

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2020

A RESOLUTION CONDITIONALLY APPROVING A
PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT
FOR A RESIDENTIAL BONUS FAR TO CONSTRUCT TWO 7-STORY MULTI-FAMILY
RESIDENTIAL BUILDINGS WITH 427 UNITS (157 CONDOMINIUMS AND 270
APARTMENTS) WITH THREE LEVELS OF STRUCTURED PARKING AND 36 FOUR-
STORY TOWNHOMES WITH ATTACHED GARAGES, FOR A TOTAL OF
463 RESIDENTIAL UNITS, AND A TRANSFER OF DEVELOPMENT RIGHTS
OF 10,000 SQUARE FEET FROM 2535 CALIFORNIA STREET, 506 SHOWERS DRIVE,
AND 350 SHOWERS DRIVE TO 355 EAST MIDDLEFIELD ROAD IN RELATION
TO THE LOS ALTOS SCHOOL DISTRICT TDR PROGRAM, AND
A HERITAGE TREE REMOVAL PERMIT TO REMOVE 18 HERITAGE TREES

WHEREAS, an application was received from SummerHill Homes, LLC, for a Planned Community Permit and Development Review Permit for a Residential Bonus FAR to demolish the existing buildings and to construct two 7-story multi-family residential buildings with 427 units (157 condominiums and 270 apartments) with three levels of structured parking and 36 four-story townhomes with attached garages, for a total of 463 residential units, and a Transfer of Development Rights of 10,000 square feet from 2535 California Street, 506 Showers Drive and 350 Showers Drive to 355 East Middlefield Road in relation to the Los Altos School District TDR Program, and a Heritage Tree Removal Permit to remove 18 Heritage trees on a 6.0-acre site located at 355-365, 401, and 415 East Middlefield Road (Application No. PL-2018-206; and

WHEREAS, on February 19, 2020, at a duly noticed public hearing, the Environmental Planning Commission considered this request and recommended the City Council conditionally approve the Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit subject to the attached findings and conditions of approval; and

WHEREAS, on March 17, 2020, the City Council held a public hearing on said applications and received and considered all evidence presented at said hearing, including the resolutions and project materials from the Environmental Planning Commission and City Council report and materials;

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

1. The Planned Community Permit is conditionally approved based on the conditions contained herein and the following findings pursuant to Section 36.50.55 of the City Code:

a. The proposed uses and development are consistent with the provisions of the East Whisman Precise Plan for a Residential Bonus FAR project as it complies with the allowable development intensity of up to 3.5 FAR with an FAR of 2.91; meets the design guidelines, including site layout, height, building massing, articulation, and detailing; provides ~~adequate~~ off-street parking to serve the project at a ratio of 1.32 spaces per condominium unit, 1.09 spaces per apartment unit, and 2 spaces per townhome (total ratio of 1.27 spaces per unit); creates new open space with a new public park, pedestrian-oriented frontages, and public paseos; and supports and promotes coordinated and well-integrated development, with the following exceptions from the Precise Plan that meet the intent of the development standards, but address unique conditions of the site, including:

i. A 20' curb-to-curb service street width with incorporation of a rolled curb located at the rear of the site, in lieu of a minimum 26' width, to accommodate a public paseo; and

ii. A 53' building-to-building separation between the townhome and condominium buildings, in lieu of 65', to accommodate sidewalks on both sides of the service street; and

iii. A 14' building setback along the western property line to the townhomes, in lieu of the required 15' setback, to allow for building articulation; and

iv. A 9'-1" ground-level wall plate height in the townhome buildings, in lieu of the required 12' minimum, due to the topography of the site; and

v. A ground-level floor height from 4.5' to 5.5' above the sidewalk, in lieu of the required 4' maximum, due to the topography of the site; and

vi. A minimum sidewalk width of 4' along the south side of the condominium building, in lieu of the required 5' minimum, to accommodate emergency access and allow for a public paseo.

Additionally, in accordance with the Precise Plan and Los Altos School District TDR Program, the project includes the following:

i. Contribution of a community benefit in the amount of \$5 per bonus square foot above the baseline of 1.0 FAR, excluding 10,000 square feet of TDRs; and

ii. Participation in the LASD TDR Program with the purchase of 10,000 square feet from the future school site at 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site.

b. The proposed uses and development is consistent with the East Whisman Mixed-Use Land Use Designation of the General Plan by locating higher-density residential uses within one-half-mile to services and transit (Policy LUD 3.1); supports pedestrian and bicycling improvements and connections between neighborhoods with new public paseo connections (Policy LUD 6.5); and creates and encourages new pedestrian-oriented civic and public spaces throughout the City with dedication of a public park (Policy LUD 8.4); and

c. The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the uses and development add residential into the Precise Plan to support a mixed-use neighborhood near transit and employment, and encourage reductions in vehicle trips and greenhouse gas emissions. Additionally, the project is required to be built in accordance with building and life safety codes, as well as maintain the safety and welfare of the community; and

d. The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area by providing a new high-density residential development which offers a place for people to live close to services and transit; does not displace any existing residents; maintains appropriate building setbacks, height, and massing transitions to adjacent residences; provides building design features and materials which are attractive and compatible with similar residential structures; and meets the development standards and design guidelines set forth in the East Whisman Precise Plan and General Plan form and character; and

e. The approval of the Planned Community Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review for the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan Environmental Impact Report (EIR), the proposed

addition of up to 463 residential units on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

2. The Development Review Permit is conditionally approved pursuant to the following required findings in Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the proposal is consistent with the East Whisman Precise Plan; provides a superior site and building design compatible with surrounding uses and developments by providing appropriate building setbacks from the public right-of-way, consistent with other residential developments in the City; innovative architecture which responds to the project site surroundings and topographic conditions of the site per the exceptions identified under Finding 1(a); all parking (with the exclusion of guest parking and loading zones) is integrated into the building designs so as to limit visibility; and the project includes a residential land use which is compatible with the surrounding land uses; and

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development as the design includes contemporary architecture and high-quality materials, such as siding, stone, tile, and metal accents, which provide a compatible overall design with unique applications to each building type that will complement the design of surrounding buildings and potential residential developments in the future; and

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by providing ~~sufficient~~ parking on-site in parking structures at a ratio of 1.32 spaces per condominium unit, 1.09 spaces per apartment unit, and 2 spaces per townhome unit (total ratio of 1.27 spaces per unit); incorporating various appropriate pedestrian connections into and throughout the site; proposing bike and pedestrian improvements along the frontage road and through the site; and incorporating well-designed landscaping improvements along all the public street frontages with the preservation of existing trees and planting of new trees; and

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing a variety of new shade trees and

plants in conformance with the City's Water Conservation in Landscaping Regulations, replacement of Heritage trees per City requirements, and new landscaping and street trees along East Middlefield Road; and

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing adequate on-site parking, loading, and delivery spaces along a new service street that establish clear circulation through the site; alleys that serve the townhome units are minimized to the greatest extent feasible and are located toward the rear of the site with limited visibility from the public street; and the project includes additional pedestrian access throughout the site, including connections to the new public park, east-west connections along the rear of the property in anticipation of future connections on adjacent properties, and improved bicycle and pedestrian access to the adjacent public street; and

f. The approval of the Development Review Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review of the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan EIR (EIR), the proposed addition of up to 463 residential units on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined that all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

3. The Heritage Tree Removal Permit to remove 18 Heritage trees (Tree Nos. 3, 4, 5, 19, 20, 21, 28, 29, 35, 41, 49, 50, 51, 55, 61, 62, 65, and 66) and relocate one Heritage tree (Tree No. 30) is conditionally approved pursuant to the following required findings in Section 32.35 of the City Code:

a. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services based on the arborist report prepared for the project because the trees are in poor health due to die-back conditions, prior heavy pruning for utility clearances, and have disruptive roots displacing sidewalks, as well as poor form and structure and thin canopy;

b. It is appropriate and necessary to remove the trees in order to construct the development and allow reasonable and conforming use of the property when compared to other similarly situated properties based on the majority of trees being in poor health, the location of the trees being within the footprint of the new structures, or the proximity of the trees to the area of excavation needed for the underground parking garages. The tree removals are necessary to allow reasonable and conforming use of the property when compared to other similarly situated properties because the majority of the existing trees are within the footprints of the future buildings, and other site improvements, which are necessary to accommodate a higher-density residential development and achieve desired pedestrian and bicycle circulation improvements;

c. It is appropriate and necessary 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 overall quality of the trees that are proposed to be removed range from poor to good, and no excellent-rated trees are proposed to be removed;

d. It is appropriate and necessary to remove the trees to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest because the majority of trees on the site proposed for removal are nearing the end of their life, are not in excellent health, or have been permanently damaged by pruning, and the replacement of these trees with newer trees will result in better overall tree canopy and health of the urban forest; and

e. The approval of the Heritage Tree Removal Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because an Initial Study of Environmental Significance has been prepared in compliance with Section 15168 of the CEQA Guidelines. The environmental review of the project found that with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan EIR (EIR), the proposed addition of up to 463 residential units on the site would not result in any new environmental impacts beyond those previously evaluated and disclosed in the EIR. The analysis determined that all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the East Whisman Precise Plan EIR.

4. The Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit are approved subject to the applicant's fulfillment of all of the conditions which are attached hereto in Attachment 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.

JR/2/RESO
839-03-17-20r

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2018-206
355-365, 401, AND 415 EAST MIDDLEFIELD ROAD**

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

This approval is granted to construct two, 7-story multi-family residential buildings with 427 total new housing units (157 condominiums and 270 apartments) with three levels of structured parking and 36, four-story townhomes with attached garages, for a total of 463 residential units on a six-acre project site; a Transfer of Development Rights (TDR) of 10,000 square feet from 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site as part of the Los Altos School District TDR Program; a Heritage Tree Removal Permit to remove 18 Heritage trees; and an Initial Study of Environmental Significance pursuant to Section 15168 of the CEQA Guidelines, located on Assessor Parcel Nos. 160-52-013 and 160-52-021. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein and kept on file in the Planning Division of the Community Development Department:

- a. Project drawings prepared by KTGy, WHA, R3 Studios, and Carlson, Barbee & Gibson, Inc. for SummerHill Housing Group dated January 15, 2020.
- b. Color and materials board prepared by KTGy and WHA for SummerHill Housing Group dated January 15, 2020.
- c. An Initial Study of Environmental Significance/Environmental Checklist per Section 15168 of the CEQA Guidelines, for SummerHill Housing Group as prepared by the City for the project dated January 2020.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division – 650-903-6306

- 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. **EXISTING OFFICE FLOOR AREA:** Pursuant to the East Whisman Precise Plan and the East Whisman Precise Plan Jobs-Housing Linkage Guidelines, the applicant may transfer the project’s demolished floor area (83,585 square foot Floor Area Transfer) to a Bonus FAR office project, or divide the floor area among multiple Bonus FAR projects, in the East Whisman plan area. Any subsequent office development application to use the demolished nonresidential floor area must be submitted within five years of this project’s start of construction and must be accompanied by a notarized letter from this project applicant (or successor) documenting the sale/transfer of the floor area. If five years have elapsed without a transfer and development application to use the floor area, the floor area shall be added to the East Whisman Precise Plan Development Reserve. If the approved residential project is not yet under construction, the letter must be associated with a legal instrument that assures the existing nonresidential uses will be removed and this project site constructed with residential units within a defined period of time. Because transferred floor area is not net new floor area, the subsequent office project does not count the transferred floor area when determining Community Benefits, School Strategy, Housing Impact Fees, or Jobs-

Housing Linkage requirements. **(PROJECT-SPECIFIC CONDITION)**

3. **JOBS-HOUSING LINKAGE DEVELOPMENT RESERVE ALLOCATION (NET NEW OFFICE AREA):** Pursuant to the East Whisman Precise Plan and the East Whisman Precise Plan Jobs-Housing Linkage Guidelines, for every three residential units built, the applicant may allocate 1,000 square feet of Development Reserve Floor Area to Bonus FAR office project(s) in East Whisman. However, under the terms set by the City Council on November 5, 2019, this project may not be entitled to allocate all of this floor area. The amount of Development Reserve floor area the project may allocate will be limited by the amount of office and residential floor area built among authorized LASD TDR projects (authorized projects). If more office than residential is built among those authorized projects, the applicant will not be allowed to allocate floor area. If allowed to allocate the Development Reserve floor area, the applicant (or successor) shall provide a notarized letter with the office project's development application within five years of this project's start of construction, after which the right of allocation shall expire. If the residential project is not yet under construction, the letter must be associated with a legal instrument that assures the existing nonresidential uses will be removed and the site constructed with residential units within a defined period of time. **(PROJECT-SPECIFIC CONDITION)**
4. **TRANSFER OF DEVELOPMENT RIGHTS (TDR) APPROVAL:** This project includes 10,000 square feet of floor area from the Los Altos School District (LASD) TDR Program, which supports the financing of a new public school site in the San Antonio area, and also granted the applicant early submission for development review prior to the adoption of the East Whisman Precise Plan. To implement the project approval, the applicant/property owner will purchase 10,000 square feet of floor area from 2535 California Avenue, 506 Showers Drive, and 350 Showers Drive (future school site) from the LASD and transfer it to this project site, pursuant to the requirements outlined in Condition Nos. 73 and 74. Any revision to the project to reduce or remove use of approved TDR square footage at the project site shall be considered a major modification to the project approval and require review and consideration by the City Council. **(PROJECT-SPECIFIC CONDITION)**
5. **OTHER REVIEW AGENCIES:** This project requires review and approval by outside agencies, including, but not limited to, the Regional Water Quality Control Board and the United States Environmental Protection Agency (EPA). Proof of approval from these agencies may be required prior to building permit issuance, inspections, or prior to Certificate of Occupancy.
6. **REMEDIATION IMPROVEMENTS:** The applicant shall work with City staff, the necessary oversight agency (e.g., the U.S. Environmental Protection Agency, the State Department of Toxic Substances Control, State Regional Water Quality Control Board, County of Santa Clara Department of Environmental Health Voluntary Cleanup Program, etc.), and responsible parties, if necessary, to address any site remediation or building design/construction requirements to ensure appropriate on-site improvements in accordance with the oversight agency standard practice, local, State, and Federal regulations, and City Code requirements. Design of remediation equipment, equipment placement, or remediation activities will need to be reviewed and may require approval by all parties. Prior to issuance of any building or fire permits, the applicant shall either: (a) submit proof of an approval from the oversight agency of remediation activity and/or building and site design as deemed consistent with the remediation activity; or (b) provide proof the work is not subject to approval from an oversight agency. A Certificate of Occupancy cannot be issued until final inspections have been completed by the oversight agency, if required, and the City.
7. **COMMON AREA OPERATIONS:** The approved hours of operation for the common areas, including roof decks, shall be limited to 8:00 a.m. to 10:00 p.m. Amplified sound/music is permitted in common areas in accordance with City Code Sect. 21.26, excluding roof deck areas where no amplified sound/music is permitted. These operation limits shall be included in all CC&R documents and rental lease disclosures. 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.

PERMIT SUBMITTAL REQUIREMENTS

8. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio and density in units per acre; (d) lot area (in square feet); (e) total number of parking spaces; (f) open space diagram that includes all precise-plan-compliant, common and private open space on-site; and (g) a diagram that identifies all building areas which count toward or are excluded from allowable floor area.
9. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
10. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.
11. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
12. **PAINT COLOR-CODING:** With submittal for building plan check review, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors for the project, manufacturer, and color name. The color-coded sheets can be integrated into the building plans or provided on separate 11"x17" sheets in an envelope marked for "Planning Division."
13. **ADJACENT PROPERTY ACCESS/SAFETY:** The applicant is responsible for completing site work improvements on the adjacent property to establish a finished condition that maintains a one-way (egress) driveway on Middlefield Road. This scope of work will require a separate building permit. **(PROJECT-SPECIFIC CONDITION)**

SITE DEVELOPMENT AND BUILDING DESIGN

14. **DESIGN/PLAN MODIFICATIONS:** The applicant shall submit revised plans addressing architectural design, building materials, colors, landscaping, and/or other site or building design details as identified below, based on direction from the Development Review Committee (DRC), and subject to review and approval by the Zoning Administrator prior to issuance of a building permit:
 - a. Continue to work with staff on the paving design of the Precise-Plan-required on-site public paseos to achieve an enhanced appearance and distinctive presence consistent with their role as a special pedestrian amenity, as compared to standard sidewalk improvements within the project;
 - b. Continue to work with staff on alternate finishes/colors for midblock crossings of service streets to ensure they have sufficient visibility and contrast with the vehicle paving and integrate with other pedestrian improvements;
 - c. Continue to work with staff to refine the color, height, and material specification of the "key corner" on the condominium building as well as the orientation and design of seating/landscaping in the entry plaza to

create an inviting area where conversations and interaction could occur, and ensure the “key corner” achieves a distinctive/unique and welcoming presence;

- d. Refine design details for the proposed screening of the parking garage, gas meters, and similar features along on-site public paseos and service streets to provide a decorative appearance, including, but not limited to, measures to avoid off-site glare from garage lighting and headlights;
 - e. Continue to work with staff on the ground floor porch/patio detailing, with particular focus on the condominium building railing design and materials, to create visual interest and pedestrian engagement along the service street;
 - f. For the townhomes, continue to work with staff on the design of window trim details and ground floor window proportions on stucco walls to enhance residential character of the buildings;
 - g. Through the building permit submittal and mock-up inspections processes, continue to work with staff to refine the color and material schemes to complement each other but provide variety between the buildings;
 - h. Clearly show in-building plan sets how much the windows are recessed and create visual interest in the building walls; and
 - i. Add sunshade/awnings or other similar features that are compatible with the building architecture on the facades with greater sun exposure, such as southerly and westerly elevations. **(PROJECT-SPECIFIC CONDITION)**
15. **PUBLICLY ACCESSIBLE OPEN SPACE/FACILITIES:** This project includes privately owned open space, improvements, and/or other facilities located along public rights-of-way or interior areas intended for public use, including pedestrian sidewalks, walkways, paseos/greenways, plazas, and bicycle improvements. The applicant shall have the right to establish and enforce reasonable rules and regulations for the use of the open space but shall not restrict public access with fencing or other design/operational barriers.
16. **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.
17. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement and utilization 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.
18. **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.
19. **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.
20. **WINDOW RECESS:** Windows shall be recessed as shown on the approved plans. Any deviations from those drawings shall require review and approval by the Zoning Administrator, prior to the issuance of building permits. **(PROJECT-SPECIFIC CONDITION)**

21. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows along the public street must maintain a minimum 75 percent transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
22. **BIRD-SAFE DESIGN:** The project shall comply with the bird-safe measures outlined in the Precise Plan and enclosed as Appendix C to the project's Initial Study. At minimum, the following project design features shall be included in building permit drawings to reduce bird strikes:
 - a. For the condominium building, the transparent glass guardrails on the northwestern roof deck and corner balconies must be treated/modified to be bird-safe or subject to a material that renders it opaque to birds (e.g., using metal screening or wires, or frosted/opaque glass).
 - b. For the condominium and apartment buildings, the large and continuous ground-floor glass panels on and near the northwesterly corners of the buildings must be treated to be "bird-safe" with methods described in the East Whisman Precise Plan, including fritting, stenciling, frosting, adding ultraviolet patterns, or employing physical screens or grids.
 - c. Artificial night-lighting sources that direct light upward (skyward) shall be avoided. Artificial night-lighting (both exterior and interior) of the buildings shall be minimized, while maintaining function and minimum safety. This can be accomplished by occupancy sensors, timers that control lighting, or other methods.
(PROJECT-SPECIFIC CONDITION)
23. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to the purchase or installation of any exterior finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include building finish materials, siding, trim, other exterior finish materials (e.g., stone, tile, etc.) and paint samples.
24. **ROOF EQUIPMENT:** All roof equipment, including solar panels, must be concealed behind opaque (solid) screening designed to complement the building. Solar panels placed above mechanical equipment on the roof top may be visible above installed screening, but the mechanical equipment must be located as far from the edge of the building so as to reduce visibility of the solar panels to the greatest extent feasible. Details of the roof equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
25. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval.
26. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review. The design and location must be approved by the Zoning Administrator and comply with all setback requirements.
27. **TRASH ENCLOSURE:** Details of the 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. For food serving uses or trash compactors, the trash enclosure must be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device.
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 is required. 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 with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
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:** The applicant shall provide the following bike parking on the project site, which must be shown on plans submitted for building permit review:
 - a. Short-term bike parking for visitors with racks for 46 bikes. These spaces shall be provided as bike racks which must secure the frame and both wheels. 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 it is 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 residents at one bike space per unit (total 463 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, townhome garages, 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. **BIKE REPAIR STATION:** One bicycle repair station shall be located on-site at grade level. Specifications, location, and details shall be included on drawings submitted for building permit review. **(PROJECT-SPECIFIC CONDITION)**
33. **VISITOR PARKING:** As shown on the project plans, all visitor parking must be outside of any secured gates and fencing to be accessible at all times. Surface-level parking spaces adjacent to the new public park shall be open and available to park users during park hours. The final location of all visitor parking shall be shown on the building permit plans and include appropriate signage and/or pavement markings, subject to review and approval by the Zoning Administrator. **(PROJECT-SPECIFIC CONDITION)**
34. **VEHICLE PARKING AND LOADING DESIGNATIONS:** The project shall provide:
 - a. A minimum of four (4) car share spaces, which shall be in highly visible location(s) accessible to both building occupants and the general public. The applicant/property owner must offer a right of first refusal for car sharing companies to locate space(s) on the project site. An exemption may be granted by the Zoning Administrator if no car sharing company agrees to operate within the project site, subject to annual verification through the site's Transportation Demand Management program monitoring;
 - b. Carpool/vanpool spaces shall be located near building entrances;
 - c. Loading, delivery, and moving truck location(s) shall be shown in building permit drawings consistent with the approved plans, which can be accommodated in combined or separate areas on-site; and

- d. The minimum amount of electric vehicle (EV) spaces required per Chapter 8 of the City Code.

GREEN BUILDING AND SUSTAINABILITY MEASURES

35. **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** Each part of the project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 120 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
36. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy-use data (electricity, natural gas, etc.) for each major energy system(s) in all new buildings.

LANDSCAPING

37. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
38. **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
39. **STREET TREE:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall return the original to the Parks Division, located at 235 North Whisman Road, and provide a duplicate copy to the Building Inspection Division with building permit submittal.
40. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division.
41. **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.

HERITAGE TREES

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

43. **REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with two replacement trees, for a total of 36 replacement trees (minimum). Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees. **(PROJECT-SPECIFIC CONDITION)**
44. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HortScience/Bartlett Consulting and dated November 2019 shall be included as notes on the title sheet of all demolition, grading, and landscape plans. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
45. **TREE MITIGATION AND PRESERVATION PLAN:** The applicant shall develop a tree mitigation and preservation plan to avoid impacts on regulated trees and mitigate for the loss of trees that cannot be avoided. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards will be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan will be developed in accordance with Chapter 32, Articles I and II, of the City Code, and subject to approval of the Zoning Administrator prior to removal or disturbance of any Heritage trees resulting from project activities, including site preparation activities.
46. **RELOCATION:** Tree No. 30 in the arborist report prepared by HortScience/Bartlett/Consulting, and dated November 2019, shall be relocated to a prominent location on-site as identified in the approved site and landscape plans.
47. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage trees is not maintained and irrevocable damage or death of a tree has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

SIGNS

48. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require a separate Planning and/or building permit. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.
49. **MASTER SIGN PROGRAM:** The applicant shall develop an overall master sign program for this property as part of a separate Planning permit. The program shall identify suitable sign locations, types, sizes, colors, and materials. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.

NOISE

50. **MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
51. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A)_{L_{dn}} that shall be reviewed and approved by a licensed acoustical engineer prior to building permit submittal.
52. **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.

53. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by State noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A)L_{dn} or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans, and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise.

Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant, to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

CONSTRUCTION PRACTICES AND NOTICING

54. **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).
55. **WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
56. **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 construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
57. **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 to the Planning Division prior to issuance of building permits.
58. **DISTURBANCE COORDINATOR:** The project applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
59. **AIR QUALITY:** The applicant will be 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.

60. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.
61. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
62. **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.
63. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

64. **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.
65. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

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

TECHNICAL REPORTS

66. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City prior to the issuance of building permits, and the recommendations made in the geotechnical report will be implemented as part of the project. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the buildup of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
67. **VAPOR BARRIER:** A vapor barrier shall be installed beneath all structures to mitigate any issues associated with the potential for vapor intrusion within the structure. The vapor barrier design shall be equivalent to those required for sites with known concerns in Mountain View that are also exposed to groundwater contamination. Specifications for the vapor barrier included in the Vapor Intrusion Mitigation System plan and/or Site Management Plan (SMP) shall include thickness, type, durability, and diffusion rates for VOCs of concern. The specifications shall also describe the effectiveness of the liner over the life of the building.

CC&RS AND DISCLOSURES

68. **CC&Rs:** Four copies 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 attach a completed CC&R checklist to the CC&Rs upon submittal along with associated review fee made payable to the Mountain View City Attorney's Office. The checklist can be obtained in the Planning Division Lobby or call at 650-903-6306.
69. **GARAGES:** Garages for the townhome units are to be used for resident parking only. Storage is permitted so long as it does not prevent use of garage for required vehicle parking and should be included in the CC&Rs.

(PROJECT-SPECIFIC CONDITION)

70. **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.
71. **NOTICE TO POTENTIAL BUYERS:** In addition to the required legal disclosures, the applicant's sales staff shall notify potential buyers about any known environmental contamination issues and the project site's environmental cleanup status with the Regional Water Quality Control Board or United States Environmental Protection Agency (EPA) and potential noise related to proximity to Moffett Federal Airfield Airport and San Jose International Airport.

LEGAL AGREEMENTS AND FEES

72. **COMMUNITY BENEFIT PACKAGE:** In compliance with the East Whisman Precise Plan, the applicant is required to provide a community benefit(s) in exchange for additional development intensity and to advance the goals and policies of the East Whisman Precise Plan. The applicant is required to provide a public benefit in the form of a fee payment of \$5.00 per bonus square foot above the baseline FAR of 1.0 (excluding 10,000 square feet of TDRs) for an estimated total contribution of \$2,499,160, which must be made payable to the City of Mountain View. Payment must be provided prior to issuance of the first foundation, excavation, or new structure building permit.
73. **PROOF OF TDR TRANSFER:** The applicant/property owner shall submit a copy of an executed/recorded document(s) demonstrating proof of purchase and transfer of the approved 10,000 square feet of TDR floor area from the Los Altos School District future school site in the San Antonio Precise Plan area to the applicant/property owner for use on this project site. This documentation may be in the form of a Certificate of Transfer or similar legal instrument, to the satisfaction of the City Attorney, and shall be provided to the City prior to issuance of any building permit(s), including a demolition permit. The sale and transfer of TDR square footage may not occur before a covenant is recorded on the LASD future school site restricting development rights for the TDR Program square footage. Once the approved TDR project is constructed on this project site (i.e., the "receiving" site), no further transfer of the TDR floor area is permitted. **(PROJECT-SPECIFIC CONDITION)**
74. **DECLARATION OF COVENANTS (TDR):** A Declaration of Covenants, or similar legal instrument, is required to be recorded on the property of all TDR project sites receiving floor area from the Los Altos School District future school site, in order to identify the TDR square footage has been added to the project site in perpetuity as well as the related restrictive covenants on the transferred TDR. The Covenant shall be in a form approved by the Community Development Department and City Attorney's Office and shall be signed, notarized, and recorded on the land prior to the issuance of any building permit (including demolition permit) for the project or concurrent with recordation of the parcel/final map, whichever occurs first. **(PROJECT-SPECIFIC CONDITION)**
75. **NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all planned developments and common-interest developments. The notice shall be in a form approved by the Community Development Department 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.
76. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits (including demolition permits), the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Planned Community Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be

amended without prior City consent.

TRANSIT-RELATED PROGRAMS AND OFF-SITE IMPROVEMENTS

77. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner, property managers, and homeowners association (HOA) or their representative(s) (collectively “the owners”) are required to maintain a TDM program which provides commute and transportation alternatives to employees/residents of the project for the life of the project. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:
- a. Join and maintain ongoing membership in the MVTMA for the life of the project.
 - b. Provide and maintain maximum vehicle parking and minimum bike parking as approved in the project plans and in accordance with the approved parking study. Also, must provide and/or maintain access to shared bicycles for residents/employees, if a bike-share service is not nearby.
 - c. A pedestrian walkway/bicycle route shall be maintained along the southerly property line, as shown in the approved plans (Sheet SP.2.1). The property owner shall provide a public access easement via the pedestrian walkway and bicycle route across the site to be recorded prior to approval of any building permit.
 - d. There shall be conveniently located ride-share drop-off and waiting areas on-site.
 - e. Provide and maintain shared, common, collaborative workspaces for residents and their guests. This amenity can be offered in partnership with nearby residents or businesses.
 - f. Provide monetary incentives for alternative mode of travel, such as subsidized transit passes or bike-share for residents and/or unbundled parking.
 - g. Provide and maintain accessible and secure storage spaces for package delivery on-site.
 - h. The owners shall provide local transportation information to all residents through a website, leasing office, and/or initial leasing or sale information.
 - i. The owners shall support Safe Routes to Schools programs, including facilitating parent gatherings and coordination of walking, school buses, and/or bike trains.

Any modification to this TDM program requires review and approval by the Zoning Administrator.

78. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner, property managers, and homeowners association (HOA) or their representative(s) (collectively “the owners”), shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the goal of vehicle trip reduction at the project site. The TDM report shall be prepared by a third party and paid for by the owners to include parking counts to measure the peak parking demand and resulting parking rate on the project site and through driveway traffic counts. The parking and driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the owners.
- a. **TDM Reporting:** The initial TDM report for the project shall be submitted one year after the granting of the Certificate of Occupancy for half of the total residential units in the project. Subsequent reports will be collected annually and submitted to the Community Development Department.

- b. **Report Requirements:** The TDM report shall either: (1) state that the project is maintaining the TDM program, including a description of the measures in place; or (2) state that the project has not maintained the program and propose new or modified measures since the last monitoring period. If parking or other site issues arise that impact the success of the TDM program, then the owners shall submit a revised TDM plan to the City identifying new programs or policies to address the exceedance.

Housing and Neighborhood Services Division – 650-903-6379

79. **BMR, PROCESS:** Following project approval, the applicant shall contact the Housing and Neighborhood Services Division and a BMR agreement will be prepared for the project. The applicant shall submit the following information: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the Below-Market-Rate (BMR) condition; (c) a legal description of the property; (d) a plan indicating the location, size, and phasing of BMR units; and (e) additional information as requested by the Housing and Neighborhood Services Division. Prior to issuance of the initial building permit, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide BMR units as described in Condition No. 80.
80. **ALTERNATIVE BMR REQUIREMENT:** The project includes an alternative to the City’s BMR Affordable Housing Requirement which requires the project to provide a total of 68 affordable rental units at low- and moderate-income levels, consisting of 27 units (10 percent of 270 rental units at low) and 41 units (15 percent of 270 rental units at moderate), in lieu of providing on-site or paying an in-lieu fee for the 193 ownership units. **(PROJECT-SPECIFIC CONDITION)**

Building Inspection Division – 650-903-6313

Entitlement review by the Building Inspection 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 Inspection 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, please visit the Building Inspection Division online at www.mountainview.gov/building. It is a violation of the MVCC for any building occupancy or construction to commence without the proper building and/or fire permits and issued Certificate of Occupancy.

81. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2019 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
82. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
- **CHAPTER 11A:** Project will be required to comply with the accessibility requirements in the 2019 CBC, Chapter 11A.
 - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the 2019 CBC, Chapter 11B.
 - **PARKING (CHAPTER 11A):** Project will be required to comply with the accessible parking requirements in the 2019 CBC, Chapter 11A.
 - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the 2019 CBC, Chapter 11B.

- **PARKING REDUCTIONS (CHAPTER 11B):** Parking reductions granted through a Planning/Zoning Permit do not reduce the amount of required accessible spaces. The project will be required to comply with the accessible parking requirements in the 2019 CBC, Chapter 11B.
 - **GUEST PARKING:** At least 5 percent of the guest parking spaces are required to be accessible per the 2019 CBC, 1109A.5.
 - **ASSIGNED PARKING:** At least 2 percent of the assigned parking spaces are required to be accessible per the 2019 CBC, 1109A.4.
83. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per the 2019 CalGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.45.
 84. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to the Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
 85. **APPROVALS REQUIRED:** This project requires the approval of the Santa Clara County Environmental Health Department (SCCHD) prior to submittal to the Building Inspection Division. Please visit SCCHD online at www.sccgov.org or by phone at 408-918-3400 to obtain information and requirements for approval.
 86. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the 2019 CBC.
 87. **EGRESS:** Site must meet accessible means of egress per the 2019 CBC, Section 1009.
 88. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of 2019 CBC, Section 907.5.2.2.
 89. **FIRE PROTECTION (PROJECTIONS):** Overhangs and other projections will not be permitted to cross property lines, including any property lines between units.
 90. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per 2019 CBC, Section 903.2.8.
 91. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per 2019 CBC Table 706.4c as amended in MVCC Section 8.10.22.
 92. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Please visit City of Mountain View – Fire & Environmental Protection Division online at www.mountainview.gov/fep or by phone at 650-903-6378 to obtain information and submittal requirements.
 93. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the 2016 CBC.
 94. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per 2019 CBC, Chapter 5.
 95. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans per requirements of the 2019 CBC, Section 1004.
 96. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of building plan submittal to show how pedestrians will be

protected per 2019 CBC, Section 3306.

97. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.
98. **PLAYGROUND EQUIPMENT:** A building permit will be required for all playground equipment in the common area(s), if proposed. Third-party inspection by a certified playground safety inspector is required before final building inspection.
99. **SEPARATION:** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted per the 2019 CBC, Section 406.3.4.
100. **SUPERFUND SITE (MEW):** This site resides in the MEW (Middlefield-Ellis-Whisman) Superfund area and may be required to implement Environmental Protection Agency (EPA) mitigation measures prior to and during construction. Provide EPA acknowledgement and approval upon building permit submittal.
101. **SURVEY:** A survey will be required to be completed to verify structure placement.
102. **SCHOOL IMPACT FEE:** Project will be subject to School Impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos High School District *and* Mountain View Whisman School District *or* Los Altos Elementary School District.
103. **ALTERNATE MATERIALS METHODS REQUEST (AMMR):** Any submittals of AMMRs are required to be formally submitted with the complete initial building submittal. AMMRs will be reviewed by the Chief Building Official during the plan check process; approvals of AMMRs are not provided or processed prior to submittal to the Building Inspection Division.

Fire Department – 650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

104. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13 (2016 Edition), NFPA 24 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (City Code Sections 14.10.28, 14.10.29, and California Fire Code Section 903.)
105. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.30, 14.10.31, 14.10.32, and 14.10.33 and California Fire Code Section 905.)
106. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four (4) stories or more in height shall be provided with not less than one (1) standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. In each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)

107. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' (apart) and within 150' of all exterior walls. Installation shall be complete and the system shall be tested prior to combustible construction.
108. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2016 Edition) and Mountain View Fire Department requirements.)
109. **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.)
110. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 907 and City Code, Section 14.10.34.)
111. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.)
112. **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

113. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 506.)
114. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Call the Building Inspection Division at 650-903-6313 for instructions. (California Fire Code, Section 506.)
115. **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, except where noted on the approved plans as "EVA" and marked with "NO PARKING-FIRE LANE" signs. (California Fire Code, Section 503, and City Code, Sections 14.10.15, 14.10.16, and 14.10.17.)
116. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatus. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatus shall never be more than 150' away from the closest turnaround. Call the Building Inspection

Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)

117. **FIRE LANE MARKING:** "NO PARKING – FIRE LANE" signs shall be posted along fire lanes and curbs shall be painted red with the words: NO PARKING – FIRE LANE stenciled in white on the top and side of the curb. Call the Building Inspection Division at 650-903-6313 for specifications and application or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 503.)
118. **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.)
119. **STRETCHER REQUIREMENTS:** In all structures four (4) or more stories in height, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.) This is not required for 4-story buildings that do not require an elevator.

EGRESS AND FIRE SAFETY

120. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1008.)
121. **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.)
122. **FLOOR-LEVEL EXIT SIGNS:** Floor-level exit signs shall be provided in all interior exit corridors of Group A, E, I, and Group R2.1 occupancies and in all interior rated exit corridors serving guest rooms of hotels in R1 occupancies. (California Building Code, Section 1013.)
123. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.1.10.)
124. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but is not limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
125. **GROUP A, E, I, AND R-1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
126. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.
127. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.3.)

128. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
129. **STAIRWAY IDENTIFICATION SIGNS:** In buildings four (4) or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1023.9.)
130. **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.)

EXTERIOR IMPROVEMENTS

131. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. Call the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code, Section 304.3.)

OTHER

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

Public Works Department – 650-903-6311

RIGHTS-OF-WAY

134. **STREET DEDICATION:** Dedicate a public street in easement, as required by the Public Works Director, to widen Middlefield Road an additional 4'.
135. **PUBLIC ACCESS EASEMENT, COVENANTS, AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits and prior to approval of the final map, the owner shall dedicate a public access easement (PAE), covenants, agreements, and deed restrictions on private property. The dedication shall indicate that:
- a. Public access shall be granted for nonautomotive use;
 - b. Owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
 - c. The PAE shall run with the land and be binding upon any successors;
 - d. If Owner shall fail to abide by PAE, Owner agrees to pay all reasonable costs and expenses incurred by City in enforcing the performance of such obligations; and

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

A legal description (metes and bounds) and plat map (drawing) of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Public Works Department for review and approval. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

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

136. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 9' 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. 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.

137. **PUBLIC WATER METER EASEMENT:** Dedicate public water meter easement (WME) to construct, install, maintain, repair, replace, and operate water meters and appurtenances, as required by the Public Works Director.

138. **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.

139. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements, as necessary, for the common private street and utility improvements.

140. **PLAT AND LEGAL DESCRIPTION:** For proposed public easement and/or right-of-way dedication(s), submit to the Public Works Department for review and approval a legal description (metes and bounds), plat map (drawing), and other required documents per the City's Legal Description and Plat Requirements. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor.

FEES

141. **MAP PLAN CHECK FEE:** Prior to issuance of any building permits and prior to approval of the final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.27.b and 28.19.b of the City Code per the rates in effect at time of payment.

An initial map plan check fee based on the Public Works adopted fee schedule shall be paid at the time of initial map plan check submittal.

142. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits and prior to approval of the final map, 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 initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums.

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

143. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits and prior to approval of the final map, 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. The transportation fee is applicable to any project who submitted a formal planning application after July 1 2018, or who are issued a final building permit that grants occupancy after January 1, 2021 per City Code (Chapter 43).

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

145. **SANITARY SEWER FAIR SHARE CONTRIBUTION:** The Utility Impact Study by Schaaf & Wheeler, dated September 2019, identified performance and capacity deficiencies at downstream segments of the City sanitary sewer system contributed by the development beyond the levels anticipated under the adopted General Plan. Prior to issuance of the building permit and approval of the parcel map, the applicant shall be required to pay a proportionate fair-share contribution to the City to upsize the sanitary sewer pipelines in the system to achieve appropriate performance and capacity. **(PROJECT-SPECIFIC CONDITION)**

146. **PARK LAND DEDICATION AND FEE:** Dedicate in fee 0.376 acre of public park land and pay the Park Land Dedication Fee to satisfy the remaining park requirement for the development in accordance with Chapter 41 prior to the issuance of any building permits and prior to approval of the final map.

Prior to the approval of the final map, the applicant shall: (1) provide a written report to disclose all known hazardous materials and contaminants on the park site to the City; (2) provide written approval by the Environmental Protection Agency (EPA) or other appropriate lead regulatory agency for the use of the site as a public park; (3) prepare a Site Management Plan (SMP) and/or Vapor Intrusion Mitigation Plan (VIMP) with specific protocols for the park construction, operation, and ongoing maintenance that must be reviewed and approved by the EPA. The applicant shall provide funding for the implementation of the SMP and/or VIMP on the park site based on a cost estimate prepared by the engineer of the SMP/VIMP and as approved by the City prior to the approval of the parcel map; the City shall implement the SMP/VIMP during park construction; (4) be responsible for removing or remediating hazardous material and contaminants found on the site, as identified in the written report provided to the City and as required by the SMP/VIMP, so that the site is suitable for use as an

open space park site; and (5) agree to protect, indemnify, and hold harmless City, its directors, officers, employees, and agents, from and against any environmental liability related to any hazardous substances caused by applicant's actions at the property, and any and all claims, demands, judgments, settlements, damages, actions, causes of action, injuries, administrative orders, consent agreements, and orders, liabilities, losses, penalties, and costs related to hazardous substances caused by applicant, including, but not limited to, any clean-up costs, remediation costs, and response costs, and all expenses of any kind whatsoever, including reasonable attorneys' fees and expenses, including, but not limited to, those arising out of loss of life caused by applicant; injury to persons, property, or business caused by applicant; or damage to natural resources in connection with the activities of applicant or its agents or contractors, and any of them, the foregoing being collectively referred to as "claims" which:

- a. Arise out of the actual, alleged, or threatened mitigation, spill, leaching, pouring, emptying, injection, discharge, dispersal, release, storage, treatment, generation, or disposal or escape of any hazardous substances onto or from the premises; or
- b. Actually or allegedly arise out of or in connection with the premises, the use, specification, or inclusion of any product, material, or process containing hazardous substances, the failure to detect the existence or proportion of hazardous substances in the soil, air, surface water, or groundwater, or the performance of or failure to perform the abatement of any hazardous substances source or the replacement or removal of any soil, water, surface water, or groundwater containing any hazardous substances; or
- c. Arise out of the breach of any covenant, warranty, or representation contained in any statement or other information given by applicant to City in connection with environmental matters; or
- d. Arise out of any enforcement or remedial action or any judicial or administrative action brought pursuant to any environmental law.

Applicant, its successors, and assigns, shall bear, pay, and discharge when and as the same become due and payable, any and all such judgments or claims for damages, penalties, or otherwise against City, as provided in this section, shall hold City harmless for those judgments or claims, and shall assume the burden and expense of defending all suits, administrative proceedings, and negotiations of any description with any and all persons, political subdivisions, or government agencies.

STREET IMPROVEMENTS

147. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to, curb, gutter and sidewalk along Middlefield Road; one water meter and backflow preventer(s) for each of the following: condominium building, apartment building, the three town-flats and the park; sewer connections, storm drain connections; new curb returns for A Street, and a new driveway for C Street.

- a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit OR approval of the final map.
- b. **BONDS/SECURITIES:** Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide a cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the

underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.

- c. **INSURANCE:** Provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement prior to the issuance of the building permit or approval of the final map. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Pollution Legal Liability Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
148. **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) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans (10 sets), 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. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and 2 half-size black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit or approval of the final map. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
149. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial 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 be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).
- Traffic control plans shall be prepared, stamped, and signed by a California-registered Traffic Engineer (T.E.).
150. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of the 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.
151. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit to the Public Works Department a complete Excavation Permit Application for all applicable work within the public right-of-way. Permit applications are available on the Internet from the Public Works Department website. All work within 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.

152. **TIE-BACK ENCROACHMENTS:** Temporary tie-backs or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100 percent) or letter of credit (100 percent) or cash security (100 percent) securing the installation and warranty of the temporary tie-backs.
153. **CORNER STREET SIGHT TRIANGLE (STREET A):** At street corners of controlled and/or uncontrolled intersections, the building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers) shall conform to City Standard Detail A-23, Corner Intersection Visibility Traffic Safety Visibility Area.
154. **DRIVEWAY OR SIDE STREET SIGHT TRIANGLE (STREET C):** The building architecture, landscaping, signage, and other aboveground improvements (including backflow preventers) shall conform to City Standard Detail A-22, Side Street/Driveway Pedestrian and Vehicular Triangle of Safety.
155. **STREETLIGHTS:** New City standard streetlights shall be installed along the project street frontage of Middlefield Road per City standards. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer.
156. **HALF-STREET OVERLAY:** Half-street overlay (minimum 2" grind and overlay) along Middlefield Road project street frontage shall be required due to multiple utility trenches and impacts from the anticipated construction traffic.
157. **ROADWAY STRIPING:** Middlefield Road shall be restriped in anticipation of the future installation of a buffered bike lane. The vehicular travel lanes shall be the correct width such that when the City installs the bike lane buffer in the future, the travel lanes do not need to be restriped (12' median lane, 14' curb lane, 6' bike lane). **(PROJECT-SPECIFIC CONDITION)**
158. **STREET A INTERSECTION:** The design of the medians on Middlefield Road and the pork chop on Street A is not finalized and shall be reviewed prior to the first plan check. **(PROJECT-SPECIFIC CONDITION)**

CURBS, SIDEWALKS, AND DRIVEWAYS

159. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
160. **AMERICANS WITH DISABILITIES ACT 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.
161. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Middlefield Road.
162. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Middlefield Road out of sidewalk and relocate to Public Utility Easement, landscape strip, or behind the back of 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.
163. **PARKING RESTRICTION:** Parking shall be prohibited within the common driveways, excluding approved guest, loading, and car-share 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.”

164. **ON-STREET PARKING RESTRICTIONS:** Parking shall be prohibited along Middlefield Road along the project frontage since this portion of Middlefield Road is a bike route. Painted red curb shall be installed on and along the project frontage.

STREET TREES

165. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
166. **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 official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form available online at www.mountainview.gov/planningforms.
167. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

UTILITIES

168. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans to determine the depths and locations of existing subsurface utilities. 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 and depth of utility.
169. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38. Buildings 1, 2, and 3 (the townhouse buildings) to be served by a single meter, Building 4 (the 157-unit condominium building) to be served by a single meter, and Building 5 (the apartment building) to be served by a single meter with submetering per unit if feasible and agreeable by the Community Development and Public Works Departments.
170. **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.
171. **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.
172. **WATER METER BANK:** Water meters shall be arranged in a bank of meters and located behind the public sidewalk in the landscaped areas only in accordance with City standards. Water meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway entrance so as not to impact the aesthetics of the entrance.

173. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit to the Public Works Department complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to issuance of any permits.
174. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, unless they are satisfactory for reuse, as determined by the Public Services Division. Water services 4" or larger that are not reused shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.
175. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
176. **UNDERGROUND 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 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 or not visible from the street or to the general public, as approved by the Community Development and Public Works Departments.)
177. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. These plans shall be combined and made a 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.

RECYCLED WATER

178. **RECYCLED WATER USE REQUIREMENT:** This site is within the City's current or future recycled water service area. Recycled water use is required per the City Code for all irrigation within the City's recycled water service area.
179. **RECYCLED WATER USE PERMIT:** Submit a Recycled Water Use Permit Application.
180. **RECYCLED WATER SERVICES:** Each recycled water use must have its own individual meter (i.e., exterior irrigation, dual-plumbing, cooling towers, etc.). All recycled water services must have a meter and a reduced-pressure backflow preventer.
181. **RECYCLED WATER PLANS:** Prepare recycled water plans in accordance with the City's Customer Guidelines for Recycled Water Use. The applicant shall follow the Guidelines, including, but not limited to, showing on the plans: size and location of all existing and new water meters, backflow preventers, new potable and recycled water pipelines, and existing potable and recycled water pipelines (if available); location of irrigation system components (controllers, quick couplers, valves, strainers, and constant pressure main lines); boundaries of the intended potable

and recycled water use areas; locations of proposed recycled water advisory signs; a completed Site Information Box; and all applicable recycled water standard notes and details.

182. **RECYCLED WATER FEES AND COSTS:** Project applicant shall be responsible for paying all applicable costs and fees, as part of the approval of any recycled water project, prior to issuance of any building permits and/or map approval.
183. **RECYCLED WATER SPECIAL INSPECTION:** The owner/developer is required to hire a certified AWWA Cross-Connection Specialist to perform the construction inspection of ALL on-site recycled water systems, pursuant to the approved plans. The following note shall be clearly shown on the first sheet of the recycled water permit plans (i.e., landscape/irrigation, plumbing, mechanical, or civil plans): “Any installation for recycled water is required to have a Special Inspection by a certified AWWA Cross-Connection Specialist to ensure that the on-site recycled water system was constructed per the approved plans and specifications.” The Specialist shall submit a report/checklist to the City (Public Services Division and Building Inspection Division) verifying that the on-site recycled water system was constructed per the approved plans and specifications. Receipt of inspection report/checklist is required prior to connection of the recycled water meter and building permit final.
184. **CROSS-CONNECTION TESTING:** After confirmation of the special inspection, a cross-connection test is required prior to receiving recycled water. The following note shall be clearly shown on the first sheet of the recycled water permit plans: “A cross-connection test is required prior to receiving recycled water.” The cross-connection test will be performed by the City or its representative and must be performed prior to connection of the recycled water meter and building permit final.
185. **SITE SUPERVISOR:** The owner/developer is required to hire a Site Supervisor who has been trained by City staff or will undergo training prior to obtaining final permit approval. The Site Supervisor can be the maintenance contractor in charge of operating and maintaining the recycled water systems. The Site Supervisor must be present for the cross-connection test(s). Every year, the Site Supervisor must perform a visual inspection of the recycled water systems and submit an Annual Site Inspection Report to the City. For more information, refer to the City’s Customer Guidelines for Recycled Water Use. Provide to the City:
 - a. Contact information of Site Supervisor; and
 - b. Proof of Completion of Site Supervisor Training with the City’s Public Services Division—Recycled Water staff.
186. **COVERAGE TEST:** After the system is installed and the Cross-Connection Test has successfully passed, a coverage test must be performed to ensure that overspray and ponding do not occur. The Coverage Test must be performed by the Site Supervisor. Coverage Test results must be submitted to the City prior to building occupancy.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

187. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
188. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. A 2’x2’ inlet/cleanout box is required at or near the property line for the 455 East Middlefield Road property as the installation of the new curb will concentrate the flow.
189. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the grading and drainage plans.

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

SOLID WASTE AND RECYCLING

191. **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
192. **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 Solid Waste and Recycling Section prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
193. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash management plan and enclosure details shall be included in the initial building permit plans and include the following:

Townhouse Condominiums:

1. Trash room layout and dimensions showing minimum (2) 3 CY trash bins, (4) 96-gallon paper carts, (2) 96-gallon container carts, and (1) 96-gallon compost cart inside the enclosure with proper standard clearances. The bins and carts will only have once-per-week collection. Containers must have minimum 4' clearance in front of them for residents to access and 1' clearance between each container, walls, and interior curbs.
2. Enclosure door shall be a sliding door with a 12' wide opening.
3. "No Parking" signs must be posted on enclosure doors.
4. Collection from the enclosures will require collection vehicle to back around corners after servicing containers. If this becomes problematic, service shall be changed and the collection company will roll the bins/carts to the truck for collection to avoid this backing movement (unless property management can find a proper staging area). Current roll-out fees are \$0.75 per foot/per month for each bin/cart that is moved to the truck for collection.
5. Prior to occupancy, trash enclosures and collection areas must be accessible to the collection company. Travelways must be complete for proper vehicle circulation.
6. Property management shall provide 60-day notice, prior to occupancy, to the City's waste hauler in order to set up collection services. If purchasing own equipment, proof of purchase must be provided during building plan review.

Podium Condominiums:

1. Trash room layout and dimensions showing minimum (5) 3 CY trash bins, (2) 3 CY paper bins, (2) 3 CY container bins, and (3) 96-gallon compost carts. There must be 6' clearance in aisle way for bin movement in/out of the trash room. Property maintenance shall line up bins accordingly for collection so that hauling company does not have to move other bins out of the way to get to the ones they are collecting. Trash and

paper bins may be collected up to twice per week but container bins and compost carts may only be collected once per week.

2. This development must utilize three trash chutes to collect trash and recycling. Chutes must be designed to collect three separate material streams – trash, containers, and paper. Property maintenance will be responsible for locking out and removing bins from under the chutes on collection day. At each location where residents have access to the chutes, room shall be available for containers (slim jims) to collect separated organics (food scraps). Property maintenance will be responsible for transport of material to carts in the trash rooms.
3. 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.
4. Trash rooms shall only be used for trash, recycling, and compost containers. The access doors shall be clearly labeled “Trash Room.”
5. Commercial flares must be provided at curb cuts to all entrances in/out of the property.
6. Prior to occupancy, trash enclosures and collection areas must be accessible to the collection company. Travelways must be complete for proper vehicle circulation.
7. Property management shall provide 60-day notice, prior to occupancy, to the City’s waste hauler in order to set up collection services. If purchasing own equipment, proof of purchase must be provided during building plan review.

Podium Apartments:

1. Trash room layout and dimensions showing minimum (8) 3 CY trash bins, (3) 3 CY paper bins, (2) 3 CY container bins, and (4) 96-gallon compost carts OR (8) 3 CY trash bins, (4) 2 CY paper bins, (3) 2 CY container bins, and (4) 96-gallon compost carts. There must be no less than 4’6” clearance in aisle ways between bins to allow for bin movement into/out of the trash room. Property maintenance shall line up bins accordingly for collection so that hauling company does not have to move other bins out of the way to get to the ones they are collecting. Trash and paper bins may be collected up to twice per week but container bins and compost carts may only be collected once per week. May need to add an additional bin for container collection.
2. This development must utilize three trash chutes to collect trash and recycling. Chutes must be designed to collect three separate material streams: trash, containers and paper. Property maintenance will be responsible for locking out and removing bins from under the chutes on collection day and placing back under chutes after collection. At each location where residents have access to the chutes, room shall be available for containers (slim jims) to collect separated organics (food scraps). Property maintenance will be responsible for transport of material to carts in the trash rooms.
3. 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.
4. Trash rooms shall only be used for trash, recycling, and compost containers. The access doors shall be clearly labeled “Trash Room.”
5. The Podium Apartments trash and recycle chutes may be too close together. Consider additional space to allow removal and placement of bins under chutes in order to collect. The space shown on plans is tight. The use of 2 CY bins for recycling as an alternative may alleviate this if it becomes an issue.

6. Commercial flares must be provided at curb cuts to all entrances in/out of the property.
 7. Prior to occupancy, trash enclosures and collection areas must be accessible to the collection company. Travelways must be complete for proper vehicle circulation.
 8. Property management shall provide 60-day notice, prior to occupancy, to the City's waste hauler in order to set up collection services. If purchasing own equipment, proof of purchase must be provided during building plan review.
194. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers. Trash room/enclosures shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled "Trash Room."
195. **GARBAGE PICKUP (SHARED SERVICE):** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating the 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 point and for the periodic removal therefrom. 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.

MISCELLANEOUS

196. **CONSTRUCTION MANAGEMENT PLANS:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans showing the following:
1. **Truck Route:** 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 construction vehicles and equipment parking area, material storage and lay-down area, and construction trailer location for each phase of construction. All construction vehicles/equipment and trailer shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots. 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; and
 3. Sidewalk closure or narrowing is not allowed during any on-site construction activities.

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

197. **SOIL AND GROUNDWATER CONTAMINATION:** Permittee/Contractor is advised that the project is located in or in close proximity to an area of known soil and groundwater contamination, MEW. Permittee/Contractor is responsible for working with the EPA, the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the contaminated area. Special materials for onsite water mains will be required to reduce the risk of future contamination.
198. **HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination areas may expose workers to contaminants in the soil, groundwater, and associated vapors. 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.

199. **VALLEY WATER WELLS:** Santa Clara Valley Water District requires the following note be shown on the plans: While the Santa Clara Valley Water District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage.

Santa Clara Valley Water District (District) records indicate that 31 active wells are located on the subject properties. If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from the District.

Santa Clara Valley Water District (District) records indicate that 23 properly destroyed wells are located on the subject property. Because the wells are considered properly destroyed, no action is necessary to protect them or to bring them into compliance with the District Well Ordinance.

While the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage.

For more information, please call the District's Well Ordinance Program Hotline at 408-630-2660.

200. **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. For phased developments, portions of the units may be released for occupancy, at the City's sole discretion, provided that all public and private improvements (such as, but not limited to, improvements to allow circulation for trash collection vehicles), conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed, as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete."
201. **PRELIMINARY TITLE REPORT:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. The title report shall be dated within six months of the initial plan submittal. This information is required for the preparation of Public Works agreements and documents. Include all easements and agreements referenced in the title report.
202. **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved a minimum 40 calendar days prior to the Council meeting.

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. “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website: www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392.

203. **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.
204. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A “Notice of Intent” (NOI) and “Stormwater Pollution Prevention Plan” (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.
205. **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.
206. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
207. **SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.
208. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
209. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
210. **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 fire sprinkler drain on the plans.
211. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm

drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.

212. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
213. **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.
214. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
215. **STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

216. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml
217. **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 ≥ 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.

NOTE: Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in the Zoning Ordinance. An application for extension must

be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the original expiration date of the permit.

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 of this development. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.