

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2014

A RESOLUTION CONDITIONALLY APPROVING A PLANNED UNIT
DEVELOPMENT PERMIT FOR AN 18-UNIT RESIDENTIAL DEVELOPMENT
AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE
EIGHT HERITAGE TREES AT 111-123 FAIRCHILD DRIVE

WHEREAS, an application was received from MV Fairchild Investors, LLC, for a Planned Unit Development Permit to construct an 18-unit rowhouse residential development, and a Heritage Tree Removal Permit to remove eight Heritage trees at 111-123 Fairchild Drive (Application No. 454-12-PUD); and

WHEREAS, the Zoning Administrator held a Public Hearing on December 18, 2013 on said application and recommended that the City Council conditionally approve the Planned Unit Development Permit and Heritage Tree Removal Permit subject to the findings and conditions of approval contained in the attached Findings Report; and

WHEREAS, on January 21 2014, the City Council held a Public Hearing on said application and received and considered all evidence presented at said hearing, including the Findings Report and staff report from the Zoning Administrator;

NOW, THEREFORE, BE IT RESOLVED by the City Council that the Planned Unit Development Permit and Heritage Tree Removal Permit for said project is hereby granted subject to the applicant's fulfillment of each and all of the conditions which are attached hereto and incorporated herein by reference and makes the following findings regarding the Planned Unit Development pursuant to Section A36.58.050 of the Zoning Ordinance:

A. The proposed land use(s) are allowed within the subject Evandale Precise Plan;

B. The site is physically suitable for the type and intensity of the land use being proposed and is consistent with the City's Rowhouse Guidelines;

C. The proposed project would be harmonious and compatible with existing and future developments within the Evandale Precise Plan and surrounding area;

D. The development will constitute a residential environment of sustained desirability and stability and will result in an intensity of land utilization no higher

than, and standards of open space no less than, permitted for a similar development within the Evandale Precise Plan;

E. The approval of the Planned Unit Development Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study was prepared and Mitigated Negative Declaration has been adopted for the project and determined the environmental impacts associated with the development have been avoided or reduced to a less-than-significant level through incorporation of mitigation measures into the project;

F. The proposed project is consistent with the General Plan land use designation of Medium-Density Residential;

G. The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community; and

H. The proposed project is in substantial compliance with the intent of requirements of the Evandale Precise Plan and the City's Rowhouse Guidelines and implementation of the proposed harmonious and integrated Planned Unit Development design is superior to standard development in the underlying zone and, therefore, justifies the exceptions to the requirements of this chapter.

TIME FOR JUDICIAL REVIEW:

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

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

APPLICATION NO.: 454-12-PUD
DATE OF FINDINGS: _____
EXPIRATION OF ZONING PERMIT: _____

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

Applicant's Name:

Josh Vrotsos for MV Fairchild Investors, LLC

Street Address of Property: **111-123 Fairchild Drive** Assessor's Parcel No.: **160-07-001 and 160-07-002** Zone: **P(32)**

Request:

Request for a Planned Community Permit and Planned Unit Development Permit to allow 18 rowhomes to replace six apartment units and five industrial buildings, and a Heritage Tree Removal Permit for the removal of eight Heritage trees on a 1.0-acre project site.

APPROVED CONDITIONALLY APPROVED DISAPPROVED CONTINUED OTHER

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

FINDINGS OF APPROVAL:

The Planned Community Permit for an 18-unit rowhouse project is conditionally approved based upon the conditions contained herein and upon the following findings:

- A. The proposed use or development is consistent with the provisions of the Evandale Precise Plan; the proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments since the project meets the principles and objectives of the Evandale Precise Plan;
- B. The proposed use or development is consistent with the Medium High-Density General Plan designation;
- C. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the site plan and architecture are compatible with the existing development in the area;
- D. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area and results in an intensity of land utilization no higher than the standards of open space no less than permitted for similar developments because the project conforms with the P(32) Evandale Precise Plan and the shared open space requirements of the Rowhouse Guidelines in the General Plan; and
- E. The proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study and Mitigated Negative Declaration has been adopted.

The Heritage Tree Removal Permit to remove eight Heritage trees (Tree Nos. 4 through 8, Raywood ash; Tree No. 12, Schwedler maple; Tree No. 15, *Myoporum*; Tree No. 20, Mexican fan palm; and Tree No. 21, almond) is conditionally approved based on the conditions contained herein and the following findings:

- A. It is appropriate and necessary to remove the tree(s) due to the condition of the tree(s) with respect to age of the tree relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services based on the arborist's report from Ray Morneau dated October 29, 2012.
- B. It is appropriate and necessary to remove the tree(s) in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties based on the location and health of the trees.
- C. It is appropriate and necessary to remove the tree(s) based on the nature and qualities of the tree as a Heritage tree, including its maturity, aesthetic qualities such as its canopy, shape and structure, majestic stature, and visual impact on the neighborhood.
- D. It is appropriate and necessary to remove the tree(s) to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest.
- E. Removal of the tree(s) will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters.
- F. Removal of the tree(s) will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity.
- G. Removal of the tree(s) will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.

This approval is granted to construct an 18-unit attached rowhouse project located on Assessor Parcel Nos. 160-07-001 and 160-07-002. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by Dahlin Group for MV Fairchild Investors, LLC, dated September 10, 2013, and consisting of 34 sheets.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – (650) 903-6306

- 1. **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, this approval shall be null and void.

PLANS AND SUBMITTAL REQUIREMENTS

- 2. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio (or density in units per acre if residential); (d) lot area (in square feet); and (e) total number of parking spaces.
- 3. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council. Any changes must be clearly noted and may require an amendment to the approved plans. The project architect shall

also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

4. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
5. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

6. **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 building permit submittal.
7. **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.
8. **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.
9. **COLOR SCHEME:** The applicant shall paint a small portion of the building with the proposed color scheme for inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
10. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure.

GREEN BUILDING AND SUSTAINABILITY MEASURES

11. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The proposed project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 100 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). As such, projects that comply with the MVGBC *are not* GreenPoint Rated projects through Build It Green.
12. **ENERGY REQUIREMENT – NEW CONSTRUCTION:** The proposed project is required to meet an energy compliance that is, at minimum, 15 percent above Title 24 of the California Energy Code.

LANDSCAPING

13. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be

prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations.

14. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans, subject to final approval by the Zoning Administrator.
15. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road.
16. **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.

HERITAGE TREES

17. **IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
18. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with a total of 16 replacement trees. Each replacement tree shall be no smaller than 24" box and shall be noted on the landscape plan as Heritage replacement trees.
19. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Ray Morneau and dated October 29, 2012, 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.

NOISE

20. **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 licensed acoustical engineer prior to building permit submittal.
21. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

CONSTRUCTION PRACTICES AND NOTICING

22. **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).
23. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be

subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.

24. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.
25. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site.
26. **NOTICE TO TENANTS:** The applicant shall provide notice to the existing tenants at 111 and 121 Fairchild Drive and shall complete such tasks as follows: (1) that the existing units will be demolished; (2) that the property will be redeveloped with other units; (3) that the existing tenants have at least 90 days to vacate; (4) that the applicant will pay for a 60-day subscription fee to a rental agency and post the periodical in a central location accessible to all existing tenants; (5) that the applicant will refund the security deposit for all tenants in full upon vacation of the premises; and (6) that the applicant will provide each tenant with an information packet from the Santa Clara County Housing Authority and the Mid-Peninsula Housing Coalition.
27. **RECYCLING OF BUILDING MATERIALS:** Demolition contractors shall be required to implement a material recycling program, including material segregation, cleaning, packaging and marketing, and possible on-site reuse of demolition materials.
28. **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) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.

TECHNICAL REPORTS

29. **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 CGS Special Publication 117, Guidelines for Evaluating and Mitigating Seismic Hazards, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

CC&Rs

30. **CC&Rs:** Four copies of the proposed covenants, codes, and restrictions (CC&Rs) for the Homeowners Association shall be submitted to the Planning Division and approved by the City Attorney prior to building permit issuance. The applicant shall attach a completed CC&R checklist to the CC&Rs upon submittal. The checklist can be obtained in the Planning Division.

31. **MASTER PLAN:** The applicant shall prepare a master plan which establishes rules for modifications or additions of any building structures at this site, including fences, trellises, sunshades, accessory buildings, as well as modifications to principal buildings. These rules shall be consistent with the provisions of the P(32) Evandale Precise Plan District and shall be approved by the Zoning Administrator. The CC&Rs shall specifically state that the master plan establishes the rules for additions/modifications to the complex and that changes to the master plan require approval by the Zoning Administrator. Two copies of the final master plan shall be submitted to the Planning Division to remain on file.
32. **GARAGES:** Garages are to be used for resident parking only. Storage is permitted so long as it does not prevent use of garage for required vehicle parking.
33. **PROJECT INFORMATION:** All marketing and sales literature, leasing information, and the CC&Rs for the complex shall clearly state that this project is complete as built and that no further expansions to the building structures are permitted without Planning Division approval. Any revisions to the project would require a separate application to the City by the Homeowners Association and would need to establish rules for all units in the complex.

LEGAL AGREEMENTS

34. **BMR FOR SALE, IN-LIEU:** Prior to issuance of building permits, the applicant shall enter into written agreements with the City of Mountain View that will require the applicant to pay a below-market-rate (BMR) housing in-lieu fee to the City of Mountain View consistent with Sections 36.80 through 36.89 of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. The in-lieu fee payment shall be 3 percent of the actual gross sales price of each unit and shall be paid upon the close of escrow for each unit.
35. **BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department, (650) 903-6379: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the BMR condition; and (c) a legal description of the property.

At the time of submittal for building permits, the applicant shall contact the Administrative and Neighborhood Services Manager, (650) 903-6379, and a BMR agreement will be prepared for the project. Before building permits can be issued, the BMR agreement must be signed by the developer, and a 10 percent deposit of the required BMR fees must be paid to the City.

36. **NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all planned developments and common-interest developments. The notice shall be in a form approved by the Planning Division and City Attorney's Office and shall be signed and notarized by the subdivider. The approved and executed Notice of Development Restrictions must be recorded on the land of the subdivision before the approval of the parcel or final map.
37. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Community Permit and Planned Unit Development Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

MITIGATION MEASURES

38. **BAAQMD CONSTRUCTION MEASURES:** The following BAAQMD Basic Construction Mitigation Measures shall be incorporated into all future construction documents prior to issuance of a demolition permit:

- a. All exposed surfaces (e.g., parking areas, staging areas, soil stockpiles, graded areas, and unpaved access roads) shall be watered two times per day;
- b. All haul trucks transporting soil, sand, or other loose material off-site shall be covered;
- c. All visible mud or dirt track-out onto adjacent public roads shall 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 shall be limited to 15 mph;
- e. All paved surfaces and sidewalks to be paved shall be completed as soon as possible. Pavement surfaces shall 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 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). 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 contractor's telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number will also be visible to ensure compliance with applicable regulation.

(MITIGATION MEASURE AQ-1)

39. **CONSTRUCTION EQUIPMENT NOISE:** Use of newer, retrofitted, or alternatively powered construction equipment to minimize emissions shall be used in construction of the project. Such equipment selection would include the following:

All diesel-powered construction equipment larger than 50 horsepower and operating on-site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent. Note that the construction contractor could use other measures to minimize construction period diesel particulate matter emissions to reduce the predicted cancer risk below the thresholds. Such measures may be the use of alternative-powered equipment (e.g., LPG powered forklifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures, provided that these measures are approved by the lead agency.

The applicant shall ensure that this requirement is included on all construction bid documents prior to issuance of a demolition permit. **(MITIGATION MEASURE AQ-3)**

40. **NESTING BIRDS:** To avoid impacts to nesting birds, the project applicant will attempt to schedule noise-generating construction activities and tree removal outside of the nesting bird season. The nesting bird season is February 1 to August 31. If the project applicant determines that construction must occur during the nesting season, then a qualified biologist shall conduct a preconstruction survey for nesting birds to ensure that no nests would be disturbed during project construction/tree removal. This survey shall be conducted no more than 7 days prior to the initiation of disturbance activities during the early part of the nesting season (February through April) and no more than 30 days prior to the initiation of disturbance activities during the late part of the nesting season (May through August).

If no active nests are present within 250' of construction or tree removal, then activities can proceed as scheduled. However, if an active nest is detected during the survey within 250' of construction or tree removal, then the establishment of a protective buffer zone from each active nest (typically 250' for raptors and 75' for other species)

shall be clearly delineated or fenced until the juvenile bird(s) have fledged (left the nest), unless the biologist determines that construction noise/tree removal would not impact the active nest. **(MITIGATION MEASURE BIO-1)**

41. **TREE PRESERVATION:** The proposed project will comply with all of the project-specific Tree Preservation Guidelines stipulated in Section 4 (Preconstruction Maintenance Notes) and Section 5 (Tree Protection Measures) of the arborist report, prior to issuance of a demolition permit and ongoing during construction. **(MITIGATION MEASURE BIO-2)**
42. **ACOUSTIC REVIEW:** The applicant shall have an acoustical consultant review the construction design details and materials to ensure that appropriate noise-control measures are incorporated into the project so that interior noise levels are reduced to 45 dBA Ldn or less. The acoustical consultant shall review the construction plans, building elevations, and floor plans prior to construction to calculate expected interior and exterior noise levels and ensure compliance with City policies and State noise regulations.

If determined necessary by the construction-level acoustical analysis, appropriate building construction techniques including sound-rated windows, doors, and building facade treatments including sound rated wall construction, acoustical caulking, etc., shall be required for residential units facing public streets. Building sound insulation requirements shall include the provision of forced-air mechanical ventilation for all residential units, so that windows could be kept closed at the occupant's discretion to control noise. **(MITIGATION MEASURE N-1)**

43. **ARCHAEOLOGICAL MONITORING:** Prior to the onset of site preparation and excavation, a qualified professional archaeologist shall be hired at the applicant's expense to act as the project archaeologist and monitor all earth-disturbing activities including, but not limited to, grading, trenching, and demolition and construction excavation. Archaeological monitoring shall be carried out in two phases as follows:
1. Phase 1 shall consist of monitoring during earthmoving activities for demolition.
 2. Phase 2 shall consist of archaeological monitoring during construction excavation for the proposed project.

(MITIGATION MEASURE CR-1a)

44. **ARCHAEOLOGICAL REPORT:** At the completion of the Phase I monitoring, and prior to the onset of construction excavation, the project archaeologist shall prepare and submit to the Community Development Director, a letter report summarizing field finds and making a recommendation on the possible need for archaeological mitigation excavation and/or continued monitoring of construction excavation. The report shall identify temporary and permanent curation facilities for any materials that may be recovered during monitoring and/or archaeological mitigation excavation (data recovery). This measure shall be implemented at the applicant's expense. **(MITIGATION MEASURE CR-1b)**
45. **FINAL ARCHAEOLOGIST REPORT:** The project archaeologist shall prepare, at the applicant's expense, a final report documenting and synthesizing all data collected from the above-mentioned measures. The report shall include recording and analysis of materials recovered, conclusions, and any additional recommendations. The project archaeologist shall submit the report to the Community Development Director and shall file the report with the California Historical Resources File System, Northwest Information Center (CHRIS/NWIC) at Sonoma State University. **(MITIGATION MEASURE CR-1e)**
46. **DISCOVERY OF ARTIFACTS AND/OR INTACT ARCHAEOLOGICAL FEATURES:** If individual artifacts and/or intact archaeological features are discovered at any time during site preparation and excavation activities, work shall be halted at a minimum of 165' (50 meters) from the find and the area shall be staked off. The following measures shall be implemented under the direction of the project archaeologist and at the applicants' expense, including, but not limited to the following:
1. Procedures for Discovery of Artifacts. During the course of earthmoving activities, any individual artifacts

(prehistoric or historic) noted by the archaeological monitor will be collected and stored for further analysis. Temporary cessation of excavation may be necessary for the efficient and safe retrieval of these materials. Work may be allowed to proceed elsewhere on the site with approval from and under the direction of the project archaeologist, while the find is evaluated.

2. Procedures for Discovery of an Intact Archaeological Features/Deposit. During the course of earthmoving activities should an intact archaeological feature/deposit be discovered, excavation and construction activities may be halted for the purpose of identifying and mapping the material, and find-specific mitigation recommendations will be discussed with the project representative. These recommendations may include sampling or salvage recovery of the archaeological material if appropriate for the protection of the resource.
3. Procedures for Archaeological Mitigation Excavation. Archaeological mitigation excavation may be required in the event that previously undiscovered significant archaeological artifacts or intact features are encountered during the archaeological monitoring of demolition activities. This would consist of the excavation of a volumetric sample of an archaeological deposit based on the total proposed earthmoving activities. Both mechanical and hand excavation/screening are considered appropriate in order to execute an archaeological mitigation plan. Placement of the excavation areas is based on available archival background data, field observations, and suggested locations by project representatives.

Mechanical excavation would involve the use of a backhoe tractor to explore soil stratigraphy, and located subsurface archaeological deposits. Hand excavation would be conducted using standard archaeological techniques with trowels, picks, and shovels in arbitrary levels and dry screened through 1/4" mesh. All identified artifactual material would be collected from each level. Collected material shall be placed in level bags and each level would be recorded using level forms. Artifacts, soil type, color and stratigraphy, and features present would be recorded. All artifactual material from this process would then be placed within its appropriate level bag during the field process. Additional features encountered in this process would be studied/removed following a determination of effect upon them.

Laboratory Methods. Scientific analysis will be performed on the resources recovered from the archaeological monitoring for this project following basic laboratory operations. Any artifacts and archaeological features found during construction shall be removed, cleaned, or stabilized/conserved, and catalogued in accordance with professional curation practices.

Curation. Upon completion of the monitoring program and submittal of the final report of findings, cultural materials recovered during monitoring and data recovery shall be appropriately curated.

(MITIGATION MEASURE CR-1c)

47. **HUMAN REMAINS:** In the event of the discovery of human remains during construction, construction activities within 30' of the find shall be halted for evaluation by a qualified archaeologist. 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 human and of Native American origin, the Most Likely Descendent (MLD) assigned by the Native American Heritage Commission (NAHC) shall recommend techniques of removal and procedures for reburial.

Associated grave goods and soil samples will be analyzed per agreement with the MLD. Diagnostic artifacts such as projectile points, shell beads, and ground-stone artifacts will be studied and illustrated for the final report. Radiocarbon dating and obsidian hydration and sourcing may be undertaken if suitable samples are present.

Reinterment of human remains will be performed in concordance with California law. The MLD will be consulted as to procedural detail. The location and procedures of this undertaking will be recorded by the project archaeologist. This information will be included in the final report required by Mitigation Measure CR-1e, or if necessary, as an addendum to the report. **(MITIGATION MEASURE CR-2a)**

48. **CONSTRUCTION BIDS (ARCHAEOLOGICAL ARTIFACTS AND MONITORING):** The project applicant shall include Mitigation Measures CR-1a through CR-1c on all construction and bid documents for the project prior to issuance of a demolition permit. **(MITIGATION MEASURE CR-1d)**
49. **CONSTRUCTION BIDS (HUMAN REMAINS):** The project applicant shall include Mitigation Measure CR-2a on all construction and bid documents for the project prior to issuance of a demolition permit. **(MITIGATION MEASURE CR-2b)**
50. **LEAD SURVEY:** Prior to issuance of a demolition permit, the project proponent shall have a lead survey completed by a qualified practitioner in accordance with the applicable regulations. The lead survey shall include an assessment of lead in building materials and in soils adjacent to structures. If measured lead levels in or adjacent to a structure exceed established thresholds, a work plan shall be developed and implemented to remove and dispose of the lead-containing materials in accordance with the established regulations. **(MITIGATION MEASURE HZ-1)**
51. **ASBESTOS-CONTAINING MATERIALS:** Prior to the issuance of a demolition permit, the project applicant shall conduct sampling and testing of existing buildings to determine the extent and presence of ACM in all buildings on the site. **(MITIGATION MEASURE AQ-2a)**
52. **BAAQMD ASBESTOS PERMITTING:** Prior to the commencement of demolition activities on the site, the applicant shall consult with the BAAQMD Enforcement to determine permit requirements based upon the results of site-specific testing and sampling. Removal of asbestos-containing building materials is subject to the limitations of District Regulation 11, Rule 2: Hazardous Materials; Asbestos Demolition, Renovation, and Manufacturing. **(MITIGATION MEASURE AQ-2b)**
53. **VAPOR INTRUSION:** Prior to issuance of the building permit, the project design shall incorporate appropriate structural and engineering features into the project design to reduce the risks of vapor intrusion into the new buildings. Appropriate design features shall be determined prior to application for a building permit subject to the review and approval of the U.S. EPA, Regional Water Quality Control Board (RWQCB), and the City of Mountain View Chief Building Official. Appropriate design features may include, but not be limited to, the following:
- Installation of an impermeable barrier and subslab passive vapor ventilation in all new buildings;
 - Seal any penetrations;
 - Placement of low-permeability backfill where utility trenches extend off site;
 - Placement of utility conduits above groundwater levels or, in the alternative, installed with water-tight fittings to reduce the potential for groundwater to leak into conduits;
 - Install corrosion-resistant utilities piping, flanges, gaskets, couplings, and other fittings; and/or
 - Other structural or engineered considerations determined to provide equivalent levels of protection by the U.S. EPA and RWQCB.
- The project proponent shall include this requirement on all project bid documents and CC&Rs. **(MITIGATION MEASURE HZ-3d)**
54. **GROUNDWATER AND SOIL SAMPLING:** To protect construction workers from exposures to contaminated soils and/or groundwater during excavation activities on the site, the project proponent shall, prior to the commencement of demolition and excavation activities, conduct in cooperation with the U.S. EPA and RWQCB, additional groundwater and soil sampling to develop a work plan, if determined necessary by the results of the sampling, for the appropriate disposal and transport of any contaminated soils or groundwater. **(MITIGATION MEASURE HZ-3a)**
55. **CAL/OSHA STANDARDS:** All demolition 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. **(MITIGATION MEASURE AQ-2c)**

56. **SUBSURFACE HAZARDOUS MATERIALS:** Should subsurface conditions such as buried debris or underground storage tanks be unearthed at the time of excavation and development, work shall cease until a qualified practitioner assesses the materials present. If materials uncovered contain hazardous materials exceeding established thresholds, a work plan shall be developed and implemented to remove and dispose of the hazardous materials in accordance with the established regulations. These conditions shall be included on the final improvement plans, demolition permits, and grading plans. **(MITIGATION MEASURE HZ-2)**
57. **CONTAMINATED SOIL:** If contaminated soils are encountered during excavation activities, earthwork activities shall be performed by a licensed hazardous materials contractor with personnel trained in hazardous waste operations using the soil management procedures described in the work plan. Excavated soils suspected of being contaminated shall be stockpiled separately on impermeable liners to reduce infiltration by rainwater and contamination of underlying soils. The project proponent shall include this requirement on all project bid documents and CC&Rs. **(MITIGATION MEASURE HZ-3b)**
58. **LONG-TERM TOXIC AIR CONTAMINANT:** The project shall include the following measures to minimize long-term toxic air contaminant (TAC) exposure for new residences, prior to issuance of an occupancy permit:
- a. Install air filtration in residential or other buildings that would include sensitive receptors that have predicted PM_{2.5} concentrations above 0.3 µg/m³ or excess lifetime cancer risk of 10.0 per million or greater. Air filtration devices shall be rated MERV 13 or higher, depending on the calculated impact at the site (see Figures 2 and 3 of the Community Health Risk Assessment). At minimum, MERV 13 systems are required for portions of the site with cancer risks between 10 and 20 persons per million.
 - b. To ensure adequate health protection to sensitive receptors, a ventilation system shall meet the following minimum design standards (Department of Public Health City and County of San Francisco, 2008):
 1. A MERV-13, or higher, rating that represents a minimum of 80 percent efficiency to capture small particulates;
 2. At least one air exchange(s) per hour of fresh outside filtered air;
 3. At least four air exchange(s) per hour recirculation; and
 4. At least 0.25 air exchange(s) per hour in unfiltered infiltration.

As part of implementing this measure, an ongoing maintenance plan for the buildings' HVAC air filtration system shall be required. Recognizing that emissions from air pollution sources are decreasing, the maintenance period shall last as long as significant excess cancer risk or annual PM_{2.5} exposures are predicted. Subsequent studies could be conducted to identify the ongoing need for the ventilation systems as future information becomes available.
 - c. The project proponent shall ensure that lease agreement(s) and other property documents and CC&Rs include provisions that require the following actions:
 1. Cleaning, maintenance, and monitoring of the affected buildings for air flow leaks;
 2. New owners and tenants are provided information on the ventilation system;
 3. Fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
 - d. Prior to building occupancy, the project proponent shall hire an authorized air pollutant consultant to verify the installation of all necessary measures to reduce toxic air contaminant (TAC) exposure.

- e. A properly maintained vegetative barrier along the site boundary nearest the freeway could further reduce particulate concentrations, including DPM.

(MITIGATION MEASURE AQ-4)

- 59. **FUTURE TCE/OTHER VOC MONITORING:** To protect future residents from TCE/other VOC exposures over the lifetime of the project, the project proponent shall cooperate with ongoing groundwater and vapor intrusion monitoring on-site as required by the U.S. EPA and the RWQCB until concentrations decrease to levels that would allow closure. The project proponent shall include this requirement on all project bid documents and CC&Rs. **(MITIGATION MEASURE HZ-3c)**
- 60. **REMEDIATION COOPERATION:** If additional on-site groundwater or soil vapor treatment, vapor intrusion remediation, or other remediation strategies are required by the RWQCB or U.S. EPA to reduce TCE concentrations on the site and within the vicinity to that which would allow closure, the project proponent shall cooperate with these measures. The project proponent shall include this requirement on all project bid documents and CC&Rs. **(MITIGATION MEASURE HZ-3e)**

Public Works Department – (650) 903-6311

RIGHTS-OF-WAY

- 61. **STREET DEDICATIONS:** Dedicate the following street easements:
 - a. Fairchild Drive: Widen Fairchild Drive an additional 5’.
 - b. Evandale Avenue: Widen Evandale Avenue 30’ from the centerline of the street (varies 5’ to 10’).

FEEES

- 62. **PARK LAND DEDICATION FEE:** Pay the park land dedication fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the final map. No credit against the park land dedication fee will be allowed for private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired. Prior to the issuance of the building permit, the applicant shall either: (1) pay the park land dedication fee; or (2) sign an agreement to defer the payment of the fee in accordance with Section 66007.a of the Government Code and submit a certificate of deposit made payable to the City as security guaranteeing payment of the fee. Guidelines for certificates of deposit are available from the Public Works Department.

STREET IMPROVEMENTS

- 63. **PUBLIC AND COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements that are required for the development and as required by Chapters 27 and 28 of the Mountain View City Code. The public improvements on Fairchild Drive, Tyrella Avenue, and Evandale Avenue include, but are not limited to new curb, gutter, sidewalk, and driveways; widening portions of Tyrella Avenue and Evandale Avenue; new streetlight; planter strip landscaping and irrigation; utility services; and undergrounding of overhead utility lines and services. The on-site common improvements include, but are not limited to private common driveway and underground utility services for water, sewer, and storm.
 - a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the final map. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved

by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at <http://www.fms.treas.gov/c570/index.html>. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for certificates of deposit are available at the Public Works Department.

- b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the final map. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) commercial general liability, automobile liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.
64. **PUBLIC IMPROVEMENT PLANS:** Prepare public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, and the conditions of approval of the subdivision. The plans are to be drawn on 24" by 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Improvement plans (nine sets), construction cost estimate, and copy of the current preliminary title report or property deed must be submitted together as a separate package concurrent with the first submittal of the building plans. The improvement plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map.
65. **COMMON IMPROVEMENT PLANS:** Prepare on-site common improvement plans consisting of the proposed demolition, fill, grading, retaining walls, drainage, private streets, common driveways, common utilities, public utilities, and other applicable improvements in accordance with Chapter 28 of the City Code, the Standard Design Criteria for Common Green and Townhouse-Type Condominiums, and the conditions of approval of the subdivision. The plans are to be drawn on 24" by 36" sheets at a minimum scale of 1" = 20'. The improvement plans (nine sets) and completed infrastructure data form must be submitted together as a separate package concurrent with the first submittal of the building plans. The improvement plans must be approved and signed by the Public Works Department. After the improvement plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. Where both public and common improvement plans are required, the plans shall be combined into one set of plans.
66. **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the public and common improvements with the submittal of the improvement plans. The construction cost estimate is used to estimate the cost of the public and common improvements and to determine the Public Works plan check and inspection fees.
67. **PARKING RESTRICTION:** Parking shall be prohibited within the common driveways, excluding approved guest parking, as the parking would obstruct the use of the driveway. These parking prohibitions shall be stated within the CC&Rs. A copy of the CC&Rs with this provision highlighted shall be submitted to the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking – Fire Lane."
68. **ENCROACHMENT RESTRICTIONS:** Private steps, fences, and retaining walls shall not encroach into the public right-of-way.
69. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, or textured concrete will not be allowed within the public street or sidewalk.
70. **CORNER SIGHT TRIANGLE:** At street corners of uncontrolled intersections, no sign over 3' in height shall be

located within a vehicle sight triangle formed by measuring 35' along the front and side property lines.

71. **STREET WIDENING:** The narrowed portions of Tyrella Avenue and Evandale Avenue shall be widened to a consistent width.

UTILITIES

72. **WATER AND SEWER SERVICE:** New water meters and sanitary sewer laterals shall be installed for each residential unit in accordance with Mountain View City Code Section 35.38. The existing services have outlived their useful life and must be abandoned per City standards.
73. **IRRIGATION SERVICE:** A separate irrigation service, meter, and backflow device shall be required to monitor irrigation usage as part of the City's water conservation measures and drought contingency plan. The locations of the easements shall be shown on the grading, utility, and landscape plans.
74. **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.
75. **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required.
76. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main. Water services 4" or larger shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections shall be abandoned.
77. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for the irrigation service. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping.
78. **UTILITY MAINTENANCE PLAN:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained. CC&Rs shall include a provision that the homeowners association prepare a private utility maintenance plan for the on-site water, sanitary sewer, and storm drainage facilities. The maintenance plan shall include such elements as flushing of the sanitary sewer and storm lines, cleaning of storm drain inlets and grates, and inspection of the water system (including flushing and exercising of valves and blowoffs). CC&Rs shall also include a provision that the homeowners association prepare a sanitary sewer overflow plan, which includes elements such as 24-hour contact information, response times, confinement, and methods to contain and remediate spills.
79. **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of an occupancy certificate for any new buildings within the site.
80. **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the final map.
81. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA

requirements.

SIDEWALKS AND DRIVEWAYS

82. **SIDEWALK IMPROVEMENTS:** New curbs, gutters, detached sidewalks, and driveways shall be installed on Fairchild Drive, Tyrella Avenue, and Evandale Avenue. The curb and gutter shall be realigned to widen Tyrella Avenue and Evandale Avenue to a consistent width. The detached sidewalk shall be 5' wide and the dedicated street easement line should be at the back of the sidewalk.
83. **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
84. **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 25' in advance and 5' behind the entrance shall be painted red.
85. **DRIVEWAY CONFLICT:** The proposed driveway located on Tyrella Avenue conflicts with the existing streetlight. This conflict must be resolved at the owner's expense.
86. **SUBSTANDARD IMPROVEMENTS:** The existing streetlight on Fairchild Drive is not in accordance to current City standards and shall be reconstructed to comply with City standards.

TRASH AND RECYCLING

87. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate Mountain View City Code Sections 16.13 and 16.17 and result in code enforcement action.
88. **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).
89. **TRASH AND RECYCLING:** The trash and recycling shall meet the following requirements:
 - The travel way for access to the trash and recycling enclosure must be 20' wide and have a minimum turning radius of 41' free of all building overhangs and tree canopy. The required vertical clearance for the trash and recycling trucks is minimum 14'6" vertical clearance along travel way.
 - The access door opening for trash and recycling enclosure shall be 8' wide as measured from hinge to hinge.

STREET TREES

90. **STREET TREES:** Install standard City street trees along the street frontage.
91. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).
92. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

93. **GRADING, DRAINAGE, AND UTILITY PLANS:** Prepare on-site drainage, grading, and utility plans in accordance with Chapter 28 of the City Code and the Standard Design Criteria for Common Green and

Townhouse-Type Condominiums. The plans are to be drawn on 24" x 36" sheets at a minimum scale of 1" = 30'. Drainage, grading, and utility plans (nine sets) and completed infrastructure data form must be submitted together as a separate package concurrent with the first submittal of the building plans. The drainage, grading, and utility plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 12 blue-line sets and one Xerox Mylar (4 mil) set of the plans must be submitted to the Public Works Department prior to the issuance of the building permit. Where both off-site improvement plans and on-site drainage, grading, and utility plans are required, the plans shall be combined into one set. For on-site common driveway improvements, utility improvements, and public improvements, the developer shall sign an improvement agreement prepared by the City, submit bonds, letter of credit, or certificate of deposit in a form approved by the City Attorney's Office, provide a certificate of insurance and endorsement naming the City an additional insured, and pay plan check and inspection fees for the work, prior to the issuance of a building permit.

94. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than SFR) shall not surface-drain across public sidewalks or driveway aprons. A 2' x 2' inlet/cleanout box is required at or near the property line for connections to the City storm drains.

95. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, and private street that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed.

96. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, common driveways, or common areas. The drainage system for the privately owned lots shall be designed such that the drainage system does not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

FLOOD ZONE

MISCELLANEOUS

97. **CONSTRUCTION PLAN:** Submit a construction plan with the building plans showing the following: (1) truck route for construction and delivery trucks that does not include neighborhood residential streets; (2) construction phasing; and (3) on-site locations for staging, storing construction vehicles, equipment area, construction trailer, and worker parking. The public street shall not be used for any construction-related activities, including parking for workers and storage of vehicles.

98. **WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.

99. **STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."

100. **OCCUPANCY RELEASE:** For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that

all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete.

101. **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents.
102. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 15 calendar days prior to the Council meeting.

Building Inspection Division – (650) 903-6313

103. **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at (650) 903-6313.
104. **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2010 CBC, Chapter 11A, per CRC R320.
105. **ADDRESSES:** Street names and numbers will be processed immediately prior to the Building Inspection Division approval of the project.
106. **FIRE PROTECTION:** Overhangs and other projections will not be permitted to cross property lines between units unless project occupancy is shown as R2 and a fire sprinkler system complying with 2010 CBC Section 903.3.1.1 is provided.
107. **FIRE SPRINKLERS:** All proposed plans for new dwellings submitted after January 1, 2011 will be required to install a fire sprinkler system regardless of size per the 2010 CRC, Section 313.2.
108. **SURVEY:** A survey will be required to be completed to verify structure placement.

Fire Department – (650) 903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

109. **RESIDENTIAL FIRE SPRINKLER SYSTEM:** Provide an approved automatic fire sprinkler system designed in accordance with NFPA 13D (2010 Edition) and Mountain View Fire Department specifications. Call the Building Inspection Division at (650) 903-6313 for a copy of specifications and submittal requirements. (California Residential Code, Section R313.)
110. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions, shall be located every 300'.
111. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved

manufacturer's instructions. (California Fire Code, Section 907.)

FIRE DEPARTMENT ACCESS

112. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius) and 37' (outside turning radius). Unobstructed width shall mean a clear travel way, excluding parking width and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks or nondrivable surfaces. (California Fire Code, Section 503 and Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, 14.10.32.)
113. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at (650) 903-6313 for specifications and application. (California Fire Code, Section 503.)
114. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150' of every portion of the project. Access roads shall have 13'6" overhead clearance, 20' of unobstructed width, and 21' inside turning radius. (California Fire Code, Section 503.)

EGRESS AND FIRE SAFETY

115. **ON-SITE DRAWINGS:** Submit two (2) 8-1/2" x 11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.

EXTERIOR IMPROVEMENTS

116. **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. (Mountain View City Code, Section 14.10.34.)

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

URBAN RUNOFF

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at (650) 903-6378. "Stormwater Quality Guidelines for Development Projects" can also be accessed at the following link to the Fire Department website:

http://www.mountainview.gov/city_hall/fire/programs_n_services/environmental_safety.asp

117. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.
118. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.

119. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
120. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
121. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.
122. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
123. **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.
124. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

NOTE: The applicant shall file a final map for approval and recordation in accordance with the approved Planned Unit Development (PUD), the City Code, and the State Map Act. The permit authorizing approval of the PUD is conditioned upon obtaining an approved final map. Failure to obtain an approved subdivision shall render the PUD invalid.

NOTE: In compliance with the California Environmental Quality Act (CEQA), an Initial Study has been prepared and, pursuant to the mitigation measures identified in the report, a determination of no significant environmental impact was made. Therefore, a Mitigated Negative Declaration is hereby adopted.

NOTE: Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

PETER GILLI, ZONING ADMINISTRATOR

PG/ND/7/FDG
454-12-PUD

DRAFT