

CITY OF MOUNTAIN VIEW  
RESOLUTION NO. 18806  
SERIES 2023

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW  
APPROVING A PLANNED COMMUNITY PERMIT AND DEVELOPMENT REVIEW PERMIT TO  
CONSTRUCT A FOUR-STORY, 82,856 SQUARE FOOT OFFICE BUILDING, A  
PARKING STRUCTURE WITH FOUR LEVELS ABOVE-GRADE AND TWO LEVELS BELOW, AND  
MINOR BUILDING MODIFICATIONS TO AN EXISTING TWO-STORY OFFICE BUILDING TO REMAIN  
ON-SITE; A TRANSFER OF DEVELOPMENT RIGHTS OF 28,000 SQUARE FEET FROM  
2535 CALIFORNIA STREET, 506 SHOWERS DRIVE, AND 350 SHOWERS DRIVE TO THE  
PROJECT SITE IN RELATION TO THE LOS ALTOS SCHOOL DISTRICT TRANSFER  
OF DEVELOPMENT RIGHTS PROGRAM; AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE  
61 HERITAGE TREES, ALL ON A 3.8-ACRE SITE LOCATED AT 189 NORTH BERNARDO AVENUE

WHEREAS, an application (Application No. PL-2020-178) was received from Steve Lynch of Sand Hill Property Company on behalf of 189 Bernardo, LLC, for a Planned Community Permit and a Development Review Permit to construct a new four-story, 82,865 square foot office building, a new parking structure with four levels above-grade and two levels below-grade, and minor building modifications to the existing two-story office building to remain on-site; a Transfer of Development Rights (TDR) of 28,000 square feet from 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site in relation to the Los Altos School District TDR program; and a Heritage Tree Removal Permit to remove 61 Heritage trees on a 3.8-acre site located at 189 North Bernardo Avenue; and

WHEREAS, the Environmental Planning Commission held a duly noticed public hearing on March 22, 2023 on said application and recommended the City Council conditionally approve the Planned Community Permit, Development Review Permit, Transfer of Development Rights, and Heritage Tree Removal Permit subject to the findings and conditions of approval attached hereto; and

WHEREAS, the City Council held a public hearing on May 23, 2023 on said application and received and considered all evidence presented at said hearing, including the recommendation from the Environmental Planning Commission, the City Council report, and project materials, testimony, and written materials submitted; now, therefore, be it

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

1. Planned Community Permit. The Planned Community Permit to construct a new four-story, 82,865 square foot office building, a new parking structure with four levels above-grade and two levels below-grade, and minor building modifications to the existing two-story office building to remain on-site is conditionally approved based upon the conditions

contained in Exhibit A, attached hereto and incorporated herein, and upon the following findings pursuant to Section 36.50.55 of the City Code:

a. The proposed use and development is consistent with the provisions of the East Whisman Precise Plan; or if variations from requirements in the applicable Precise Plan are granted, the proposal clearly demonstrates superior site and building design and is in substantial compliance with the intent of the requirements in the applicable Precise Plan since the project demonstrates compliance with all applicable standards of the Precise Plan, with the following exceptions from the Precise Plan that meet the intent of the development standards, but address the unique conditions of the site, including:

i. Provision of five loading spaces, in lieu of the required eight loading spaces;

ii. Certain standards related to the provision of a publicly accessible multi-use path, including: an approximately 6', two- to-four-story projection of office floor area into the required 10' setback from the new office to the multi-use path; a building setback ranging from 15' to 30' from the property line, where a 30' setback is required; and a landscape buffer of approximately 2' between the multi-use path and garage, in lieu of the required 4' to 8' landscape buffer; and

iii. A 30' separation between the existing and proposed office buildings, in lieu of the required 35' separation, to accommodate the provision of a north-south paseo.

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

iv. Contribution of a community benefit in the amount of \$27.75 per nonresidential bonus square foot above the baseline of 0.4 FAR, excluding 28,000 square feet of TDRs; and

v. Participation in the LASD TDR Program with the purchase of 28,000 square feet from the future school site at 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site.

With incorporation of these exceptions and incorporation of the TDR square footage, the project will be able to successfully provide a multi-use path and north-south paseo consistent with the Precise Plan's objectives, retain an existing office building on-site, and maximize preservation of existing tree canopy, therefore, resulting in superior site and building design than would be possible with full adherence to the Precise Plan Standards;

b. The proposed use and development is consistent with the High-Intensity Office Land Use Designation of the General Plan as the existing (to remain) and proposed office



buildings are consistent with the allowed uses of the land use designation and the proposed FAR of 0.85 complies with the maximum FAR allowed by the General Plan;

c. The proposed use and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the project will comply with all applicable health and safety codes, incorporates TDR square footage supporting creation of a new public school, and addresses all applicable Precise Plan standards intended to achieve harmonious development within the plan area, such as well-connected public pathways and publicly accessible open spaces;

d. The proposed use and development promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project will not add any new vehicular access points, enhances the pedestrian and bicycle network through the East Whisman Precise Plan area by providing high-quality, publicly accessible pedestrian and bicycle connections to surrounding development, implements all required public frontage improvements along with additional publicly accessible on-site active spaces and paths, and complies with applicable development standards for the project site, excluding permitted exceptions to FAR and multi-use path standards; and

e. The approval of the Planned Community Permit complies with the California Environmental Quality Act (CEQA) as an Initial Study of Environmental Significance was prepared per Sections 15162 and 15183 of the CEQA Guidelines. The environmental review for the project found that, with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the East Whisman Precise Plan Final Environmental Impact Report (Precise Plan FEIR) and the 2030 General Plan and Greenhouse Gas Reduction Program Final Environmental Impact Report (General Plan FEIR), the proposed development would not result in any new or substantially more severe environmental impacts beyond those previously evaluated and disclosed in the FEIRs. The analysis determined all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the Precise Plan FEIR and including those mitigation measures identified in the General Plan FEIR.

2. Development Review Permit. The Development Review Permit to construct a new four-story, 82,865 square foot office building, a new parking structure with four levels above-grade and two levels below-grade, minor building modifications to the existing two-story office building to remain on-site is conditionally approved based upon the conditions contained in Exhibit A, attached hereto and incorporated herein, and upon the following findings pursuant to Section 36.44.70 of the City Code:

a. The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines since the project promotes well-integrated development, including dedication of a publicly accessible multi-use path and privately owned, publicly

accessible open space with connections throughout the site, contributes to the revitalization and connectivity of the East Whisman Precise Plan area, incorporates increased tree canopy coverage (at maturity), and includes significant ground-level, publicly-accessible active spaces as well as other design elements meeting Precise Plan objectives for well-designed buildings;

b. The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.) is compatible with surrounding development because the project proposes a new office building with a unique curvilinear building form, a parking garage which is appropriately located toward the rear of the site and constructed of high-quality materials. Additionally, there are improvements to the existing office building proposed to create cohesion across the buildings on the site, along with the massing of the new and existing buildings being appropriate and conducive to a pleasant pedestrian experience. Overall, the buildings and site will feature high-quality materials and furnishings that are complementary to surrounding office developments;

c. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, as the project will provide an improved sidewalk along the North Bernardo Avenue frontage, a multi-use path along the Central Expressway frontage, and a north-south publicly accessible paseo connection through the site, both featuring special paving, robust landscaping, and high-quality furnishings and amenities. The parking is primarily located within a parking structure that is appropriately located toward the rear of the site;

d. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by preserving substantial existing tree canopy, providing a robust, varied plant palette plan of 85% California native species which will yield a net increase in tree canopy coverage (at full maturity), providing enhanced landscaping along the multi-use path and other publicly accessible areas of the site, and complying with City's Water Conservation in Landscaping Regulations;

e. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing appropriate loading and car-share parking facilities, maintaining the existing number of driveway entries to the site, and creating well-marked, pleasant pedestrian and bicycle connections throughout the site; and

f. The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA) as an Initial Study of Environmental Significance was prepared per Sections 15162, and 15183 of the CEQA Guidelines. The environmental review for the project found that, with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the Precise Plan FEIR, the proposed development would not result in any new or substantially more severe environmental impacts beyond those previously evaluated and disclosed in the FEIR. The

analysis determined all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the Precise Plan EIR and including those mitigation measures identified in the General Plan FEIR.

3. Heritage Tree Removal Permit. The Heritage Tree Removal Permit to remove 61 Heritage trees is conditionally approved based on the conditions contained in Exhibit A, reviewed by the City arborist with site visits conducted on April 20, 2022, September 9, 2022, and January 19, 2023, and the following findings made pursuant to Section 32.35 of the City Code:

a. It is necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services because Tree Nos. 91, 92, 100, 101, 106 and 109 (Shamel ash and Raywood ash) are in poor, declining condition, and the City arborist confirmed that no further mitigations can be applied to improve the condition of the trees; and the remaining Heritage trees proposed to be removed are located within the footprint of the proposed building and/or underground garage, or within the footprint of publicly accessible improvements, including a multi-use path along the southern property line, which is provided by the project in compliance with the East Whisman Precise Plan;

b. It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties because the project will construct an underground garage in order to provide reasonable, compliant parking to serve the new office development while minimizing surface-level parking. The site contains 28 Heritage trees within the footprint of the proposed garage or office building footprints, both of which comply with applicable development standards and have been designed to maximize tree preservation where possible. Additionally, it is necessary to remove 27 Heritage trees located within the footprint of the multi-use path along the southern property line. The East Whisman Precise Plan requires the project to provide a publicly accessible multi-use path as part of the East Whisman Complete Streets Network, which aims to accommodate bicyclists, pedestrians, transit riders, emergency vehicles, and drivers while contributing to providing informal places for social interaction gathering and connectivity. The multi-use path proposed by the project is consistent with the location identified in the Precise Plan and designed to achieve the intent of the Precise Plan while maximizing preservation of Heritage trees where feasible; and

c. The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA) as an Initial Study of Environmental Significance was prepared per Sections 15162, and 15183 of the CEQA Guidelines. The environmental review for the project found that, with implementation of the Precise Plan standards and guidelines, standard City Conditions of Approval, State regulations, and certain mitigation measures identified in the Precise Plan FEIR, the proposed development would not result in any new or substantially more severe environmental impacts beyond those previously evaluated and disclosed in the EIR. The

analysis determined all of the environmental impacts associated with the project have been avoided or reduced to a less-than-significant level through the incorporation of mitigation measures identified in the Precise Plan FEIR and including those mitigation measures identified in the General Plan FEIR; and be it

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

TIME FOR JUDICIAL REVIEW

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

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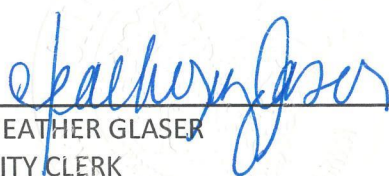
The foregoing resolution was regularly introduced and adopted at a Regular Meeting of the City Council of the City of Mountain View, duly held on the 23rd day of May 2023, by the following vote:

AYES: Councilmembers Abe-Koga, Kamei, Matichak, Ramirez, Ramos, Vice Mayor Showalter, and Mayor Hicks

NOES: None

ABSENT: None

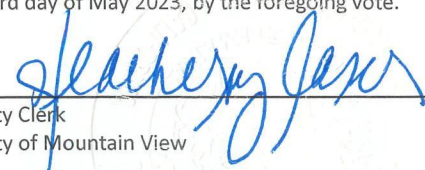
ATTEST:

  
HEATHER GLASER  
CITY CLERK

APPROVED:

  
ALISON HICKS  
MAYOR

Pursuant to Mountain View Charter § 709(b), I do hereby certify that the foregoing is an original or a correct copy of the Resolution passed and adopted by the City Council of the City of Mountain View at a Regular Meeting held on the 23rd day of May 2023, by the foregoing vote.

  
City Clerk  
City of Mountain View

BW/6/RESO  
840-03-22-23r-1

Exhibit: A. Conditions of Approval

**CONDITIONS OF APPROVAL  
APPLICATION NO.: PL-2020-078  
189 NORTH BERNARDO 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 to construct a new four-story, 82,865 square foot office building, a new parking structure with four levels above-grade and two levels below, and minor building modifications to the existing two-story office building to remain on-site with a Transfer of Development Rights (TDR) of 28,000 square feet from 2535 California Street, 506 Showers Drive, and 350 Showers Drive to the project site in relation to the Los Altos School District TDR program; a Heritage Tree Removal Permit to remove 61 Heritage trees on a 3.8-acre project site; and a determination that an Initial Study of Environmental Significance has been prepared pursuant to Sections 15162, 15168, and 15183 of the California Environmental Quality Act (CEQA), located on Assessor's Parcel No. 165-36-004. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by Kenneth Rodrigues & Partners, Inc., date stamped February 22, 2023.
- b. Color and materials board prepared by Kenneth Rodrigues & Partners, Inc., date stamped February 22, 2023.
- c. Arborist Report prepared by Walter Levison, Consulting Arborist, dated February 5, 2023.
- d. An Initial Study of Environmental Significance entitled 189 North Bernardo Avenue Office Project, dated February 14, 2023, was prepared by the City for the project in accordance with Sections 15162 and 15183 of the California Environmental Quality Act (CEQA) Guidelines.

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

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

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
2. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).
3. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

**PERMIT SUBMITTAL REQUIREMENTS**

4. **TRANSFER OF DEVELOPMENT RIGHTS (TDR) APPROVAL:** This project includes 28,000 square feet of floor area from the Los Altos School District (LASD) TDR Program, which supports the financing of a new public school site in the San Antonio area and was authorized as a Gatekeeper by the City Council in 2018 prior to the 2019 adoption of the East Whisman Precise Plan. To



implement the project approval, the applicant/property owner will purchase 28,000 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. 63 and 64. 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.

5. **AIR QUALITY:** The applicant is required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
6. **REMEDIATION:** 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, 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 the issuance of any building or fire permits, the applicant shall either: (a) submit written 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 written 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 City and the oversight agency, if required.
7. **TENANT IMPROVEMENTS:** Details of interior and exterior tenant improvements to the existing building to remain are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
8. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Division.
9. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
10. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
11. **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.
12. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
13. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
14. **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.

15. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit submittal. The applicant must demonstrate that hazardous materials do not exist on the site or that construction activities and the proposed use of this site are approved by: the City's Fire Department (Fire and Environmental Protection Division); the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or a site toxics mitigation plan has been approved.
16. **BIRD-STRIKE MANAGEMENT PLAN:** A bird-strike management plan, which provides project design features to reduce bird strikes, and a bird-strike monitoring plan postconstruction shall be submitted as part of the building permit submittal with recommended provisions included in the building permit plans.
17. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).
18. **PRIVATELY OWNED, PUBLICLY ACCESSIBLE (POPA) OPEN SPACE SIGNAGE:** The applicant shall provide on-site signage(s) along the multi-use path, publicly accessible open spaces, and North Bernardo Avenue frontage allowing access to the privately owned, publicly accessible open space. The sign(s) shall be approved by the Community Development Director consistent with zoning regulations and subject to separate planning and building permits. Application form and submittal requirements for a planning permit are online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms).

#### OPERATIONS

19. **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.
20. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 8:00 a.m. to 7:00 p.m. and shall not allow amplified music. In the event any problems arise with the hours of operation or noise, the Zoning Administrator may hold a public hearing to review common-area operations and impose new or modified conditions of approval in response to public comment received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.

#### SITE DEVELOPMENT AND BUILDING DESIGN

21. **BUILDING DESIGN/PLAN MODIFICATIONS:** Based on direction from the Development Review Committee (DRC), modifications shall be made to the architectural design, building materials, colors, landscaping, and/or other site or building design details on building permit drawings prior to the issuance of a building permit. The following modifications are subject to review and approval by the Zoning Administrator to confirm compliance with the DRC's recommendation(s):
  - a. Refine the site design to deemphasize large paving areas and increase planting area around the garage/hammerhead turnaround portion of the surface parking/driveway area and the intersection of the driveway and north/south paseo and study opportunities to add larger-specimen trees.
  - b. Refine the site and landscape design at the intersection of the Central Expressway multi-use trail and north/south paseo to optimize wayfinding, promote ease of access to bicycle amenities (e.g., fix-it/water stations, etc.), and orient seating and landscaping to promote gathering around this node and adjacent secondary entries to/from the office buildings without blocking circulation.



- c. Further refine the design of the proposed (new) office building to:
    - 1. Create a more purposeful main entry canopy design (north elevation in particular) to better integrate the canopy with the rest of the building architecture, such as by modifying the canopy so it appears to peel off of the glass facade or disengage it from the glass curtainwall so the canopy floats below the upper floor glass facade.
    - 2. Continue to amplify the design of the main (north and south elevation) entries by revising the proposed accent material(s) to better frame the building entry doors. Employ a warm, more natural-appearing accent material(s) (e.g., Prodema or similar) in lieu of the proposed Geolam specification. Incorporate more strategically placed planters, provide other pedestrian amenities consistent with each main entry location, etc.
    - 3. Continue to deemphasize the stair towers by continuing the glass parapet in front of the stair towers in a cohesive plane rather than terminating the parapet at each side of the stair tower.
    - 4. Refine the east and west elevations to better integrate the glass curtainwall that wraps the corner from the long facades and the metal framed elements on the shorter end facades. The Development Review Committee (DRC) specifically recommended studying either providing an edge frame on both sides of the metal feature with appropriate offset/reveal to detach it from the glass curtain wall or removing the metal frame. If a metal frame is retained, the proportions should be adjusted to better scale to metal frame/cap elements on other facades.
  - d. Refine the design of the existing office building (to remain on-site) to:
    - 1. Revise the main (north and south facade) entries to provide a one-story accent incorporating warm, natural materials (consistent with/complementing the accent materials to be used at main entries to the new office building), strategically placed planters and benches, accent lighting, etc.
    - 2. Simplify the proposed improvements by retaining the existing angled building columns and removing the square metal column-cladding material from the proposal.
    - 3. Finalize the proposed color scheme to identify all proposed stucco wall colors and accent materials at building entries.
  - e. Simplify the garage facade design to use a less-complex glazing design around the garage entry (i.e., update the material palette to include one primary material with minimal accents), reduce the visual impact of the glassy corner volumes to allow the horizontal design language to read through more strongly, and update the mesh (flex screen) graphic to provide creative imagery to complement the office building and landscape design but avoid creating a fake forest.
22. **PRIVATELY OWNED, PUBLICLY ACCESSIBLE (POPA) OPEN SPACE:** This project includes nonresidential privately owned, publicly accessible open space consistent with the East Whisman Precise Plan, shown on Sheet A-11a of the approved plans. The POPA open space is for purposes of connectivity and public enjoyment and includes improvements and/or other facilities which shall be publicly accessible pedestrian sidewalks, walkways, plazas, recreation area, 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 access with fencing or other design/operational barriers.
23. **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.
24. **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.

25. **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.
26. **BIRD-SAFE DESIGN:** To reduce bird strikes, building permit plans must include design elements in accordance with the East Whisman Precise Plan and the following project design features:
  - 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. Examples of bird-friendly glazing treatments include opaque glass, covering of clear glass surface with patterns, use of paned glass with fenestration patterns, and use of external screens over nonreflective glass.
  - b. **Occupancy Sensors:** For nonresidential development, occupancy sensors or other switch-control devices shall be installed on nonemergency lights. These lights should be programmed to shut off during nonwork hours and between 10:00 p.m. and sunrise.
  - c. **Funneling of Flight Paths:** New construction shall avoid funneling flight paths along buildings or trees toward a building facade.
  - d. **Skyways, Walkways, or Glass Walls:** New construction and building additions shall avoid building glass skyways or walkways, freestanding glass walls, transparent building corners, or landscaping behind glass (such as in atriums). New construction and building additions should minimize the use of glass at tops of buildings, especially when incorporating a green roof into the design.
27. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows must maintain a minimum 75% transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
28. **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 materials, special paving materials, and paint samples for the existing and proposed building and the garage. 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.
29. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
30. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
31. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
32. **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. 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.

33. **PUBLIC ART:** Prior to the issuance of building permits, submit an art proposal, process, timetable, and evidence of commitment acceptable to the City to ensure the installation of a suitable, significant piece of public-oriented sculpture or similar public art installation prior to occupancy. This shall include selecting artist(s) and the type of work based on submittals of artist bios and representative work; submit for City review and approval conceptual designs per installation; and submit final design details, including art location(s) and surrounding landscaping adjustments. The sculpture/art feature location should be prominent and visible from the public right of way or public pathway but avoid conflicts with future public circulation improvements, such as the Bernardo Undercrossing project. The installation of the art piece(s) may require a separate building permit and shall be completed prior to the issuance of a Certificate of Occupancy.
34. **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'.
35. **LIGHTING PLAN:** The applicant shall submit a lighting plan in building permit drawings. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties, which is demonstrated with photometric contours extending beyond the project property lines. Additionally, the applicant shall work with staff to modify the proposed exterior lighting to include exterior lighting fixtures recommended by the International Dark-Sky Association where feasible. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.
36. **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.
37. **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 at one space for each 20,000 square feet of floor area on the site (inclusive of the new and existing building). 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 employees at one space for each 20,000 square feet of floor area on the site (inclusive of the new and existing building). 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.
38. **SHOWER/CHANGING FACILITY:** The project must provide one gender-neutral shower/changing room facilities per 80,000 square feet and shower/changing roof facilities for each additional 40,000 square feet. The floor area used for shower and changing rooms shall not be included in the calculations for floor area.

39. **VEHICLE PARKING DESIGNATIONS:** The project shall provide:

- a. A minimum of four car-sharing spaces, which shall be in highly visible location(s) accessible to both building occupants and the general public. The applicant/property owner must offer a right of first refusal for car sharing companies to locate space(s) on the project site. An exemption may be granted by the Zoning Administrator if no car-sharing company agrees to operate within the project site, subject to annual verification through the site's TDM monitoring;
- b. A minimum of four standard parking space-sized loading spaces;
- c. The minimum amount of electric vehicle (EV) spaces required per Chapter 8 of the City Code; and
- d. Loading and delivery truck location(s) shown in building permit drawings consistent with the approved plans.

**GREEN BUILDING**

- 40. **GREEN BUILDING—NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED Platinum® certified. All mandatory prerequisite points and minimum point totals per category to attain the required LEED Certified™ status must be achieved unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through the U.S. Green Building Council (USGBC) is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
- 41. **DUAL-PLUMBED BUILDING:** Per the East Whisman Precise Plan, all new construction buildings are required to be dual-plumbed for potable and recycled water use per the City's most current codes. Dual-plumbed buildings shall be equipped with potable back-up systems in the event of recycled water outages.

**TREES AND LANDSCAPING**

- 42. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms)). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
- 43. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
- 44. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees. The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans submitted for building permit review. New street trees shall be planted in accordance with Detail F-1 of the Public Works Standard Provisions, a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.
- 45. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
- 46. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing



around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.

47. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
48. **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.
49. **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.
50. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two replacement trees, for a total of 122 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
51. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.
52. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Walter Levison, Consulting Arborist, and dated February 5, 2023 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
53. **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. The plan shall also outline measures to be taken to preserve off-site trees. Routine monitoring for the first five years and corrective actions for trees that consistently fail the performance standards shall be included in the tree mitigation and preservation plan. The tree mitigation and preservation plan shall 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.
54. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) 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 (2) 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.
55. **TREE RELOCATION(S):** Trees numbered 58, 121, and 122 in the arborist report prepared by Walter Levison, Consulting Arborist, and dated February 5, 2023 shall be relocated to another location on-site as identified in the approved site and landscape plans.

## NOISE

56. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.
57. **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.
58. **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

59. **TRANSPORTATION DEMAND MANAGEMENT (TDM) PROGRAM:** In compliance with the East Whisman Precise Plan trip cap for office and research development projects, the property owner is required to maintain a TDM program for the life of the project which will achieve a minimum 13% reduction in peak-hour vehicle trips to the site, which results in a daily cap of 1,003 trips, with an a.m. peak hour trip cap of 137 trips and a p.m. peak hour trip cap of 127 trips. The TDM program measures shall be formally accepted by the property owner prior to building permit issuance through a legal agreement or recorded document, as determined by the City Attorney, with contents to the satisfaction of the Zoning Administrator. The mandatory TDM measures for the project include:
- a. Join and maintain ongoing membership in the Mountain View Transportation Management Association (MVTMA) for the life of the project.
  - b. Provide an on-site employee transportation coordinator to implement and manage the TDM program and to serve as a liaison between the employer/tenant and the MVTMA.
  - c. Develop and distribute marking and information materials to inform employees and guests about the TDM program and encourage their participation.
  - d. Provide a flexible work schedule program to allow employees to travel outside of peak periods.
  - e. Provide a Guaranteed Ride Home program to encourage use of alternative transportation.
  - f. Provide shuttle services to connect employees and guests to existing transit.
  - g. Provide bicycle parking along with showers and locker facilities to encourage bicycling.
  - h. Give priority location to carpools and vanpools.
  - i. Provide ride-share matching services to encourage carpooling by employees.
60. **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

compliance with the daily cap of 1,003 trips, with an a.m. peak hour trip cap of 137 trips and a p.m. peak hour trip cap of 127 trips. The TDM report shall be prepared by an independent consultant and paid for by the property owner(s) or their representative; the consultant shall work with the property's TDM coordinator. The TDM report will include a determination of historical employee commute methods, which shall be informed by surveying all employees working on the project site and through driveway traffic counts. All nonresponses to the employee commute survey will be counted as a drive-alone trip. The driveway traffic counts shall be prepared and provided by an independent, licensed consultant and paid for by the property owner(s) or tenant. The driveway counts and resulting data shall be included in the TDM report provided to the City.

- a. **TDM Reporting:** The initial TDM report for the project will be submitted on December 1, or the following business day thereafter if a weekend, one year after the granting of the Certificate of Occupancy 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 13% peak-hour vehicle trip reduction or higher, providing supporting statistics and analysis to establish attainment of the goal; or (2) state that the project has not achieved the 13% peak-hour vehicle trip reduction, providing an explanation of how and why the goal has not been reached and a description of additional measures that will be adopted in order to attain the TDM goal required for the project.
- c. **Penalty for Noncompliance:** If, after an initial TDM report shows noncompliance, the second annual report indicates that, in spite of the changes in the TDM program, the a.m. peak hour, p.m. peak hour, or daily vehicle trip cap is still not being met, or if the applicant fails to submit such a TDM report at the times described above, the City may assess a penalty in the maximum amount of One Hundred Thousand Dollars (\$100,000) for the first percentage point below the 13% peak-hour vehicle trip reduction and an additional Fifty Thousand Dollars (\$50,000) for each additional percentage point below the minimum 13% thereafter ("TDM Penalty").

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

Percent Reduction in Trips	Penalty Amount
13%	-0-
12%	\$100,000
11%	\$150,000
10%	\$200,000
9%	\$250,000
each additional 1% reduction	an additional \$50,000 per percent

If a TDM ordinance exists at the time of noncompliance, the applicant shall undertake all applicable actions required by the TDM ordinance, including, but not limited to, payment of applicable penalty fees. Should the effective TDM ordinance conflict with the requirements of this Condition of Approval, the requirements in the effective TDM ordinance shall be applied.

#### AGREEMENTS AND FEES

61. **PUBLIC ACCESS COVENANT, AGREEMENT, AND DEED RESTRICTIONS FOR PRIVATELY OWNED, PUBLICLY ACCESSIBLE OPEN SPACE (POPA):** The applicant shall execute a Public Access Covenant, Agreement, and Deed Restrictions with the City for the privately owned, publicly accessible open space shown on the approved plans, which: (a) provides the POPA open space as

accessible to the public for passive and active recreational use in alignment with City park hours; (c) does not conflict with the Public Access Easements in Condition No. 141; (d) describes the owners' maintenance responsibilities; (e) sets forth procedures for future modifications or upgrades to the POPA open space in accordance with City requirements; and (f) provides compliance requirements, including violation and/or penalties for noncompliance. The POPA Agreement shall be in a form acceptable to the City Attorney, recorded, and run with the land. The recorded document shall provide indemnification of the City for liabilities arising out of activities on the land and use of the POPA open space. All documentation for the POPA agreement shall be submitted to the Planning Division at initial building permit submittal. The POPA agreement must be executed prior to the issuance of a building permit.

A legal description (metes and bounds) and plat map (drawing) of: (1) the owner's property; and (2) the POPA open space shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Planning Division for review and approval, in consultation with the Public Works Department. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor. Associated improvements within the POPA open space (POPA Improvements) shall be constructed by the owner and approved by the City.

62. **COMMUNITY BENEFIT CONTRIBUTION:** In compliance with the East Whisman Precise Plan, the applicant is required to provide a community benefit(s) in exchange for additional development intensity and to advance the goals and policies of the East Whisman Precise Plan. The applicant is required to provide a nonresidential community benefit in the form of a fee payment per bonus square foot above the baseline FAR of 0.4 (excluding 28,000 square feet of TDRs), based on the adopted fee, for an estimated total contribution of \$1,198,750. Payment must be provided prior to issuance of the first foundation, excavation, or new structure building permit. The fee amount shall be placed into the City's Bernardo Avenue Undercrossing Capital Improvement Project Fund.
63. **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 28,000 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.
64. **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.
65. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and the City's officers, agents, and employees in any action brought by a third party to void this Permit(s). The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

#### CONSTRUCTION ACTIVITIES

66. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
67. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will be enforced by the owner/operator of the



property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.

68. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
69. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
70. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
71. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) and lead-based paint, the following measures are to be included in the project:
  - 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 ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

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

72. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by BAAQMD to reduce fugitive dust emissions. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures shall include, at a minimum, the following measures, which also include additional measures identified by BAAQMD: (a) when the air quality index forecast exceeds 100 for particulates for the project area and the reading exceeds 100 for particulates by 10:00 a.m. for the project area, prohibiting grading activities for that day; (b) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered at a frequency adequate to maintain minimum soil moisture of 12%. Moisture content can be verified by lab samples or moisture probe; (c) minimize the amount of excavated material or waste materials stored at the site or cover them with tarpaulin; (d) all haul trucks transporting soil, sand, or other loose material off-site shall be covered, and loaded material shall not extend above the walls or back of the truck bed; (e) all visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (f) all vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph); (g) all roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used; (h) prohibit off-road diesel-powered

equipment from being in the “on” position for more than 10 hours per day; (i) 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 California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (j) 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; (k) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View and the on-site coordinator/monitor regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD’s phone number shall also be visible to ensure compliance with applicable regulations; (l) all excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph and visible dust extends beyond site boundaries; (m) wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction adjacent to sensitive receptors. Wind breaks should have at maximum 50% porosity; (n) vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established; (o) the simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time; (p) avoid tracking visible soil material on the public roadways by employing the following measures if necessary: (1) site accesses to a distance of 100’ from public paved roads shall be treated with a 6” to 12” compacted layer of wood chips, mulch, or gravel; and (2) washing truck tires and construction equipment of soil prior to leaving the site; and (q) sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than 1%.

73. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA’s 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
74. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100’ of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil (“midden”) containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
75. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50’ radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City’s Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City’s Community Development Director.

76. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The 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.
77. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).
78. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than seven 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 seven days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

79. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**
- Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
  - Avoid using vibration rollers and tampers near sensitive areas.
  - In areas where project construction is anticipated to include vibration generating activities, vibration studies shall be conducted to determine the areas of impact and to present appropriate mitigation measures that may include the following:
    - Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;
    - Develop a vibration monitoring and contingency plan;
    - Construction contingency plan; and
    - Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

#### MITIGATION MEASURES

80. **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.

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

81. **HOUSING IMPACT FEE:** Prior to the issuance of the first grading or building permit, the applicant shall pay a Housing Impact Fee based on the net new floor area and the adopted fees in effect at the time of building permit issuance. For purposes of calculating the fee, the project includes construction of 82,865 square feet of office and demolition of zero (0) square feet of office, resulting in 82,865 net new floor area of office.

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

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

82. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2022 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy (in conjunction with the City of Mountain View Amendments), and the Mountain View Green Building Code (MVGBC).
83. **ACCESSIBILITY REQUIREMENTS:**
  - **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
  - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
84. **DUAL PLUMBING:** Project will be subject to the dual-plumbing requirements in the CBC, Chapter 16A, and MVCC, Sections 8.30 through 8.30.5.
85. **APPROVALS REQUIRED:** Project requires approval of the Santa Clara County Environmental Health Department (SCCHD) prior to building permit submittal to the Building Division. Visit SCCHD online at [www.sccgov.org](http://www.sccgov.org) or by phone at 408-918-3400 to obtain information and requirements for approval.
86. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial space(s) will be required to obtain a separate building permit(s).
87. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
88. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
89. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC Table 706.4c, as amended in MVCC Section 8.10.24.
90. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer and the Hazardous Materials Specialist. Visit the City of Mountain View Fire and Environmental Protection Division online at [www.mountainview.gov/fep](http://www.mountainview.gov/fep) or by phone at 650-903-6378 to obtain information and submittal requirements.

91. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per the CBC, Chapter 3.
92. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
93. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Sections 1004 and 1028.
94. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
95. **EV PARKING REQUIREMENTS FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Parking shall comply with Table 101.10 and Table A5.106.5.3.2, as amended in MVCC Section 8.20.12, Subsection 101.10.1.2.c.
96. **ELECTRIC REQUIREMENTS FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Natural gas is prohibited. The following list of items shall be electric installation: space-conditioned equipment, clothes dryers, cooking appliances, fireplaces, and/or fire pits. Exceptions to install a gas-fueled cooking appliance apply. Water-heating systems and equipment shall be electric or solar as amended in MVCC Section 8.20.12, Subsections 101.10.1.2.f through j.
97. **PHOTOVOLTAIC SYSTEM FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Photovoltaic (PV) shall be installed on 50% of roof area as amended in MVCC Section 8.20.12, Subsection 101.10.1.2.2.e.
98. **BIRD-SAFE GLASS FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Bird-safe glass shall be installed on the exterior when the structure is equal to or greater than 10,000 square feet or as required per the applicable Precise Plan. See Table 101.10, as amended in MVCC Section 8.20.12, Subsection 101.10.1.2.2.k.
99. **SURVEY:** A survey will be required to be completed to verify structure placement.
100. **SCHOOL IMPACT FEE:** Project is 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 at [www.mvla.net](http://www.mvla.net) or 650-940-4650; *and* Mountain View Whisman School District at [www.mvwdsd.org](http://www.mvwdsd.org) or 650-526-3500; or Los Altos Elementary School District at [www.lasdschools.org](http://www.lasdschools.org) or 650-947-1150.
101. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building and Fire Division online at [www.mountainview.gov/building](http://www.mountainview.gov/building) or contact by phone at 650-903-6313 to obtain information and submittal requirements.
102. **ALLOWABLE AREA FACTOR:** Project shall comply with the requirements per the CBC, Chapter 5.
103. **FIRE-RESISTANCE RATING:** Project shall comply with the requirements per the CBC, Chapter 6 (Table 602), Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance.
104. **BUILDINGS ON THE SAME LOT:** Walls, opening protection, projections, and roof coverings for buildings on the same lot shall comply with the requirements per the CBC, Chapter 7 (Section 705.3).
105. **MAXIMUM AREA OF EXTERIOR WALL OPENINGS:** Project shall comply with the requirements per the CBC, Chapter 7 (Table 705.8).
106. **MEANS OF EGRESS:** Project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
107. **MVGBC CALGREEN:** Project shall comply with the CALGreen checklist requirements by the City of Mountain View.

- 108. **PLUMBING FIXTURES:** Project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
- 109. **BUILDING UTILITIES:** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
- 110. **FIRE ACCESS LANE(S):** Site must meet/maintain the existing fire access lane(s) at all times.
- 111. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
- 112. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.
- 113. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the MVCC and/or suspension of building permits.

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

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

- 114. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Shop-quality drawings shall be submitted electronically for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13 (2016 Edition), NFPA 24 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Contact the Building Division at 650-903-6313 for a copy of specifications and submittal requirements or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (City Code Sections 14.10.27 and 14.10.28 and California Fire Code Section 903.)
- 115. **FIRE SPRINKLER SYSTEM TENANT IMPROVEMENT:** The automatic fire sprinkler system shall be altered as necessary to accommodate interior improvements. Shop-quality drawings shall be submitted electronically 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 Division at 650-903-6313 for a copy of specifications and submittal requirements or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements).
- 116. **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.)
- 117. **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.)
- 118. **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.



119. **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.)
120. **AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Shop-quality drawings shall be submitted electronically for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Contact the Building Division at 650-903-6313 for a copy of specifications and submittal requirements or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 907, and City Code, Section 14.10.33.)

#### FIRE DEPARTMENT ACCESS

121. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Contact the Building Division at 650-903-6313 for instructions or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 506.)
122. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Division at 650-903-6313 for instructions. **(Required for electric gates to parking garages and at main entrance lobbies to disable secured access at stairwells.)**
123. **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.)
124. **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 Division at 650-903-6313 for specifications. (California Fire Code, Section 503.)
125. **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 Division at 650-903-6313 for specifications and application or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 503.)
126. **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.)
127. **STRETCHER REQUIREMENTS:** In all structures with one or more passenger service elevators, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher 84"x24" in the horizontal position. (California Building Code, Section 3002.4a.)

#### EGRESS AND FIRE SAFETY

128. **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.)

129. **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.)
130. **ON-SITE DRAWINGS:** Submit PDF (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
131. **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.)
132. **STAIRWAY IDENTIFICATION SIGNS:** For stairs connecting three (3) 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.)
133. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

#### EXTERIOR IMPROVEMENTS

134. **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 Division at 650-903-6313 for specifications or visit [www.mountainview.gov/firerequirements](http://www.mountainview.gov/firerequirements). (California Fire Code, Section 304.3.)
135. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (City Code, Section 14.10.18.)

#### OTHER

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

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

#### OWNERSHIP AND PROPERTY

137. **PRELIMINARY TITLE REPORT:** At initial submittal of the building permit and improvement plans, the applicant shall submit to the Public Works Department a current preliminary title report or land deed (dated within six months of the initial submittal) indicating the exact name of the current legal owners of the property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved. The title report shall include all easements and agreements referenced in the title report. Depending upon the type of ownership, additional information may be required.



The applicant shall provide an updated title report to the Public Works Department upon request. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

#### RIGHTS-OF-WAY

138. **PEDESTRIAN ACCESS EASEMENT (SIDEWALKS):** Dedicate a pedestrian access easement along North Bernardo Avenue to maintain a continuous 7' wide public sidewalk along the project frontage, as required by the Public Works Director.
139. **PUBLIC ACCESS EASEMENT (CONNECTIONS THROUGH SITES):** Prior to the issuance of any building permits, the owner shall dedicate the following public access easements (PAEs) on private property:
  - A 14' wide PAE on private property over the multi-use path on the project's southern border along Central Expressway generally following the alignment in the East Whisman Precise Plan (EWPP) and shall connect to the new sidewalk on North Bernardo Avenue, as illustrated in Exhibit EX-1. The multi-use path shall be designated a pedestrian and bicycle facility per the EWPP.
  - A minimum 10' wide PAE on private property over the north-south paseo between the existing building and new office building to provide a continuous north-south connection through the project in accordance with the EWPP, as illustrated in Exhibit EX-2. The north-south paseo shall be designated a pedestrian zone and shall not be intended as a bike facility per the EWPP.

The dedication shall indicate that:

- a. Public access shall be granted for nonautomotive use at all times;
- b. The 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 the owner shall fail to abide by the PAE, the owner agrees to pay all reasonable costs and expenses incurred by the City in enforcing the performance of such obligations; and
- e. The owner agrees to defend, and hold the City and the City's officers, employees, and agents 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 the performance of services or operations under the Dedication, including maintenance operations performed on the PAE by the owner or the 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. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

140. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a public utility easement (PUE) along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, as required by the Public Works Director. Utility boxes and vaults are not allowed to encroach into the public sidewalk and must fit either entirely within the landscape strip or within the PUE. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following: garages, sheds, carports, and storage

structures; balconies and porches; retaining walls; C.3 bioretention systems; and private utility lines running longitudinally within the PUE.

Exceptions to these PUE requirements may be considered by the Public Works Director in conjunction with the review and approval of the off-site improvement plans and building permit plans for the project.

141. **PUBLIC SERVICE EASEMENT:** Prior to the issuance of any building permits, dedicate public service easement(s) (PSEs) to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project. Site modifications may be required depending on utility company(ies) requirements. **(PROJECT-SPECIFIC CONDITION)**
142. **PLAT AND LEGAL DESCRIPTION:** For each proposed public easement and/or right-of-way dedication, submit to the Public Works Department for review and approval a legal description (metes and bounds), plat (drawing), and other required documents per the Legal Description and Plat Requirements handout. The handout is available online at [www.mountainview.gov/landdevelopment](http://www.mountainview.gov/landdevelopment). The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

#### FEES AND PARK LAND

143. **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.

144. **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.
145. **EAST WHISMAN DEVELOPMENT IMPACT FEE:** Prior to the issuance of any building permits, the applicant shall pay the East Whisman Development Impact Fee for the development. Residential category fees are based on the number of each type of unit. Office/R&D and Retail category fees are based on the square footage of the development. Hotel category fees are based on the number of rooms. Credit is given for the existing site use(s), as applicable. This fee is based on the East Whisman Nexus Study approved by the City Council on May 24, 2022.
146. **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. Separate capacity charges apply for different types of residential categories to reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, building area, and building use, respectively. Credit is given for the existing site use(s) and meter size(s), as applicable.

#### STREET IMPROVEMENTS

147. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These public improvements include, but are not limited to, curb, gutter, sidewalk, curb ramp, driveway approach, streetlights, street trees, etc., along the project street frontages; relocation of existing utility vaults, boxes, manholes, etc., to PSE/PUE and out of new sidewalk; half-street grind and overlay or street reconstruction along the project street frontages; and new utility service connections.

- a. **Improvement Agreement:** Prior to the issuance of the building permit, the property owner must sign a Public Works Department improvement agreement for the installation of the public improvements.
  - b. **Bonds/Securities:** Prior to the issuance of any building permits, the property owner must sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100% of Infrastructure Quantities), or provide a cash deposit (100% of Infrastructure Quantities), or provide a letter of credit (150% of Infrastructure Quantities) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available at: [www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570\\_a-z.htm](http://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm). The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.
  - c. **Insurance:** Prior to the issuance of any building permits, the property owner must provide a Certificate of Insurance and endorsements for Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Contractors' Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
148. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of street and utility improvements. Construction cost estimate shall include private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate is to be prepared by the civil engineer preparing the improvement plans.
149. **EXCAVATION PERMIT:** Upon submittal of the initial building permit and improvement plans, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the Public Works Department website: [www.mountainview.gov/landdevelopment](http://www.mountainview.gov/landdevelopment). All work within the City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.
150. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way.

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

Off-site improvement plans, an initial plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, one full-size and one half-size black-line set, one PDF of the signed/stamped plan set, and a USB



flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.

151. **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 show and identify, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impacts traffic on existing streets and shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal.
152. **CONSTRUCTION MANAGEMENT PLAN:** Upon submittal of the initial building permit and improvement plans and all subsequent submittals, the applicant shall provide a construction traffic and parking management plan with the building plans and within the improvement plans identified "For Reference Only." The plan must be approved prior to the issuance of a building permit, including demolition. The plan must show the following:
  1. **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
  2. **Construction Phasing, Equipment, Storage, and Parking:** Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and 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, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage;
  3. **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities; and
  4. **Traffic Control and Detour Plans:** Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval and included with building permit plans to the Building Division for any on-site improvements and/or work related to any phase of the construction management plan that requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided when necessary. Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department may be required prior to issuance of the building permit.
153. **TIE-BACK ENCROACHMENTS:** Temporary tiebacks 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 tiebacks. The Encroachment Agreement shall be prepared and executed and fees paid prior to the issuance of the building permit.
154. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
155. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, the site shall be compliant with Corner Triangles of Safety per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project will be required to remove or modify all objects, including, but not limited to landscape, hardscape, monument signs, mailbox banks/cluster, planters, retaining walls, seat walls, bicycle racks, partitions, miscellaneous structures (including columns), parking stalls, bicycle racks, etc., that are not compliant with safety triangle height and clearance requirements. Artwork, benches, tables, chairs, bicycle racks, and planters shall not be installed in this safety area.

156. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to landscape, hardscape, poles, bollards, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
157. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). All new striping and pavement markings shall be thermoplastic. All striping and markings damaged and/or removed as part of construction and pavement work shall be replaced with thermoplastic striping. The specific areas of work shall be clearly identified and shown on the plans to the satisfaction of the City Traffic Engineer.
158. **STREETLIGHTS:** City standard streetlights shall be installed along the project street frontage of North Bernardo Avenue and Central Expressway per City standards. Streetlights shall be installed near crosswalks, driveways, intersections, or other locations deemed necessary by the City Traffic Engineer. All conduits, pullboxes, and wiring shall be removed, replaced, and upgraded along the project street frontages. Appropriate clearances per PG&E requirements between existing overhead lines shall be provided where applicable.
159. **STREET OVERLAY AND/OR PAVEMENT RECONSTRUCTION:** Half-street overlay (minimum 2" grind and overlay) and/or pavement reconstruction along the North Bernardo Avenue and Central Expressway project street frontages shall be required to address the existing roadway conditions, multiple utility trenches, and impacts from the anticipated construction traffic.

#### CURBS, SIDEWALKS, AND DRIVEWAYS

160. **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. The specific ramp case type, ramp design, and limits of work shall be clearly identified and shown on the plans.
161. **DRIVEWAY APPROACH AND ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) may be provided to connect the proposed public sidewalk on each side of the proposed driveway. The specific areas of work shall be clearly identified and shown on the plans.
162. **SIDEWALK, CURB, AND GUTTER IMPROVEMENTS:** Construct new curb and gutter along the project frontage of Central Expressway. Construct new curb, gutter, and sidewalk along the project frontage of North Bernardo Avenue. The sidewalk shall be detached with a landscape strip and designed with a consistent 2% cross-slope from the top of curb to back of walk and minimal grade breaks in the longitudinal slope of the curb line. North Bernardo Avenue shall have a 7' wide sidewalk with a 5' wide landscape strip. The specific limits of work shall be clearly identified and shown on the plans. Dedicate a Pedestrian Access Easement (Sidewalks) to provide continuous public access. **(PROJECT-SPECIFIC CONDITION)**
163. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on North Bernardo Avenue and Central Expressway out of the sidewalk multi-use path and relocate to the Public Service Easement or Public Utility Easement, landscape strip, or behind the back of the curb. Utility boxes must be located so they fit entirely within the utility easement, landscape strip, or behind the curb and shall not encroach into the sidewalk and multi-use path. The specific areas and limits of work shall be clearly identified and shown on the plans. **(PROJECT-SPECIFIC CONDITION)**
164. **RED CURB AT DRIVEWAY ENTRANCES:** Street curbs adjacent to driveway entrances, including entrances to underground parking garages, shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer.

165. **STOP-CONTROLLED SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled to address conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway. Stop-controlled egress shall include STOP signs, a limit line, and "STOP" pavement marking(s).
166. **ON-STREET PARKING RESTRICTIONS:** Parking shall be prohibited along North Bernardo Avenue along the project frontage from Central Avenue to north of the project driveway since this portion of North Bernardo 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 along the project frontage.

#### STREET TREES

167. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
168. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
169. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

#### UTILITIES

170. **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 where improvements are proposed for construction, including, but not limited to, new utility crossings and installation of signal and streetlight pole foundations. Proposed pothole locations for signal pole foundations shall be approved by the City Traffic Engineer prior to potholing. 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.
171. **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. All new services are required and shall be installed in accordance with City standards.
172. **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.
173. **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.
174. **WATER METER BANK:** Water meters shall be arranged in a bank of meters and located behind the public sidewalk in the landscaped areas only in accordance with City standards. Water meters shall not be located in driveway approaches, concrete sidewalk areas, or next to the main driveway or building entrance so as not to impact the aesthetics of the entrance.

175. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, potable water services, recycled water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. Recycled water and potable water shall have a minimum 10' horizontal separation from each other. New potable water and recycled water services shall have a minimum of 5' clearance from trees, and new sewer laterals shall have a minimum of 10' clearance from trees. Angled connections within service lines shall not be allowed. Utility profiles shall be required for all new services.

Existing water services shall be shown to be disconnected and 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.

176. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable water and recycled water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. A minimum 3' clearance shall be provided around each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
177. **SANITARY SEWER MANHOLE:** A one-way sanitary sewer manhole shall be installed in accordance with City standards.
178. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits.
179. **ON-SITE UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s).
180. **JOINT UTILITY PLANS:** Upon submittal of the initial building permit and improvement plans, the improvement plans shall include joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. Appropriate horizontal and vertical clearances in accordance with PG&E requirements shall be provided between gas transmission lines, gas service lines, overhead utility lines, street trees, streetlights, and building structures. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate utility easements that are necessary for the common utility.

#### RECYCLED WATER—GENERAL

181. **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.
182. **RECYCLED WATER USE PERMIT:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit a Recycled Water Use Permit Application.
183. **RECYCLED WATER FEES AND COSTS:** The project applicant shall be responsible for paying all applicable costs and fees in accordance with the rates in effect at the time, as part of the approval of any recycled water project, prior to issuance of any building permits.
184. **RECYCLED WATER PLANS:** Upon submittal of the initial building permit and improvement plans, applicant shall 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. If recycled water is being used for both irrigation and dual plumbing, submit a color-coded recycled water plan package with all recycled water systems included (i.e., civil, irrigation, plumbing, and/or mechanical), which will be reviewed by the City and State.

185. **PIPELINE MATERIAL:** Recycled water PVC-Constant pressure lines 1-1/2" or smaller in size shall be Schedule 40, and 2" or larger in size shall be Class 315 or C900 Class 200 DR14. Recycled water PVC-Intermittent pressure lines shall be Schedule 40 or Class 200. Below-grade copper pipe shall be Type "K." Copper pipes for dual plumbing shall be Type "L" or "K."
186. **PIPELINE DEPTH, SEPARATION, AND MARKING:** New parallel potable and recycled water pipelines for irrigation and dual plumbing shall have a minimum 4' horizontal separation on-site, and 10' separation off-site. New crossing potable and recycled pipelines shall have a minimum 12" vertical separation. All new buried pipelines shall be purple-colored and labeled "CAUTION—RECYCLED WATER." Existing buried pipelines that will be converted to recycled water need not be marked unless the pipelines become exposed.
187. **ADVISORY SIGNS AND TAGS:** Recycled water advisory signs shall be located at water features, ends of streetscapes and medians, vehicular, bicycle, and pedestrian entrances entering recycled water use areas, and in indoor rooms supplied with recycled water. Identification tags are required on all recycled water and potable water appurtenances.
188. **PRECONSTRUCTION MEETING:** The City's Public Services Division—Recycled Water staff shall be invited to attend any preconstruction meeting held by the project contractor(s) to provide requirements on the installation of the recycled water system and to ensure the Special Inspector is present for all recycled water-related work.
189. **RECYCLED WATER CROSS-CONNECTION CONTROL SPECIALIST INSPECTION(S):** 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. A copy of the signed contract between the owner/applicant and Specialist must be submitted to the City along with the scope of work. This inspection must occur during construction and is separate from the cross-connection testing. 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 Public Services and Building Divisions verifying the on-site recycled water system was constructed per the approved plans and specifications. Receipt of the inspection report/checklist is required prior to connection of the recycled water meter and building permit final.
190. **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 labeled 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 the City's representative and must be performed prior to connection of the recycled water meter and building permit final.
191. **SITE SUPERVISOR:** The owner/developer is required to identify 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 the Site Supervisor; and (b) Proof of Completion of Site Supervisor Training with the City's Public Services Division—Recycled Water staff.
192. **COVERAGE TEST:** After the system is installed and the Cross-Connection Test has successfully passed, a coverage test must be performed to ensure overspray and ponding do not occur. The Coverage Test must be performed by the Site Supervisor, and test results must be submitted to the City prior to building occupancy.



RECYCLED WATER—DUAL PLUMBING

193. **DUAL-PLUMBED BUILDINGS:** Pursuant to Section 8.30.5 of Mountain View City Code, this project shall incorporate dual plumbing in the design of the building to allow the use of recycled water. The dual-plumbed recycled water system must comply with the requirements of the City's Customer Guidelines for Recycled Water Use, California Code of Regulations Title 17 and Title 22, and the adopted California Plumbing Code. For dual-plumbed buildings, the owner/tenant is required to hire an AWWA Cross-Connection Specialist to perform a visual cross-connection inspection every year and a four-year shutdown test.

194. **DUAL PLUMBING ENGINEERING REPORT:** For dual-plumbed recycled water systems, the Engineering Report shall adhere to California Code of Regulations Title 22, Section 60314, and must include a detailed description of intended use area, plans, specifications of the piping system and on-site backup tank, and the method to be used by the recycled water agency to ensure that cross-connection between the recycled water and potable water piping system will not occur.

With the first building permit submittal, provide to the City's Public Services Division one (1) electronic copy in PDF file format of the Engineering Report for Recycled Water plan review; and, concurrently, submit the following to the Division of Drinking Water (DDW) in Richmond, California, for State review. Coordinate with the City's Recycled Water staff prior to DDW drop-off for security clearance:

1. One (1) hard copy of the Engineering Report; and
2. One (1) USB with the Engineering Report in PDF file format, sealed, and marked: "ATTENTION: VAN TSANG, DIVISION OF DRINKING WATER."

195. **DUAL PLUMBING ON-SITE BACK-UP WATER SUPPLY:** Sites using recycled water for toilet and urinal flushing are required to have an on-site backup water supply connection by the City. If recycled water is used for purposes other than toilet and urinal flushing, then an on-site backup water supply may be installed at the discretion of the customer. The on-site backup must adhere to all applicable codes and regulations and must be equipped with an air gap to prevent cross-connection between the potable and recycled water systems.

196. **DUAL PLUMBING PLANS:** For dual-plumbed recycled water systems, prepare a set of plans with proposed piping system to be used, pipe locations of both recycled and potable systems, type and location of the outlets and plumbing fixtures that will be accessible to the public, and the methods and devices to be used to prevent backflow of recycled water into the public water system. *Note that the Division of Drinking Water does NOT allow recycled water piping inside or near food processing facilities and restaurants. Design all recycled water lines as far away from food facilities as possible.*

With the first building permit submittal, provide to the City's Public Services Division one (1) electronic copy in PDF file format of a recycled water plan package with all recycled water systems included (i.e., civil, irrigation, plumbing, and/or mechanical) for Recycled Water plan review; and, concurrently, submit the following to the Division of Drinking Water (DDW) in Richmond, California, for State review. Coordinate with the City's Recycled Water staff prior to DDW drop off for security clearance:

1. One (1) hard copy of Recycled Water Plan set. This plan set should include any plans associated to the use of recycled water, including, but not limited to, landscape, irrigation, civil, and plumbing marked: "ATTENTION: VAN TSANG, DIVISION OF DRINKING WATER." Exclude sheets not related to recycled water (e.g., architectural, electrical, etc.); and
2. One (1) USB with electronic copies of the Recycled Water Package, in PDF file format, sealed, and marked: "ATTENTION: VAN TSANG, DIVISION OF DRINKING WATER." This electronic set shall include all plans and reports that are included in building and excavation permit packages. Include all sheets that may have been excluded from Item 1 above.

197. **STATE DEPARTMENT OF DRINKING WATER APPROVAL:** Approval of the dual plumbing plans and the dual engineering report is required from the State Department prior to the issuance of a building permit.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

198. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
199. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. Storm drain laterals from the site shall be installed with a property line inlet or manhole and connect to existing storm drain manholes or curb inlets if at all possible.
200. **ON-SITE DRAINAGE CONNECTION:** The existing catch basin on North Bernardo Avenue shall be replaced. The on-site storm drain system shall connect perpendicular to the back of the new storm drain catch basin. **(PROJECT-SPECIFIC CONDITION)**
201. **COVERED AND/OR UNDERGROUND PARKING GARAGE:** Drainage from covered and/or underground parking garages shall be directed to the sanitary sewer system. Sanitary sewer laterals shall be equipped with backflow devices. If any portions of garage ramps or parking garage are uncovered, drainage from those uncovered portions shall be directed to the storm drain system.
202. **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.
203. **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.
204. **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.

SOLID WASTE AND RECYCLING

205. **RECOLOGY MOUNTAIN VIEW:** The applicant/contractor must be in compliance and shall include the following as a note on the building permit and improvement plans: "Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate City Code Sections 16.13 and 16.17 and result in code enforcement action."
206. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Public Works Solid Waste and Recycling Division prior to issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
207. **TRASH ENCLOSURE DESIGN AND DETAILS:** Include a trash plan with enclosure details and collection vehicle access on a separate sheet in the initial building plans.
- The property must have space to accommodate six 4-yard bins for trash, recycling, and compost services. Display on the plans the trash enclosure layout, location, and dimensions to scale.
  - Provide centered enclosure door openings at least 8' wide each. The openings must be clear of door edges, hinges, or other obstructions. Provide means to secure doors in both the opened and closed positions (e.g., cane bolts and drop-pin holes).
  - Enclosure standards require no less than 9' vertical clearance for roof from finished grade to roof interior.

- If the trash enclosure does not have an interior berm or curb, it shall have bumpers on the walls to avoid damage from bins hitting it.
- Any light switch in enclosure needs to be above the height of a 4-yard bin so it is accessible.
- Enclosure shall have a flat concrete pad the same width as the structure and extending 10' in front to provide a smooth surface for bin movement and staging for service. Design concrete pad to withstand weight of a 60,000 pound collection vehicle.
- No Parking signs shall be posted on enclosure doors.
- Maintain overhead vertical clearances of 15' in the travelway and 22' at the point of collection.
- The curb, including the rolled curb, on the north side of the aisle entry to the garage, from the garage entrance to the ADA parking stall (i.e., at the hammerhead turnaround area for the trash collection vehicle), shall be painted all red to allow full access and turnaround space for trash collection vehicles.

**(PROJECT-SPECIFIC CONDITION)**

208. **TRASH ROOMS AND/OR ENCLOSURES:** Trash rooms and/or enclosures shall be used only for trash, recycling, and compost containers and shall not be used for storage at any time. Access door to the trash facility shall be clearly labeled "Trash Room."

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER AGENCY APPROVALS

209. **CONSTRUCTION HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination areas may expose construction workers to contaminants in the soil, groundwater, and associated vapors. The applicant/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.
210. **COUNTY OF SANTA CLARA PERMIT:** The applicant shall be responsible for applying for, and obtaining approval of, an Encroachment Permit with the County of Santa Clara Division of Roads and Airports for all work within the County's jurisdiction. Work within the County right-of-way must be in accordance with County requirements. Prior to building permit approval, submit a copy of the approved County Encroachment Permit to the Public Works Department.
211. **SANTA CLARA VALEY WATER DISTRICT WELLS:** Santa Clara Valley Water District (Valley Water) requires the following note to be labeled on the building and improvement plans: "While Valley Water has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage."
212. **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."
213. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: "For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance."

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

#### ENVIRONMENTAL SAFETY

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

214. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a “Storm Drain/Sanitary Sewer Discharges” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
215. **FOOD SERVICE CHECKLIST:** Complete a “Food Service Checklist: Grease Control and Stormwater Pollution Prevention” for building plan review for the kitchen area of the building. All applicable items in the checklist should be completed and shown on the building plan submittal.
216. **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.
217. **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.
218. **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.
219. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
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%; (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 irrigation for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
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 the fire sprinkler drain on the plans.



224. **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.
225. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.
226. **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.
227. **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](http://www.scvurppp-w2k.com/consultants_list.shtml)

**NOTE:** Decisions of the Zoning Administrator may be appealed to the City Council in compliance with Chapter 36 of the City Code. An appeal shall be filed in the City Clerk's Office within 10 calendar days following the date of mailing of the findings. Appeals shall be accompanied by a filing fee. No building permits may be issued or occupancy authorized during this appeal period.

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