

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW AMENDING CITY OF MOUNTAIN VIEW RESOLUTION NO. 18584, WHICH CONDITIONALLY APPROVED A RESIDENTIAL DEVELOPMENT PROJECT AT 400 LOGUE AVENUE, TO REPLACE “EXHIBIT A” TO RESOLUTION NO. 18584 WITH A CORRECTED “EXHIBIT A,” TO REMOVE CONDITION OF APPROVAL NO. 163 REGARDING THE PARK LAND DEDICATION IN LIEU FEE

WHEREAS, on June 22, 2021, the City Council adopted Resolution No. 18584, which conditionally approved a Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit (collectively, the “Development Permits”) for a residential project (Application No. 2019-016) at 400 Logue Avenue (APN 160-58-002); and

WHEREAS, the development permits approved construction of an eight-story, 408-unit residential development with three levels of underground parking (also referred to as the “Project”) on a 2.54-acre site, subject to conditions of approval, and did not include the approval of a tentative map or parcel map; and

WHEREAS, Exhibit A to Resolution No. 18584 is a copy of the Conditions of Approval for the Project, and includes Condition of Approval (COA) No. 163, which imposes a requirement that a Park Land Dedication In-Lieu fees be paid prior to the issuance of the building permit; and

WHEREAS, under the Quimby Act, Government Code Section 66477, cities may require the dedication of land or impose a requirement of the payment of fees in lieu thereof for park and recreational purposes as a condition to the approval of a tentative map or parcel map if certain requirements are met; and

WHEREAS, at the time the Project was originally approved, the City imposed a condition of approval requiring Park Land Dedication In-Lieu fees pursuant to Section 41.3 (Requirements for single-lot development projects) of the City Code; and

WHEREAS, on February 4, 2026, the applicant requested that staff review whether the fee was correctly imposed; and

WHEREAS, upon review, staff determined that the imposition of this fee was incorrect because the Project did not include the approval of a tentative map or parcel map; and

WHEREAS, staff recommends that City Council adopt this Resolution to amend Resolution No. 18584 for the sole purpose of replacing Exhibit A with a corrected Exhibit A that removes COA No. 163; and

WHEREAS, the Project was previously determined to comply with the California Environmental Quality Act (CEQA) based on the conclusions from an Initial Study of Environmental Significance prepared pursuant to CEQA Guidelines Sections 15162, 15168, and 15183, and the proposed removal of the Park Land Dedication In Lieu Fee Condition of Approval does not alter the Project or the conclusions of the environmental analysis as previously approved. The Project continues to comply with CEQA consistent with the findings and analysis adopted in Resolution No. 18584. Accordingly, the environmental determination made for the original Development Permits remains valid pursuant to CEQA Guidelines Section 15168. The removal of the condition does not result in any physical changes to the Project, and there is no new substantial evidence indicating the potential for new or more severe environmental impacts than those previously evaluated; now, therefore, be it

RESOLVED: that the City Council of the City of Mountain View hereby amends Resolution No. 18584 for the sole purpose of replacing Exhibit A to Resolution No. 18584 with the corrected Exhibit A, attached hereto and incorporated herein; and be it

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

NOTICE

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

CDD/MN-04-28-26r

Exhibits: A. Amended Conditions of Approval

**CONDITIONS OF APPROVAL
APPLICATION NO.: PL-2019-406
400 LOGUE AVENUE**

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

This approval is granted for a Planned Development and a Development Review Permit to construct an eight-story, 408-unit residential project; 36,000 square-foot Transfer of Development Rights; and Heritage Tree Removal Permit to remove five Heritage trees located on Assessor’s Parcel No. 160-58-002. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project drawings prepared by WRNS Studio, date stamped April 15, 2021.
- b. Color and materials board prepared by WRNS Studio, date stamped April 15, 2021.
- c. Initial Study of Environmental Significance/Environmental Checklist for the 400 Logue Avenue Residential Project prepared by the City and kept on file in the Planning Division of the Community Development Department.

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. **PERMIT EXTENSION:** Zoning permits may be extended for up to an additional two years after public hearing review by the Zoning Administrator in compliance with the procedures described in Chapter 36 of the Mountain View City Code. An application for extension must be filed with the Planning Division of the Community Development Department, including appropriate fees, prior to the expiration date of the original permit.
- 3. **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 (42,000 square foot Floor Area Transfer) to a Bonus floor area ratio (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’s 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)**

4. **JOBS-HOUSING LINKAGE DEVELOPMENT RESERVE ALLOCATION:** 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 Los Altos School District (LASD) transfer of development right (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)**

5. **TRANSFER OF DEVELOPMENT RIGHTS (TDR) APPROVAL:** This project includes 36,000 square feet of floor area from the LASD TDR Program, which supports the financing of a new public school site in the San Antonio area. To implement the project approval, the applicant/property owner will purchase 36,000 square feet of floor area from 2535 California Street, 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. 57 and 58. 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)**

6. **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.

PERMIT SUBMITTAL REQUIREMENTS

7. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.

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 a written letter that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.

10. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color name.

11. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent

the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.

12. **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.

OPERATIONS

13. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
14. **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, Section 21.26, excluding roof deck areas where no amplified sound/music is permitted. These operation limits shall be included in all Covenants, Conditions, and Restrictions (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.

SITE DEVELOPMENT AND BUILDING DESIGN

15. **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.
16. **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 programming of the emergency vehicle access (EVA).
 - b. On the east side, along Logue Avenue, continue to work with staff on the proposed design for the public art piece to ensure the location and design are appropriate.
 - c. Continue to work with staff on the southeast (main entry) corner to accent this prominent location.
 - d. Continue to work with staff on the residential stoops to enhance the residential feel.
17. **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.
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:** All windows shall be recessed from the face of the building a minimum of 2”.
21. **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.
22. **BIRD-SAFE DESIGN:** The project shall comply with the bird-safe measures outlined in the Precise Plan. At a minimum, the following project design features shall be included in building permit drawings to reduce bird strikes:
 - a. Facade Treatments. No more than 10% of the surface area of a building’s total exterior facade shall have untreated glazing between the ground and 60’ above ground.
 - b. Funneling of Flight Paths. New construction shall avoid the funneling of flight paths along buildings or trees toward a building facade.
 - c. Skyways, Walkways, or Glass Walls. New construction shall avoid building glass skyways or walkways, freestanding glass wall, transparent building corners, or landscaping behind glass. New construction should minimize the use of glass at tops of buildings, especially when incorporating a green roof design.
23. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance and purchase of the finish materials, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include building finish materials, other exterior finish materials, and paint samples. Proposed primary and secondary (accent) paint colors should be painted next to each other on the mock-up for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
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 rooftop 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 by the Planning Division.
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 an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure. 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. **TRASH ENCLOSURE PAD:** An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10’ beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
29. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall not exceed 6’ in height, measured from adjacent grade to the top of the fence or wall.

The design and location must be approved by the Zoning Administrator and comply with all setback and traffic visibility area requirements.

30. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4" wide stripes. Double stripes shall be 18" apart, from outside edge to outside edge of the stripes, or 10" from inside edge to inside edge of the stripes. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7'. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
31. **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.
32. **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.
33. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors with racks for 41 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 with racks for 408 bikes. These spaces shall be in a secure location to protect against theft and may include, but are not limited to, bike lockers, enclosed cages, or other restricted interior areas. Any area used for long-term bike parking shall not be included in zoning calculations for floor area or building coverage.
 - c. 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.
34. **VEHICLE PARKING DESIGNATIONS:** The project shall provide:
 - a. A minimum of three car-sharing spaces, which shall be in highly visible locations 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 spaces 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 TDM monitoring;
 - b. Carpool/vanpool spaces shall be located near the building entrances;
 - c. The minimum amount of electric vehicle (EV) spaces required per Chapter 8 of the City Code; and
 - d. Loading, delivery, and moving truck location(s) shall be shown in building permit drawings consistent with the approved plans.

GREEN BUILDING

35. **GREEN BUILDING—RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 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 in the building.

TREES AND LANDSCAPING

37. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or 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. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation or underground parking garage, the design of the building and/or parking garage may need to be altered to maintain the health of the trees prior to building permit issuance.
41. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at planning.division@mountainview.gov.
42. **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.
43. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
44. **REPLACEMENT TREES:** The applicant shall offset the loss of five Heritage trees with a minimum of 10 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage replacement trees.
45. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by HortScience and dated December 27, 2018 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall

include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.

46. **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. Particular attention shall be paid to trees near underground utility work, excavation for foundations, and grading activities. 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.
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.

NOISE

48. **MECHANICAL EQUIPMENT (NOISE):** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
49. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the restaurant is in operation.
50. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) L_{dn} that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
51. **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.
52. **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.

53. **PILE DRIVING NOISE REDUCTION:** The following measures shall be incorporated into construction plans and contractor specifications if pile driving is proposed: (a) multiple pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving would be reduced; and (b) temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the foundation pile holes as a standard construction noise control technique. Predrilling reduces the number of blows required to seat the pile.

TRANSPORTATION PROGRAMS AND IMPROVEMENTS

54. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** The property owner, property manager(s), 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 owners 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. Also must provide and/or maintain access to shared bicycles for residents, if a bike-share service is not nearby.
 - c. There shall be conveniently located ride-share drop-off and waiting areas on-site.
 - d. Provide and maintain shared, common, collaborative workspaces with WiFi for residents and their guests. This amenity can be offered in partnership with nearby residents and businesses.
 - e. Provide monetary incentives for alternative mode of travel, such as subsidized transit passes or bike-share for residents and/or unbundled parking.
 - f. Provide and maintain accessible and secure storage spaces for package delivery on-site.
 - g. The owners shall provide local transportation information to all residents through a website, leasing office, and/or initial sale information.
 - h. The owners shall support Safe Routes to Schools programs, including facilitating parent gatherings and coordination of walking, school buses, and/or bike trains.
55. **TRANSPORTATION DEMAND MANAGEMENT (TDM) MONITORING:** The property owner(s), or their representative, shall prepare an annual TDM report and submit it to the City to document the effectiveness of the TDM program in achieving the East Whisman Precise Plan goal within the project. The TDM report shall be prepared by an independent consultant and paid for by the property owner(s) or their representative; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical resident commute methods, which shall be informed by surveying all residents living on the project site and through driveway traffic counts. All nonresponses to the resident commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner(s) or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.
- a. **TDM Reporting:** The initial TDM report for the project will be submitted on December 1, or the following business day thereafter if a weekend, one year after the granting of the Certificate of Occupancy for the project. Subsequent reports will be collected annually on December 1.
 - b. **Report Requirements:** The TDM report shall either: (1) state that the project has achieved with the trip cap identified above; or (2) state that the project is not compliant with the trip cap identified in the East Whisman Precise Plan,

providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal required for the project.

AGREEMENTS AND FEES

56. **COMMUNITY BENEFIT CONTRIBUTION:** In compliance with the East Whisman Precise Plan, the applicant is required to provide community benefits 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 community benefit in the form of a fee payment of \$5.00 per bonus square foot above the baseline FAR of 1.0 (excluding 36,000 square feet of TDRs) for an estimated total contribution of \$1,387,250, which must be payable to the City of Mountain View prior to issuance of the first building permit.
57. **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 36,000 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.
58. **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.
59. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and the City's officers, agents, and employees in any action brought by a third party to void the project Permits. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

CONSTRUCTION ACTIVITIES

60. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase.
61. **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.
62. **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.
63. **ON-STREET CONSTRUCTION PARKING RESTRICTION:** On-street construction parking is not permitted. The construction management plan shall include a monitoring and enforcement measure which specifics on-street parking will be monitored by the owner/operator of the property (or primary contractor), and penalties to be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project.

64. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
65. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
66. **HEALTH AND SAFETY MEASURES:** 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.
67. **OTHER REVIEW AGENCIES:** This project requires review and approval by outside agencies. Proof of approval from these oversight agencies (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.) is required prior to building permit issuance, inspections, or Certificate of Occupancy issuance.
68. **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.
69. **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 variants of concern (VOC). The specifications shall also describe the effectiveness of the liner over the life of the building.
70. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from ACMs and lead-based paint, the following measures are to be included in the project:
- a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.
 - b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1 percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

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

71. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.
72. **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.
73. **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.
74. **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.

75. **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.
76. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).
77. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

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

MITIGATION MEASURES

78. **EXISTING PRECISE PLAN MITIGATION MEASURES:** All mitigation measures identified in the East Whisman Precise Plan Environmental Impact Report (EIR) apply to this project and must be addressed during building permit submittal and construction. Some of these mitigation measures may be superseded by more stringent City standards, code requirements, or with more detailed measures incorporated into the project's environmental analysis. The applicant must note how the applicant has addressed each mitigation measure to the satisfaction of the Zoning Administrator prior to building permit issuance.
79. **MM AQ-3.1:** Construction criteria pollutant and toxic air contaminant quantification shall be required on individual projects developed under the Precise Plan once construction equipment and phasing details are available through modeling to identify impacts and, if necessary, include measures to reduce emissions below the applicable BAAQMD construction thresholds. Reductions in emissions can be accomplished through, but not limited to, the following measures:
- Construction equipment selection for low emissions;
 - Use of alternative fuels, engine retrofits, and added exhaust devices;
 - Low-VOC paints;
 - Modify construction schedule; and

- Implementation of BAAQMD Basic and/or Additional Construction Mitigation Measures for control of fugitive dust.

80. **MM HAZ-3.1:** Prior to the start of any redevelopment activity, a property-specific Phase I Environmental Site Assessment (ESA) shall be completed in accordance with ASTM Standard Designation E 1527-13 to identify Recognized Environmental Conditions, evaluate the property history, and establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor, and/or groundwater quality studies shall subsequently be conducted, if warranted, based on the findings of the property-specific Phase I ESAs, to evaluate if mitigation measures are needed to protect the health and safety of construction workers, the environment, and area residents.

At properties identified as being impacted or potentially impacted by Recognized Environmental Conditions as part of the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, groundwater, or other materials during construction activities. The SMP shall be prepared by an Environmental Professional and submitted to the overseeing regulatory agency (e.g., United States Environmental Protection Agency, Regional Water Quality Control Board and/or County Department of Environmental Health) for review and approval prior to commencing construction activities. Management of site risks during earthwork activities in areas where impacted soil, soil vapor, and/or groundwater are present or suspected, shall be described. Worker training requirements, health and safety measures, and soil handling procedures shall be described. The SMP shall also be submitted to the City of Mountain View Planning Division for review.

81. **MM NOI-4.1:** Use drilled piles (which cause lower vibration levels) where geological conditions permit their use. In areas where project construction is anticipated to include vibration-generating activities, such as pile driving or use of vibratory rollers, in close proximity to existing structures, site-specific vibration studies should be conducted to determine the area of impact and to identify appropriate mitigation measures which may include the following:

- Identification of sites that would include vibration compaction activities such as pile driving and have the potential to generate ground-borne vibration, and the sensitivity of nearby structures to ground-borne vibration. Vibration limits should be applied to all vibration-sensitive structures located within 200' of the project. A qualified structural engineer should conduct this task.
- Development of a vibration monitoring and construction contingency plan to identify structures where monitoring would be conducted, set up a vibration monitoring schedule, define structure-specific vibration limits, and address the need to conduct photo, elevation, and crack surveys to document before and after construction conditions.
- Construction contingencies would be identified for when vibration levels approached the limits.
- At a minimum, vibration monitoring should be conducted during initial demolition activities and during pile driving activities. Monitoring results may indicate the need for more or less intensive measurements.

When vibration levels approach limits, suspend construction and implement contingencies to either lower vibration levels or secure the affected structures.

- Conduct postsurvey on structures where either monitoring has indicated high levels or complaints of damage has been made. Make appropriate repairs or compensation where damage has occurred as a result of construction activities.

82. **MM TRA-4.1:** The proposed Street C shall be removed from the Precise Plan and replaced with a grade-separated multi-use path (public pedestrian and bicycle access). This improvement would eliminate disruption of the existing light rail facility and there would be no impact.

83. **MM UTL-1.1:** The City shall require, determined on a project-by-project basis, the preparation of a site-specific utility analysis of applicable water, sewer, and stormwater infrastructure systems adjacent to and downstream of the project site to identify capacity issues. The utility impact analysis will be submitted to the Planning Division as part of future project applications. The analysis will determine the proportional utility impact fees to be paid under the nexus study and will identify any other utility infrastructure improvements required as a result of individual projects.

Neighborhoods and Housing Division—650-903-6379

84. **BMR, RENTAL, PROVIDING UNITS:** Prior to issuance of building permits, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide at least 15% of the total number of dwelling units within the development as Below-Market-Rate units (62 units) with the affordability and weighted average mix consistent with the applicant’s approved alternative BMR program, subject to final approval by the Community Development Director. **(PROJECT-SPECIFIC CONDITION)**
85. **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 62 affordable rental units at very low-, low-, and moderate-income levels, consisting of eight units at very-low income, 16 units at low income, and 38 units at moderate income. **(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.

86. **BUILDING AND FIRE PERMITS—CODE REQUIREMENTS: Obtaining Planning entitlement for this project is not an approval from Building or Fire.** A formal permit submittal to the Building Inspection Division is required. Plan check through the Building Inspection Division shall determine the specific project requirements and construction compliance in accordance with Federal, State, and Local codes adopted for all building and/or fire permits.

Entitlement review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review is a separate permit application process that can only be applied for once the Planning approvals have been obtained and the required appeal period has passed. For information on how to submit for building and fire permits, please refer to the Building Inspection Division’s website—www.mountainview.gov/submitbuildingpermit for review timelines and document requirements.

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

87. **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, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
88. **ACCESSIBILITY REQUIREMENTS:** The project is required to comply with:
- **CHAPTER 11A:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
 - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
 - **PARKING (CHAPTER 11A):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11A.

- **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
 - **GUEST PARKING:** At least 5% of the guest parking spaces are required to be accessible per the CBC, 1109A.5.
 - **ASSIGNED PARKING:** At least 2% of the assigned parking spaces are required to be accessible per the CBC, 1109A.4.
89. **ELECTRIC VEHICLE STATIONS:** Project is required to provide electric vehicle (EV) charging facilities per CALGreen Section 5.106.5.3 and MVCC Sections 8.20.42 to 8.20.46.
 90. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
 91. **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.
 92. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial spaces will be required to obtain a separate building permit.
 93. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
 94. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
 95. **FIRE PROTECTION:** Dwelling and sleeping units shall meet the visible alarm notification requirements of the CBC, Section 907.5.2.2.
 96. **FIRE PROTECTION (PROJECTIONS):** Overhangs and other projections will not be permitted to cross property lines, including any property lines between units.
 97. **FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per the CBC, Section 903.2.8.
 98. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC Table 706.4c as amended in MVCC Section 8.10.22.
 99. **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.
 100. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per Chapter 3 of the CBC.
 101. **OCCUPANCY SEPARATION:** Proper separation to be provided between occupancies per the CBC, Table 508.4.
 102. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Section 1004.
 103. **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 the CBC, Section 3306.
 104. **PHOTOVOLTAIC:** Photovoltaic systems are to be a deferred submittal under separate building permit application.

105. **SUPERFUND SITE (MEW):** This site resides in the Middlefield-Ellis-Whisman (MEW) 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.
106. **SUPERFUND SITE (TELEDYNE):** This site resides in the Teledyne-Spectra Superfund Site area and may be required to implement Environmental Protection Agency (EPA) and/or Department of Toxic Substances Control (DTSC) mitigation measures prior to and during construction. Provide EPA and/or DTSC acknowledgement and approval upon building permit submittal.
107. **SURVEY:** A survey will be required to be completed to verify structure placement.
108. **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.
109. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Please visit the City of Mountain View—Building & Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.
110. **HIGH-RISE LIMITATIONS:** Project is designated as 6" elevation lower than high-rise construction. The final plan set will state clearly on the cover sheet that a field survey will be provided at the upper level of the building (when construction arrives at this floor level), and if the construction has created a 75' floor height, construction shall immediately be halted with the design being revised to address the more restrictive high-rise provisions and their impact on the project.

Fire Department—650-903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

111. **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. Contact 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 14.10.27, 14.10.28, and California Fire Code Section 903.)
112. **FIRE SPRINKLER SYSTEM TENANT IMPROVEMENT:** The automatic fire sprinkler system shall be altered as necessary to accommodate interior improvements. Three (3) sets of shop-quality drawings shall be submitted for review and approval prior to installation. All new and/or existing water flow indicators and system control valves shall be monitored by a central station monitoring alarm company. All work shall conform to NFPA 13 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements or visit online at www.mountainview.gov/firerequirements.
113. **RESIDENTIAL FIRE SPRINKLER SYSTEM:** Provide an approved automatic fire sprinkler system designed in accordance with NFPA 13D (2016 Edition) and Mountain View Fire Department specifications. Contact 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 Residential Code Section R313.)
114. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code Section 905.)
115. **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.)

116. **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.
117. **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.)
118. **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.)
119. **FIRE EXTINGUISHERS (COOKING AREAS):** Install Class K fire extinguishers in the commercial cooking equipment areas. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 904.12.5.)
120. **FIRE EXTINGUISHING SYSTEMS:** Submit three (3) sets of shop-quality drawings for the cooking appliance fire extinguishing system(s). Contact the Building Inspection Division at 650-903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 904.2.2.)
121. **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. Contact 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 14.10.33.)
122. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.2.10.)
123. **CARBON MONOXIDE ALARMS:** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

FIRE DEPARTMENT ACCESS

124. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Contact the Building Inspection Division at 650-903-6313 for instructions or visit online at www.mountainview.gov/firerequirements. (California Fire Code, Section 506.)
125. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Inspection Division at 650-903-6313 for instructions.
126. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds.

Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and City Code, Sections 14.10.14, 14.10.15, and 14.10.16.)

127. **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. Contact the Building Inspection Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
128. **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. Contact 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.)
129. **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.)
130. **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.)

EGRESS AND FIRE SAFETY

131. **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.)
132. **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.)
133. **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.)
134. **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.)
135. **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.)
136. **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.)
137. **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.

138. **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.)
139. **UPHOLSTERED SEATING FURNITURE:** All upholstered seating furniture intended for use in nursing homes, board and care facilities, convalescent homes, child day-care centers, public auditoriums, and stadiums and public assembly areas in hotels, motels, and lodging houses shall conform to State of California Department of Consumer Affairs, Bureau of Home Furnishings, Technical Bulletin 133. (California Business and Professions Code.)
140. **ON-SITE DRAWINGS:** Submit CAD (.dwg) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
141. **EMERGENCY PROCEDURE MAPS (OFFICE BUILDINGS):** In all office buildings two (2) or more stories in height, except high-rise buildings, a floor plan providing emergency procedures information shall be posted at every stairway landing, at every elevator landing, and immediately inside all public entrances to the building. The information shall be posted so that it describes the represented floor level and can be easily seen immediately upon entering the floor level or the building. Emergency procedures information shall be printed with a minimum of 3/16" high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to, the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)
142. **EMERGENCY PROCEDURE MAPS (HOTELS/MOTELS):** In hotels, motels, and lodging houses, every guest room available for rental shall have clearly visible emergency procedures information printed on a floor plan representative of the floor level and posted on the interior of each entrance door or immediately adjacent to such door. The bottom of the information shall not be located more than 4' above the floor level. Emergency procedures information shall be printed with a minimum of 3/16" high nondecorative lettering providing a sharp contrast to the background. Emergency procedures information shall include, but not be limited to, the following: (1) location of exits and fire alarm initiating stations, if required; (2) what the fire alarm, if required, sounds and looks like (audible and visual warning devices); (3) Fire Department emergency telephone number, 9-1-1; and (4) the prohibition of elevator use during emergencies, if any. (California Code of Regulations, Title 19, Section 3.09.)
143. **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.)
144. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

HAZARDOUS CONDITIONS

145. **HAZARDOUS PROCESSES:** Comply with all applicable provisions of the Uniform Fire Code and the Uniform Building Code. Submit a completed FPE—Hazardous Materials Inventory Statement. FPE—Hazardous Materials Inventory Statements shall be obtained from the Building Inspection Division and submitted for review by the Fire Protection Engineer. (Additional hazardous materials forms, disclosure statements, and/or other documentation will be required by the Environmental Safety Section of the Fire and Environmental Protection Division.)
146. **FLAMMABLE FINISHES:** Application of flammable finishes shall comply with the California Fire Code, Chapter 24.
147. **MEDICAL GAS SYSTEMS:** Medical gas systems shall comply with the California Fire Code, Section 5306.

148. **STATIONARY LEAD-ACID BATTERY SYSTEMS:** Stationary lead-acid battery systems shall comply with the California Fire Code, Section 1206.

EXTERIOR IMPROVEMENTS

149. **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. Contact the Building Inspection Division at 650-903-6313 for specifications or view online at www.mountainview.gov/firerequirements. (California Fire Code, Section 304.3.)
150. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (City Code, Section 14.10.18.)

OTHER

151. **FIRE PROTECTION CONSULTANT:** Provide a technical opinion and report, which shall be prepared by a fire protection consultant (a qualified engineer, specialist, laboratory, or fire safety specialty organization acceptable to the Fire Chief), that shall analyze the fire safety properties of the design, operation, or use of the buildings or premises and the facilities and appurtenances situated thereon and incorporate any changes as may be necessary based on the recommendations.

Sample duties of the consultant may include: (1) review of architectural, mechanical, electrical, fire sprinkler, and fire alarm drawings as they pertain to fire protection; (2) prepare a written report identifying deficiencies; (3) attend meetings that may be required by the Fire Department; (4) review changes to drawings and specifications; and (5) make visits to construction sites to assist the Fire Protection Engineer as requested.

152. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R 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.)
153. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)
154. **HIGH-PILED COMBUSTIBLE STORAGE REPORT:** The commodity classification and storage parameters for the warehouse areas are required prior to issuing a building permit in order to determine the adequacy of the existing fire sprinkler system. Provide an analysis by a California Registered Fire Protection Engineer that classifies the commodities. The report shall specify the minimum densities for both the overhead and rack sprinkler systems based on the type of commodity and storage height as per the 2016 California Fire Code (CFC) and NFPA 13, 2016 Edition. If classified as high-piled, provide construction documents as per CFC 3201.3. (Report required if combustible solid-piled, shelf, or rack storage is provided.)

Public Works Department—650-903-6311

RIGHTS-OF-WAY

155. **STREET DEDICATION:** Dedicate a public street easement, as required by the Public Works Director, to widen Logue Avenue an additional 2'.
156. **PUBLIC ACCESS EASEMENT, COVENANTS, AND DEED RESTRICTIONS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits, the owner shall dedicate a public access easement (PAE), covenants, agreements, and deed restrictions on private property. The PAE shall be 10' wide along the western edge of the project and follow the 10' wide multi-use path. The PAE shall be 8' wide along the southern edge of the project and follow the 8' wide concrete path. 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 the City in enforcing the performance of such obligations; and
- e. Owner agrees to defend, and hold City and the City's 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.

157. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 5' 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.

158. **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

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

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

160. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits, 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.
161. **WATER AND SEWER CAPACITY CHARGES:** Prior to issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. 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.
162. **SANITARY SEWER FAIR SHARE CONTRIBUTION:** The Utility Impact Study by Schaaf & Wheeler, dated December 4, 2020, 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.
163. **[INTENTIONALLY OMITTED]**

STREET IMPROVEMENTS

164. **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, sidewalk and driveway along Logue Avenue, new storm connection, new domestic water services, meters and backflow preventors, new fire services and apparatus, and new sewer connection.
 - 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.
 - b. **BONDS/SECURITIES:** Sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100%) or provide a cash deposit (100%) or provide a letter of credit (150%) 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. 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 Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
165. **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 based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 full-size and two 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. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

166. **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.).

167. **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. 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.
168. **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.
169. **TIE-BACK ENCROACHMENTS:** Temporary tie-backs or earthen nails for construction purposes require a separate Encroachment Agreement, plat and legal description, and bond (100%) or letter of credit (100%) or cash security (100%) securing the installation and warranty of the temporary tie-backs.
170. **DRIVEWAY SIGHT TRIANGLE:** 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.

Streetlights: The project shall submit a photometric analysis with the initial building permit and improvement plans of the streetlights in the public right-of-way. The analysis shall show all existing or proposed new streetlights (show height, arm length, and location) and shall calculate the minimum, maximum, and average illuminance values as well as uniformity ratios for sidewalks, each crosswalk, and roadway, shown separately. Project will be required to install new or modify existing streetlights to ensure locations are compliant with minimum requirements per the City's latest standard details.

171. **STREETLIGHTS:** City standard streetlights shall be installed along the project street frontage of Logue Avenue per City standards. Existing streetlights shall be removed, replaced, and upgraded to conform with the City's latest Standard Provisions and Standard Design Criteria. All conduits, pull boxes, and wiring shall be removed, replaced, and upgraded. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer.

172. **CROSSWALK MARKINGS:** All adjacent crosswalks shall be striped with high-visibility thermoplastic crosswalks. Any conflicting marking or signs must be removed or relocated as directed by the City Traffic Engineer.
173. **STREET OVERLAY:** Half-street overlay (minimum 2" grind and overlay) along the Logue Avenue project street frontage shall be required due to multiple utility trenches and impacts from the anticipated construction traffic.

RECYCLED WATER

174. **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.
175. **RECYCLED WATER USE PERMIT:** Submit a Recycled Water Use Permit Application.
176. **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.
177. **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.
178. **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.
179. **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.
180. **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.
181. **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.

182. **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.

CURBS, SIDEWALKS, AND DRIVEWAYS

183. **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.
184. **RED CURB AT CROSSWALKS:** Street curbs adjacent to a public crosswalk shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer.
185. **ON-STREET PARKING RESTRICTIONS:** Parking shall be prohibited along Logue Avenue along the complete project frontage since this portion of Logue Avenue is a recommended bike route. Painted red curb shall be installed to discourage on-street parking in the interim of bike lane improvements. Painted red curb shall be installed on along the project frontage.
186. **DRIVEWAY DESIGN:** The site driveway shall be designed (with signage, markings, or physical barriers to force entering vehicles to enter to the north of the site median island and to force exiting vehicles to exit to the south of the median island. This is required to eliminate confusion at the public right-of-way entry and reduce conflicts. The final design shall be determined and approved by the City Traffic Engineer.
187. **STOP CONTROL:** All egress points to the public street or public easements shall be STOP-controlled in order to control conflict points with pedestrians, bicyclist, and vehicles as they enter the public roadway.

SOLID WASTE AND RECYCLING

188. **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.
189. **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.
190. **WASTE MANAGEMENT PLAN:** A Waste Management Plan must be included on a separate sheet(s) in the building permit plan submittal, include the following and be consistent with all other plans in the permit set:
- Path of truck travel onto and out of the site, utilizing the loading room for turnaround.
 - Property must have containers for trash, recycling, and organics. Chutes must be designed to collect three separate material streams in bins—trash, mixed containers and mixed paper. Carts or bins may be used for compost.
 - At each location where residents have access to the chutes, room shall be available for containers (slim jims) to collect separated organics (food scraps). Proper signage instructing residents to sort recycling and organics is required and must be approved by the Solid Waste Program Manager prior to installation.
 - Display on plans trash enclosure/room layout, location, and dimensions to scale using standard interior clearances, with minimum number of bins/carts as shown below, based on twice per week collection of trash and once per week collection of recycling and compost:

	Quantity	Size Cubic Yards	Type
Trash	5	3	compactor
Paper	3	3	compactor
Containers	5	3	bin
Compost or Container	1 6	3 96 gal	Bin Cart

- Dimensions of loading/vehicle turnaround room height, width, and depth. Clearance from pavement to top of roll up door must be at least 15’.
- Dimensions of staging area and display that all bins will fit within it and can be placed so the collection company does not have to move bins out of the way in order to access the ones they are collecting. Property maintenance responsible for transport to and from and remove promptly after service.
- The point of collection shall have a concrete pad that is designed to accommodate the weight of a 60,000-pound collection vehicle.
- Only concrete, stamped concrete, and asphalt may be used in the travelways over which the collection vehicles will travel.

191. **CONFLICTS WITH LANDSCAPING:** The approved landscaping drawings must be revised to relocate the trees that conflict with the back-up area for the truck. These trees are not directly behind the loading room but where the truck will back up to. All trees overhanging the truck route shall have no branches below 15’. Final location of all trees in the vicinity of the path of travel for the trucks shall be determined during the building plan check.
192. **TRASH MANAGEMENT AGREEMENT:** Prior to issuance of any building permits, the applicant shall sign a Trash Pick-Up Agreement outlining the site requirements to provide unobstructed use of the Loading Room for all Recology Vehicles for turn around space. The agreement shall include provisions requiring the Loading Room to be clear on collection days, that Recology will be provided key code access to the roll up door, that the trees within the path of the truck be maintained such that no limb is lower than 15’, and other details as noted in the approved Waste Management Plan.

STREET TREES

193. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
194. **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.
195. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
196. **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 at proposed utility crossings and proposed traffic signal pole locations. 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.
197. **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.

198. **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.
199. **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.
200. **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.
201. **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.
202. **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.
203. **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.
204. **UNDERGROUND SERVICES:** All new and existing electric and telecommunication facilities serving the site are to be placed underground, including transformers and power meters. 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. Aboveground transformers, power meters, and pedestals shall be located so they meet City Standard Details A-22 and A-23 for sight distance and are screened or not visible from the street or to the general public, as approved by the Community Development and Public Works Departments.
205. **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 via separate Public Utility Easement dedication.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

206. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.

207. **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.
208. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage prior to approval of the building permit.
209. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage prior to approval of the building permit.

MISCELLANEOUS

210. **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.

211. **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, Middlefield-Ellis-Whisman Superfund Study Area. 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.
212. **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.
213. **VALLEY WATER WELLS:** Valley Water requires the following note be shown on the plans: While the Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in the Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.
214. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the

capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director or designated representative.”

215. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts as well as trash rooms and/or enclosures, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. 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.”
216. **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.

Fire and Environmental Protection Division—650-903-6378

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.

217. **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.
218. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
219. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
220. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas such as overflow parking, emergency access roads, and alleys shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
221. **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.

222. **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.
223. **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.
224. **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").
225. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.
226. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
227. **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.
228. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: http://www.scvurppp-w2k.com/consultants_list.shtml
229. **FULL TRASH CAPTURE:** Projects located in "moderate," "high," or "very high" trash generating areas as outlined in the City's Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer's recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.
230. **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: As required by California Government Code Section 66020, the applicant is hereby notified that the 90-day period has begun as of the date of approval of this application, in which the applicant may protest any fees, dedications, reservations, or other exactions imposed by the City as part of this approval or as a condition of approval. The fees, dedications, reservations, or other exactions are described in the approved plans, conditions of approval, and/or the adopted City fee schedule.