

CITY OF MOUNTAIN VIEW  
RESOLUTION NO.  
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
APPROVING A DEVELOPMENT REVIEW PERMIT TO CONSTRUCT A  
FIVE-STORY CONDOMINIUM PROJECT WITH 32 RESIDENTIAL FOR-SALE UNITS, INCLUDING  
FOUR BELOW-MARKET-RATE AFFORDABLE UNITS, WITH  
ONE LEVEL OF UNDERGROUND PARKING, A 27.5% STATE DENSITY BONUS WITH  
ONE CONCESSION AND WAIVERS/REDUCTIONS FROM DEVELOPMENT STANDARDS, AND  
A HERITAGE TREE REMOVAL PERMIT TO REMOVE TWO HERITAGE TREES ON  
A 0.71-ACRE SITE LOCATED AT 918 RICH AVENUE

WHEREAS, an application (Application No. PL-2021-154) was received from Greg Xiong, on behalf of Ardenview Homes LLC, for a Development Review Permit to construct a five-story condominium project with 32 residential for-sale units, including four Below-Market-Rate (BMR) affordable units, with one level of underground parking, a 27.5% State density bonus with one concession and waivers/reductions from development standards, and a Heritage Tree Removal Permit to remove two Heritage trees on a 0.71-acre project site located at 918 Rich Avenue; and

WHEREAS, the Zoning Administrator and Subdivision Committee jointly held a duly noticed public hearing on September 27, 2023 on said application and recommended the City Council conditionally approve the Development Review Permit, Heritage Tree Removal Permit, and Vesting Tentative Map, subject to the findings and conditions of approval attached hereto; and

WHEREAS, the City Council held a public hearing on October 24, 2023 on said application and received and considered all evidence presented at said hearing, including the recommendation from the Zoning Administrator and Subdivision Committee, City Council report, project materials, testimony, and written materials submitted; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View finds:

1. Development Review Permit: The Development Review Permit to allow a five-story, 32-unit residential condominium development with one level of underground parking, including a 27.5% State density bonus with a concession and waivers from development standards, and a Heritage Tree Removal Permit to remove two Heritage trees on a vacant 0.71-acre project site, is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and applicable City-adopted design guidelines. The project has a density of 35 dwelling units per acre (du/ac), which

is allowed in the Medium-High Density Residential (26 to 35 du/ac) General Plan Land Use Designation with a State density bonus of 27.5% and is consistent with the applicable R3 (Multiple-Family) development standards with exceptions permitted through one concession and waivers/reductions from development standards consistent with the State Density Bonus Law;

b. The architectural design of the structure, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, etc.), is compatible with surrounding development because the proposed project has incorporated measures to integrate with the surrounding two-story apartment buildings and small-lot, two-story single-family residences along Rich Avenue and Rich Place, and the single-family residences to the south along Hollingsworth Drive, by including ways to mitigate the massing of the building, including upper-floor step-backs that increase the setbacks on upper floors, use of a variety of building materials, and articulation in walls around the entire building, despite the fact that the building is proposed at five-stories as permitted by State Density Bonus Law, rather than the three-story height limit of the R3 Zoning District;

c. The location and configuration of the structure, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, as the subject property will be developed with street frontage improvements, including a separated public sidewalk and landscaped park way that will connect with the public sidewalks on the adjacent properties. Though the project frontage is only 50' in width, it can accommodate a new driveway and an accessible path of travel along the northern perimeter of the driveway, a collection area for garbage bins and totes for garbage pickup, visitor parking, and landscaping for screening. The project site will be developed to provide pedestrian, wheelchair, and bicycle access within the driveway and ground level of the project site around the building;

d. The general landscape design ensures visual relief, complements structures, and provides an attractive environment that is consistent with the adopted landscape program for the general area by incorporating a mix of native trees and shrubs, and very-low and low-water-use landscaping to the overall landscape plan around the entire building, in accordance with the City's Landscaping Ordinance for water conservation, and by including attractive and unique paving designs to enhance the driveway entrance from Rich Avenue and in the plaza area in front of the building entrance. The site will be attractively landscaped with the pedestrian pathways from the street and around the building, including a rooftop terrace for common use by residents of the building with landscaping, furniture, and amenities;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing clear visual access from Rich Avenue to the condominium building on the rear portion of the lot, incorporating a 26' wide driveway leading to a one-level underground parking garage, an accessible path of travel along the north side of the driveway that will provide pedestrian and wheelchair handicap access to the building, and space for garbage bin and toter access for garbage pickup. Further, the project

site will be accommodated with parking for both residents and guests with an underground parking garage. The project will provide a total of 50 parking spaces, utilizing the parking ratios in accordance with State Density Bonus Law; and

f. The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA) as an Initial Study/Mitigated Negative Declaration was prepared per Sections 15064(f)(3) and 15070(b) of the CEQA Guidelines, which documents that, with the implementation of the Mountain View City Code requirements, standard City Conditions of Approval, State and Federal regulations, and the mitigation measures of the Initial Study/Mitigated Negative Declaration, the proposed project would result in less-than-significant environmental impacts. By separate resolution, the City Council adopted the Initial Study/Mitigated Negative Declaration and the Mitigation, Monitoring, and Reporting Program (MMRP) prior to approving the project.

2. Density Bonus: The application for a density bonus is approved pursuant to the required findings of the listed necessary permits associated with the project and pursuant to the State Density Bonus Law (Government Code Section 65915) based on the findings in Section 36.48.95 of the City Code as described in the following:

a. The project is a housing development that contains at least one (1) of the features described in Section 65915(b) of the State Density Bonus Law to qualify for a density bonus, and all other eligibility requirements as described in Government Code Section 65915(c) have been met because the project provides a total of four (4) affordable housing units, two (2) of which will be very low-income units (comprising 8% of the 25-unit base project), which will be affordable to very low-income households earning up to 50% of area median income (AMI) in perpetuity;

b. The project has provided sufficient affordable units or otherwise meets the eligibility requirements for the bonus density as described in Section 65915(f) of the State Density Bonus Law because the project provides two very low-income units, which makes the project eligible for a 27.5% State density bonus. Pursuant to the State Density Bonus Law, the applicable density bonus is applied to the General Plan-permitted maximum of 35 du/ac, equal to a maximum of 25 units on this project site. Therefore, seven bonus units are allowed to be added to the base project for a total of 32 units;

c. The project meets the eligibility requirements for reduced parking ratios as described in Section 65915(p) of the State Density Bonus Law because all density bonus projects are eligible for parking ratios in Section 65915(p)(1). This project is providing 50 spaces where only 46.5 spaces are required pursuant to that section;

d. The project meets the eligibility requirements for one concession as described in Section 65915(d) of the State Density Bonus Law, and the concession results in reduced costs to provide the affordable units because the concession would allow the developer to provide a weighted average of 85% AMI among the BMR units, rather than the 100% AMI weighted average

required by the City's BMR Ordinance. The applicant proposes four affordable units, including two very low-income units (each at 50% AMI) and two moderate-income units (each at 120% AMI), resulting in a weighted average of 85%. To meet the City's BMR Ordinance requirements to provide 15% of units as BMR units with a weighted average of 100% AMI would require one very low-income unit and three moderate-income units, resulting in a weighted average of 102.5%, in addition to the one additional very low-income unit to meet the density bonus eligibility requirements. Providing one additional moderate-income unit to comply with the weighted average standard would increase the cost to build the affordable units by approximately \$760,000. The cost savings of \$760,000 is less than the cost of providing the proposed four affordable units at \$3,749,804; and

e. The development standards requested to be waived would physically preclude the units or incentives/concessions provided in the project as described in Section 65915(e) of the State Density Bonus Law because strict adherence to each of the requested waivers/reductions of development standards would reduce the size of the project in a manner that would not allow the density bonus units to be built. The requested waivers/reductions in development standards include additional building height (from three stories to five stories and from 45' to 58.5'), additional plate height (from 36' to 49'), reduced side-yard, rear-yard, and front-yard setbacks for the second through fifth floors (from a minimum of 19' to 49' to a proposed minimum of 14'11"), additional floor area ratio (FAR) (from 1.05 to 1.41) and reduced personal storage (from 500 cubic feet to between 269 and 577 cubic feet per unit), which provides for the five-story, 43,669 square foot building on the developable rear portion of the lot with one- and two-bedroom unit sizes between 853 square feet to 1,318 square feet, which is no greater than necessary to allow for development of the density bonus project.

3. Heritage Tree Removal Permit. The Heritage Tree Removal Permit to remove two Heritage trees (Tree Nos. 4 and 6) is conditionally approved based on the conditions contained herein, a site visit conducted on May 3, 2022, and the following findings per Section 32.35:

a. It is necessary to remove the trees due to the condition of the trees with respect to their age 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 because the two Heritage Coast live oak trees are in poor shape, have structural defects, and show signs of decline and stress;

b. It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the two Heritage Coast live oak trees are in an area in the rear portion of the property that will be developed with a one-level underground garage and a five-story building above;

c. It is appropriate to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities, such as canopy, shape and

structure, majestic stature, and visual impact on the neighborhood because the two Heritage Coast live oak trees are in poor shape with structural defects and show signs of decline and stress;

d. Removal of the trees will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters as the proposed project will only remove a total of two Heritage trees, which are oak trees that already show signs of structural defects and decline;

e. Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity since there are only a total of four trees on-site, all of which are proposed to be removed, including the two Heritage oak trees that have structural defects and are in decline;

f. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole as the proposed Heritage Tree Removal Permit includes the removal of two oak trees that have structural defects and are in decline; and

g. The approval of the Heritage Tree Removal Permit complies with CEQA as an Initial Study/Mitigated Negative Declaration was prepared per Sections 15064(f)(3) and 15070(b) of the CEQA Guidelines, which documents that with the implementation of the Mountain View City Code requirements, standard City Conditions of Approval, State and Federal regulations, and the mitigation measures of the Initial Study/Mitigated Negative Declaration, the proposed project would result in less-than-significant impacts. By separate resolution, the City Council adopted the Initial Study/Mitigated Negative Declaration and MMRP prior to approving the project; and be it

FURTHER RESOLVED: that the Development Review Permit, density bonus request, and Heritage Tree Removal Permit for said project are hereby granted subject to the developer's fulfillment of all the conditions of approval, which are attached hereto as Exhibit A and incorporated herein by reference.

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.

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AS/6/RESO/809-10-24-23r-2

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL**  
**APPLICATION NO.: PL-2021-154**  
**918 RICH AVENUE**

This approval is granted to construct a new five-story, 32-unit residential for-sale condominium development with one level of an underground parking garage located on Assessor's Parcel No. 189-33-028. 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 Stoecker & Northway Architects, date stamped received by the Planning Division on August 7, 2023.
- b. Color and materials board prepared by Stoecker & Northway Architects, date stamped received by the Planning Division on September 6, 2023.
- c. Arborist report prepared by HMH on May 3, 2022 and date stamped received by the Planning Division on May 16, 2023.
- d. An Initial Study/Mitigated Negative Declaration entitled, "918 Rich Avenue Condominiums," dated May 2023, was prepared by the City for the project in accordance with Sections 15063 and 15070 through 15075 of the California Environmental Quality Act (CEQA) Guidelines with a Memorandum dated August 28, 2023, of text revisions, comments received and responses to comments that do not constitute substantial revisions pursuant to CEQA Guidelines Section 15073.5.
- e. Air Quality Assessment prepared by Illingworth and Rodkin, Inc., revision prepared on December 19, 2022.
- f. Phase I Environmental Site Assessment (ESA) prepared by Environmental Investigation Services, Inc., prepared on February 16, 2020 and date stamped received by the Planning Division on August 9, 2021.
- g. Phase II Environmental Site Assessment (ESA) prepared by Environmental Investigation Services, Inc., prepared on November 3, 2021 and date stamped received by the Planning Division on December 9, 2021.
- h. Peer Review of Phase I and Phase II Environmental Site Assessments, prepared by Cornerstone Earth Group, prepared on June 7, 2022.

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

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

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
2. **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).
3. **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

4. **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.
5. **OTHER REVIEW AGENCIES:** This project requires review and approval by the City of Los Altos to obtain a City of Los Altos excavation permit prior to issuance of any building permit by the City of Mountain View. Written proof of approval or acknowledgment necessary from the City of Los Altos is required prior to building permit issuance, inspections, and/or prior to issuance of a Certificate of Occupancy.
6. **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 Division.
7. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
8. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
9. **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.
10. **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.
11. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
12. **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.
13. **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's 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.
14. **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).

## OPERATIONS

15. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 9:00 a.m. to 9:00 p.m. (or a time frame established by the project Covenants, Conditions, and Restrictions (CC&Rs)), whichever is more restrictive), and shall not allow amplified sound, including, but not limited to, 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.

## SITE DEVELOPMENT AND BUILDING DESIGN

16. **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 addressing the following design direction:
  - a. Refine the site and landscape plan to adjust the design of landscape buffers along the southerly property line (e.g. smaller accent trees and other landscaping), aboveground utility locations and screening (e.g. landscape walls, fences, and/or plantings), and the trash staging enclosure to coordinate with the revised ADA-accessible path of travel along the northerly property line (between Rich Avenue and the proposed building entry);
  - b. Update the design of the stair tower on the front elevation (next to the main building entry) to better integrate with the rest of the building by revising the window locations/design and wall materials/colors on the stair tower to coordinate with conditions (i.e., James Hardie artisan siding on the first three floors) on the adjacent building area;
  - c. Refine the primary siding color from "Folkstone" to provide a warmer shade of brown, more closely reflecting the color renderings in the plans;
  - d. Revise the main entry awning design to have a stronger connection to the design of the trellis-like awnings over balconies located elsewhere on the building; and
  - e. Provide a more consistent roofdeck railing design by wrapping the proposed BOK modern metal screen railing material around the entire rooftop deck and appurtenant areas (e.g., the mechanical enclosure and the top railing on the open stair on the north elevation) and provide design details for the integration of the taller glass safety wall to deemphasize the appearance of the glass panels and associated frame/support structure.
17. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
18. **TRIM MATERIALS:** Trim materials throughout the project shall be the James Hardie architectural panel as shown on the material board. 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.
19. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings. Final paving design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.



20. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
21. **RECESSED WINDOWS:** All windows shall be recessed from the face of the building a minimum of 3”.
22. **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 all exterior building wall materials, window trim/awning and railing details, paint samples, and landscape material samples (such as fencing planter wall material and benches). 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.
23. **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.
24. **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.
25. **OUTDOOR STORAGE:** There shall be no outdoor storage without specific Development Review approval by the Planning Division.
26. **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. An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10’ beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
27. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall exceed 6’ in height, measured from adjacent grade to the top of the fence or wall. The design and location must be approved by the Zoning Administrator and comply with all setback and traffic visibility area requirements.
28. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4” wide stripes. Double stripes shall be 18” apart, from outside edge to outside edge of the stripes, or 10” from inside edge to inside edge of the stripes. The 8-1/2’ parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7’. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24’.
29. **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.
30. **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.

31. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
- a. Short-term bike parking for visitors, including a minimum of four (4) spaces total. These spaces shall be provided as bike racks, which must secure the frame and both wheels. The racks should be located near the building entrance (i.e., within constant visual range), unless it is demonstrated that they create a public hazard or are infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking, if not visible from a street or public path.
  - b. Long-term bike parking for employees/residents one bike space per residential unit for a total of 32 long-term bike parking spaces. 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.
32. **VISITOR PARKING:** The project includes a total of five (5) guest parking spaces, including one (1) accessible parking space. The final location of all visitor parking shall be shown on building permit plans and include appropriate signage and/or pavement markings subject to review and approval by the Zoning Administrator. All visitor parking must be outside of any secured gates or fencing to be accessible at all times.

#### GREEN BUILDING

33. **GREEN BUILDING—RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 70 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

#### TREES AND LANDSCAPING

34. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms)). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
35. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
36. **STREET TREES:** Install standard City street trees along the street frontage, if deemed possible by the Public Works Department, 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.
37. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form, if a street tree may be accommodated in the public right-of-way, available in the Planning Division or online at [mountainview.gov/planningforms](http://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.

38. **SCREEN TREES:** The applicant shall propose several options for taller (minimum 24" box trees), denser evergreen screen trees along the southern edge of the building as permitted by the Fire Department to also meet access requirements and as approved by the Planning Division.
39. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
40. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
41. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with three replacement trees, for a total of six replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
42. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
43. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HMH and dated May 3, 2022 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, a 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. Furthermore, the following shall be required:
  - a. Tree Nos. 15 and 16 are located within a very close proximity to the proposed construction of a sidewalk. The applicant is to preserve as many roots as possible for the construction of the sidewalk. Hand-digging and air-spade tools are to be used, and the project arborist is to be on-site when the excavation is completed. **(PROJECT-SPECIFIC CONDITION)**
  - b. Straw wattle tree protection is to be installed only prior to construction work and removed immediately after work has been completed. Trunk-wrap should not be left on for an extended period as it can cause moisture build-up and rot. **(PROJECT-SPECIFIC CONDITION)**
44. **TREE SPECIES CHANGES:** The proposed planting of four (4) *Acer rubrum* 'Armstrong' x *Freeman* on the north side of the building are to be replaced with four (4) smaller size trees due to the limited root space. Acceptable species include *Acer palmatum* or *Ceris occidentalis*. **(PROJECT-SPECIFIC CONDITION)**

NOISE

45. **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.
46. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)<sub>L<sub>dn</sub></sub> that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
47. **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.

#### CC&RS AND DISCLOSURES

48. **CC&Rs:** One electronic PDF of the proposed Covenants, Conditions, 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 provide a completed CC&R checklist at submittal along with associated review fee made payable to the City of Mountain View. The checklist can be obtained by contacting the project planner or by email inquiry to [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
49. **PROJECT INFORMATION:** All marketing and sales literature, leasing information, and the Covenants, Conditions, and Restrictions (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.
50. **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 prepared 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.

#### AGREEMENTS AND FEES

51. **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 the City's officers, agents, and employees in any action brought by a third party to void this Permit(s). 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.

#### CONSTRUCTION ACTIVITIES

52. **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).
53. **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 and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
54. **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.
55. **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.

56. **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.
57. **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.
58. **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. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures will include, at a minimum, the following measures, which also include additional measures identified in the project-specific air quality analysis and by BAAQMD:
- 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 in order to maintain adequate soil moisture for dust control. Moisture content can be verified by lab samples or moisture probe;
  - b. All haul trucks transporting soil, sand, or other loose material off-site will be covered and loaded material shall not extend above the walls or back of the truck bed;
  - 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;
  - h. Post a publicly visible sign with the telephone number and person to contact at the City of Mountain View and the on-site manager regarding dust complaints. The on-site coordinator/monitor shall respond and take corrective action within 48 hours. The BAAQMD’s phone number will also be visible to ensure compliance with applicable regulations;
  - i. When the air quality index forecast exceeds 100°F for particulates for the project area and the reading exceeds 100°F for particulates by 10:00 a.m. for the project area, prohibit grading activities for that day;
  - j. Minimize the amount of excavated material or waste materials stored at the site or cover them with tarpaulin;
  - k. Prohibit off-road diesel-powered equipment from being in the “on” position for more than 10 hours per day;
  - l. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries;
  - m. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50% porosity;
  - n. Where applicable, vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established. Excavation, grading, and ground-disturbing

- construction activities shall be phased in accordance with the phasing plan to reduce the amount of disturbed surfaces at any one time;
- o. Avoid tracking of visible soil material on the public roadways by employing the following measures, if necessary: (1) site accesses to a distance of 100' from public paved roads shall be treated with 6" to 12" compacted layer of wood chips, mulch, or gravel; and (2) washing truck tires and construction equipment of soil prior to leaving the site; and
  - p. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1%.
59. **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.
60. **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.
61. **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.
62. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
63. **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).

64. **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.

65. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**

- A. Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
- B. Avoid using vibration rollers and tampers near sensitive areas.
- C. 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:
  - i. Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;
  - ii. Develop a vibration monitoring and contingency plan;
  - iii. Construction contingency plan; and
  - iv. Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

66. **NATIVE AMERICAN ARCHAEOLOGICAL MONITOR:** A Native American archaeological monitor shall be present for all ground-disturbing activities throughout the project construction process.

67. **DISCOVERY OF TRIBAL CULTURAL RESOURCES:** If indigenous or historic-era archaeological resources are encountered during construction activities, all activity within 100' of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archaeology, and a Native American representative shall be immediately informed of the discovery. The qualified archaeologist and the Native American representative shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones). Historic-era materials might include building or structure footings and walls, 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.

#### MITIGATION MEASURES

68. **MITIGATION CERTIFICATION:** Prior to occupancy of any structure or establishment of any use, the applicant and/or the applicant's consultant(s)/property owner(s) shall inspect the site and shall certify, in writing, that all mitigation measures listed in the applicant's Findings Report have been correctly implemented.
69. **NOISE—GENERATORS: AIR QUALITY MITIGATION MEASURE (MM AIR 1.1):** The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average of 60% reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:
1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet the U.S. EPA Tier 4 emission standards for PM (PM10 and PM2.5), if feasible; otherwise:
    - a. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA-emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB-verifiable diesel emission control devices that altogether achieve a 60% reduction in particulate matter exhaust in comparison to uncontrolled equipment, alternatively (or in combination).
    - b. Provide line power (electrical or nondiesel) to the site during the early phases of construction to minimize the use of diesel-powered stationary equipment.
  2. Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 60% or greater. Such construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction. **(MM NOISE 2.1) (PROJECT-SPECIFIC CONDITION)**
70. **NOISE AND VIBRATION MITIGATION MEASURE (MM NOI-2.1):** The project shall implement the following measures to minimize vibration impacts from construction activities:
- a. Avoid the use of vibratory rollers and other heavy construction equipment within 20' of existing structures.
  - b. Place operating equipment on the construction site as far as possible from vibration sensitive receptors.
  - c. Use smaller equipment within 20' of the perimeter property lines adjoining off-site structures to minimize vibration levels below the limits.
  - d. Avoid dropping heavy objects or materials near vibration sensitive locations.
  - e. A list of all heavy construction equipment to be used for this project known to produce high vibration levels (tracked vehicles, vibratory compaction, jackhammers, hoe rams, etc.) shall be submitted to the City by the contractor. This list shall be used to identify equipment and activities that would potentially generate substantial vibration and to define the level of effort required for continuous vibration monitoring.
  - f. Designate a person responsible for registering and investigating claims of excessive vibration. The contact information of such person shall be clearly posted on the construction site.

#### **(PROJECT-SPECIFIC CONDITION)**



Affordable Housing Division—650-903-6379 or [neighborhoods@mountainview.gov](mailto:neighborhoods@mountainview.gov)

71. **BMR OWNERSHIP, PROVIDING UNITS:** Prior to issuance of the first building permit for the project, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide at least 15% of the total 25 base density of dwelling units within the development as Below-Market-Rate (BMR) units consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. The agreement shall be in a form approved by the City Attorney. Prior to issuance of the first building permit, the applicant will provide project plans with the BMR units clearly marked for review and approval by Housing staff and shall submit a plan indicating the location, size, and phasing of BMR units. The project will include a total of four (4) BMR units made available to income-qualified households designated as follows: two at 50% AMI and two at 120% AMI. This is in accordance with the units outlined in the Affordable Housing Compliance Plan dated June 16, 2023. The Community Development Department reserves the right to review, approve, or deny any modifications to the Affordable Housing Compliance Plan or unit delivery.
72. **BMR, PROCESS:** Prior to the first building permit submittal, the applicant shall contact the Housing and Neighborhood Services Division at 650-903-6379 to begin preparation of a BMR agreement for the project. The applicant shall submit the following information: (a) a copy of the Findings Report or Conditions of Approval; (b) a legal description of the property; (c) a plan indicating the location, size, and phasing of BMR units; and (d) additional information as requested by the Housing and Neighborhood Services Division. The BMR agreement must be recorded prior to building permit issuance.
73. **DENSITY BONUS, OWNERSHIP UNITS SALES PRICE:** Under State Density Bonus Law, for-sale affordable units must be sold at costs as defined in the Health and Safety Code (HSC) Section 50052.5, based on “housing costs” defined in the California Code of Regulations, Title 25, Section 6920. Prior to issuance of the first building permit for the project, the applicant shall enter into a recorded agreement with the City that will require the affordable units provided to qualify for a density bonus to be maintained in compliance with State Density Bonus Law. The agreement shall be in a form approved by the City Attorney and may be combined with the regulatory agreement for units provided in compliance with the local BMR program.
74. **HOA RESERVE FUND:** The applicant will establish a homeowners association (HOA) reserve fund for the BMR units set for sale to households with income levels below 80% AMI, consistent with Chapter 36, Article XIV, Divisions 1 and 2, and Article XVI, Division 8, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. This fund is a designated set aside to help low-income owners to fully pay for special assessments and future HOA fee increases to ensure housing costs do not exceed 30% of the household’s income over the life of the mortgage for each unit. The City currently estimates \$69,975 will need to be deposited in the reserve fund for each low-income affordable unit for a total of \$139,950 for the two (2) affordable units designated 80% AMI and below. The reserve fund shall be identified and its purpose described in the CC&Rs for the project. A copy of the CC&Rs with this provision shall be submitted to the Community Development Department for review and approval by the Housing Department.

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.

75. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division and in effect at the time of building permit submittal. Current codes as of the date of approval of the zoning permit are the 2022 California Codes: 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). Should updated California Codes be in effect at the time of submittal of the building permit application, those updated codes shall be the current codes and shall apply to the project.
76. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.

77. **SPECIAL REQUIREMENTS BASED ON OCCUPANCY AND USE:** Project shall comply with the requirements per the CBC, Chapter 4.
78. **DWELLING UNIT SEPARATION:** Private garage separation required per the CBC, Section 406.3.2.
79. **OPENING PROTECTION:** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted per the CBC, Section R302.5.1.
80. **BUILDING HEIGHT AND NUMBER OF STORIES:** The project shall comply with the requirements per the CBC, Chapter 5, Section 504.
81. **BUILDING AREA:** The project shall comply with the requirements per the CBC, Chapter 5, Section 506.
82. **MIXED USE AND OCCUPANCY:** The project shall comply with the requirements per the CBC, Chapter 5, Section 508.
83. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
84. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
85. **FIRE AND SMOKE PROTECTION FEATURES:** The project shall comply with the requirements per the CBC, Chapter 7.
86. **MINIMUM DISTANCE OF PROJECTIONS:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.2).
87. **FIRE-RESISTANCE RATING FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.5).
88. **MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.8).
89. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC, Chapter 7, Table 706.4(c), as amended in MVCC Section 8.10.24.
90. **AUTOMATIC FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per the CBC, Chapter 9, Section 903.2.8.
91. **OCCUPANT NOTIFICATION BY FIRE ALARMS DETECTION SYSTEM:** Dwelling and sleeping units shall meet the visible alarm notification requirements of the CBC, Sections 907.5.2.3.2 and 907.5.2.3.3.
92. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
93. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.
94. **ACCESSIBLE MEANS OF EGRESS:** The site must meet accessible means of egress per the CBC, Chapter 10, Section 1009.
95. **EXIT DISCHARGE:** The project shall comply with the exit discharge requirements per the CBC, Chapter 10, Section 1028.
96. **EMERGENCY ESCAPE AND RESCUE:** The project shall comply with the egress window requirements per the CBC, Section 1031.
97. **EMERGENCY ESCAPE AND RESCUE OPENINGS:** The project shall comply with the egress window requirements per the CBC, Section R310.

98. **ACCESSIBILITY REQUIREMENTS:**
- **Chapter 11A:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
  - **Parking (Chapter 11A):** The project will be required to comply with the accessible parking requirements in the CBC, Chapter 11A.
  - **Parking (Chapter 11B):** The project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
  - **Assigned Accessible Parking Spaces (Chapter 11A):** When assigned parking spaces are provided, at least 2% of the assigned parking spaces are required to be accessible per the CBC, Chapter 11A, Section 1109A.4.
  - **Unassigned and Visitor Parking Spaces (Chapter 11A):** When parking is provided, at least 5% of the parking spaces are required to be accessible per the CBC, Chapter 11A, Section 1109A.5.
99. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at [mountainview.gov/greenbuilding](http://mountainview.gov/greenbuilding).
100. **REACH CODES FOR MULTI-FAMILY RESIDENTIAL (NEW CONSTRUCTION):**
- a. **EV Parking Requirements:** If there are 20 dwellings or less, parking shall comply with 40% Level 2 EVCS installed and 60% EV1-ready, as amended in MVCC Section 8.20.32 and per Table 101.10. If there are more than 20 dwellings, parking shall comply with MVCC per Table 101.10.
  - b. **Electric Requirements:** Natural gas is prohibited. The following list of items shall be electric installation: heat/cooling, water heaters, clothes dryers, fireplaces, fire pits, and cooking appliances. Water-heating systems and equipment shall be electric or solar, as amended in MVCC Section 8.20.9 and per Table 101.10.
  - c. **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 8.20.9 and per Table 101.10.
101. **PLUMBING FIXTURES:** The project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
102. **DUAL PLUMBING:** New buildings and facilities shall be dual-plumbed for potable and recycled water systems for toilet flushing when recycled water is available, per California Green Building Standards Code, Appendix A5, A5.303.5, and as amended in MVCC Section 8.30.4.
103. **PLUMBING:** The project will be subject to the submetering requirements per Senate Bill 7 (Housing: Water Meters for Multi-Unit Structures).
104. **UTILITIES:** No utilities shall cross property lines.
105. **BUILDING UTILITIES:** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
106. **FIRE ACCESS LANE(S):** The site must always meet/maintain the existing fire access lane(s).
107. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
108. **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.
109. **CAR STACKERS:** All car stackers will need to be UL-listed and meet any other requirements adopted at the time of building submittal, up to and including NFPA approval.

- 110. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any AMMR(s) is required to be formally submitted with the initial building permit. AMMRs will be reviewed by the Chief Building Official during the Building plan check process. Approvals of AMMRs are not processed or provided prior to submittal to the Building Division.
- 111. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building Division online at [www.mountainview.gov/building](http://www.mountainview.gov/building) or contact by phone at 650-903-6313 to obtain information and submittal requirements.
- 112. **ELECTRICAL VEHICLE CHARGERS (EVs) AND PHOTOVOLTAIC SYSTEM (PVs) PERMITS:** Proposed EV and PV are to be a deferred submittal under a separate building permit application.
- 113. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.
- 114. **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.
- 115. **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.

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

FIRE PROTECTION SYSTEMS AND EQUIPMENT

- 116. **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.)
- 117. **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.)
- 118. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four stories or more in height shall be provided with no fewer than one standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. On each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
- 119. **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.
- 120. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to the start of combustible construction. The wharf hydrant shall be capable of providing a combination flow of

500 GPM with two 2.5" outlets flowing. Shop-quality drawings shall be submitted electronically for review and approval. (NFPA 24 and Mountain View Fire Department requirements.)

121. **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.)
122. **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 907.2.11.)
123. **CARBON MONOXIDE ALARMS:** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

#### FIRE DEPARTMENT ACCESS

124. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)
125. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and Mountain View City Code, Sections 14.10.14, 14.10.15, and 14.10.16.)
126. **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. (California Fire Code, Section 503.)
127. **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.)
128. **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

129. **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.)
130. **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.)
131. **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.)

- 132. **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.)
- 133. **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.)
- 134. **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.
- 135. **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.)
- 136. **ON-SITE DRAWINGS:** Submit electronic (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
- 137. **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.)

At least one stair shall be continuous to the roof. (California Building Code, Section 1011.12.)

- 138. **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

- 139. **FLAMMABLE FINISHES:** Application of flammable finishes shall comply with the California Fire Code, Chapter 24.
- 140. **ELECTRICAL ENERGY STORAGE SYSTEMS:** Electrical Energy Storage Systems shall comply with the California Fire Code, Section 1207.

EXTERIOR IMPROVEMENTS

- 141. **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

- 142. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)
- 143. **ALTERNATE MEANS AND METHODS REQUEST:** An Alternate Means and Methods Request will be required for the nonconformance with Section 14.10.14 of City of Mountain View Ordinances. Fire sprinkler design shall be increased from the code required minimum density requirements. Diagrams showing aerial access to the building are to be provided, reviewed, and included with the on-site drawings and building submittal.

144. **AERIAL ACCESS:** Aerial access shall be maintained along the emergency vehicle access road fronting the building. Trees/greenery shall be of a sufficient size to not impede ladder access from the aerial apparatus to the front of the building within the limits of the ladder apparatus.

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

#### OWNERSHIP AND PROPERTY

145. **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, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property 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).
146. **SUBDIVISION:** The project site is a subdivision of an existing parcel. Any combination or division of land for sale, lease, or financing purposes requires the filing and approval of a tentative map, completion of all conditions of subdivision approval, and the recordation of the final map, all prior to the issuance of the building permit. In order to place the approval of a final map on the City Council agenda, all related materials must be completed and approved a minimum of 40 calendar days prior to the Council meeting date.
147. **SHARED PARKING AND ACCESS AGREEMENT:** Property owners of the subject properties shall sign and be a party to an agreement (or amendment of an existing agreement), subject to the City's approval and recorded to run with the land, which provides for easements, covenants, and conditions relating to applicable parking, vehicle access, pedestrian access, utility use, and other uses between the subject properties. The agreement, together with all attachments, must be submitted to and approved by the Community Development Department and City Attorney's Office prior to the approval of a final map.
148. **STREET DEDICATION:** Dedicate a public street in fee to widen Rich Avenue an additional 10' along the project frontage , as required by the Public Works Director.

#### RIGHTS-OF-WAY

149. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 10' wide public utility easement (PUE) along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, as required by the Public Works Director. Utility boxes and vaults are not allowed to encroach into the public sidewalk and must fit either entirely within the landscape strip or within the PUE. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following: garages, sheds, carports, and storage structures; balconies and porches; retaining walls; C.3 bioretention systems; and private utility lines running longitudinally within the PUE.
150. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
151. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements, as necessary, for the common private street and utility improvements.
152. **EASEMENT VACATIONS AND QUITCLAIMS:** All existing easements that are or will no longer be needed and/or conflict with the proposed buildings and structures shall be vacated or quitclaimed. All vacations shall be approved with the project at the

City Council meeting. Easements in conflict with the proposed building shall be vacated prior to the issuance of the building permit. The recording number of the easement vacation and quitclaim document(s) shall be included in the final map.

#### FEES AND PARK LAND

153. **MAP PLAN CHECK FEE:** Prior to the issuance of any building permits OR prior to approval of the final map, whichever occurs first, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.7.b and 28.6.b of the City Code per the rates in effect at time of payment. The map plan check fee shall be paid at the time of the first map plan check submittal per the adopted fee in effect at time of payment.

154. **PLAN CHECK AND INSPECTION FEE:** Prior to the issuance of any building permits OR prior to approval of the final map, whichever occurs first, 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.

155. **TRANSPORTATION IMPACT FEE:** Prior to the issuance of any building permits OR prior to the approval of the final map, whichever occurs first, 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.

156. **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.

157. **PARK LAND DEDICATION FEE:** Prior to the issuance of any building permits OR prior to the approval of the final map, whichever occurs first, the applicant shall pay the Park Land Dedication Fee of \$48,000 for each net new market-rate residential unit with a project total fee of \$1,440,000, based on a land valuation of \$8,000,000 per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

158. **STORM DRAINAGE FEE:** Prior to the issuance of any building permits OR prior to approval of the final map, whichever occurs first, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) with the rates in effect at the time of payment.

#### STREET IMPROVEMENTS

159. **UTILITY PAYMENT AGREEMENT:** Prior to the issuance of any building permits and prior to the approval of the final map, the applicant shall sign a utility payment agreement and post a security deposit made payable to the City as security if each unit or building does not have separate sewer connections and water meters in accordance with Section 35.38 of the City Code. The utility payment agreement shall include provisions to have the security transferred from the applicant to the homeowners association (HOA), but still made payable to the City, when the HOA is formed for the subdivision.

160. **PUBLIC AND PRIVATE COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements for the subdivision and as required by Chapters 27 and 28 of the City Code. The public improvements include, but are not limited to, new curb, driveway, sidewalk, landscaping, and conforms; new water and sewer facilities, including services/laterals, cleanouts, and any related appurtenances; and electric utility improvements.



The private common improvements include, but are not limited to, common private driveway and utility mains:

- a. **Improvement Agreement:** Prior to the issuance of the building permit OR approval of the final map, the property owner must sign a Public Works Department improvement agreement for the installation of the public and private common improvements.
  - b. **Bonds/Securities:** Prior to the issuance of any building permits or approval of the final map, 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 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 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 OR approval of the final map, 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) Contractor's Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
161. **INFRASTRUCTURE QUANTITIES:** 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.
162. **EXCAVATION PERMIT:** 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: [mountainview.gov/landdevelopment](http://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.
163. **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, and map 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 and final map. 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, one full-size and one 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 OR approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

164. **PRIVATE COMMON IMPROVEMENT PLANS:** Prepare on-site private 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"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer. Where both public and common improvement plans are required, the plans shall be combined into one set of plans.

The improvement plans, 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 OR final map. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

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, one full-size and one half-size black-line set, one PDF of the signed/stamped plan set, and USB flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map. CAD files shall meet the City's Digital Data Submission Standards.

165. **TRAFFIC CONTROL PLANS:** 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). A completed Traffic Control Checklist shall be included with each traffic control plan submittal.

166. **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; and
4. **Traffic Control and Detour Plans:** Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval for any on-site improvements and work related to the phases of the construction

management plan, which requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided 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.

167. **NOTIFICATION OF ADJACENT/AFFECTED PROPERTIES:** During improvement plan design, the applicant shall provide advance written notification(s) to owners and tenants of adjacent and affected properties describing the nature of the proposed public improvements and estimated project duration, as determined necessary by the Public Works Department. The notice(s) shall be approved by the City prior to distribution.
168. **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.
169. **ENCROACHMENT AGREEMENT FOR EASEMENTS AND/OR RIGHT-OF-WAY:** At the sole discretion of the Public Works Director, nonstandard private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, retaining walls, and toe slopes which prevent or limit the intended use of sidewalk and/or public utility easements, require a separate Encroachment Agreement to be signed by the property owner(s). The Encroachment Agreement shall be prepared and executed and fees paid prior to issuance of the building permit.
170. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
171. **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The homeowners association shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within the common driveway. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
172. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to, landscape, hardscape, poles, bollards, miscellaneous structures (including columns), signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
173. **STREET OVERLAY AND/OR PAVEMENT RECONSTRUCTION:** Half-street overlay (minimum 2" grind and overlay) and/or pavement reconstruction along the Rich Avenue project street frontage shall be required to address the existing roadway conditions, multiple utility trenches, and impacts from the anticipated construction traffic. Existing street sections shall be shown on the plans based on pavement section data obtained during potholing, and proposed street sections shall be designed in accordance with City standards and design criteria. The specific areas of work shall be clearly identified and shown on the plans
174. **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.

- 175. **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. Fire hydrant red zones shall be no less than 15' in each direction, unless the zone overlaps with a driveway. The specific areas of work shall be clearly identified and shown on the plans.
- 176. **STOP-CONTROLLED SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled to address conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway. Stop-controlled egress shall include STOP signs, a limit line, and "STOP" pavement marking(s). The specific areas of work shall be clearly identified and shown on the plans.
- 177. **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 Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department. The common driveway shall be signed and/or striped as "No Parking" or "No Parking—Fire Lane." The specific areas of work shall be clearly identified and shown on the plans.

CURBS, SIDEWALKS, AND DRIVEWAYS

- 178. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk. The specific areas and limits of replacement work shall be clearly identified and shown on the plans.
- 179. **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.
- 180. **CURB, GUTTER, SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Rich Avenue. The sidewalk shall be detached with a landscape strip and designed with a consistent 2% cross-slope from the top of the curb to back of the sidewalk and minimal grade breaks in the longitudinal slope of the curb line. Rich Avenue shall have a 5' wide sidewalk with a 7' wide landscape strip, or as determined by the Public Works Director. The specific limits of work shall be clearly identified and shown on the plans.
- 181. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Rich Avenue out of the sidewalk and relocate to the Public Utility Easement, landscape strip, or behind the back of the curb. Utility boxes must be located so they fit entirely within the utility easement, landscape strip, or behind the curb and shall not encroach into the sidewalk. The specific areas and limits of work shall be clearly identified and shown on the plans.

STREET TREES

- 182. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
- 183. **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 [mountainview.gov/planningforms](http://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.
- 184. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

## UTILITIES

185. **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.
186. **WATER AND SEWER SERVICE:** The site shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38. All new services are required and shall be installed in accordance with City standards.
187. **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.
188. **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.
189. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, potable 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. New potable water services greater than 2" will require a gate valve at the main. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. New potable 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 discontinued 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.
190. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable 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. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
191. **SANITARY SEWER CLEANOUT OR MANHOLE:** A one-way sanitary sewer cleanout OR manhole shall be installed in accordance with City standards.
192. **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.

193. **STORM DRAIN LATERAL:** The construction of a new storm drain lateral to the City main, including new storm drain curb inlet, shall be required.
194. **ON-SITE UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s) and shall be noted on the plans.
195. **PRIVATE UTILITY MAINTENANCE PLAN AND SANITARY SEWER OVERFLOW PLAN:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained. The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision that the homeowners association prepare a private utility maintenance plan for on-site water, sanitary sewer, and storm drainage facilities. The maintenance plan shall include elements such as, but not limited to, 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). The CC&Rs shall also include a provision that the homeowners association prepare a sanitary sewer overflow plan, which includes elements such as, but not limited to, 24-hour contact information, response times, confinement, and methods to contain and remediate spills. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
196. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the site are to be placed underground, including transformers. The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to the issuance of a Certificate of Occupancy for any new buildings within the site. If allowed by the City, aboveground transformers, power meters, and pedestals shall be located so they are screened in the least visible location from the street or to the general public, as approved by the Community Development and Public Works Departments.
197. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead electric and telecommunication facilities fronting the property along Rich Avenue and/or within the division of land, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property and/or within the division of land shall be removed. If the undergrounding requirement is waived, the subdivider shall fulfill whatever substitute conditions the City shall impose prior to a final map approval.
198. **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. Dedicate utility easements that are necessary for the common utility on the final map.

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

199. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
200. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways shall not surface-drain across public sidewalks or driveway aprons. Storm drain laterals from the site shall be installed with a property line inlet or manhole and connect to existing storm drain manholes or curb inlets if at all possible.
201. **STORM DRAINAGE CONNECTION:** The applicant proposes to connect to the neighboring property's (1075 El Monte Avenue) existing storm drain line, which connects to the City storm drain system on El Monte Avenue. The applicant shall obtain drainage rights by satisfying the following requirements prior to first building permit submittal:

Coordinate with St. Paul Lutheran Church and Rich Avenue Group, LLC (or the most current stakeholders) to amend the existing "Agreement and Grant of Easement" for storm drain purposes (Document No. 13336359), to allow the project to connect to

the neighboring storm drain line as shown on Sheet C6 of the planning documents. A copy of the revised easement shall be submitted for the City's records.

Submit storm drain calculations to Public Works confirming the existing line is appropriately sized to accommodate all properties connecting to the line. If found to be inadequate, the storm drain line and connection to the City main shall be upsized accordingly.

The off-site public improvement plans shall show the proposed storm drain connection, the existing storm drain line, and replacement of the 1075 El Monte Avenue storm drain lateral from the city storm drain main to the property line inlet.

Alternatively, if land rights are not obtained from the adjacent property, the applicant shall design and construct an extension of the City's storm drain system to provide drainage for the site. A new 15" storm drain main shall connect to the City's main on El Camino Real and extend to the project's frontage along Rich Avenue where the site will connect with a 12" storm drain lateral. At the time of initial building permit submittal, the applicant shall incorporate this design into the off-site improvement plans. The storm drain design shall comply with City standards and shall be reviewed and approved by the City prior to building permit issuance. **(PROJECT-SPECIFIC CONDITION)**

202. **UNDERGROUND PARKING GARAGE:** Drainage from underground parking garages shall be directed to the sanitary sewer system. Sanitary sewer laterals shall be equipped with backwater devices. If any portions of the garage ramps or parking garage are uncovered, drainage from those uncovered portions shall be directed to the storm drain system.
203. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots and driveways 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.
204. **RETAINING WALL:** Retaining walls shall have a maximum height of 18" unless an exception is granted by the Community Development and Public Works Departments. A private easement for the retaining walls shall be shown on the final map. Retaining walls along the perimeter of the subdivision shall be maintained by the homeowners association. The maintenance of the retaining walls shall be included in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
205. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage prior to approval of the building permit or final map.
206. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage prior to approval of the building permit or final map.

#### SOLID WASTE AND RECYCLING

207. **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."
208. **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.

209. **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.”
210. **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:

This 32-unit property must have trash, recycling, and organics. Display on plans trash room layout, location, and dimensions to scale with the following minimum service levels:

- Two (2) three-yard trash bins, four (4) 96-gallon paper recycling carts, two (2) 96-gallon container recycling carts, and two (2) 64-gallon compost carts.
- Residential recycle collection consists of two streams, one for paper and one for containers. A three-chute system is required, consisting of one chute for trash and two for recycling (containers and paper collected in different chutes), to accommodate the City’s dual-stream, residential recycling program. All chute vestibules must have signage with sorting instructions according to the City’s programs, and all signage must be approved by the Solid Waste Program Manager prior to installation.
- The building plans trash room sheet detail shall show containers positioned under the three chutes with one trash bin, one paper recycling cart, and one container recycling cart in alignment with the upper-floor resident trash chute rooms.
- The chute system shall have a locking mechanism to prevent material flow when the hauler’s containers are removed from under the chutes for servicing.
- The property is required to have composting service as indicated above. Each upper-floor residents’ trash chute room requires sufficient space for compost receptacles (e.g., slim-jims) or carts for resident use and should be noted on the plans. The collected compost shall be transported by property maintenance staff to the trash room compost carts.
- Property maintenance staff will be responsible for bringing the two trash bins from the basement to ground-level and placing on the private property at the staging area for collection driver access and removing promptly after collection. A 6’ wide pathway is required from the trash room to the trash staging area. Maintenance will place carts for containers, paper, and compost at the street curb for collection as these carts cannot go in the staging area and remove them promptly after service.
- The trash staging area shall measure not less than 17’x4’. A “No Parking” zone shall be located west of the staging area. The site shall install bumpers along the footprint where the bins will be with an opening at the end closest to the property entrance, to protect them from rolling into the drive aisle and to prevent vehicles from parking in this restricted area.
- Roll-out fees assessed by the City’s trash hauler shall apply for bins that must be rolled more than 30’ from any holding area to the truck.
- The trash bin staging area may have a rolled curb to accommodate the adjacent pedestrian path. However, the driveway for bin path of travel must be a smooth, flat, concrete, or asphalt surface. Bins will not be rolled over pavers or stamped surfaces.
- If trash room does not have an interior berm or curb, it shall have bumpers on walls to avoid damage from bins hitting it.
- Trash room shall have minimum 6’ wide opening.
- Trash rooms are for collection containers only and no other storage—label “Trash Room.”



- Overhead clearance for travelway must be no less than 15' from finished grade to structural appurtenances (e.g., cameras, sprinklers, electrical). Maintain overhead clearance in collection area no less than 22'.
- Property management shall provide the City's waste hauler 60 days' notice prior to occupancy in order to set up collection services and allow time to procure all equipment. If purchasing own equipment, a proof of purchase along with an installation date must be provided during building plan review. All equipment (e.g., towing mechanisms) must be in place prior to granting a Certificate of Occupancy (temporary or final).

211. **GARBAGE PICKUP (SHARED SERVICE):** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating homeowners are responsible for the removal of all the trash and refuse from the owner's lot to the central trash collection point. The homeowners association shall be responsible for the maintenance of the central trash collection and for the periodic removal therefrom. A copy of the CC&Rs with this provision shall be submitted to the Community Development Department for review and approval by the Public Works Department.

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

212. **CITY OF LOS ALTOS PERMIT:** The applicant shall be responsible for applying for, and obtaining approval of, an Encroachment Permit with the City of Los Altos for all work within the City of Los Altos' storm drain easement. Work within the City of Los Altos easement must be in accordance with City of Los Altos requirements. Prior to building permit approval, submit a copy of the approved City of Los Altos Encroachment Permit.

213. **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."

214. **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."

215. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: "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 as well as trash rooms and/or enclosures, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. The Public Works Director shall make the determination of what public improvements are substantially complete."

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).

216. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a "Storm Drain/Sanitary Sewer Discharges" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

217. **FOOD SERVICE CHECKLIST:** Complete a “Food Service Checklist: Grease Control and Stormwater Pollution Prevention” for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.
218. **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_Countywide_Program_BMP_Plan_Sheet_041615.pdf).
219. **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.
220. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
221. **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.
222. **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.
223. **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.
224. **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.
225. **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.
226. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer. Exterior drains exposed to stormwater (including trench drains at lower ends of entrance/exit ramps and the top story of uncovered parking garages) shall be plumbed to the on-site stormwater treatment system (for C.3 regulated projects) or to the storm collection system.
227. **STORMWATER TREATMENT (C.3):** This project will create or replace more than five thousand (5,000) 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.” Runoff from portions of the public right-of-way (e.g., sidewalks, curb extensions, pavement replacement, and curb and gutter replacement in the street frontage)

that are constructed or reconstructed as part of Regulated Projects will also need to be treated using Low-Impact Development (LID) measures. The City’s guidelines also describe the requirement to select 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.

228. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER’S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City’s guidelines and provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: <https://scvurppp.org/wp-content/uploads/2022/12/SCVURPPP-Qualified-Consultants-List-Memo-December-2022.pdf>.

229. **FULL TRASH CAPTURE:** Projects located in “moderate,” “high,” or “very-high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer’s recommended frequency but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.

230. **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; or
- 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.

231. **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.

232. **BUILDING DEMOLITION PCB CONTROL:** Nonwood frame buildings constructed before 1981 that will be completely demolished are required to conduct representative sampling of priority building materials that may contain polychlorinated biphenyls (PCBs). If sample results of one or more priority building materials show PCBs concentrations  $\geq 50$  ppm, the applicant is required to follow applicable Federal and State notification and abatement requirements prior to demolition of the building. Submit a completed "Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package" with the building demolition plans for the project. A demolition permit will not be issued until the completed "PCBs Screening Assessment Applicant Package" is submitted and approved by the City Fire and Environmental Protection Division (FEPD). Applicants are required to comply with applicable Federal and State regulations regarding notification and abatement of PCBs-containing materials. Contact the City's FEPD at 650-903-6378 to obtain a copy of the "PCBs Screening Assessment Applicant Package" and related guidance and information.
233. **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: Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

NOTE: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.