

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2015

A RESOLUTION CONDITIONALLY APPROVING A DEVELOPMENT REVIEW
PERMIT AND PLANNED UNIT DEVELOPMENT PERMIT TO CONSTRUCT A
17-UNIT RESIDENTIAL DEVELOPMENT PROJECT WITH A 2-UNIT DENSITY
BONUS REQUEST AND A
HERITAGE TREE REMOVAL PERMIT TO REMOVE 11 HERITAGE TREES AT
1998 - 2024 MONTECITO AVENUE

WHEREAS, an application was received from Stuart Welte for a Development Review Permit and Planned Unit Development Permit to construct a 17-unit residential development project with a 2-unit Density Bonus request and a Heritage Tree Removal Permit to remove 11 Heritage trees at 1998 - 2024 Montecito Avenue (Application No. 507-13-PUD); and

WHEREAS, the Zoning Administrator held a public hearing on April 22, 2015 on said application and recommended that the City Council conditionally approve the Development Review Permit, Planned Unit Development Permit, and Heritage Tree Removal Permit subject to the findings and conditions of approval in the Findings Report from the Zoning Administrator, which are attached hereto in Exhibit A; and

WHEREAS, the City Council held a public hearing on May 26, 2015 on said applications and received and considered all evidence presented at said hearing, including the Findings Report from the Zoning Administrator, which are attached hereto in Exhibit A and City Council report; and

WHEREAS, the City has determined that this project is categorically exempt from the California Environmental Quality Act (CEQA) under Section 15332 ("Infill Development"), and Section 15304 ("Minor Alterations to Land");

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

1. The Planned Unit Development Permit for the construction of a 17-unit residential development project is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.46.70 of the City Code:

A. The proposed land use(s) are allowed within the R3-2.2 Zoning District and in the Medium Density Residential Land Use Designation of the General Plan;

B. The site is physically suitable for the type and intensity of the land use being proposed since the project area is greater than 12,000 square feet, it is an existing residential neighborhood with a mix of ownership and rental housing, and the site's dimensions allow for improvements to support multi-family residential uses and individual condominium lots, including shared parking and open area;

C. The proposed project would be harmonious and compatible with existing and future developments within the zoning district and surrounding area because it is a multi-family project consistent with the development standards of the R3 Zoning District and Density Bonus Ordinance and the individual condominium lots will not affect the project's compatibility with the surrounding area;

D. The proposed residential project will constitute a residential environment of sustained desirability and stability and will result in an intensity of land utilization no higher than, and standards of open space no less than, permitted for a similar development within the zoning district because the individual condominium lots will have shared amenities such as open area, landscaping, storage, parking, and trash facilities consistent with other multi-family projects in the zoning district;

E. The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community because the condominium lots will function as a single project site controlled by covenants, conditions, and restrictions and managed by a homeowners association;

F. The proposed project is in substantial compliance with the intent of requirements of the R3-2.2 Zoning District, and implementation of the proposed harmonious and integrated Planned Unit Development design is superior to standard development in the underlying zone and, therefore, justifies the exceptions to the requirements of this chapter because it includes shared amenities such as open space and underground parking in a development with individual homeowners; and

G. The approval of the Planned Unit Development Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because it is an “Infill Development” project consistent with the General Plan and Zoning Ordinance; within the City limits on a project site smaller than five acres surrounded by urban uses; has no value as habitat; would not result in significant effects related to traffic, noise, air quality, or water quality; and can be served by public utilities and services.

2. The Development Review Permit for the construction of a 17-unit residential development project is conditionally approved based upon the conditions contained herein and upon the following findings pursuant to Section 36.44.45 of the City Code:

A. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the project complies with the zoning requirements of open area, height, setbacks, parking, and landscaping; the project will provide one very low-income unit and will be permitted to construct a total of 17 units instead of 15 units allowed, consistent with the Density Bonus requirements; the project’s coverage of 38.9 percent is an acceptable Density Bonus waiver of the zoning requirement of 35 percent since the additional coverage is for reasonably sized porches and structures to access parking and the average coverage of each unit is consistent with a conforming 15-unit project; and the project is consistent with General Plan policies LUD 6.3, “Street presence,” since it includes front doors, porches, and a prominent pedestrian access area facing the street, and LUD 9.1, “Height and setback transitions,” since the third floors are set back and the property lines have screen trees;

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 materials, including fiber-cement lap siding and trim; metal-seam roof; double-hung windows; and wood doors, trellises, and fences, are appropriate to a multi-family residential neighborhood;

C. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by limiting the above-grade vehicle circulation area, which will reduce noise and light impacts; excavating the garage as low as possible, limiting the apparent height of the buildings and the effect of grade differences with adjacent sites; and setting back the upper floors, limiting the privacy and massing impacts on surrounding properties;

D. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing trees around the perimeter of the site; utilizing a variety of landscape materials; providing planters and other

opportunities for plants on the podium; and considering tree growth in the design of the parking podium;

E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing front doors on the street, common open area, and paseo (greater than 17,000 square feet); providing a prominent pedestrian entry area into the site; limiting the number of vehicle driveways to one; building parking underground where it will not be a barrier to other modes; and providing adequate vehicle and bicycle parking for residents and guests; and

F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because it is an "Infill Development" project, consistent with the General Plan and Zoning Ordinance; within the City limits on a project site smaller than five acres surrounded by urban uses; has no value as habitat; would not result in significant effects related to traffic, noise, air quality, or water quality; and can be served by public utilities and services.

3. The Heritage Tree Removal Permit to remove 11 Heritage trees is conditionally approved based on the conditions contained herein and the following findings made pursuant to Section 32.35 of the City Code:

A. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services because 8 of the 11 trees are in poor condition or dead, as identified by the arborist; and all 11 of the trees would be within the parking podium footprint.

B. It is appropriate and 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 proposed parking podium takes up the majority of the site, including areas with existing Heritage trees.

C. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as its canopy, shape and structure, majestic stature, and visual impact on the neighborhood, since the trees proposed for removal do not provide special aesthetic or functional qualities for the neighborhood.

D. It is appropriate and necessary to remove the tree(s) to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel

of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest.

E. Removal of the tree(s) will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters.

F. Removal of the tree(s) will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity.

G. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.

H. The approval of the Heritage Tree Removal Permit for the removal of 11 Heritage trees complies with the California Environmental Quality Act (CEQA) because the project involves the alteration of conventional landscaping, which is categorically exempt per Section 15304 ("Minor Alterations to Land") of the CEQA Guidelines.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Mountain View that the Development Review Permit and Planned Unit Development Permit and Heritage Tree Removal Permit for said project are hereby granted subject to the developer's fulfillment of all the conditions which are attached hereto in Exhibit A and incorporated herein by reference.

EA/7/RESO
899-05-26-15r-E-1

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

Exhibit A

APPLICATION NO.:

Page 1 of 18

507-13-PUD

DATE OF FINDINGS:

EXPIRATION OF ZONING PERMIT:

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

Applicant's Name:

Stuart Welte, EID Architects, for Hanford Capital, Inc.

Street Address of Property:

Assessor's Parcel No.:

Zone:

1998 and 2024 Montecito Avenue

150-02-023 and 150-02-024

R3-2.2

Request:

Request for a Planned Unit Development Permit for a 17-unit condominium project with underground parking on a 0.93-acre project site, a Development Review Permit for a new 17-unit multi-family building to replace four dwelling units, a Density Bonus, a Heritage Tree Removal Permit for the removal of 11 Heritage trees, and a determination that the project is categorically exempt pursuant to Section 15332 ("Infill Development") of the CEQA Guidelines.

APPROVED ☐

CONDITIONALLY ☒

DISAPPROVED ☐

CONTINUED ☐

OTHER ☐

APPROVED

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

FINDINGS OF APPROVAL:

Development Review approval for the 17-unit multi-family building with underground parking and other improvements on a 0.93-acre site is conditionally approved based upon the conditions of approval contained herein and upon the following findings:

- A. The project complies with the general design considerations as described by the purpose and intent of the Zoning Ordinance, the General Plan, and any City-adopted design guidelines since the project complies with the zoning requirements of open area, height, setbacks, parking, and landscaping; the project will provide one very low-income unit and will be permitted to construct a total of 17 units instead of 15 units allowed, consistent with the Density Bonus requirements; the project's coverage of 38.9 percent is an acceptable Density Bonus waiver of the zoning requirement of 35 percent since the additional coverage is for reasonably sized porches and structures to access parking and the average coverage of each unit is consistent with a conforming 15-unit project; and the project is consistent with General Plan policies LUD 6.3, "Street presence," since it includes front doors, porches, and a prominent pedestrian access area facing the street, and LUD 9.1, "Height and setback transitions," since the third floors are set back and the property lines have screen trees;
- 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 materials, including fiber-cement lap siding and trim; metal-seam roof; double-hung windows; and wood doors, trellises, and fences, are appropriate to a multi-family residential neighborhood;

☐ Owner

☐ Agent

☐ File

☐ Fire

☐ Public Works

- C. The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property, by limiting the above-grade vehicle circulation area, which will reduce noise and light impacts; excavating the garage as low as possible, limiting the apparent height of the buildings and the effect of grade differences with adjacent sites; and setting back the upper floors, limiting the privacy and massing impacts on surrounding properties;
- D. The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area by providing trees around the perimeter of the site; utilizing a variety of landscape materials; providing planters and other opportunities for plants on the podium; and considering tree growth in the design of the parking podium;
- E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing front doors on the street, common open area, and paseo (greater than 17,000 square feet); providing a prominent pedestrian entry area into the site; limiting the number of vehicle driveways to one; building parking underground where it will not be a barrier to other modes; and providing adequate vehicle and bicycle parking for residents and guests; and
- F. The approval of the Development Review Permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA) because it is an "Infill Development" project, consistent with the General Plan and Zoning Ordinance; within the City limits on a project site smaller than five acres surrounded by urban uses; has no value as habitat; would not result in significant effects related to traffic, noise, air quality, or water quality; and can be served by public utilities and services.

The Planned Unit Development Permit for a 17-unit condominium development where individual condominium lots are smaller than the 12,000 square foot minimum lot size standard for the R3 District is conditionally approved based upon the conditions contained herein and upon the following findings:

- A. The proposed land use(s) are allowed within the R3-2.2 Zoning District and in the Medium Density Residential Land Use Designation of the General Plan;
- B. The site is physically suitable for the type and intensity of the land use being proposed since the project area is greater than 12,000 square feet, it is an existing residential neighborhood with a mix of ownership and rental housing, and the site's dimensions allow for improvements to support multi-family residential uses and individual condominium lots, including shared parking and open area;
- C. The proposed project would be harmonious and compatible with existing and future developments within the zoning district and surrounding area because it is a multi-family project consistent with the development standards of the R3 Zoning District and Density Bonus Ordinance and the individual condominium lots will not affect the project's compatibility with the surrounding area;
- D. The proposed residential project will constitute a residential environment of sustained desirability and stability and will result in an intensity of land utilization no higher than, and standards of open space no less than, permitted for a similar development within the zoning district because the individual condominium lots will have shared amenities such as open area, landscaping, storage, parking, and trash facilities consistent with other multi-family projects in the zoning district;
- E. The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community because the condominium lots will function as a single project site controlled by covenants, conditions, and restrictions and managed by a homeowners association;
- F. The proposed project is in substantial compliance with the intent of requirements of the R3-2.2 Zoning District, and implementation of the proposed harmonious and integrated Planned Unit Development design is superior to standard development in the underlying zone and, therefore, justifies the exceptions to the requirements of this

chapter because it includes shared amenities such as open space and underground parking in a development with individual homeowners; and

- G. The approval of the Planned Unit Development Permit for the proposed project complies with the California Environmental Quality Act (CEQA) because it is an "Infill Development" project consistent with the General Plan and Zoning Ordinance; within the City limits on a project site smaller than five acres surrounded by urban uses; has no value as habitat; would not result in significant effects related to traffic, noise, air quality, or water quality; and can be served by public utilities and services.

The Heritage Tree Removal Permit to remove 11 Heritage trees (identified on Plan Sheet L1.2) is conditionally approved based on the conditions contained herein and the following findings:

- A. It is appropriate and necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services because 8 of the 11 trees are in poor condition or dead, as identified by the arborist; and all 11 of the trees would be within the parking podium footprint.
- B. It is appropriate and 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 proposed parking podium takes up the majority of the site, including areas with existing Heritage trees.
- C. It is appropriate and necessary to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities such as its canopy, shape and structure, majestic stature, and visual impact on the neighborhood, since the trees proposed for removal do not provide special aesthetic or functional qualities for the neighborhood.
- D. It is appropriate and necessary to remove the tree(s) to implement good forestry practices such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest.
- E. Removal of the tree(s) will not adversely affect the topography of the land or create soil erosion through diversion or increase flow of surface waters.
- F. Removal of the tree(s) will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity.
- G. Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.
- H. The approval of the Heritage Tree Removal Permit for the removal of 11 Heritage trees complies with the California Environmental Quality Act (CEQA) because the project involves the alteration of conventional landscaping, which is categorically exempt per Section 15304 ("Minor Alterations to Land") of the CEQA Guidelines.

This approval is granted to construct a 17-unit multi-family development located on Assessor Parcel Nos. 150-02-023 and 150-02-024. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein:

- a. Project drawings prepared by Stuart Welte for Hanford Capital, Inc., dated March 24, 2015, and consisting of 49 sheets.
- b. Color and materials board prepared by Stuart Welte for Hanford Capital, Inc., dated March 24, 2015, and kept on file in the Planning Division of the Community Development Department.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Community Development Department – (650) 903-6306

PLANS AND SUBMITTAL REQUIREMENTS

1. **ZONING INFORMATION:** The following information must be listed on the lower right-hand corner of the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning designation; (c) floor area ratio (or density in units per acre if residential); (d) lot area (in square feet); and (e) total number of parking spaces.
2. **CERTIFICATION OF BUILDING PERMIT PLANS:** The project architect shall certify in writing that the architectural design shown in the building permit plans match the plans approved by the City Council/Zoning Administrator. Any changes must be clearly noted. The project architect shall also certify that the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Inspection Division.
3. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a public hearing, which can be referred to City Council.
4. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for the foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.
5. **COLOR CHIPS:** Color chips shall be attached to the title sheet of two sets of the building permit drawings and the color scheme shall be shown on the elevations.

SITE DEVELOPMENT AND BUILDING DESIGN

6. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
7. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement and utilization of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
8. **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.
9. **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.
10. **MOCK-UP:** The applicant shall set up a large material and color mock-up on-site, prior to building permit issuance, for final selection and approval by the Zoning Administrator. At a minimum, the mock-up shall include siding, trim, paving materials, and paint samples.

11. **COLOR SCHEME:** The applicant shall paint a small portion of the building with the proposed color scheme for inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
12. **FENCE/WALL:** All fencing and walls are to be shown on construction plans submitted for building permit review and shall not exceed 8' in height, measured from neighboring property adjacent grade to the top of the fence or wall. The design and location must be approved by the Zoning Administrator and comply with all setback requirements. Site sections shall be provided showing potential privacy impacts to adjacent properties where grade differences are the greatest. If privacy impacts are unacceptable with an 8' fence, additional measures must be approved by the Zoning Administrator prior to Building Permit issuance. Additional measures may include the installation of dense landscaping to limit access near the property line.
13. **LIGHTING PLAN:** The applicant shall submit a lighting plan with the application for building permit. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit submittal.
14. **ELECTRIC VEHICLES:** The garage shall be designed so homeowners can easily install electric vehicle charging stations connected to their own meter. Building permit plans shall clearly show how a charging station would be installed.
15. **ADDITIONAL DESIGN CHANGES:** The following additional design changes shall be integrated into the building permit and landscaping plans: (a) add additional tree canopy around the buildings, outside the edges of the parking podium; (b) hang decorative lattice on both sides of the "guardrail box trellis" on Page L1.1; and (c) prior to building permit submittal, provide revised, more natural colors.

GREEN BUILDING AND SUSTAINABILITY MEASURES

- ~~14~~16 **GREEN BUILDING – RESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of 110 GreenPoint Rated points. All mandatory prerequisite points and minimum point totals per category to attain GreenPoint Rated status must be achieved, unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through Build It Green is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.

LANDSCAPING

- ~~15~~17 **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the curb must be included in the Building Inspection Division application. Minimum plant sizes are flats or 1-gallon containers for ground cover, 5-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations.
- ~~16~~18 **CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans, subject to final approval by the Zoning Administrator.
- ~~17~~19 **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.

- | **18:20 AIR CONDITIONER UNITS:** The location and screening method of the proposed air conditioning condensers for each unit shall be shown on the site plan and landscape plan for review and approval prior to building permit issuance.

HERITAGE TREES

- | **19:21 IMPLEMENTATION:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit is secured and the project is pursued.
- | **20:22 REPLACEMENT:** The applicant shall offset the loss of each Heritage tree with a total of 2 replacement trees. Each replacement tree shall be no smaller than 24" box and shall be noted on the landscape plan as Heritage replacement trees.
- | **21:23 TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Richard Gessner and dated August 29, 2014 shall be included as notes on the title sheet of all grading and landscape plans and shall apply to all on- and off-site Heritage trees. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.

NOISE

- | **22:24 MECHANICAL EQUIPMENT:** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property.
- | **23:25 CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.

CONSTRUCTION PRACTICES AND NOTICING

- | **24:26 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).
- | **25:27 WORK HOURS:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. At the discretion of the Chief Building Official, the general contractor or the developer may be required to erect a sign at a prominent location on the construction site to advise subcontractor and material suppliers of the working hours. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
- | **26:28 PARKING MANAGEMENT PLAN:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
- | **27:29 NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 300' of the project site of the construction schedule in writing, prior to construction. A copy of the notice and the mailing list shall be submitted prior to issuance of building permits.

- | ~~28.30~~ **DISTURBANCE COORDINATOR:** The project applicant shall designate a “disturbance coordinator” who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site.
- | ~~29.31~~ **NOTICE TO TENANTS:** The applicant shall provide the following to existing tenants at 1998 and 2024 Montecito Avenue: (1) the schedule of when the existing units will be demolished; (2) notice of at least 90 days to vacate; (3) the applicant will pay for a 60-day subscription fee to a rental agency and post the periodical in a central location accessible to all existing tenants; and (4) the applicant will refund the security deposit for all tenants in full upon vacation of the premises.
- | ~~30.32~~ **AIR QUALITY:** The applicant will be required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
- | ~~31.33~~ **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures. Additional measures may be identified by the BAAQMD or contractor as appropriate, such as: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; and (f) post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD’s phone number will also be visible to ensure compliance with applicable regulations.
- | ~~32.34~~ **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.
- | ~~33.35~~ **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50’ radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his/her authority, he/she shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City’s Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of

the mitigation program to the satisfaction of the City's Community Development Director.

34.36 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.

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

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

TECHNICAL REPORTS

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

CC&Rs

37.39 CC&Rs: Four copies of the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association shall be submitted to the Planning Division and approved by the City Attorney prior to building permit issuance. The applicant shall attach a completed CC&R checklist to the CC&Rs upon submittal. The checklist can be obtained in the Planning Division.

38.40 MASTER PLAN: The applicant shall prepare a master plan which establishes rules for modifications or additions of any building structures at this site, including fences, trellises, sunshades, and accessory buildings, as well as modifications to principal buildings. These rules shall be consistent with the provisions of the R3-2.2 Zoning District and shall be approved by the Zoning Administrator. The Covenants, Conditions, and Restrictions (CC&Rs) shall specifically state that the master plan establishes the rules for additions/modifications to the complex and that changes to the master plan require approval by the Zoning Administrator. Two copies of the final master plan shall be submitted to the Planning Division to remain on file.

39.41 PROJECT INFORMATION: All marketing and sales literature, leasing information, and the Covenants, Conditions, and Restrictions (CC&Rs) for the complex shall clearly state that this project is complete as built and

that no further expansions to the building structures are permitted without Planning Division approval. Any revisions to the project would require a separate application to the City by the homeowners association and would need to establish rules for all units in the complex.

- | **40.42 AFFORDABLE UNITS:** In accordance with State Density Bonus Law and the City's Below-Market-Rate (BMR) Program, the project shall provide one very low-income affordable unit for a minimum of 55 years.

LEGAL AGREEMENTS

- | **41.43 BMR, PROVIDING UNITS:** Prior to issuance of building permits, the applicant shall enter into a written agreement with the City of Mountain View that will require the applicant to provide at least 10 percent of the total number of dwelling units within the development as Below-Market-Rate (BMR) units and pay an in-lieu fee for fractions of a unit consistent with Chapter 36, Article XIII, Division 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. Prior to issuance of building permits, the applicant shall also submit a plan indicating the location, size, and phasing of BMR units.

- | **42.44 BMR, PROCESS:** Following project approval, the applicant shall submit the following information to the Administrative and Neighborhood Services Manager in the Community Development Department, (650) 903-6379: (a) a copy of the first page of the Findings Report; (b) a copy of the page from the Findings Report that contains the Below-Market-Rate (BMR) condition; (c) a preliminary title report with a legal description of the property; and (d) the name and signature block for the person authorized to sign the agreement.

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

- | **43.45 NOTICE OF DEVELOPMENT RESTRICTIONS:** A Notice of Development Restrictions indicating the related development permit conditions that are to be completed with the development of the property is required for all planned developments and common-interest developments. The notice shall be in a form approved by the Planning Division and City Attorney's Office and shall be signed and notarized by the subdivider. The approved and executed Notice of Development Restrictions must be recorded on the land of the subdivision before the approval of the parcel or final map.

- | **44.46 INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and its officers, agents, and employees in any action brought by a third party to void this Permit. The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

Public Works Department – (650) 903-6311

RIGHTS-OF-WAY

- | **45.47 STREET DEDICATION:** Dedicate a public street, in fee as required by the Public Works Director, to widen Montecito Avenue, 30' from the centerline of the street.
- | **46.48 PUBLIC UTILITY EASEMENT:** Dedicate a public utility easement for the proposed public joint trench along the project frontage.

FEEES

- | **47.49 WATER AND SEWER CAPACITY FEES:** This project may be subject to water and sewer capacity fees. These are new fees being implemented by the City. On April 8, 2014, the City Council authorized the amendment of Chapters 28 and 35 of the City Code requiring development projects pay capacity fees, if applicable, prior to

approval of any parcel/tract map **approved on or after** July 1, 2015 or prior to issuance of any building permits **issued on or after** July 1, 2015. The applicant shall pay applicable water and sewer capacity fees as required. An informational handout on these fees can be found on the City's website at:

<http://www.ci.mtnview.ca.us/civicax/filebank/blobdload.aspx?BlobID=14212>

The April 8, 2014 Council report can be viewed at the following location:

<https://mountainview.legistar.com/LegislationDetail.aspx?ID=1694006&GUID=3B26F71F-FD13-4830-9705-6C9EDC48D254>

Contact the Public Works Department at (650) 903-6311 for any questions related to these fees.

| **48.50 STORM DRAINAGE FEE:** Pay the off-site storm drainage fee per Section 28.51(b) and with the rates in effect at time of payment.

| **49.51 PARK LAND DEDICATION FEE:** Pay the Park Land Dedication Fee (approximately \$15,000 to \$30,000 per unit) for each new residential unit in accordance with Chapter 41 of the City Code prior to the issuance of the building permit. No credit against the Park Land Dedication Fee will be allowed for private open space and recreational facilities. Provide the most current appraisal or escrow closing statement of the property with the following information to assist the City in determining the current market value of the land: (1) a brief description of the existing use of the property; (2) square footage of the lot; and (3) size and type of each building located on the property at the time the property was acquired.

STREET IMPROVEMENTS

| **50.52 PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the Mountain View City Code. These improvements include new curb, gutter, and sidewalk along the entire Montecito Avenue frontage; new fire, domestic, and irrigation water service, meters, backflow preventors, and fire apparatus; sewer service; driveway and ADA ramp.

a. **IMPROVEMENT AGREEMENT:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the approval of the building permit. Sign a Public Works Department faithful performance bond (100 percent) and materials/labor bond (100 percent) or provide cash deposit (100 percent) or provide a letter of credit (150 percent) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available through the Internet at <http://www.fms.treas.gov/c570/index.html>. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.

b. **INSURANCE:** Provide a certificate of insurance and endorsement naming the City an additional insured from the entity that will sign the improvement agreement prior to the approval of the building permit. The insurance coverage amounts are a minimum of One Million Dollars (\$1,000,000) Commercial General Liability, Automobile Liability, and Workers' Compensation. The insurance requirements are available from the Public Works Department.

| **51.53 OFF-SITE PLANS:** Prepare off-site improvement plans in accordance with the City's Standard Design Criteria. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way. A traffic control plan indicating the work areas, delineators, signs, and other traffic control measures is required for work that impacts traffic on an existing street. Locations of on-site parking for construction equipment and construction workers must be submitted for review and approval. Off-site plans (nine sets), construction cost estimate, and copy of the current preliminary title report or property deed must be submitted together as a separate

package concurrent with the first submittal of the building plans. The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 10 black-line sets, one Xerox Mylar (4 mil) set of the plans, and CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit.

- | [52.54](#) **INFRASTRUCTURE QUANTITIES:** Submit a construction cost estimate form indicating the quantities of the street and utility improvements with the submittal of the improvement plans. 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.
- | [53.55](#) **SPECIAL PAVERS AND CONCRETE REPLACEMENT:** The homeowners association shall be responsible for replacing the proposed pavers or textured concrete that is removed by the City to repair, replace, or maintain the City's underground utilities within the public right-of-way. This requirement shall be stated in the CC&Rs. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Public Works Department for review and approval.
- | [54.56](#) **CORNER SIGHT TRIANGLE:** At street corners of uncontrolled intersections, no sign over 3' in height shall be located within a vehicle sight triangle formed by measuring 35' along the front and side property lines.

UTILITIES

- | [55.57](#) **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.
- | [56.58](#) **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.
- | [57.59](#) **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.
- | [58.60](#) **WATER METER BANK:** The water meters shall be arranged in a bank of meters adjacent to the public sidewalk. The bank of water meters shall not be located next to the main driveway entrance so as not to impact the aesthetics of the entrance.
- | [59.61](#) **WATER AND SEWER APPLICATIONS:** Prior to the issuance of the building permit, complete applications for water and sewer service if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid.
- | [60.62](#) **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, water services, fire services, sewer laterals, sewer cleanouts, gate valves, and utility mains are to be shown on the plans. Sewer laterals, water services, and fire services shall have a minimum 5' horizontal separation from each other. Existing water services shall be shown to be disconnected and plugged at the main, 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.
- | [61.63](#) **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division and screened from view with landscaping. Required clearances between backflow preventers shall be maintained and may vary from submitted plans.

- | [62.64](#) **SUBSTANDARD IMPROVEMENTS:** The existing streetlight is not in accordance with current City standards and shall be reconstructed or modified to comply with City standards. The location can be adjusted to allow for the water services as shown on the plans.
- | [63.65](#) **UNDERGROUND SERVICES:** All new and existing electric, telephone, and cable television services serving the site are to be placed underground (including transformers). The undergrounding of the new and existing electric, telephone, and cable television services is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the site. (Aboveground transformers shall be located so they are screened or not visible from the street or to the general public as approved by the Community Development and Public Works Departments.)
- | [64.66](#) **JOINT UTILITY PLANS:** Submit joint utility plans showing the location of the proposed electric, gas, telephone, and cable television conduits and vaults. These plans shall be combined and made a part of the improvement plans. Dedicate utility easements that are necessary for the common utility on the final map.

SIDEWALKS AND DRIVEWAYS

- | [65.67](#) **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.
- | [66.68](#) **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new driveway approaches. Tapers (conforms) shall be provided to connect the proposed public sidewalk on each side of the proposed driveway.
- | [67.69](#) **DAMAGED SIDEWALK IMPROVEMENTS:** Portions of the curbs, gutters, sidewalks, and driveways on Montecito Avenue are damaged and must be replaced. The specific areas and limits of the replacement work shall be drawn on the plans.
- | [68.70](#) **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk and show the replacement work on the plans.
- | [69.71](#) **RED CURB AT CROSSWALKS:** Street curbs that are located within 15' of a public crosswalk shall be painted red.
- | [70.72](#) **RED CURB AT DRIVEWAY ENTRANCE:** Street curbs that are located within 10' of the driveway entrance to the underground parking garage shall be painted red.

RECYCLING

- | [71.73](#) **RECOLOGY MOUNTAIN VIEW:** Recology Mountain View is the City's exclusive hauler for recycling and disposal of construction and demolition debris. For all debris boxes, contact Recology. Using another hauler may violate Mountain View City Code Sections 16.13 and 16.17 and result in Code Enforcement action.
- | [72.74](#) **CONSTRUCTION AND DEMOLITION ORDINANCE:** This project must comply with the City's Construction and Demolition Ordinance (Mountain View City Code Chapter 16, Article III).

STREET TREES

- | [73.75](#) **STREET TREES:** Install standard City street trees along the street frontage. The street trees shall be within the public right-of-way. The current plans show them slightly behind the right-of-way.
- | [74.76](#) **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees are to be planted a minimum of 10' from sanitary sewer lines and 5' from water lines, fire lines, and driveways in accordance with Detail F-1 of

the Standard Provisions. New street tree species must be selected from the City's official street tree list and as approved by the City's Parks and Open Space Division per Proposed Street Tree Form (CD-51).

- | **75:77 STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner in accordance with Chapter 32 of the City Code.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

- | **76:78 DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
- | **77:79 DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property. A face-of-curb inlet/outlet is required to drain into the curb of the street.
- | **78:80 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, before approval of the building permit, 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.
- | **79:81 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.
- | **80:82 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.
- | **81:83 LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage system for the privately owned lots shall be designed such that the drainage system does not cross the common property lines unless an exception is approved by the Public Works Department due to unavoidable circumstances (such as to provide drainage to an existing Heritage tree).

MISCELLANEOUS

- | **82:84 WELL QUESTIONNAIRE:** Complete a Santa Clara Valley Water District well questionnaire and return it to the Public Works Department. Well questionnaire forms are available from the Public Works Department. All existing wells shall be shown on the site plans as to remain or be sealed in accordance with the Santa Clara Valley Water District standards.
- | **83:85 STREET CLEANING:** The owner/developer shall comply with, and the off-site and grading drainage and utility plans shall include, a general note as follows: "The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development's construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director, or his/her designated representative."
- | **84:86 OCCUPANCY RELEASE:** For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. For phased developments, portions of the units may be

released for occupancy, at the City's sole discretion, provided that all public and private improvements, conditions of approval, and Building Code requirements that are necessary to support the units to be released for occupancy have been completed as determined by the City. When all of the improvements are complete and/or ready for acceptance for maintenance by the City Council, the remaining units may be released for occupancy, provided that all other conditions of approval and Building Code requirements have been met. The Public Works Director shall make the determination of what public improvements are substantially complete.

- | [85:87](#) **PRELIMINARY TITLE REPORT:** Submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. This information is required for the preparation of Public Works agreements and documents.
- | [86:88](#) **SUBDIVISION:** This site plan is a subdivision of an existing parcel(s). Any combination or division of land for purpose of sale, lease, or financing requires the filing and approval of a preliminary parcel or tentative map, completion of all conditions of subdivision approval, and the recordation of the parcel or final map, all prior to issuance of the building permit. In order to place the approval of a final map on the Council agenda, all related materials must be completed and approved 40 calendar days prior to the Council meeting.

Building Inspection Division – (650) 903-6313

- | [87:89](#) **BUILDING PERMITS:** A building permit is required for this project. This review by the Building Inspection Division is preliminary and only attempting to identify critical or significant code concerns. Building plan check review will be part of a separate permit application process that can be applied for once the Planning approvals have been obtained and the 10-day appeal period has passed. Submit complete sets of construction drawings at the Building Counter. Please refer to the Building Inspection Division's current "Submittal Requirements" for document submittal requirements. No construction work can be commenced without an appropriate building permit and no new occupancy shall commence without a Certificate of Occupancy. Please contact the Building Inspection Division for submittal requirements at (650) 903-6313.
- | [88:90](#) **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Inspection Division upon submittal. Current codes are the 2013 California Codes: Building, Fire, Electrical, Mechanical, Plumbing, CALGreen, and Mountain View Green Building Code.
- | [89:91](#) **ACCESSIBILITY:** Project will be required to comply with the accessibility requirements in the 2013 CBC, Chapter 11A, and CRC R320.
- | [90:92](#) **ACCESSIBILITY (PARKING):** At least one of the guest parking spaces is required to be accessible, 2013 CBC, 1109A.5.
- | [91:93](#) **ACCESSIBILITY (PARKING):** At least 2 percent of the assigned parking spaces are required to be accessible, 2013 CBC, 1109A.4.
- | [92:94](#) **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to the Building Inspection Division approval of the project. Commercial suite numbers are issued by the United States Post Office.
- | [93:95](#) **EGRESS:** Site must meet accessible means of egress, 2013 CBC, Section 1007.
- | [94:96](#) **FIRE SPRINKLERS:** All proposed plans for new dwellings submitted after January 1, 2011 will be required to install a fire sprinkler system regardless of size.
- | [95:97](#) **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Please provide sufficient information at the time of plan submittal to show how pedestrians will be protected per 2013 CBC, Section 3306.

| **96.98 PHOTOVOLTAIC:** Photovoltaic systems to be a deferred submittal.

| **97.99 SURVEY:** A survey will be required to be completed to verify structure placement.

Fire Department – (650) 903-6343

FIRE PROTECTION SYSTEMS AND EQUIPMENT

| **98.10 FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Three (3) sets of shop-quality drawings shall be submitted for review and approval. All work shall conform to NFPA 13 (2013 Edition), NFPA 72 (2013 Edition), and Mountain View Fire Department specifications. Call the Building Inspection Division at (650) 903-6313 for a copy of specifications and submittal requirements. (Mountain View City Code, Sections 14.10.27, 14.10.28, and California Fire Code, Section 903.)

| **99.10 STANDPIPE SYSTEM:** Provide a Class III standpipe system. (Mountain View City Code, Sections 14.10.29, 14.10.30, 14.10.31, and 14.10.32 and California Fire Code, Section 905.)

| **400.1 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.)

| **401.1 ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to combustible construction beyond 150' from the public right-of-way. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Three (3) complete sets of shop-quality drawings shall be submitted for review and approval. (NFPA 24 (2013 Edition) and Mountain View Fire Department requirements.)

| **402.1 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.)

| **403.1 AUTOMATIC/MANUAL FIRE ALARM SYSTEM:** Provide an approved automatic/manual fire alarm system in accordance with California Fire Code and Mountain View Fire Department specifications. Three (3) complete sets of fire alarm system shop-quality drawings shall be submitted for review and approval. Prior to occupancy, the system shall be field-tested, approved, and in service. Provisions shall be made for monthly testing, maintenance, and service. Call the Building Inspection Division at (650) 903-6313 for a copy of specifications and submittal requirements. (California Fire Code, Section 907 and Mountain View City Code, Section 14.10.33.)

| **404.1 SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.)

FIRE DEPARTMENT ACCESS

| **405.1 LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Call the Building Inspection Division at (650) 903-6313 for instructions. (California Fire Code, Section 506.)

- | ~~406.1~~ **KEYSWITCH:** Install an approved key switch per the Fire Protection Engineer's directions. Call the Building Inspection Division at (650) 903-6313 for instructions. (California Fire Code, Section 506.) (Applies to garage gate.)

EGRESS AND FIRE SAFETY

- | ~~407.1~~ **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 1006.)
- | ~~408.1~~ **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 1011.)
- | ~~409.1~~ **ON-SITE DRAWINGS:** Submit two (2) 8.5"x11" plot plan drawings according to Fire Department specifications prior to final Certificate of Occupancy.

EXTERIOR IMPROVEMENTS

- | ~~440.1~~ **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height. (Mountain View City Code, Section 14.10.20.)

OTHER

- | ~~441.1~~ **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R and I-1 occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code, Section 1029.)
- | ~~442.1~~ **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

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

URBAN RUNOFF

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

- | ~~443.1~~ **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.
- | ~~444.1~~ **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.

- | **445.1 SWIMMING POOLS, SPAS, AND FOUNTAINS:** Swimming pools, spas, and fountains shall be installed with a sanitary sewer cleanout in a readily accessible nearby area to allow for draining.

- | **446.1 LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10 percent; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.

- | **447.1 EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigations for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.

- | **448.1 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.

- | **449.1 PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer.

- | **420.1 STORMWATER TREATMENT (C.3):** This project will create or replace more than ten thousand (10,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (LID) types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

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

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

GERRY BEAUDIN, ZONING ADMINISTRATOR

GB/EA/3/FDG
507-13-PUD