOPMENT AND BUILDING DESIGN

26. **BUILDING DESIGN/PLAN MODIFICATIONS:** Modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details provided in the building permit drawings, subject to review and approval by the Zoning Administrator prior to issuance of a building permit, and address the following design direction:
- a. Revise the design of the ground-level retail tenant space entry to more strongly delineate the location, enhance entry detailing, and separate it from the adjacent alley, such as through a deeper, more prominent, pedestrian-scaled awning covering the entry alcove; a more prominent (deeper) planter or low architectural bulkhead separating the unit entry from the alley (while maintaining corner visibility); and/or other entry accent features providing visual interest.
  - b. Refine upper-floor window/door locations and proportions for better alignment between the top two floors and to improve the symmetry, proportion, and alignment of upper-floor windows on the alley (west) facade.
  - c. Refine the second-floor window and wall detailing, including trim band widths/locations, for more consistency between the addition and existing building.
  - d. Deemphasize the bulk and prominence of the pilasters for better cohesion with the existing historic building. In particular, study reducing the pilaster height to one-story (i.e., terminating at the bottom trim band on the second floor) to accent the retail base of the building while respecting the horizontality of the second-floor detailing on the existing historic structure. Additionally, explore an alternative tile finish or material to provide a more matte expression.
27. **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.
28. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement, utilization, and finish of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
29. **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.
30. **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.
31. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 2".
32. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows must maintain a minimum 45% transparency along the ground floor of the building(s) along Villa Street 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.  
**(PROJECT-SPECIFIC CONDITION)**
33. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance and purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include stucco, pilaster material, metal paneling, and paint samples. Proposed primary and secondary (accent) paint colors should be painted next to each other on the mock-up for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.

34. **PAINT BRUSH-OUTS:** The applicant shall paint a portion of the building or a mock-up wall with the proposed color scheme for inspection by the Planning Division. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
35. **COLOR AND MATERIALS:** Colors and materials of the proposed addition are to be shown and noted on permit drawings to match the existing structure.
36. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
37. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
38. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
39. **GROUND-FLOOR COMMERCIAL AREA:** This project is required to provide approximately 2,128 square feet of ground-floor retail space. Any future use is subject to the permitted and conditionally permitted uses of the Downtown Precise Plan (P(19)).
40. **LIGHTING PLAN:** The applicant shall submit a lighting plan in building permit drawings. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties, which is demonstrated with photometric contours extending beyond the project property lines. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
41. **ROOFTOP DECK LIGHTING:** Proposed lighting fixtures on the rooftop decks and courtyards shall not be visible from ground level on adjacent public streets. Any string lighting shall be designed to include shades to avoid light spillover and be screened so they are not visible from off-site. Limited pedestrian-scale/building-mounted lighting along pathways may be permitted subject to review and approval of photometric lighting plan submitted as part of the building permit drawings.
42. **BIKE PARKING FACILITIES:** The applicant shall provide a minimum of four (4) long-term bike parking racks for employees on the project site as shown on the plans. These spaces shall be in a secure location to protect against theft and may include, but are not limited to, bike lockers, enclosed cages, or other restricted interior areas. Any area used for long-term bike parking shall not be included in zoning calculations for floor area or building coverage. **(PROJECT-SPECIFIC CONDITION)**

#### GREEN BUILDING

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



45. **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.

#### TREES AND LANDSCAPING

46. **LANDSCAPING:** Proposed landscaping shall be shown on the site plan and submitted with the building permit drawings for review and approval by the Zoning Administrator prior to building permit issuance. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
47. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees. The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans submitted for building permit review. New street trees shall be planted in accordance with Detail F-1 of the Public Works Standard Provisions, a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
48. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
49. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
50. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation, the design of the building may need to be altered to maintain the health of the trees prior to building permit issuance.
51. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
52. **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.
53. **REPLACEMENT TREES:** The applicant shall offset the loss of each street tree with one replacement tree, for a total of one replacement tree. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as a street replacement tree.

54. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
55. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Scott Moncrieff (WE-10627A) of Alpine Landscapes and dated August 31, 2023 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.
56. **TREE REPLACEMENT FEE:** In exchange for site constraints and/or the limited ability to plant new trees on-site, the applicant shall offset the loss of two on-site flowering plum trees with a replacement fee made payable to the City of Mountain View, based on the adopted fee schedule. The fee must be paid prior to building permit issuance.

#### NOISE

57. **MECHANICAL EQUIPMENT (NOISE):** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
58. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.
59. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) $L_{dn}$  that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
60. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

#### HISTORIC RESOURCES

61. **SECRETARY OF THE INTERIOR STANDARDS:** All construction activities, including maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation, or reconstruction of the historical resource, shall be conducted in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties (Weeks and Grimmer 1995).
62. **REPAIRS:** As per the project's Historic Resource Assessment (HRA) and a U.S. Secretary of the Interior Standards (SOIS) analysis report prepared by Page & Turnbull and dated July 18, 2024, any construction activity involving alteration to the original and character-defining materials and features shall be repaired, rather than replaced, to the extent feasible. If a material or feature is deteriorated beyond repair, as confirmed by a qualified professional, then in-kind replacement may be undertaken. In the event if such replacement is needed, a report prepared by a qualified professional confirming the need for in-kind replacement shall be submitted to the City for review and approval prior to replacing the material. **(PROJECT-SPECIFIC CONDITION)**
63. **MAINTENANCE:** As per the project's Historic Resource Assessment (HRA) and a U.S. Secretary of the Interior Standards (SOIS) analysis report prepared by Page & Turnbull and dated July 18, 2024, all construction activities shall be conducted to ensure cleaning and/or paint removal is undertaken with the gentlest means feasible so as to avoid damage to historic materials and features. **(PROJECT-SPECIFIC CONDITION)**

64. **EXISTING ROOFLINE:** As per the project's Historic Resource Assessment (HRA) and a U.S. Secretary of the Interior Standards (SOIS) analysis report prepared by Page & Turnbull and dated July 18, 2024, modifications and protrusions to the existing roofline shall be minimized to the extent possible for purposes of ventilation, solar panel mounting, and required access for purposes of maintenance. In the event that equipment is removed, the rooftop shall be restored in a manner consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties. A report prepared by a qualified professional confirming the need for removal and appropriate replacement shall be submitted to the City for review and approval prior to replacement. **(PROJECT-SPECIFIC CONDITION)**

#### AGREEMENTS AND FEES

65. **PARKING IN-LIEU FEE:** Prior to the issuance of the first building (foundation) permit, the applicant shall pay the City a parking in-lieu fee for all required parking spaces not provided on the project site. This permit approves an office use that requires 11 parking spaces, of which ~~three (3)~~~~eight (8)~~ EVSE and one (1) accessible parking spaces are paid for with an in-lieu fee. Fees shall be made payable to the City of Mountain View for ~~three (3)~~~~eight (8)~~ EVSE and one (1) accessible parking stall consistent with ~~Section 36.32.50 (Required Number of Parking Spaces) of the City Code State Law (AB 2097)~~ and submitted to the Planning Division, prior to building permit issuance, based on the adopted fee schedule.

#### CONSTRUCTION ACTIVITIES

66. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
67. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
68. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
69. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
70. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other state and federal requirements.
71. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) and lead-based paint, the following measures are to be included in the project:
- In conformance with local, state, and federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.

- b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

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

- 72. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
- 73. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
- 74. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
- 75. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area

reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

76. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The applicant shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
77. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).
78. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on either the project site or the surrounding area, the applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

79. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**
- Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
  - Avoid using vibration rollers and tampers near sensitive areas.
  - In areas where project construction is anticipated to include vibration generating activities, vibration studies shall be conducted to determine the areas of impact and to present appropriate mitigation measures that may include the following:
    - Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;

- Develop a vibration monitoring and contingency plan;
- Construction contingency plan; and
- Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

Housing Department—650-903-6190 or [housing@mountainview.gov](mailto:housing@mountainview.gov)

#### AGREEMENTS AND FEES

80. **HOUSING IMPACT FEE:** Prior to the issuance of the first grading or building permit, the applicant shall pay a Housing Impact Fee based on the net new floor area and the adopted fees in effect at the time of building permit issuance. For purposes of calculating the fee, the project includes construction of square feet of 5,733 Retail/Office and demolition of 620 square feet of Commercial, resulting in 5,113 square feet net new floor area of Retail/Office.

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

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

81. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the City Council upon building permit submittal, including but not limited to the following: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
82. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
83. **OPENING PROTECTION:** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted per the CRC, Section R302.5.1.
84. **BUILDING AREA:** The project shall comply with the requirements per the CBC, Chapter 5, Section 506.
85. **MIXED USE AND OCCUPANCY:** The project shall comply with the requirements per the CBC, Chapter 5, Section 508.
86. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
87. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
88. **FIRE AND SMOKE PROTECTION FEATURES:** The project shall comply with the requirements per the CBC, Chapter 7.
89. **MINIMUM DISTANCE OF PROJECTIONS:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.2).
90. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.

91. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.
92. **ACCESSIBLE MEANS OF EGRESS:** The site must meet accessible means of egress per the CBC, Chapter 10, Section 1009.
93. **ACCESSIBILITY REQUIREMENTS:**
- **Chapter 11B:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
94. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at [www.mountainview.gov/greenbuilding](http://www.mountainview.gov/greenbuilding).
95. **REACH CODES FOR NONRESIDENTIAL (NEW CONSTRUCTION):**
- a. **Photovoltaic System Requirements:** Photovoltaic (PV) installation on roof area to accommodate an all-electric building to 100% of annual kWh consumption offset as amended in MVCC Section 8.20.12 and per Table 101.10.
  - b. **Bird-Safe Glass Requirements:** Bird-safe glass shall be installed on the exterior of the structure, as amended in MVCC Section 8.20.12 and per Table 101.10.
96. **PLUMBING FIXTURES:** The project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
97. **UTILITIES:** No utilities shall cross property lines.
98. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
99. **ADDRESSES:** All street names, street numbers, residential apartment numbers, ADU numbers, and suite numbers will be processed by the Building Division prior to permit issuance.
100. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial space(s) will be required to obtain a separate building permit(s).
101. **SURVEY REQUIRED:** Structures within 6' of a property line, or required setback, shall provide a site survey certificate and obtain approval from the City prior to concrete pour.
102. **PEDESTRIAN PROTECTION:** Pedestrians shall be protected during construction, remodeling, and demolition; additionally, if required, signs shall be provided to direct pedestrian traffic. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
103. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.70 of the MVCC and/or suspension of building permits.
104. **RESPONSIBLE CONSTRUCTION:** This project is subject to the City's Responsible Construction Ordinance. For projects covered by this Ordinance, owners, contractors, and/or qualifying subcontractors are required to acknowledge responsibilities and make specified certifications upon completion of a project. The required certifications include that: (a) employees are provided written wage statements and notice of employers' pay practices as required under State law (or, alternatively, are covered by a valid collective bargaining agreement); and (b) they have no unpaid wage theft judgements. Acknowledgement forms are

required to be submitted at building permit application, which is available online at [www.mountainview.gov/building](http://www.mountainview.gov/building). More information is available at [www.mountainview.gov/wagetheft](http://www.mountainview.gov/wagetheft).

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

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

105. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Shop-quality drawings shall be submitted electronically for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13, NFPA 24, NFPA 72, and Mountain View Fire Department specifications. (City Code Sections 14.10.30 and 14.10.31 and California Fire Code Section 903.)
106. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.32, 14.10.33, 14.10.34, and 14.10.35 and California Fire Code Section 905.)
107. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' (apart) and within 150' of all exterior walls. Installation shall be complete and the system shall be tested prior to combustible construction.
108. **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.)
109. **FIRE EXTINGUISHERS (COOKING AREAS):** Install Class K fire extinguishers in commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.13.)
110. **FIRE EXTINGUISHING SYSTEMS:** Shop-quality drawings for the cooking appliance fire extinguishing system(s) shall be submitted electronically. (California Fire Code, Section 904.2.2.)
111. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Shop-quality drawings shall be submitted electronically for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. (California Fire Code, Section 907, and Mountain View City Code, Section 14.10.36 and 14.10.37.)

#### FIRE DEPARTMENT ACCESS

112. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)
113. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's (FPE) directions. Contact the Building Division at 650-903-6313 or [building@mountainview.gov](mailto:building@mountainview.gov) for instructions. A Knox Key Switch is required where there are electronically controlled access doors/doors with card readers that would prohibit rapid Firefighter deployment throughout a building (stairwells, corridors, tenant spaces, etc.). Contact the FPE for more information.
114. **STRETCHER REQUIREMENTS:** In all structures with one or more passenger service elevators, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher (84"x24") in the horizontal position. (California Building Code, Section 3002.4.)



EGRESS AND FIRE SAFETY

115. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the electrical plan sheets in the drawing sets. (California Building Code, Section 1008.)
116. **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.)
117. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.2.9.)
118. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but not be limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
119. **GROUP A, E, I, AND R1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
120. **INTERIOR WALL AND CEILING FINISHES:** 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.
121. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.9.)
122. **ON-SITE DRAWINGS:** Submit electronic (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
123. **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.)
124. **STAIRWAY IDENTIFICATION SIGNS:** For stairs connecting three 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.)
125. **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

126. **ELECTRICAL ENERGY STORAGE SYSTEMS:** Electrical Energy Storage Systems shall comply with the California Fire Code, Section 1207.

#### EXTERIOR IMPROVEMENTS

127. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. (California Fire Code, Section 304.3.)
128. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (Mountain View City Code, Section 14.10.18.)

#### OTHER

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

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

#### OWNERSHIP AND PROPERTY

130. **PRELIMINARY TITLE REPORT:** At first submittal of the building permit and improvement plans, the applicant shall submit to the Public Works Department a current preliminary title report or land deed (dated within six months of the first submittal) indicating the exact name of the current legal owners of the property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved. The title report shall include all easements and agreements referenced in the title report. Depending upon the type of ownership, additional information may be required. The applicant shall provide an updated title report to the Public Works Department upon request. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
131. **WILD CHERRY LANE NO-BUILD RESTRICTION AREA:** Submit to the Public Works Department for review and approval a legal description (metes and bounds), plat (drawing), closure calculations, and other required documents for the no-build restriction area on Wild Cherry Lane along the project frontage as shown on the approved plan set. Legal Description and Plat Requirements are available online at: [www.mountainview.gov/landdevelopment](http://www.mountainview.gov/landdevelopment). The legal description and plat shall be prepared and stamped by a California-registered civil engineer or land surveyor. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs). The no-build restriction area legal description (metes and bounds), plat (drawing), closure calculations, and other required documents as deemed necessary by the City shall be approved prior to the issuance of the building permit.

#### RIGHTS-OF-WAY

132. **PEDESTRIAN ACCESS EASEMENT (SIDEWALKS):** Per the Council-adopted Street Width List, dedicate a 7' wide pedestrian access easement along Castro Street to maintain a continuous 23' wide public sidewalk along the project frontage, as required by the Public Works Director.
133. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way dedication(s), submit a legal description (metes and bounds), plat map (drawing), and other required documents per the City's Legal Description and Plat Requirements to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

#### FEES AND PARK LAND

134. **PLAN CHECK AND INSPECTION FEE:** Prior to the issuance of any building permits, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of the first improvement plan submittal based on the initial cost estimate (Infrastructure Quantities) 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.

135. **TRANSPORTATION IMPACT FEE:** Prior to the issuance of any building permit, the applicant shall pay the transportation impact fee for the development. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.
136. **WATER AND SEWER CAPACITY CHARGES:** Prior to the issuance of any building permits, 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. Separate capacity charges apply for different types of residential categories to 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, building area, and building use, respectively. Credit is given for the existing site use(s) and meter size(s), as applicable.
137. **WILD CHERRY LANE NO-BUILD RESTRICTION AREA COMPENSATION FEE:** Prior to the issuance of any building permits, the applicant shall provide compensation, as required by the Public Works Department, for encumbering Wild Cherry Lane with a no-build restriction area. The City charges a nominal fee of \$15 per square foot for the no-build area.

#### STREET IMPROVEMENTS

138. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These public improvements include, but are not limited to, new curb, gutter, and sidewalk along the addition frontage on Villa Street; new ADA-compliant driveway in front of Wild Cherry Lane; new sewer lateral connection and related appurtenances; and new signage, striping, and pavement markings.
- a. **Improvement Agreement:** Prior to the issuance of the building permit, the property owner must sign a Public Works Department improvement agreement for the installation of the public improvements.
- b. **Bonds/Securities:** Prior to the issuance of any building permits, the property owner must sign a Public Works Department faithful performance bond (100% of Infrastructure Quantities) and materials/labor bond (100% of Infrastructure Quantities), or provide a cash deposit (100% of Infrastructure Quantities), or provide a letter of credit (150% of Infrastructure Quantities) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available at: [www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570\\_a-z.htm](http://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm). The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.
- c. **Insurance:** Prior to the issuance of any building permits, the property owner must provide a Certificate of Insurance and endorsements for Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million

Dollars (\$1,000,000) Contractors' Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.

139. **INFRASTRUCTURE QUANTITIES:** For projects with off-site improvement plans, upon first submittal of the building permit and improvement plans, submit a construction cost estimate indicating the quantities of street and utility improvements. Construction cost estimate shall include private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
140. **EXCAVATION PERMIT:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the Public Works Department website at: [www.mountainview.gov/landdevelopment](http://www.mountainview.gov/landdevelopment). All work within the City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.
141. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way.

Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) for work that impacts traffic on existing streets. Construction management plans of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval and shall be incorporated into the off-site improvement plans identified "For Reference Only."

Off-site improvement plans, 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. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

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, two full-size and two half-size black-line set, one PDF of the signed/stamped plan set, and a USB flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit.

142. **TRAFFIC CONTROL PLANS:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall show and identify, at a minimum, work areas, delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets and shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the latest City standards. A completed Traffic Control Checklist shall be included with each traffic control plan submittal. Traffic-control plans shall be prepared, stamped, and signed by a California-registered Traffic Engineer (T.E.).]
143. **CONSTRUCTION MANAGEMENT PLAN:** Upon first submittal of the building permit and improvement plans, the applicant shall provide a construction traffic and parking management plan with the building plans and within the improvement plans

identified “For Reference Only—See Building Permit Plans.” The plan must be approved prior to the issuance of a building permit, including demolition permits. The plan must show the following:

1. **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
2. **Construction Phasing, Equipment, Storage, and Parking:** Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and trailers shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage;
3. **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities;
4. **Traffic Control and Detour Plans:** Submit traffic control plans, including detour plans, when on-site improvements and phases of the construction management plan require temporary roadway, lane, shoulder, and/or bike lane closure. Provide pedestrian detour plans when necessary.

Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department will be required prior to the issuance of the building permit; and

5. **Encroachment Agreement:** Any temporary structures (scaffolding, covered walkway, etc.) within the public right-of-way will require a separate encroachment agreement to be signed by the property owner. The encroachment agreement shall be prepared and executed and fees paid prior to the issuance of a building permit.

The submitted construction management plan is not approved, and the construction management plan shall be approved prior to the issuance of any building permit, including demolition permit.

If the applicant is not able to satisfy any portion of this condition, City staff may consider modifications to these requirements on a case-by-case basis under limited circumstances. Any request shall minimize impacts to the public right-of-way and privately owned City property, including, but not limited to, duration of proposed sidewalk/walkway impacts and duration of proposed lane closures.

The applicant may submit a written request addressed to both the Public Works Department and Community Development Department. In the written request, the applicant shall provide justification, provide updated phasing plans, and clearly explain the reason for any request. All written materials shall be submitted electronically (i.e., flattened, reduced-size PDFs), and the City will review for consideration. All reviews are subject to review and approval by the Public Works Department and Community Development Department. Submittal of a request does not constitute an approval will be granted.

144. **CASTRO PEDESTRIAN MALL:** Construction shall not encroach into the Castro Pedestrian Mall, and best-faith efforts shall be made to minimize impacts to businesses and patrons during construction. During construction, an accessible path for pedestrians shall continuously be maintained. All striping and pavement markings damaged and/or removed as part of construction shall be replaced in-kind with thermoplastic to the satisfaction of the Public Works Director.
145. **USE OF CITY PARKING LOT FOR TEMPORARY CONSTRUCTION STAGING:** If the applicant proposes using a portion of a City parking lot for construction staging, a license agreement at the fair market rental rate of the land shall be required for use of City land for temporary construction staging when needed for the project and shall be coordinated with the Real Property Division. The property owner must sign the license agreement prior to building permit issuance.

146. **CITY COUNCIL APPROVAL FOR USE OF CITY PARKING LOTS:** City Council approval is required when a City parking lot or portion thereof will be closed to the public. The Community Development Department will solicit City Council approval by resolution once the construction management plan is approved by City staff and the number of affected parking stalls is determined along with the duration of closure. City Council approval and resolution adoption is required prior to building permit issuance.
147. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
148. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
149. **DRIVEWAY SIGHT TRIANGLE:** The proposed sight triangle of shall be no less than 8'7" along the southern and western site property lines only with the following conditions. The proposal is not compliant with City Standard Detail A-22; therefore, in order ensure adequate visibility of pedestrians from Wild Cherry Lane, the project is required to implement the following:
- The project shall reduce the Wild Cherry Lane width to 14' at the project frontage and shift the travel lane westward. The width reduction will be implemented through striping, signage, raised channelizers, and other elements as determined by the City Traffic Engineer.
  - The project shall reconstruct the driveway apron at Wild Cherry Lane and Villa Street to narrow to 14'. The designer shall check if the 14' width can accommodate fire and trash turns. Driveways wider than 14' shall be made in coordination with, and approval of, the City Traffic Engineer. Turning template verifications shall be included as part of first off-site improvement plan submittal.
  - The project shall implement no parking on the entire project frontage on Wild Cherry Lane.
  - No elements over 3' in height are permitted in the excepted sight triangle or on Wild Cherry Lane. This includes, but is not limited to, building columns, light posts and fixtures, trees, furniture, landscape, bike racks, or other structures or decorative features.
150. **PHOTOMETRIC ANALYSIS:** Submit a photometric analysis for the project frontage as determined by the City Traffic Engineer. The analysis shall show all existing and/or proposed streetlights (show and identify pole height, arm length, and location). The analysis shall calculate the minimum, maximum, average illuminance values, and uniformity ratios for each crosswalk, shown separately. The project shall be required to install new streetlights or modify existing streetlights, as determined by the City Traffic Engineer, to ensure locations are compliant with minimum lighting requirements per the latest City Standard Details and the downtown lighting plan. (City Standard Detail E-1A/E-1B.)
151. **TRAFFIC SIGNAL EQUIPMENT:** Traffic signal equipment at the project corner of Castro Street and Villa Street must remain at the existing grade and intact. If any of the traffic signal equipment (e.g., poles, cabinet, pullboxes, conduits, etc.) is touched (e.g., moved, damaged, or fails to remain at existing grade) by the project during any phase, it shall be redesigned and upgraded to the latest standards by the project to comply with current state and City requirements. Supplementary equipment will also be upgraded as needed.
152. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). All new striping and pavement markings shall be thermoplastic. All striping and markings damaged and/or removed as part of construction and pavement work shall be replaced with thermoplastic striping. The specific areas of work shall be clearly identified and shown on the plans to the satisfaction of the City Traffic Engineer.

153. **RED CURB AT DRIVEWAY ENTRANCES:** Street curbs adjacent to driveway entrances, including entrances to underground parking garages, shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer. The specific areas of work shall be clearly identified and shown on the plans.
154. **RED CURB ALONG PROJECT FRONTAGE:** Street curbs along project frontage shall be painted red, as determined and approved by the City Traffic Engineer. The specific areas of work shall be clearly identified and shown on the plans.

#### CURBS, SIDEWALKS, AND DRIVEWAYS

155. **DRIVEWAY APPROACH AND 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) may be provided to connect the proposed public sidewalk on each side of the proposed driveway. The specific areas of work shall be clearly identified and shown on the plans.
156. **VILLA STREET CURB, GUTTER, SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontage of Villa Street. The sidewalk shall be monolithic with street tree cutouts and designed with a consistent 2% cross-slope from the top of the curb to the back of the sidewalk and minimal grade breaks in the longitudinal slope of the curb line. The specific limits of work shall be clearly identified and shown on the plans.
157. **CASTRO STREET SPECIAL PAVING:** The green color and Bomanite stamp pattern for the pedestrian sidewalk and PCC parking zone on Castro Street is proprietary to Bay Area Concrete, Inc., located at 5637 La Ribera Street, Suite B, Livermore, California, 94550 (telephone 800-350-6021). The permittee is responsible for making arrangements to have Bay Area Concrete replace the sidewalk and parking pavement. All sidewalk and parking zone pavement shall be saw cut on the score lines. No. 4 steel dowels shall be drilled and epoxied into the existing concrete at 12" on center. All new sidewalks, parking pavement, expansion joints, and other related improvements shall match the existing and be installed in accordance with Castro Street Improvement Plans, Project 87-14 (Index No. 6859). **(PROJECT-SPECIFIC CONDITION)**
158. **CASTRO STREET EDGE BAND:** The brown color for the concrete side bands on Castro Street shall match the existing LM Scofield C-25 Sombrero Buff. All expansion joints and other related improvements shall match the existing and be installed in accordance with Castro Street Improvement Plans, Project 87-14 (Index No. 6859). **(PROJECT-SPECIFIC CONDITION)**
159. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Villa Street out of the sidewalk and relocate behind the back of the curb. Utility boxes must be located so they fit entirely behind the curb and shall not encroach into the sidewalk. Exceptions to the relocation requirements may be considered by the Public Works Director in conjunction with the review and approval of the off-site improvement plans and building permit plans for the project. The specific areas and limits of work shall be clearly identified and shown on the plans.

#### STREET TREES

160. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
161. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or be an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.

162. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

#### UTILITIES

163. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans. Utilities shall be potholed to determine the depths and locations of existing subsurface utilities where improvements are proposed for construction, including, but not limited to, new utility crossings and installation of signal and streetlight pole foundations. Proposed pothole locations for signal pole foundations shall be approved by the City Traffic Engineer prior to potholing. Existing pavement sections shall also be recorded for all potholes. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including, but not limited to, pothole location, depth of utility, and pavement sections.
164. **UTILITY RELOCATION:** Move existing utility boxes and cleanout on Villa Street out of the sidewalk and relocate behind the back of the curb. Utilities must be located so they fit behind the curb and shall not encroach into the through zone of the sidewalk. Exceptions to the relocation requirements may be considered by the Public Works Director in conjunction with the review and approval of the off-site improvement plans and building permit plans for the project.
165. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
166. **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.
167. **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.
168. **WATER METER BANK:** Water meters shall be arranged in a bank of meters and located behind the public sidewalk in the landscaped areas only in accordance with City standards. Water meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway or building entrance so as not to impact the aesthetics of the entrance.
169. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, potable water services, recycled water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. Recycled water and potable water shall have a minimum 10' horizontal separation from each other. New potable water and recycled water services shall have a minimum 5' clearance from trees, and new sewer laterals shall have a minimum 10' clearance from trees. Angled connections within service lines shall not be allowed. Utility profiles shall be required for all new services.
- Existing water services shall be shown to be disconnected and abandoned at the main in accordance with City standards, unless they are satisfactory for reuse, as determined by the Public Services Division. Water services 4" or larger that are not reused shall be abandoned at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.
170. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable water and recycled 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. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets



or basements. A minimum 3' clearance shall be provided around each assembly for accessibility and maintenance. A minimum 1' clearance shall be provided between the assembly and building face, as applicable. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.

171. **REUSE OF EXISTING SEWER LATERAL:** City records show the existing sewer lateral may have outlived its useful life. Unless the applicant conducts a video inspection of the lateral and it is determined by the City to be in satisfactory condition for reuse, the construction of a new sewer lateral from the property line to the City main will be required, including the installation of a new property line sewer cleanout.

Prior to the issuance of any building permits, the applicant shall conduct a video inspection of the lateral. A representative from the Public Services Division must be present to observe the video inspection. Please contact the Public Services Division's Wastewater Supervisor at 650-903-6329 to schedule a City maintenance person to be present at time of video inspection. After reviewing the recording, the City will determine if the lateral and/or cleanout requires replacement. If an existing cleanout is not present, a new cleanout shall be installed. If a new sewer lateral is required, it shall be installed with 10' minimum horizontal clearance from any existing trees to protect against root intrusion and 5' minimum horizontal clearance from the existing water service to protect against cross-contamination. The applicant shall submit an Excavation Permit Application for replacement/installation and pay any applicable fees prior to the issuance of any building permits.

172. **SANITARY SEWER CLEANOUT:** A one-way sanitary sewer cleanout shall be installed in accordance with City standards.
173. **WATER AND SEWER APPLICATIONS:** Upon first submittal of the building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits.
174. **STORM DRAIN LATERAL:** The construction of a new storm drain lateral to the City main may be required.
175. **JOINT UTILITY PLANS:** Upon first submittal of the building permit and improvement plans, the improvement plans shall include joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. Appropriate horizontal and vertical clearances in accordance with PG&E requirements shall be provided between gas transmission lines, gas service lines, overhead utility lines, street trees, streetlights, and building structures. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans.

#### GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

176. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
177. **ON-SITE DRAINAGE REQUIREMENTS:** On-site grading shall not impact Wild Cherry Lane. Plans shall clearly show a separation (no mixing) of stormwater drainage between the development and Wild Cherry Lane.
178. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the grading and drainage plans.

#### SOLID WASTE AND RECYCLING

179. **RECOLOGY MOUNTAIN VIEW:** The applicant/contractor must be in compliance and shall include the following as a note on the building permit and improvement plans: "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."

180. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Public Works Solid Waste and Recycling Division prior to the issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
181. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers and shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled "Trash Room."
182. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include:
- The property must have trash, recycling, and compost service. Display on the plans the trash room layout, location, and dimensions to scale with the following minimum service levels: one 3-yard trash bin, one 3-yard recycle bin, and one 2-yard compost bin. All three services shall have a minimum pick-up frequency of three times per week if necessary for sufficient weekly service to collect all waste generated on-site.
  - To comply with the mandatory composting ordinance, food-generating businesses are required to have composting service. Due to enclosure space constraints, the restaurants must share trash, recycling, and compost services with the retail and office uses under the property management account.
  - Provide wall protection inside the trash enclosure to prevent the bins from damaging the walls/building.
  - Tallow/grease bins must be stored in an area separate from the trash. The tallow/grease bin is not allowed in the enclosure unless it is placed in a location with its own access door that does not impede access to the trash bins.
  - Food vendors shall comply with the City's Foodware Ordinance which requires disposable containers to be fiber-based (e.g., paper) for composting or fully aluminum to recycle. Plastic or "compostable" plastic is not allowed as these items are considered trash. All types of food and beverage containers (cups, plates, bowls, condiment tubs, etc.) must meet these requirements, and certain foodware accessory items (straws, toothpicks, foodpicks, and stirrers) must also be a compostable fiber material. The [Disposable Foodware Purchasing Guide](#) provides examples of compliant products and vendors.
  - The trash enclosure shall only be used for storage of trash collection bins. All waste generated on the premises shall be placed inside the trash bins and cannot be left on the ground inside or outside the trash enclosure.
  - The City's Municipal Code, Sections 16.103D and 16.103E, require commercial business generators to: "Supply and allow access to adequate number, size, and location of collection containers with sufficient labels or colors (conforming with Sections 16.103.D.1 and 16.103.D.2 of this Code) for employees, contractors, tenants, and customers consistent with the City's blue container, green container, and gray container collection service"; and "provide containers for the collection

of source-separated green container organic waste and source-separated recyclable materials in all indoor and outdoor areas where disposal containers are provided for customers for materials generated by that business.”

- The trash bins shall not be left outside the enclosure and instead must be rolled in/out of the enclosure by the hauler during collection. Any movement of bins over 30’ will be subject to roll-out fees by the hauler. The current roll-out fee is \$0.75 per foot per container per month.
- Trash rooms shall have a minimum 8’ wide roll-up door with keypad access.
- Enclosure standards require no less than 9’ vertical clearance from the finished grade to roof/ceiling interior.
- In trash rooms, install the light switch above the height of a 3-yard bin (5’2”) so it is accessible.
- Maintain overhead clearances of 15’ in the travelway and 22’ at the point of collection.

#### TRANSPORTATION PROGRAMS AND IMPROVEMENTS

183. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner is required to maintain a TDM program for the life of the project which will: achieve a minimum twenty percent (20%) reduction in peak-hour vehicle trips to the site. The property owner will ensure the project does not exceed its trip cap of 21 a.m. peak-hour trips and 43 p.m. peak-hour trips. 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 Public Works Director or designee.

184. **COMMUTE ALTERNATIVES/TRANSPORTATION BENEFITS:** The applicant/owner is required to offer the following commute benefits and transportation alternatives to employees of the project for the lifetime of the project. If the property is sold to a third party, the third party shall establish a TDM program consistent with these requirements in effect at the time of sale. These alternatives are to encourage use of public transit, bike ridership, provide alternatives to single-occupancy vehicle trips within the City, and aid employees in getting to and from key destinations within the City. The following mandatory transportation benefits will be implemented to achieve the project’s trip-reduction target and comply with the site-specific trip cap:

- a. Appointment of an on-site employee transportation coordinator to manage and monitor commute alternative programs (or designate a staff member to coordinate with the Mountain View Transportation Management Association (MTMA) on TDM Program activities, as needed).
- b. Communication of transportation options, including bikeway maps, transit options, and TDM program offerings, provided via on-site kiosks, welcome packets, new hire orientations, digital platform(s), and resident apps.
- c. Provide ride-share matching services and incentives to form employee carpool and vanpool opportunities. This shall entail providing employees with information of 511.org’s ridematching service, Merge, and other ridematching services, including peer-to-peer ridematching programs that utilize mobile apps to match commuters.
- d. Transit passes or transit subsidies to all employees, including regular, part-time, and contract, such as Clipper card subsidies, or a comparable transit pass program.
- e. Hybrid/flexible work schedule program to allow employees to travel outside of peak periods.
- f. Implement a parking cash-out program consistent with AB 2109 and AB 2206, as required by state law.

In addition, the applicant/owner is required to provide the following on-site facilities

- g. Short- and long-term bicycle parking facilities consistent with VTA Bicycle Technical Guidelines and the City Zoning Code.

- h. On-site end-of-trip facilities, including showers, changing rooms, and clothes lockers, for employees who access work by walking, running, or biking.

Optional TDM measures may include:

- Join and maintain ongoing membership in the Mountain View Transportation Management Association (MTMA), or an equivalent entity, in exchange for TDM services to support the project in achieving its trip reduction targets, for the life of the project.
- Membership for all employees to a corporate, City, and/or regional micromobility/bike/scooter share program or pooling of micromobility options in coordination with the Mountain View Transportation Management Association (MTMA). Alternatively, provide access to loaner e-bikes and helmets, maintained by the property owner, for which employees can use on an as-needed basis at no cost.
- Membership for all employees to a car-share program with vehicles stationed on-site or within a five-minute (0.2 mile) walk, coordinated by the property owner or MTMA.
- Coordination of transportation opportunities such as “school bike trains” or “walking school bus.”
- Provide a Guaranteed Ride Home program to encourage use of alternative transportation to the site.

Any modification to this transportation benefits program (TDM Plan) requires review and approval by the Public Works Director or designee.

185. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner(s), or their representative, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the goal of twenty percent (20%) peak-hour vehicle trip reduction by employees within the project, including complying with the trip cap of 26 a.m. peak-hour trips and 54 p.m. peak-hour trips. The TDM report shall be prepared by an independent consultant and paid for by the property owner(s) or their representative; the consultant shall work with the property’s TDM coordinator. The TDM report will include a determination of historical employee commute methods, which shall be informed by surveying all employees working on 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(s) or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.

- a. **TDM Reporting:** The initial TDM report for the project will be submitted on December 1, or the following business day thereafter if a weekend, one year after the granting of the Certificate of Occupancy. Subsequent reports will be collected annually on December 1.
- b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved twenty percent (20%) peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal and compliance with the site-specific trip cap; or (2) state that the project has not achieved the twenty percent (20%) peak-hour vehicle trip reduction and exceeded the site trip cap, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal required for the project.
- c. **Penalty for Noncompliance:** If, after an initial TDM report shows noncompliance, the second annual report indicates that, in spite of the changes in the TDM program, the vehicle trip cap is still not being met, or if the applicant fails to submit such a TDM report at the times described above, the City may assess a penalty in the maximum amount of One Hundred Thousand Dollars (\$100,000) for the first percentage point below the twenty percent (20%) peak-hour vehicle trip reduction and an additional Fifty Thousand Dollars (\$50,000) for each additional percentage point below the

minimum twenty percent (20%) thereafter (“TDM Penalty”). In determining whether the TDM Penalty is appropriate, the City may consider whether the property owner(s) has made a good-faith effort to meet the TDM goals and allow a six (6) month “grace period” to implement additional TDM measures to meet the vehicle trip cap. If the project does not achieve the necessary reductions to meet the trip cap after the six (6) month grace period, the City may require the property owner(s) to pay a TDM Penalty as shown in the sample table below. Any expenses that are put toward achieving the trip cap can be offset against the TDM Penalty. The TDM Penalty shall be used to promote alternatives to single-occupancy vehicle use in the City.

| Inbound (AM) and Outbound (PM) Peak Hour Trip Target | Penalty Amount |
|------------------------------------------------------|----------------|
| 20%                                                  | -0-            |
| 19%                                                  | \$100,000      |
| 18%                                                  | \$150,000      |
| 17%                                                  | \$200,000      |
| 16%                                                  | \$250,000      |
| 15%                                                  | \$300,000      |

#### CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

186. **SANTA CLARA VALLEY WATER DISTRICT WELLS:** Santa Clara Valley Water District (Valley Water) requires the following note to be labeled on the building and improvement plans: “While the Santa Clara Valley Water District (Valley Water) has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water’s records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.”
187. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: “The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development’s construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director or designated representative.”
188. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.”

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

#### ENVIRONMENTAL SAFETY

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at [www.mountainview.gov/fep](http://www.mountainview.gov/fep). “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website at [www.mountainview.gov/fepforms](http://www.mountainview.gov/fepforms).

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

SCVURPPP's Construction Best Management Practices (BMPs) sheet found at [https://scvurppp.org/pdfs/1415/SCVURPPP Countywide Program BMP Plan Sheet 041615.pdf](https://scvurppp.org/pdfs/1415/SCVURPPP%20Countywide%20Program%20BMP%20Plan%20Sheet%20041615.pdf).

190. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas, such as overflow parking, emergency access roads, and alleys, shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
191. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
192. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigation for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
193. **FIRE SPRINKLERED BUILDINGS:** New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of the fire sprinkler drain on the plans.
194. **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.
195. **SITE DESIGN MEASURES FOR SMALL PROJECTS AND DETACHED SINGLE-FAMILY HOMES:** Stormwater site design measures are required for the following project types: (1) residential and nonresidential projects that create or replace greater than 2,500 square feet of impervious surface and less than 10,000 square feet of impervious surface; and (2) detached single-family homes that create or replace greater than 2,500 square feet of impervious surface. Projects that meet either of these criteria are required to install one or more of the stormwater site design measures listed below:
- Direct roof runoff to cisterns or rain barrels for reuse.
  - Direct roof runoff onto vegetated areas.
  - Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
  - Construct sidewalks, walkways, and/or patios with permeable paving materials.
  - Construct bike lanes, driveways, and/or uncovered parking lots with permeable paving materials.

Indicate the stormwater site design measure that will be installed for the project.

196. **FULL TRASH CAPTURE:** Projects located in "moderate," "high," or "very high" trash generating areas as outlined in the City's Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. The full trash capture device must be selected from the list of State Water Board-approved devices: [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html). 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.

197. **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. The full trash capture device must be selected from the list of State Water Board approved devices: [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html). 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.
198. **PLAN REVIEW AND PERMIT INSPECTION SERVICE FEES:** Plan review and permit inspection services are subject to fees. An invoice will be issued for plan review and inspections, and a receipt verifying fee payment will be required prior to final Building plan approval.

NOTE: The conditions of project approval include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), the conditions constitute written notice of a statement of the amount of such fees and a description of the dedications, reservations, and other exactions. The applicant is hereby further notified that the 90-day period in which the applicant may protest these fees, dedications, reservations, and other exactions pursuant to Government Code Section 66020(a) has begun as of the date the Resolution amending the conditions of approval is adopted. If the applicant fails to file a protest within this 90-day period complying with all requirements of Section 66020, the applicant will be legally barred from later challenging such fees, dedications, reservations, or exactions.