

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT, SPECIAL DESIGN PERMIT, AND
LOT LINE ADJUSTMENT TO CONSTRUCT A 15-STORY, 455-UNIT RESIDENTIAL APARTMENT
BUILDING (20% AFFORDABLE), REPLACING A RESIDENTIAL DUPLEX AND
ASSOCIATED IMPROVEMENTS, AND A HERITAGE TREE REMOVAL PERMIT TO REMOVE
19 HERITAGE TREES ON A 1.26-ACRE PROJECT SITE LOCATED AT
901-987 NORTH RENGSTORFF AVENUE (APN 153-02-039, 153-02-040, AND 153-02-041),
AND FINDING THE PROJECT TO BE STATUTORILY EXEMPT FROM THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)
PURSUANT TO PUBLIC RESOURCES CODE SECTION 21080.66

WHEREAS, the California Legislature adopted the Housing Accountability Act (HAA) to “significantly increase the approval and construction of new housing for all economic segments of California’s communities by meaningfully and effectively curbing the capability of local governments to deny, reduce the density for, or render infeasible housing development projects....”; and

WHEREAS, it is the policy of the state that the HAA “be interpreted and implemented in a manner to afford the fullest possible weight to the interest of, and the approval and provision of, housing”; and

WHEREAS, the “Builder’s Remedy” is a provision of the HAA that is applicable to qualifying housing development projects when a preliminary application is submitted before the City adopts a substantially compliant Housing Element; and

WHEREAS, on April 5, 2023, Mario Ambra (Applicant) submitted a preliminary application (Application No. PL-2023-062) to construct a qualifying housing development project comprised of a 12-story, 385-unit residential apartment building replacing an existing duplex residential building and associated improvements, a Heritage Tree Removal Permit to remove 19 Heritage trees, and a Vesting Parcel Map to create a separate development parcel for the 1.26-acre project site located at 901-987 North Rengstorff Avenue; and

WHEREAS, the preliminary application was submitted before the City adopted a substantially compliant Housing Element, and 20% of the total units will be affordable to lower-income households. Therefore, the project qualifies as a Builder’s Remedy project pursuant to the Builder’s Remedy provisions of the HAA effective between January 1, 2024 through December 31, 2024; and

WHEREAS, on August 22, 2023, the Applicant submitted a formal application (Application No. PL-2023-174) for a Development Review Permit, Special Design Permit, and Heritage Tree Removal Permit to construct a qualifying housing development project with a project revision to increase the number of residential units from 385 units to 455 units and increase the number of stories from 12 stories with a rooftop area to 15 stories with associated increase of project floor area. Because these revisions do not change the number of residential units or square footage of construction by 20% or more, the City must still apply the standards in effect at the time the preliminary application was submitted; and

WHEREAS, on the same date, the Applicant submitted an application (Application No. PL-2023-175) for a Lot Line Adjustment to create a separate development parcel for a 1.26-acre project site, associated with the development application (Application No. PL-2023-174); and

WHEREAS, consistent with its intent to facilitate the approval of housing, the HAA limits the City's ability to deny or condition approval of a housing development project for very low-, low-, or moderate-income households in a manner that renders the project infeasible for affordable housing development; and

WHEREAS, the Builder's Remedy provisions of the HAA also prohibit the City from relying on inconsistency with Zoning and General Plan standards as a basis for denial of a housing development project for very low-, low-, or moderate-income households; and

WHEREAS, the subject property has a split General Plan Land Use Designation of Medium-Density Residential and General Industrial; and

WHEREAS, the subject property is located in the R3-2sd (Multiple-Family Residential, Special Design Overlay) Zoning District and MM-40 (General Industrial) Zoning District; and

WHEREAS, the Builder's Remedy provisions of the HAA expressly exempt a qualifying Builder's Remedy project from any requirement to apply for, or receive approval of, a general plan amendment, specific plan amendment, rezoning, or other legislative approval; and

WHEREAS, the project as currently proposed is inconsistent with numerous arguably "objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the [City's] share of the regional housing need"; and

WHEREAS, the City has made its best efforts to encourage the Applicant to bring the project into compliance with many of these arguably objective standards; however, the project remains noncompliant with several City standards regulating development of the type proposed by the Applicant; and

WHEREAS, in compliance with the Builder's Remedy provisions of the HAA, and to demonstrate the City's commitment to addressing the state and regional housing crisis, the City

is conditionally approving the project notwithstanding its noncompliance with certain development standards; and

WHEREAS, on June 30, 2025, the California Legislature adopted Assembly Bill (AB) 130 enacting a new California Environmental Quality Act (CEQA) statutory exemption for qualifying infill residential projects, codified under Public Resources Code (PRC) Section 21080.66; and

WHEREAS, on July 23, 2025, the Applicant requested the City to evaluate project eligibility for the new CEQA statutory exemption and to initiate tribal consultation requirements codified under PRC Section 21080.66; and

WHEREAS, the tribal consultation process pursuant to PRC Section 21080.66(b) concluded on October 26, 2025; and

WHEREAS, on November 18, 2025, the City Council held a duly noticed public hearing on said application for a Development Review Permit, Special Design Permit, Lot Line Adjustment, and Heritage Tree Removal Permit to construct a 455-unit residential apartment development on the project site and received and considered all evidence presented at said hearing, including the City Council report and project materials; and

WHEREAS, said duly noticed public hearing was held less than 30 days from the conclusion of the tribal consultation process conducted pursuant to PRC Section 21080.66(b), consistent with approval period enacted by AB 130 for a development project exempt from CEQA pursuant to PRC Section 21080.66, as codified in Government Code Section 65950(a)(7); now, therefore, be it

RESOLVED: that, based on substantial evidence in the record, the City Council of the City of Mountain View finds the project to be statutorily exempt from CEQA pursuant to PRC Section 21080.66 as described in further detail below; and be it

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Development Review Permit pursuant to Section 36.44.70 of the City Code to construct a 15-story, 455-unit residential apartment development, replacing an existing residential duplex and associated improvements:

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.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed Builder's Remedy project is consistent with some design review policies of the General Plan and limited standards of the R3-2sd (Multiple-Family Residential) Zoning District, including pavement coverage and parking space back-up distance. The project is also consistent with LUD 10.7 (Beneficial landscaping options) as the proposed plant palette primarily utilizes low-water-use

plantings and will provide 11 street trees along the project frontage; and LUD 3.1 (Land use and transportation) because the proposed project is a high-density residential development located along a major local commute corridor (North Rengstorff Avenue) and within close proximity to U.S. 101, which is a major regional commute corridor. The project also complies with LUD 3.5 (Diversity) as the project provides housing units serving a range of diverse households and incomes. The project design is inconsistent with most zoning standards, including, but not limited to, permitted land uses in the MM-40 (General Industrial) Zoning District, applicable to a portion of the project site; maximum height; setbacks; parking requirements; and other standards for multi-family development in the R3-2sd Zoning District. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

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.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The architectural design of the project is different than the surrounding area given that the proposed project is a high-rise development surrounded by low-rise residential and industrial sites. However, the project aims to achieve some compatibility with surrounding development through building colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.) by using a terra-cotta cladding system, which includes smaller-dimensioned panels and provides materiality that is intended to complement the prevalent lap siding material seen in the adjacent residential neighborhood. The project also includes a color palette, particularly the soft grey and white colors, that are in keeping with colors used on other buildings in the area. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

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.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed project is consistent with some of these design review standards. For example, the project provides drought-tolerant plant species with automatic irrigation systems, complying with the City's Water Conservation in Landscaping Regulations. The project also provides suitable maneuvering space (i.e., compliant back-up distances) within the parking garage so that vehicles may enter the abutting street in a forward direction. Certain aspects of the proposed project are not currently compatible and appropriately integrated with the surrounding public streets and sidewalks as they include improvements that rely on public streets and sidewalks for private (project) solid waste staging and pickup, which is inconsistent with applicable City standards. City Code Section 21.21 and Section 16.21 require all private trash storage/staging to be accommodated on-site in a manner and location that will not cause use of public streets. However, project conditions of approval have been applied that will require modifications to the project prior to issuance of any building permit, such that the structure

complies the adopted City requirements and will, therefore, be compatible with the surrounding public streets and sidewalks. Where the project remains inconsistent after imposition of the stated conditions of approval, such inconsistencies are not a basis for disapproval of the project;

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.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed Builder's Remedy project is consistent with some of these design review standards. For example, the project provides mainly drought-tolerant and low-water-use plant species along the entire perimeter of the project site. Additionally, the proposed landscape design includes 15 California native screening trees along the eastern property line to provide some landscape buffer to the adjacent residential project. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

e. **The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing multiple access points to building lobbies and limited resident amenities along North Rengstorff Avenue and by locating the vehicular access to the parking garage on a side street (Plymouth Street) versus the adjacent high-volume street (North Rengstorff Avenue) where greater operational conflicts would result. However, the design of the vehicular access does not comply with City Standard Detail A-22, Side Street/Driveway Pedestrian and Vehicular Triangle of Safety, and would not result in well-designed vehicular and pedestrian access and circulation as a result of noncompliant physical improvements that encroach into the triangles of safety. However, project conditions have been applied to ensure the project meets the adopted City standard details for triangles of safety. Where the project remains inconsistent after imposition of the state conditions of approval, such inconsistencies are not a basis for disapproval of the project; and

f. **The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA).** The approval of the 455-unit residential apartment development project complies with CEQA because it qualifies as a statutorily exempt project per PRC Section 21080.66 as the project is consistent with the following findings:

(1) **The project site is not more than 20 acres or, if the project site is for a builder's remedy project, it is not more than five acres.** The proposed Builder's Remedy project site is approximately 1.26 acres in size, after the proposed lot line adjustment is completed. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66.(a)(1)(B).

(2) **The project site is located within the boundaries of an incorporated municipality or it is located within an urban area, as defined by the United States Census Bureau.** The project site is located in the City of Mountain View, an incorporated municipality. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(2).

(3) **The project site meets any of the following criteria: it has been previously developed with an urban use or at least 75% of the perimeter of the site adjoins parcels that are developed with urban uses or at least 75% of the area within a one-quarter mile radius of the site is developed with urban uses or, for sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.** The site meets at least one of the criteria referenced because it is located within an urbanized, developed area of the City, and 100% of the adjoining parcels are developed with existing residential and commercial (urban) uses. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(3).

(4) **The project is consistent with the applicable General Plan and Zoning Ordinance as well as any applicable local coastal program.** The project is considered to be consistent with the applicable General Plan (Medium-Density Residential and General Industrial designations) and Zoning Ordinance (RS-2sd and MM-40 Zoning Districts) because it is a Builder's Remedy project. The Applicant submitted a preliminary application before the City adopted a substantially compliant Housing Element for a housing development project that proposes 20% of its total units to be affordable to lower-income households; therefore, the project qualifies as a Builder's Remedy project pursuant to the Builder's Remedy provisions in effect between January 1, 2024 and December 31, 2024. The Builder's Remedy provisions of the HAA prohibit the City from relying on inconsistencies with Zoning and General Plan standards as a basis for denial of a housing development project for very low-, low-, or moderate-income households. Therefore, any existing General Plan standards and zoning requirements and development standards that the project is not in compliance with are not "applicable" to the project within the meaning of this criterion. Specifically, per Government Code Section 65589.5(f)(6)(D)(iii), a Builder's Remedy project "... shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, redevelopment plan and implementing instruments, or other similar provision for all purposes, and shall not be considered or treated as a nonconforming lot, use, or structure for any purpose." Additionally, the proposed project is consistent with some applicable General Plan policies, such as LUD 10.7 (Beneficial landscaping options), as the proposed plant palette primarily utilizes low-water-use plantings and will provide 11 street trees along the project frontage; and LUD 3.1 (Land use and transportation) because the proposed project is a high-density residential development located along a major local commute corridor (North Rengstorff Avenue) and within close proximity to U.S. 101, which is a major regional commute corridor. The project also complies with LUD 3.5 (Diversity) as the project serves a range of diverse households and incomes. As such, by operation of law, the project is consistent with the applicable General Plan and Zoning Ordinance. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(4).

(5) **The project will be at least one-half of the applicable density specified in Government Code Section 65583.2(c)(3)(B).** The project will provide a density of 362 dwelling units per acre, exceeding the minimum density (15 dwelling units per acre) per Government Code Section 65583.2(c)(3)(B). Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(5).

(6) **The project satisfies the requirements specified in Government Code Section 65913.4(a)(6).** The City analyzed the project against the requirements specified in Government Code Section 65913.4(a)(6) in a companion memorandum (see Attachment 4 to the Staff Report, AB 130 Memorandum), which found the project satisfies all of these requirements. The findings in this memorandum shall be adopted by reference, as though fully set forth herein. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(6).

(7) **The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.** The Applicant submitted a preliminary application for this Builder's Remedy project on April 5, 2023. At the time such preliminary application was submitted, no structures on the property were listed on a national, state, or local historic register. Therefore, the project would not require the demolition of a listed historic structure(s), and the proposed project would meet this criterion, per PRC Section 21080.66(a)(7).

(8) **For a project that was deemed complete pursuant to Government Code Section 65589.5(h)(5) on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.** The proposed project was deemed complete on January 5, 2024 and is exclusively a residential project with no portion of the proposed project designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. Therefore, this section is not applicable and the project would meet this criterion, per PRC Section 21080.66(a)(8); and be it

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Special Design Permit pursuant to Section 36.50.25 of the City Code to construct a 15-story, 455-unit residential apartment development, replacing an existing residential duplex and associated improvements:

a. **The proposed land use(s) are allowed within the subject Zoning District.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed land use (multi-family residential) is an allowed use within the R3-2sd (Multiple-Family) Zoning District but not within the MM-40 (General Industrial) Zone. However, Government Code Section 65589.5f)(6)(D)(i) states that a Builder's Remedy project shall not be required to apply for, or receive approval of general plan amendment, specific plan amendment, rezoning, or other legislative approval. Therefore, where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

b. **The proposed project is consistent with the General Plan.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed land use (multi-family residential) is an allowed use within the of Medium-Density Residential General Plan Land Use Designation but not within the General Industrial Land Use Designation. However, Government Code Section 65589.5(f)(6)(D)(iii) states that a Builder's Remedy project "...shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, redevelopment plan and implementing instruments, or other similar provision for all purposes, and shall not be considered or treated as a nonconforming lot, use, or structure for any purpose." Additionally, Government Code Section 65589.5f)(6)(D)(i) states that a Builder's Remedy project shall not be required to apply for or receive approval of general plan amendment, specific plan amendment, rezoning, or other legislative approval. Therefore, where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

c. **The proposed project is in substantial compliance with the requirements of the applicable Zoning District and would be harmonious and compatible with existing and future developments within the Zoning District and surrounding area.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed Builder's Remedy project is consistent with some of the requirements of the applicable Zoning District, specifically maximum pavement coverage (via 4% proposed coverage, as compared to the 20% maximum) and parking garage maneuvering standards (i.e., back-up distances of at least 24') in the City Code, but is largely inconsistent with development standards of the site's Zoning Districts. The project includes some elements to help the development to be harmonious and compatible with existing and future developments because the project provides suitable maneuvering space within the parking garage so that all vehicles may utilize proposed parking and enter the abutting street in a forward direction. Further, the project aims to achieve some compatibility with surrounding development through building colors, materials, and design elements, by using a terra-cotta cladding system, which includes smaller-dimensioned panels and provides materiality that is intended to complement the prevalent lap siding material seen in the adjacent residential neighborhood. The project also includes a color palette, particularly the soft grey and white colors, that are in keeping with the colors used on other buildings in the area. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the project;

d. **The proposed project, including any special design features to respond to the site constraints listed in Section 36.26.85 (SD district), which were identified at the time of zoning to the SD district, and implementation of a harmonious and integrated plan, justifies any necessary exceptions to the requirements of Chapter 36 (Zoning) of the City Code.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The proposed project is partially zoned and adjacent to other

industrial-zoned land and is also located along or in close proximity to major commute corridors, including U.S. 101, conditions which were identified at the time of zoning to the SD District. Pursuant to City Code requirements, the project will be conditioned to include design features that maintain compliant indoor noise levels for residential uses. Additionally, pursuant to PRC Section 21080.66, the project will be conditioned to prepare a Phase 1 Environmental Assessment and remediate any identified conditions therein, and, if located within 500' of a freeway, provide required heating, ventilation, and air conditioning (HVAC) systems and other measures to address impacts from freeway proximity. These City and state requirements help to address the conditions identified at the time of zoning to the SD District that were intended to ensure implementation of a harmonious and integrated plan. No project exceptions are proposed to specifically address these special design conditions as inconsistencies with City Code requirements are primarily associated with Builder's Remedy project components. Where the project remains inconsistent after imposition of the stated conditions of approval, such inconsistencies are not a basis for disapproval of the project;

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.** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a housing development project for very low-, low-, or moderate-income households through the use of design review standards. The location, size, and operating characteristics of the project will not detrimental to the public interest, health, safety convenience, or welfare of the community because the project was reviewed for compliance with the Builder's Remedy provision of the HAA and applicable City design standards and conditioned to comply with the Americans with Disabilities Act, the California Building Code, and the California Fire Code, among other life safety requirements as adopted by the City. Additionally, the project is conditioned to comply with applicable health and safety measures required by PRC Section 21080.66, which address potential environmental hazards on a qualifying project site; and

f. **The approval of the Special Design Permit complies with the California Environmental Quality Act (CEQA).** The approval of the 455-unit residential apartment development project complies with CEQA because it qualifies as a statutorily exempt project per PRC Section 21080.66 as the project is consistent with the following findings:

(1) **The project site is not more than 20 acres or, if the project site is for a builder's remedy project, it is not more than five acres.** The proposed Builder's Remedy project site is approximately 1.26 acres in size, after the proposed lot line adjustment is completed. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66.(a)(1)(B).

(2) **The project site is located within the boundaries of an incorporated municipality or it is located within an urban area, as defined by the United States Census Bureau.** The project site is located in the City of Mountain View, an incorporated municipality. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(2).

(3) **The project site meets any of the following criteria: it has been previously developed with an urban use or at least 75% of the perimeter of the site adjoins parcels that are developed with urban uses or at least 75% of the area within a one-quarter mile radius of the site is developed with urban uses or, for sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.** The site meets at least one of the criteria referenced because it is located within an urbanized, developed area of the City, and 100% of the adjoining parcels are developed with existing residential and commercial (urban) uses. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(3).

(4) **The project is consistent with the applicable General Plan and Zoning Ordinance as well as any applicable local coastal program.** The project is considered to be consistent with the applicable General Plan (Medium-Density Residential and General Industrial designations) and Zoning Ordinance (RS-2sd and MM-40 Zoning Districts) because it is a Builder's Remedy project. The Applicant submitted a preliminary application before the City adopted a substantially compliant Housing Element for a housing development project that proposes 20% of its total units to be affordable to lower-income households; therefore, the project qualifies as a Builder's Remedy project pursuant to the Builder's Remedy provisions in effect between January 1, 2024 and December 31, 2024. The Builder's Remedy provisions of the HAA prohibit the City from relying on inconsistencies with Zoning and General Plan standards as a basis for denial of a housing development project for very low-, low-, or moderate-income households. Therefore, any existing General Plan standards and zoning requirements and development standards that the project is not in compliance with are not "applicable" to the project within the meaning of this criterion. Specifically, per Government Code Section 65589.5(f)(6)(D)(iii), a Builder's Remedy project "... shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, redevelopment plan and implementing instruments, or other similar provision for all purposes, and shall not be considered or treated as a nonconforming lot, use, or structure for any purpose." Additionally, the proposed project is consistent with some applicable General Plan policies, such as LUD 10.7 (Beneficial landscaping options), as the proposed plant palette primarily utilizes low-water-use plantings and will provide 11 street trees along the project frontage; and LUD 3.1 (Land use and transportation) because the proposed project is a high-density residential development located along a major local commute corridor (North Rengstorff Avenue) and within close proximity to U.S. 101, which is a major regional commute corridor. The project also complies with LUD 3.5 (Diversity) as the project serves a range of diverse households and incomes. As such, by operation of law, the project is consistent with the applicable General Plan and Zoning Ordinance. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(4).

(5) **The project will be at least one-half of the applicable density specified in Government Code Section 65583.2(c)(3)(B).** The project will provide a density of 362 dwelling units per acre, exceeding the minimum density (15 dwelling units per acre) per Government Code Section 65583.2(c)(3)(B). Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(5).

(6) **The project satisfies the requirements specified in Government Code Section 65913.4(a)(6).** The City analyzed the project against the requirements specified in Government Code Section 65913.4(a)(6) in a companion memorandum (see Attachment 4 to the Staff Report, AB 130 Memorandum), which found the project satisfies all of these requirements. The findings in this memorandum shall be adopted by reference, as though fully set forth herein. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(6).

(7) **The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.** The Applicant submitted a preliminary application for this Builder's Remedy project on April 5, 2023. At the time such preliminary application was submitted, no structures on the property were listed on a national, state, or local historic register. Therefore, the project would not require the demolition of a listed historic structure(s), and the proposed project would meet this criterion, per PRC Section 21080.66(a)(7).

(8) **For a project that was deemed complete pursuant to Government Code Section 65589.5(h)(5) on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.** The proposed project was deemed complete on January 5, 2024 and is exclusively a residential project with no portion of the proposed project designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. Therefore, this section is not applicable, and the project would meet this criterion, per PRC Section 21080.66(a)(8); and be it

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Lot Line Adjustment pursuant to Chapter 28, Article XIII of the City Code to create the approximately 1.26-acre project parcel:

a. **The lot line adjustment involves four or fewer adjoining parcels and does not create a greater number of parcels than originally existing (Gov. Code, § 66412(d)).** The lot line adjustment includes two existing parcels where the land taken from one parcel is added to an adjoining parcel with no change to the number of parcels; and

b. **The parcels resulting from the lot line adjustment will conform to the local general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances (Gov. Code, § 66412(d)).** The Builder's Remedy provisions of the HAA prohibit local agencies from disapproving or conditioning approval of a permit for a housing development project for very low-, low-, or moderate-income households. The approval of the lot line adjustment is necessary for the proposed project to be constructed. Lot 2, the proposed development site, is a split-zoned parcel in the R3-2sd (Multiple-Family Residential) and MM-40 (General Industrial) Zoning Districts. The proposed size of Lot 2 is 54,782 square feet, which is compliant with the minimum lot size of 12,000 square feet for a parcel in the R3-2sd Zoning District and the 40,000 square foot minimum lot area for a parcel in the MM-40 Zoning District. The proposed size of Lot 1 is 13,811 square feet, which is noncompliant with the minimum lot

size of 40,000 square feet for the MM-40 Zoning District. Where the project is inconsistent, such inconsistencies are not a basis for disapproval of the proposed lot line adjustment; and be it

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Heritage Tree Removal Permit pursuant to Section 32.35 of the City Code to remove 19 Heritage trees (Tree Nos. 80, 81, 82, 84, 87, 89, 93, 95, 99, 100, 104, 107, 110, 111, 114, 121, 127, 128, and 132):

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.** 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 the Heritage trees to be removed are located within the building footprint, are in close proximity to the building area, are in conflict with the proposed sidewalk, and/or are within or in close proximity to proposed bioretention areas needed to meet state water quality program requirements. The trees' direct conflicts with project construction and/or impacts to trees due to their proximity to project construction necessitate their removal. Additionally, 17 of the 19 Heritage trees are in poor health, and two of the existing Heritage trees are in moderate condition. This was identified in the arborist report prepared by HMM, dated May 30, 2024, and reviewed by the City arborist;

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.** 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 trees are located within the building footprint, are in close proximity to the building, are in close proximity to the building area, conflict with the proposed sidewalks, are within the proposed bioretention areas, or are in close proximity to the bioretention areas, and it would be infeasible to design the building and parking garage to avoid conflict with the trees' protection zones given the proposed footprint of the project;

c. **It is appropriate to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities, such as its canopy, shape, and structure, majestic stature, and visual impact on the neighborhood.** It is appropriate to remove the trees based on the nature and qualities of the trees as Heritage trees, including maturity, aesthetic qualities, such as its canopy, shape, and structure, majestic stature, and visual impact on the neighborhood because the vast majority, 17 of the 19 Heritage trees, are in poor health, and the Heritage trees are also located in conflict with or close proximity to the building area, proposed sidewalks, and proposed bioretention areas, which necessitate the 19 Heritage tree removals. The project will provide 41 replacement trees with a minimum 24" box size to offset the loss of the Heritage trees. The resulting Heritage tree replacement ratio of approximately 2.2:1 City's standard practice of a 2:1 replacement ratio for Heritage trees;

d. **It is appropriate to remove the trees to implement good forestry practices, such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest.** It is appropriate to remove the trees to implement good forestry practices, such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest because 17 or the 19 Heritage trees to be removed include trees that are in poor health, and the project will plant 41 young trees to enhance the overall health of the urban forest, in compliance with City standard Heritage tree replacement ratios. Additional trees cannot be planted as the proposed building covers the vast majority of the project site, and the land cannot support additional in-ground plantings; and

e. **Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA).** The approval of the 455-unit residential apartment development project complies with CEQA because it qualifies as a statutorily exempt project per PRC Section 21080.66 as the project is consistent with the following findings:

(1) **The project site is not more than 20 acres or, if the project site is for a builder's remedy project, it is not more than five acres.** The proposed Builder's Remedy project site is approximately 1.26 acres in size, after the proposed lot line adjustment is completed. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66.(a)(1)(B).

(2) **The project site is located within the boundaries of an incorporated municipality or it is located within an urban area, as defined by the United States Census Bureau.** The project site is located in the City of Mountain View, an incorporated municipality. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(2).

(3) **The project site meets any of the following criteria: it has been previously developed with an urban use or at least 75% of the perimeter of the site adjoins parcels that are developed with urban uses or at least 75% of the area within a one-quarter mile radius of the site is developed with urban uses or, for sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.** The site meets at least one of the criteria referenced because it is located within an urbanized, developed area of the City, and 100% of the adjoining parcels are developed with existing residential and commercial (urban) uses. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(3).

(4) **The project is consistent with the applicable General Plan and Zoning Ordinance as well as any applicable local coastal program.** The project is considered to be consistent with the applicable General Plan (Medium-Density Residential and General Industrial designations) and Zoning Ordinance (RS-2sd and MM-40 Zoning Districts) because it is a Builder's Remedy project. The Applicant submitted a preliminary application before the City adopted a

substantially compliant Housing Element for a housing development project that proposes 20% of its total units to be affordable to lower-income households; therefore, the project qualifies as a Builder's Remedy project pursuant to the Builder's Remedy provisions in effect between January 1, 2024 and December 31, 2024. The Builder's Remedy provisions of the HAA prohibit the City from relying on inconsistencies with Zoning and General Plan standards as a basis for denial of a housing development project for very low-, low-, or moderate-income households. Therefore, any existing General Plan standards and zoning requirements and development standards that the project is not in compliance with are not "applicable" to the project within the meaning of this criterion. Specifically, per Government Code Section 65589.5(f)(6)(D)(iii), a Builder's Remedy project "... shall be deemed consistent, compliant, and in conformity with an applicable plan, program, policy, ordinance, standard, requirement, redevelopment plan and implementing instruments, or other similar provision for all purposes, and shall not be considered or treated as a nonconforming lot, use, or structure for any purpose." Additionally, the proposed project is consistent with some applicable General Plan policies, such as LUD 10.7 (Beneficial landscaping options), as the proposed plant palette primarily utilizes low-water-use plantings and will provide 11 street trees along the project frontage; and LUD 3.1 (Land use and transportation) because the proposed project is a high-density residential development located along a major local commute corridor (North Rengstorff Avenue) and within close proximity to U.S. 101, which is a major regional commute corridor. The project also complies with LUD 3.5 (Diversity), as the project serves a range of diverse households and incomes. As such, by operation of law, the project is consistent with the applicable General Plan and Zoning Ordinance. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(4).

(5) **The project will be at least one-half of the applicable density specified in Government Code Section 65583.2(c)(3)(B).** The project will provide a density of 362 dwelling units per acre, exceeding the minimum density (15 dwelling units per acre) per Government Code Section 65583.2(c)(3)(B). Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(5).

(6) **The project satisfies the requirements specified in Government Code Section 65913.4(a)(6).** The City analyzed the project against the requirements specified in Government Code Section 65913.4(a)(6) in a companion memorandum (see Attachment 4 to the Staff Report, AB 130 Memorandum), which found the project satisfies all of these requirements. The findings in this memorandum shall be adopted by reference, as though fully set forth herein. Therefore, the proposed project would meet this criterion, per PRC Section 21080.66(a)(6).

(7) **The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.** The Applicant submitted a preliminary application for this Builder's Remedy project on April 5, 2023. At the time such preliminary application was submitted, no structures on the property were listed on a national, state, or local historic register. Therefore, the project would not require the

demolition of a listed historic structure(s), and the proposed project would meet this criterion, per PRC Section 21080.66(a)(7).

(8) **For a project that was deemed complete pursuant to Government Code Section 65589.5(h)(5) on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.** The proposed project was deemed complete on January 5, 2024 and is exclusively a residential project with no portion of the proposed project designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. Therefore, this section is not applicable, and the project would meet this criterion, per PRC Section 21080.66(a)(8); and be it

FURTHER RESOLVED: that the City Council hereby approves the Development Review Permit, Special Design Permit, Lot Line Adjustment, and Heritage Tree Removal Permit for the project at 901-987 North Rengstorff Avenue (APN 153-02-039, 153-02-040, and 153-02-041) (Application Nos. PL-2023-174 and PL-2023-175), based on the findings above and subject to the Applicant's fulfillment of all the conditions of approval, which are attached hereto as Exhibit A and incorporated by reference as though fully set forth herein; and be it

FURTHER RESOLVED: that, notwithstanding any representations to the contrary in the Applicant's project submittals, this Resolution does not waive the requirement for subsequent City approvals as applicable, including, but not limited to, approvals for building permits, excavation permits, demolition permits, encroachment permits, use permits, licenses, certificates of occupancy, etc.

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.

NOTICE

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

Applicant will be legally barred from later challenging such fees, dedications, reservations, or other exactions.

CDD/EM-11-18-25r

Exhibit: A. Conditions of Approval

CONDITIONS OF APPROVAL
APPLICATION NOS.: PL-2023-174 AND PL-2023-175
901-987 NORTH RENGSTORFF AVENUE

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

This approval is granted for a Development Review Permit, Special Design Permit, and Lot Line Adjustment to construct a 15-story, 455-unit residential apartment building, replacing an existing duplex residential building and associated improvements, and a Heritage Tree Removal Permit to remove 19 Heritage trees located on Assessor's Parcel Nos. 153-02-039, 153-02-040, and 153-02-041. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project drawings prepared by LPMD Architects, dated June 2024.
- b. Color and materials board prepared by LPMD Architects, dated June 2024.
- c. Arborist Report prepared by HMM, dated May 30, 2024.
- d. An AB 130 Consistency Memorandum for the 901 North Rengstorff Avenue Project, dated October 29, 2025, was prepared by the City for the project in accordance with Public Resources Code Section 21080.66 and in compliance with the California Environmental Quality Act (CEQA).

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or 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. **VESTING:** Notwithstanding any extension provided under Condition of Approval No. 2, the project shall only be subject to ordinances, plans, and standards in effect at the time of the preliminary application unless construction is not commenced within two and one-half years following the date of the project's "final approval" as defined by Government Code Section 65589.5(o)(2)(D)(ii). In the event that construction is not commenced within two and one-half years following the date of the project's "final approval," the project may be subject to ordinances, plans, and standards adopted after the preliminary application is submitted. See Government Code § 65589.5(o)(2)(D). (**PROJECT-SPECIFIC CONDITION**)
4. **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 consistent with Section 36.58.90 (Inspection) of the City Code.

PERMIT SUBMITTAL REQUIREMENTS

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. **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 Inspection Division.
7. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
8. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
9. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved project, including conditions of approval, shall require approval by the Zoning Administrator pursuant to Section 36.44.65(b)(3) of the City Code. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council. Review of any proposed revision to the approved project shall be reviewed and considered in a manner consistent with all applicable laws governing housing development projects, including but not limited to the Housing Accountability Act, Senate Bill 330, and State Density Bonus Law.
10. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
11. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
12. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
13. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit submittal. The applicant must demonstrate that hazardous materials do not exist on the site or that construction activities and the proposed use of this site are approved by: the City's Fire Department (Fire and Environmental Protection Division); the State Department of Health Services; the Regional Water Quality Control Board; and any federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or a site toxics mitigation plan has been approved.
14. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require permits in accordance with Article XII (Signs) of Chapter 36 (Zoning) of the City Code.

OPERATIONS

15. **ROOF DECK OPERATION:** The approved hours of operation for the rooftop common area shall be limited to 8:00 a.m. to 10:00 p.m. and shall not allow amplified music in excess of City of Mountain View standards as established in the City Code as measured in decibels at the property boundaries by a professional sound engineer.
16. **UNBUNDLED PARKING:** All parking spaces for the project shall be provided pursuant to Assembly Bill (AB) 1317, as codified in Section 1947.1 of the Civil Code. **(PROJECT-SPECIFIC CONDITION)**

SITE DEVELOPMENT AND BUILDING DESIGN

17. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment shall be screened in accordance with the requirements in Sections 36.08.30(e) (Height limits) and 36.20.35(c) (Rooftop equipment) of the City Code. Details of the rooftop equipment and roof screens shall be included in the building permit drawings.
18. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment shall be screened in accordance with the requirements in Sections 36.12.55(h) (Other accessory structure and uses), 36.20.25(d) (Ground-level equipment) and 36.34.10(i) (Utilities) of the City Code.
19. **FENCE(S)/WALL(S):** All fencing and walls shall comply with the requirements of Sections 36.10.70 (R3 Zone development standards) and 36.34.10 (General landscaping standards) of the City Code. Details of fencing and walls shall be included in the building permit drawings.
20. **PARKING SPACE DESIGN:** All parking spaces must adhere to the requirements in Article X (Parking and loading) of the Mountain View City Code.
21. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors, including a minimum of ten (10) bike spaces as shown in the approved plans, which is less than the 46 spaces required by City Code. These spaces shall be provided as bike racks which must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or it is infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking if not visible from a street or public path.
 - b. Long-term bike parking for residents, including a minimum of 346 weather-protected bike spaces as shown in the approved plans, which is less than the 429 spaces required by City Code. 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.

TREES AND LANDSCAPING

22. **LANDSCAPING:** Landscaping shall comply with the requirements of Article XI (Landscaping) in Chapter 36 (Zoning) of the City Code.
23. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing that the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s).
24. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Inspection Division with building permit submittal.

25. **LANDSCAPE SCREENING:** All aboveground utilities must be in compliance with the requirements of Section 36.34.10(i) (Utilities) of the City Code. Details must be shown on all site plan and landscape plan sheets included in the building permits drawings.
26. **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, pursuant to Section 32.29 (Permits: Development-related removals.) of the City Code.
27. **REPLACEMENT TREES:** The applicant shall offset the loss of the 19 Heritage trees with replacement trees, comprised of the 41 trees (24-inch box size) shown on the approved Planting Plan (Sheet L-1.1). Each replacement tree shall be no smaller than a 24-inch box pursuant to Section 36.34.10 (General landscaping standards) of the City Code and shall be noted on the landscape plan as Heritage replacement trees.
28. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the Heritage tree(s) to be relocated are not maintained and irrevocable damage or death of the tree(s) has occurred during construction activity, the applicant shall be subject to penalties and restitution pursuant to Section 32.38 (Penalty; Restitution) of the City Code.
29. **TREE RELOCATION(S):** Trees numbered 122, 123, 124, 125, and 126 in the arborist report, prepared by HMM and dated May 30, 2024, shall be relocated to another location as identified in the approved site and landscape plans.

NOISE

30. **MECHANICAL EQUIPMENT (NOISE):** The noise emitted by any mechanical equipment shall not exceed a level of 55 dB(A) during the day or 50 dB(A) during the night, 10:00 p.m. to 7:00 a.m., when measured at any location on the adjoining residentially used property in accordance with the requirements in Article I, Section 21.26 (Stationary equipment noise), of the Mountain View City Code.
31. **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.
32. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by state noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) L_{dn} or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

CONSTRUCTION ACTIVITIES

33. **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.

34. **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.

35. **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.

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

37. **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.

38. **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.
39. **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.
40. **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).
41. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

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

PUBLIC RESOURCES CODE SECTION 21080.66 REQUIREMENTS

42. **TRIBAL CULTURAL AWARENESS TRAINING:** As requested by Tamien Nation during the AB 130 tribal consultation process for the project, the applicant shall provide a Tribal Cultural Awareness Training (TCAT) to the construction crews at the beginning of the project to aid those involved in the project to become more familiar with the indigenous history of peoples in the vicinity of the project site, as follows:
- a. The California Native American tribe shall designate the TCAT provider.

- b. The project applicant shall compensate the TCAT provider at a reasonable rate, determined in good faith, that aligns with customary compensation for such services.
 - c. The project applicant must provide proof of an executed TCAT agreement prior to the issuance of the first demolition, grading, or building permit on the project site.
43. **DISCOVERY OF TRIBAL CULTURAL RESOURCES:** If indigenous or historic-era archaeological resources are encountered during construction activities, all activity within 100' of the find shall cease and the find shall be flagged for avoidance. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archaeology, and a Native American representative shall be immediately informed of the discovery. The qualified archaeologist and the Native American representative shall inspect the find within 24 hours of discovery and notify the City of their initial assessment. Indigenous archaeological materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (midden) containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
44. **WORKER ENVIRONMENTAL AWARENESS PROGRAM:** As requested by Tamien Nation during the AB 130 tribal consultation process for the project, the applicant shall provide a Worker Environmental Awareness Program (WEAP) to the construction crews at the beginning of the project to aid those involved in the construction process to better understand potential environmental or cultural resources they might encounter on a project site, as follows:
- a. The California Native American tribe shall designate the WEAP provider.
 - b. The project applicant shall compensate the WEAP provider at a reasonable rate, determined in good faith, that aligns with customary compensation for such services.
 - c. The project applicant must provide proof of an executed WEAP agreement prior to the issuance of the first demolition, grading, or building permit on the project site.
45. **CULTURAL RESOURCE REPORT:** As requested by Tamien Nation during the AB 130 tribal consultation process, the applicant shall complete a Cultural Resource Report for the project site and submit the report to the City and Tamien Nation representatives prior to the issuance of the first demolition, grading, or building permit on the project site.
46. **TRIBAL/ARCHAEOLOGICAL RECORDS SEARCH:** Prior to the issuance of the first demolition, grading, or building permit on the project site, the applicant shall complete a California Historical Resources Information System archaeological records search and a tribal cultural records search for the project site and share it with the City and Tamien Nation representatives.
47. **SACRED LANDS INVENTORY:** Prior to the issuance of the first demolition, grading, or building permit on the project site, the applicant shall submit a Sacred Lands Inventory to the Native American Heritage Commission.
48. **TRIBAL NOTIFICATIONS (GROUND-DISTURBING ACTIVITIES):** At least 60 days prior to commencing any ground-disturbing activities on the project site, the applicant shall provide the City with written notice of intent to commence the ground-disturbing activities, and the City shall provide such notice to the California Native American tribes (as defined by Public Resources Code section 21073) that are traditionally and culturally affiliated with the project site.
49. **TRIBAL MONITORING:** Consistent with Public Resources Code Section 21080.66(b)(4), as requested by Tamien Nation during the AB 130 tribal consultation process, the applicant shall include tribal monitoring during all ground-disturbing activities, as follows:
- a. The California Native American tribe shall designate the monitor.

- b. The tribal monitor shall comply with the project applicant's site access and workplace safety requirements.
 - c. The project applicant shall compensate the tribal monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for cultural resource monitoring, taking into account factors such as the scope and duration of the project.
50. **DISCOVERY OF TRIBAL CULTURAL RESOURCES:** During project construction, the applicant shall comply with Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the affected California Native American tribe.
51. **TRIBAL CULTURAL RESOURCES:** Pursuant to Public Resources Code Section 21080.66, the applicant/project shall comply with the following:
- a. Tribal cultural resources shall be avoided where feasible, in accordance with Public Resources Code Section 21084.3(a). In furtherance of this requirement, where feasible, the project applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.
 - b. All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner, consistent with Public Resources Code Section 21083.9.
 - c. The applicant shall apply tribal ecological knowledge into habitat restoration efforts undertaken in connection with the project, as applicable.
52. **PHASE 1 ESA:** Consistent with Public Resources Code Section 21080.66(c)(1), prior to the issuance of the first demolition, grading, or building permit on the project site, the applicant shall complete a Phase I environmental assessment, as defined in Health and Safety Code Section 78090, and submit the same to the City's Community Development Department for review.
- a. If a recognized environmental condition is found in the Phase I environmental assessment, prior to the issuance of the first demolition, grading, or building permit on the project site, the applicant shall complete a preliminary endangerment assessment, as defined in Health and Safety Code Section 78095, prepared by an environmental assessor, and submit the same to the City's Community Development Department for review to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity.
 - b. If a release of a hazardous substance is found to exist on the site, the applicant shall remove the release or mitigate any effects of the release to levels required by then-current federal and state statutory and regulatory standards before the City issues the first certificate of occupancy for the project.
 - c. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the applicant shall mitigate effects of the potential exposure to levels required by then-current federal and state statutory and regulatory standards before the City issues the first certificate of occupancy for the project.
53. **LABOR STANDARDS REQUIREMENTS:** As provided in Public Resources Code Section 21080.66(d)(2), the applicant shall include the requirements specified in Government Code Section 65913.4(a)(8) in its contracts with construction contractors for any buildings over 85' in height above grade. Additionally, as provided in Public Resources Code Section 21080.66(d)(4), the provisions of Labor Code Section 218.8 shall extend to the applicant in addition to the direct contractor or subcontractor.
54. **LABOR STANDARDS COMPLIANCE:** Prior to the issuance of the first demolition, grading, or building permit for any building over 85' in height, the applicant shall certify to the City that project construction will meet the standards specified in Government Code Section 65913.4(a)(8) in a written form reasonably acceptable to the City Attorney.

55. **BMR RENTAL, PROVIDING UNITS:** Prior to issuance of the first building permits for the project, the applicant shall enter into a recorded Below-Market-Rate (BMR) agreement with the City that will require the applicant to provide at least twenty percent (20%) of the total number of dwelling units within the development as BMR units consistent with Government Code Section 65589.5(d)(5) as it exists on the date of project approval. The BMR agreement shall also provide for continuing affordability of the BMR units for thirty (30) years, qualifying the project for the provisions of Government Code Section 65915. Prior to issuance of building permits, the applicant shall also submit a plan indicating the location, size, and phasing (if any) of BMR units. This results in a total of ninety-one (91) units being available, and the units will be designated as follows: ninety (90) units at low income (maximum eighty percent (80%) AMI) and one (1) unit at very low income (maximum fifty percent (50%) AMI). If the existing tenant in the unit that is currently presumed protected by the Housing Crisis Act of 2019 is confirmed to be low income using the process described in Condition of Approval No. 60, it shall instead be replaced at the low-income level. If the unit currently presumed to be protected is demonstrated not to be protected, the unit shall also be replaced at the low-income level consistent with Government Code Section 65589.5(d)(5). This is in accordance with the units outlined in the plan set dated August 22, 2023, including BMR unit locations indicated on the plan set dated August 22, 2023, and what is required to comply with the replacement requirement outlined in Condition of Approval No. 60. Any modification to the project that affects the total number of units, unit sizes or affordability levels shall be subject to review and approval by the Housing Department. Such modification may necessitate corresponding adjustments to the number, type or configuration of affordable units to ensure the project continues to qualify for the provisions of Government Code Section 65915. The applicant will be providing thirty-seven (37) studio units, twenty-eight (28) one-bedroom units, and twenty-six (26) two-bedroom units.
56. **BMR AGREEMENT PROCESS:** Prior to the first building permit submittal, the applicant shall contact the Housing Department at 650-903-6190 to begin preparation of a BMR agreement for the project. The applicant shall submit the following: (a) a copy of the Findings Report or Conditions of Approval; (b) a legal description of the property; (c) a plan indicating the location, size, and phasing of BMR units; and (d) additional information required to demonstrate compliance with the BMR Ordinance and objective standards (per Government Code Section 65589.5(f)(1)). The BMR agreement must be recorded prior to building permit issuance.
57. **BUILDER'S REMEDY, RENTAL UNITS:** Under the Housing Accountability Act, rents for the lower-income affordable units that qualify the project for a Builder's Remedy shall be set at "affordable rent" as defined in Health and Safety Code (HSC) Section 50053. If there is no federal funding for the project, then the rule regarding "family size" shall be consistent with the HSC Section 50052.5(h), including the use of federal rules and regulations if applicable to the project.
58. **STATE HOUSING CRISIS ACT OF 2019:** Prior to issuance of any demolition permit for the development project, the applicant shall submit documentation sufficient to demonstrate compliance with Government Code section 66300.6 provisions governing replacement of protected units, notice to existing occupants and relocation benefits, or documentation sufficient to demonstrate that the provisions of Government Code Section 66300.6 are not applicable to this project. Documentation sufficient to demonstrate compliance includes, but is not limited to, a copy of a legally compliant notice to existing occupants and verification of delivery of the notice, proof of payment of relocation assistance (e.g. cancelled check), documentation showing the number and size of the protected units to be demolished, and construction plans showing required replacement units. Documentation sufficient to demonstrate that the provisions of California Government Code Section 66300.6 are not applicable includes, but is not limited to, a W2, paystub, employer attestation showing the annual salary for occupants of all units that will be demolished.
59. **HOUSING CRISIS ACT OF 2019 – RIGHT OF FIRST REFUSAL:** Prior to issuance of a certificate of occupancy, the applicant shall provide notice and offer the right of first refusal to eligible low- or lower-income households for a comparable unit available in the new housing development at an affordable rent or an affordable housing cost in accordance with the State Housing Crisis Act (California Government Code Section 66300.6). The applicant shall submit documentation sufficient to demonstrate compliance with California Government Code Section 66300.6 provisions governing a right of first refusal. Documentation sufficient to demonstrate compliance includes, but is not limited to, a copy of a written offer to existing occupants to rent a

comparable unit in the new development, proof of delivery of the offer, or a copy of a written acceptance or rejection of the offer by the occupant.

60. **HOUSING CRISIS ACT OF 2019 – REPLACEMENT UNITS:** In compliance with the State Housing Crisis Act (California Government Code Section 66300.6.), the applicant shall replace one (1) protected units with a unit at a comparable size at an affordable rent in the new development. The unit must be deed-restricted at an affordable cost for and occupancy by a household in the same or lower income category (i.e., low-income, very low-income, extremely low-income) as the tenant household in occupancy at the time the project applicant was submitted. The deed restriction shall be effectuated by an affordability restriction, covenant, or agreement, as approved by the City Attorney, which shall be recorded prior to issuance of the first building permit. One 2-bedroom unit is required as a replacement unit in the new construction. This unit may also count toward the applicant’s BMR and Builder’s Remedy requirements.

Building Division—650-903-6313 or 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. 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.

61. **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, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC). Please note that 2025 California Codes may be applicable depending on the time of building submittal.
62. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
63. **SPECIAL REQUIREMENTS BASED ON OCCUPANCY AND USE:** Project shall comply with the requirements per the CBC, Chapter 4.
64. **BUILDING HEIGHT AND NUMBER OF STORIES:** The project shall comply with the requirements per the CBC, Chapter 5, Section 504.
65. **BUILDING AREA:** The project shall comply with the requirements per the CBC, Chapter 5, Section 506.
66. **MIXED USE AND OCCUPANCY:** The project shall comply with the requirements per the CBC, Chapter 5, Section 508.
67. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
68. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
69. **FIRE AND SMOKE PROTECTION FEATURES:** The project shall comply with the requirements per the CBC, Chapter 7.
70. **MINIMUM DISTANCE OF PROJECTIONS:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.2).
71. **BUILDINGS ON THE SAME LOT:** The project shall comply with the requirements per the CBC, Chapter 7, Section 705.3.
72. **FIRE-RESISTANCE RATING FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.5).

73. **MAXIMUM AREA OF EXTERIOR WALL OPENINGS BASED ON FIRE SEPARATION DISTANCE AND DEGREE OF OPENING PROTECTION:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.8).
74. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC, Chapter 7, Table 706.4(c), as amended in MVCC Section 8.10.24.
75. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
76. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.
77. **ACCESSIBLE MEANS OF EGRESS:** The site must meet accessible means of egress per the CBC, Chapter 10, Section 1009.
78. **EXIT DISCHARGE:** The project shall comply with the exit discharge requirements per the CBC, Chapter 10, Section 1028.
79. **EMERGENCY ESCAPE AND RESCUE:** The project shall comply with the egress window requirements per the CBC, Section 1031.
80. **EMERGENCY ESCAPE AND RESCUE OPENINGS:** The project shall comply with the egress window requirements per the CRC, Section R310.
81. **ACCESSIBILITY REQUIREMENTS:**
- **Chapter 11A:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
 - **Chapter 11B:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
82. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at www.mountainview.gov/greenbuilding.
83. **PLUMBING FIXTURES:** The project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
84. **PLUMBING:** The project will be subject to the submetering requirements per Senate Bill 7 (Housing: Water Meters for Multi-Unit Structures).
85. **UTILITIES:** No utilities shall cross property lines.
86. **BUILDING UTILITIES:** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
87. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.
88. **ADDRESSES:** All street names, street numbers, residential apartment numbers, ADU numbers, and suite numbers will be processed by the Building Division prior to permit issuance.
89. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.70 of the MVCC and/or suspension of building permits.

FIRE PROTECTION SYSTEMS AND EQUIPMENT

90. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Shop-quality drawings shall be submitted electronically for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13, NFPA 24, NFPA 72, and Mountain View Fire Department specifications. (City Code Sections 14.10.30 and 14.10.31 and California Fire Code Section 903.)
91. **STANDPIPE SYSTEM:** Provide a Class I standpipe system. (City Code Sections 14.10.32, 14.10.33, 14.10.34, and 14.10.35 and California Fire Code Section 905.)
92. **FIRE PROTECTION DURING CONSTRUCTION:** Every building four stories or more in height shall be provided with no fewer than one standpipe for use during construction. Such standpipe(s) shall be installed when the progress of construction is not more than 40' in height above the lowest level of Fire Department access. Such standpipe(s) shall be provided with Fire Department hose connections at accessible locations adjacent to usable stairs, and the standpipe outlets shall be located adjacent to such usable stairs. Such standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring. On each floor, there shall be provided a 2.5" valve outlet for Fire Department use. (California Fire Code, Chapter 33.)
93. **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.
94. **ON-SITE WHARF HYDRANTS:** Provide ground-level wet standpipes (wharf hydrants). On-site wharf hydrants shall be so located as to reach any portion of combustible construction with 150' of hose. Installation shall be complete and the system shall be tested prior to the start of combustible construction. The wharf hydrant shall be capable of providing a combination flow of 500 GPM with two 2.5" outlets flowing. Shop-quality drawings shall be submitted electronically for review and approval. (NFPA 24 and Mountain View Fire Department requirements.)
95. **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.)
96. **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. (California Fire Code, Section 907, and Mountain View City Code, Section 14.10.36 and 14.10.37.)
97. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.2.11.)
98. **CARBON MONOXIDE ALARMS:** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

FIRE DEPARTMENT ACCESS

99. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. (California Fire Code, Section 506.)

100. **KEYSWITCH:** Install an approved keyswitch per the Fire Protection Engineer's directions. Contact the Building Division at 650-903-6313 or building@mountainview.gov for instructions.
101. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and Mountain View City Code, Sections 14.10.14, 14.10.15, and 14.10.16.)
102. **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 apparatuses. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatuses shall never be more than 150' away from the closest turnaround. (California Fire Code, Section 503.)
103. **FIRE LANE MARKING:** "NO PARKING—FIRE LANE" signs shall be posted along fire lanes, and curbs shall be painted red with the words "NO PARKING—FIRE LANE" stenciled in white on the top and side of the curb. (California Fire Code, Section 503.)
104. **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.)
105. **STRETCHER REQUIREMENTS:** In all structures with one or more passenger service elevators, at least one elevator shall be provided with a minimum clear distance between walls or between walls and door, excluding return panels, of not less than 80"x54", and a minimum distance from wall to return panel of not less than 51" with a 42" side slide door, unless otherwise designed to accommodate an ambulance-type stretcher (84"x24") in the horizontal position. (California Building Code, Section 3002.4.)

EGRESS AND FIRE SAFETY

106. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the electrical plan sheets in the drawing sets. (California Building Code, Section 1008.)
107. **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.)
108. **EXIT DOORS IN GROUPS A, E, H, AND I OCCUPANCIES:** Exit doors shall be provided with approved panic hardware. (California Building Code, Section 1010.2.9.)
109. **GROUP A OCCUPANCIES:** Buildings or portions of buildings used for assembly purposes shall conform to all requirements of Title 19 and the Uniform Building Code. This shall include, but not be limited to: (1) two exits; (2) fire-retardant drapes, hangings, Christmas trees, or other similar decorative material; and (3) posting of a maximum occupant load sign. (California Code of Regulations, Title 19, Sections 3.08, 3.21, and 3.30.)
110. **GROUP A, E, I, AND R1 OCCUPANCIES: DECORATIVE MATERIALS:** All drapes, hangings, curtains, drops, and all other decorative material, including Christmas trees, shall be made from a noncombustible or fire-resistive material or maintained in a flame-retardant condition by means of an approved flame-retardant solution or process approved by the California State Fire Marshal. (California Code of Regulations, Title 19, Sections 3.08 and 3.21.)
111. **INTERIOR WALL AND CEILING FINISHES:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.

- 112. **POSTING OF ROOM CAPACITY:** Any room used for assembly purposes shall have the capacity of the room posted in a conspicuous place near the main exit from the room. (California Building Code, Section 1004.9.)
- 113. **ON-SITE DRAWINGS:** Submit electronic (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.
- 114. **STAIRWAY IDENTIFICATION SIGNS:** For stairs connecting three or more stories in height, approved stairway identification signs shall be located at each floor level in all enclosed stairways. The sign shall identify the stairway and indicate whether there is roof access, the floor level, and the upper and lower terminus of the stairway. The sign shall be located 5' above the floor landing in a position which is readily visible when the door is in the open or closed position. (California Building Code, Section 1023.9.)
- 115. **TWO-WAY COMMUNICATION:** A two-way communication system shall be provided at the landing serving each elevator or bank of elevators on each accessible floor that is one or more stories above or below the level of exit discharge. (California Building Code, Section 1009.8.)

HAZARDOUS CONDITIONS

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

EXTERIOR IMPROVEMENTS

- 118. **PREMISES IDENTIFICATION:** Approved numbers or addresses shall be provided for all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Address signs shall be a minimum of 6" in height and a minimum of 0.5" in width. (Mountain View City Code, Section 14.10.18.)

OTHER

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

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

- 120. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)
- 121. **FIRE WATER SUPPLY:** Required fire pumps shall be supplied by connections to not fewer than two water mains located in different streets. (CBC 403.3.2)
- 122. **SECONDARY FIRE WATER SUPPLY:** An automatic secondary on-site water supply shall be provided if the building is located assigned to Seismic Design Category C, D, E, or F. (CBC 403.3.3)

123. **EMERGENCY SYSTEMS:** The detection, alarm, and emergency systems of high-rise buildings shall comply with CBC Sections 403.4.1 through 503.4.8. (CBC 403.4)
124. **MEANS OF EGRESS:** The means of egress in high-rise buildings shall comply with CBC Sections 403.5.1 through 403.5.5. (CBC 403.5)
125. **FIRE SERVICE ACCESS ELEVATOR:** Not fewer than two fire service access elevators shall be provided in accordance with CBC Section 3007. (CBC 403.3.6)

Public Works Department—650-903-6311 or public.works@mountainview.gov

OWNERSHIP AND PROPERTY

126. **PRELIMINARY TITLE REPORT:** At first submittal of the building permit and improvement plans, the applicant shall submit to the Public Works Department a current preliminary title report or land deed (dated within six months of the first submittal) indicating the exact name of the current legal owners of the properties, their type of ownership (individual, partnership, corporation, etc.), and legal description of the properties involved in compliance with Article XIII (Lot Line Adjustments) in Chapter 28 (Subdivisions) of the City Code. 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).
127. **PRIVATE SHARED ACCESS AGREEMENT:** If building access is provided through the adjacent parcel, property owners of the subject properties shall sign and be a party to an agreement (or amendment of an existing agreement), subject to the City's approval, and recorded to run with the land, which provides for easements, covenants, and conditions relating to applicable parking, vehicle access, pedestrian access, and other uses between the subject properties. The agreement, together with all attachments, must be submitted to the Community Development Department and approved by the Community Development Department and City Attorney's Office prior to the approval of the building permit.

RIGHTS-OF-WAY

128. **PUBLIC ACCESS EASEMENT (SIDEWALK):** Dedicate a pedestrian access easement along Rengstorff Avenue to maintain the proposed continuous 7' wide public sidewalk along the project frontage.
129. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 7' to 15' wide public utility easement (PUE) along project street frontages as shown on Sheet C2.0 for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, as proposed and in compliance with Section 28.9.05 (Easements) of the City Code. 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.
130. **PLAT AND LEGAL DESCRIPTION:** At first submittal of the building permit and improvement plans, for each proposed public easement, 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, available online at: <https://developmentpermits.mountainview.gov/home/showpublisheddocument/2622/638329885500030000>. 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

131. **PLAN CHECK AND INSPECTION FEE:** Prior to the 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 and with Government Code Section 65589.5(o).

An initial plan check fee based on the Public Works fee schedule shall be paid at the time of the first improvement plan submittal based on the initial cost estimate (Infrastructure Quantities) for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums. Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

132. **TRANSPORTATION IMPACT FEE:** Prior to the final inspection granting occupancy, the applicant shall pay the transportation impact fee for the development in accordance with Chapter 43 (Citywide Transportation Impact Fee) of the City Code and California Government Code Section 65589.5(o). 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, as applicable.

133. **WATER AND SEWER CAPACITY CHARGES:** Prior to the final inspection granting occupancy, the applicant shall pay the water and sewer capacity fees for the development in accordance with Section 35.41 (Additional capacity-based charges; basis for determination of cost) of the City Code and California Government Code Section 65589.5(o). 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

134. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code and as shown on the plans. These public improvements include, but are not limited to, sidewalk, curb, gutter frontage improvements, bus island, corner bulb-out and ramps, intersection crosswalk and stop-controlled improvements, C.3 storm treatment measures, conflicting utility relocation with new hardscape improvements, utility connections, fire hydrant relocations, joint trench utility box relocations, joint pole removal, and overhead wire undergrounding, as shown on the plans.
- 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 in accordance with Section 27.60 of the City Code.
 - b. **Bonds/Securities:** Prior to the issuance of any building permits, the property owner must sign a Public Works Department faithful performance bond (100% of Infrastructure Quantities) and materials/labor bond (100% of Infrastructure Quantities), or provide a cash deposit (100% of Infrastructure Quantities), or provide a letter of credit (150% of Infrastructure Quantities) securing the installation and warranty of the off-site improvements in a form approved by the City Attorney's Office in accordance with Section 27.36 of the City Code. 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. 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.

135. **INFRASTRUCTURE QUANTITIES:** For projects with off-site improvement plans, submit with the first submittal of the building permit and improvement plans a construction cost estimate indicating the quantities of street and utility improvements. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate shall be prepared by the civil engineer preparing the improvement plans.
136. **EXCAVATION PERMIT:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the Development Permits website at: <https://developmentpermits.mountainview.gov/about-permits/applications>. 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.
137. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 (Subdivisions) of the City Code, Section 27.60 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, two full-size and two half-size black-line sets, 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.

138. **TRAFFIC CONTROL PLANS:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall show and identify, at a minimum, work areas, delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets and shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the latest City standards. A completed Traffic Control Checklist shall be included with each traffic control plan submittal.
139. **CONSTRUCTION MANAGEMENT PLAN:** Upon first submittal of the building permit and improvement plans, the applicant shall provide a construction traffic and parking management plan with the building plans and within the improvement plans

identified “For Reference Only—See Building Permit Plans.” The plan must be approved prior to the issuance of a building permit, including demolition permits. The plan must show the following:

1. **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets.
2. **Construction Phasing, Equipment, Storage, and Parking:** Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction.
 - All construction vehicles, equipment, and 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. Provide logistics plan and details of how equipment and materials will be transported to job site and identify on the plans where drop-offs are proposed for each phase of construction. For off-site storage, provide truck route to and from storage area to project site.
 - 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. For off-site parking, provide logistics plan and details of how workers will be transported to job site and identify on the plans where worker drop-off is proposed for each phase of construction. City parking lots and garages shall not be used for construction contractor/worker parking.
3. **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities; and
4. **Traffic Control and Detour Plans:** Submit traffic control plans, including detour plans, when on-site improvements and phases of the construction management plan require temporary roadway, lane, shoulder, and/or bike lane closure. Provide pedestrian detour plans when necessary.

Traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department will be required prior to the issuance of the building permit.

140. **ENCROACHMENT RESTRICTIONS:** Private facilities, including the fire department connection as shown on Sheet C4.0 of the approved plans, shall not encroach into the public right-of-way and/or street easement.
141. **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. Objects, including, but not limited to, landscape, hardscape, transformers, monument signs, poles, posts, mailbox banks/cluster, planters, retaining walls, seat walls, artwork, bicycle racks, parking stalls, etc. shall be compliant with safety triangle height and clearance requirements in accordance with City Standard Detail A-23.
142. **DRIVEWAY SIGHT TRIANGLE:** The proposed design is noncompliant with standard requirements. Within the pedestrian and/or vehicle traffic safety sight triangles, for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details. Objects, including, but not limited to, landscape, hardscape, building walls, poles, bollards, miscellaneous structures (including columns), signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc. shall be compliant with safety triangle height and clearance requirements in accordance with City Standard Detail A-22. As shown on plan Sheet C2.0, portions of the structure are located within the pedestrian sight triangle. Plans shall be revised during building permits. An alternative design

to comply with the triangle of safety would include relocating the curb and gutter 8' into the roadway such that the sidewalk is further from the garage entrance.

143. **STREETLIGHTS:** The existing two streetlights on Rengstorff Avenue appear to be in conflict with the proposed sidewalk. Replace the existing streetlights with new City-standard streetlights per the City Standard Details E-1 through E-5.
144. **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.
145. **TRAFFIC-CALMING DEVICES:** As shown on the plans, the project shall construct the bulb-out at the corner of Plymouth Street and Rengstorff Avenue. The specific areas of work shall be clearly identified and shown on the plans. The existing speed hump on Plymouth Street shall remain. Any damage during construction shall restore the speed hump to existing conditions.
146. **HIGH-VISIBILITY CROSSWALK:** Convert existing crosswalk on Plymouth Street at Rengstorff Avenue to a high-visibility thermoplastic ladder crosswalk with updated warning signs and pavement markings as shown on Sheet C2.0. Conflicting markings and/or signage shall be removed or relocated. The specific areas of work shall be clearly identified and shown on the plans.
147. **RED CURB AT CROSSWALKS:** Street curbs adjacent to a public crosswalk shall be painted red a minimum of 20' on the approach sides and a minimum of 10' in each of the other directions in accordance with AB 413 (as codified in Vehicle Code Section 22500) and as shown on Sheet C2.0. The specific areas of work shall be clearly identified and shown on the plans.
148. **RED CURB AT DRIVEWAY ENTRANCES:** Street curbs adjacent to driveway entrances shall be painted red a minimum of 10' in each direction as shown on Sheet C2.0. The curb between the Plymouth Street driveway and Arietta Drive shall be painted red. The specific areas of work shall be clearly identified and shown on the plans.
149. **RED CURB ALONG PROJECT FRONTAGE:** As shown on the plans, street curbs along the Rengstorff Avenue frontage shall be painted red or signed as "No Parking." The specific areas of work shall be clearly identified and shown on the plans.
150. **BIKE FACILITY ALONG PROJECT FRONTAGE/INTERSECTION:** As shown on the plans, install green bike lanes, including bus island installation, along the Rengstorff Avenue frontage to accommodate increased vehicle and bicycle trips generated by the project and to improve bicyclists' safety. The specific areas of work shall be clearly identified and shown on the plans.
151. **STOP-CONTROLLED SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled to address conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway. Stop-controlled egress shall include STOP signs, a limit line, and "STOP" pavement marking(s). The specific areas of work shall be clearly identified and shown on the plans as shown on Sheet C2.0.

CURBS, SIDEWALKS, AND DRIVEWAYS

152. **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.
153. **CURB, GUTTER, SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Rengstorff Avenue and Plymouth Street, as shown on Sheet C2.0 and according to Article V (Street Improvement Standards) in Chapter 27 (Streets and Sidewalks) of the City Code. The sidewalk shall be detached with a landscape strip and designed with a consistent 2% cross-slope from the top of the curb to back of the sidewalk and minimal grade breaks in the longitudinal slope of the curb line. Rengstorff Avenue shall have a 7' wide sidewalk with a 6' wide landscape strip with a bus island treatment. Plymouth Street shall have 6' wide sidewalk and 5' landscape strip. The proposed duck-out on Plymouth Street is not allowed. The specific limits of work shall be clearly identified and shown on the plans.

STREET TREES

154. **STREET TREES:** Install standard City street trees along the street frontage, as shown on Sheet L-1.1.
155. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or be an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Division with building permit submittal.
156. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

UTILITIES

157. **POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans. Utilities shall be potholed to determine the depths and locations of existing subsurface utilities where improvements are proposed for construction, including, but not limited to, new utility crossings and installation of signal and streetlight pole foundations. Existing pavement sections shall also be recorded for all potholes. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including, but not limited to, pothole location, depth of utility, and pavement sections.
158. **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.
159. **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.
160. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required per Section 36.34.30 of the City Code. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
161. **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 and in accordance with City Standard Specifications and Design Guidelines. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. New potable water and recycled water services shall have a minimum 5' clearance from trees, and new sewer laterals shall have a minimum 10' clearance from trees. Angled connections within service lines shall not be allowed. Connections to the City's 14" water transmission main will not be allowed. Utility profiles shall be required for all new services.

Existing water services shall be shown to be disconnected and abandoned at the main in accordance with City standards, unless they are satisfactory for reuse, as determined by the Public Services Division. Water services 4" or larger that are not reused shall be abandoned at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.

162. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable water and recycled water services per Section 35.28.20 (Requirements for backflow prevention devices) of the City Code. 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. A minimum 1' clearance shall be provided between the assembly and building face, as applicable. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
163. **WATER AND SEWER APPLICATIONS:** Upon first submittal of the building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department if new water services, water meters, fire services, or sewer laterals are required.
164. **UNDERGROUNDING OF OVERHEAD LINES:** As shown on R20-3, underground existing overhead electric and telecommunication facilities fronting the property along Plymouth Street as proposed.
165. **JOINT UTILITY PLANS:** Upon first submittal of the building permit and improvement plans, the improvement plans shall include joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. Appropriate horizontal and vertical clearances in accordance with PG&E requirements shall be provided between gas transmission lines, gas service lines, overhead utility lines, street trees, streetlights, and building structures. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate utility easements that are necessary for the common utility by separate dedication. During joint trench design, the applicant shall provide advance written notifications to owners and tenants of adjacent and affected properties describing the nature of the proposed improvements and estimated project duration.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

166. **STORM DRAIN HOLD HARMLESS AGREEMENT:** If 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.
167. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connections inside the structure 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

168. **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."
169. **MOUNTAIN VIEW GREEN BUILDING CODE/CONSTRUCTION AND DEMOLITION ORDINANCE:** If this project is subject to the requirements of the Mountain View Green Building Code, a Construction and Demolition Waste Management Plan shall be submitted with the building permit application and approved by the Public Works Solid Waste and Recycling Division prior to the issuance of a building permit per Article III (Construction and Demolition Debris Diversion) in Chapter 16 (Garbage, Rubbish and Weeds) of the City Code. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.

170. **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."
171. **TRASH ENCLOSURE DESIGN AND DETAILS:** The current project design is inconsistent with the City's Solid Waste Design Guidelines. All storage and staging shall occur onsite without the use of the public right-of-way and shall be the responsibility of the developer.
172. **TRASH CIRCULATION PLAN REQUIREMENTS:** The current circulation plan includes public streets as part of the trash staging and circulation, which does not meet the City's requirements. Trash staging must be located on-site, providing for on-site access through on-site areas (such as the parking garage) without encroaching into the public sidewalk and without including additional curb cuts. Circulation must meet the minimum collection vehicle turning radius, and the plan set must clearly display the entire truck travelway circulation to and from the trash staging area. The final circulation plan requires approval by the Solid Waste and Recycling Sections prior to issuance of a building permit and must be in compliance with Municipal Code Section 16.21 and 21.21 and the following:
- An overhead clearance of 15' in the travelway and 22' at the point of collection shall be maintained.
 - All driveways accessed by the collection vehicles must have a commercial flare to provide a wider entry to minimize running over curbs when entering and existing the property.
 - Any movement of bins over 30' will be subject to the current roll-out fee rate by the hauler. In 2025, the roll-out fee is \$0.75 per foot per container per month.
 - If required by the Solid Waste and Recycling Sections, there shall be parabolic mirrors at the staging area if they are necessary for collection vehicles to safely back out and maintain visibility during site circulation. Mirrors must be located on private property.

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

173. **SANTA CLARA VALLEY WATER DISTRICT WELLS:** Santa Clara Valley Water District (Valley Water) requires the following note to be labeled on the building and improvement plans: "Santa Clara Valley Water District (District) records indicate that one (1) active well is located on the subject property. If the well will continue to be used following permitted activity, it must be protected so that it does not become lost or damaged during completion of permitted activity. If the well will not be used following permitted activity, it must be properly destroyed under permit from the District."

While the District has records for most wells located in the County, it is always possible that a well exists that is not in the District's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from the District or registered with the District and protected from damage. For more information, please call the District's Well Ordinance Program Hotline at 408-630-2660."

174. **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."
175. **OCCUPANCY RELEASE (RESIDENTIAL):** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts as well as trash rooms and/or enclosures, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction."

176. **COORDINATION WITH VALLEY TRANSPORTATION AUTHORITY (VTA):** The applicant shall coordinate with VTA on the bus stop amenities and bus island on Rengstorff Avenue.

LOT LINE ADJUSTMENT

177. **LOT LINE CONFLICT:** The project is located on two separate parcels of land as shown on Sheet C1.0, and a proposed building is located over the interior property lines. Prior to the issuance of the building permit and recordation of proposed easements for the project, the applicant must provide satisfactory evidence that the subject properties were legally combined or adjusted or legally combine and/or adjust the property lines with a lot line adjustment such that any buildings or structures shall not be located on or across any new, adjusted property lines.
178. **LOT LINE ADJUSTMENT:** Submit to the Public Works Department for review and approval the plat, legal description (metes and bounds) of the adjusted and/or combined property, preliminary title report, and signature authority per Article XIII of Chapter 28 of the City Code. The legal description and plat must be prepared and stamped by a California-registered civil engineer or land surveyor and shall be prepared in accordance with Legal Description and Plat Requirements, which are available online at: <https://developmentpermits.mountainview.gov/home/showpublisheddocument/2622/638329885500030000>. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
179. **LOT LINE ADJUSTMENT FEE:** The applicant shall pay the lot line adjustment fee at the time of initial lot line adjustment submittal per the adopted fee in effect at time of payment.
180. **NOTICE OF LOT LINE ADJUSTMENT:** Upon receipt of the approved legal description, plat, and preliminary title report, the Public Works Department will prepare a Notice of Lot Line Adjustment. The approved legal description(s) and plat will be attached to the Notice of Lot Line Adjustment Approval. The Notice of Lot Line Adjustment shall be signed by all those who have an interest in the property, including the trustees, and submitted to the Public Works Department for review and approval. When all applicable conditions of Lot Line Adjustment approval have been satisfactorily completed, the City will sign the Notice of Lot Line Adjustment Approval. After the documents have been approved and signed by the Public Works Department, the applicant's title company shall record the Notice of Lot Line Adjustment Approval concurrent with the deed and any other applicable documents to adjust and/or combine the properties.
181. **BUILDING CONFLICTS:** Prior to the approval of the Notice of Lot Line Adjustment, any buildings or structures that are located on the new property lines shall be demolished and/or relocated.
182. **UTILITY CONFLICTS:** Prior to the approval of the Notice of Lot Line Adjustment, any conflicting utility service to the proposed lot(s) shall be removed and/or relocated. The utility service to one property shall not be used to serve the adjacent property(ies), nor shall the utility service to one property be located on an adjacent property.
183. **FENCE/WALL CONFLICTS:** Prior to the approval of the Notice of Lot Line Adjustment, existing fences or walls which are located on the property line(s) to be adjusted shall be removed and/or relocated to conform to the new property line(s).
184. **GRANT DEED FOR LOT LINE ADJUSTMENT PURPOSES:** The Public Works Department will prepare the grant deed for the lot line adjustment. The applicant shall submit to the Public Works Department for review and approval the signed and notarized grant deed(s) that will adjust the property lines using the new legal descriptions of the adjusted parcels. The grant deed shall indicate the deed is for lot line adjustment purposes in the title and/or body of the deed.
185. **RECORDING:** When all of the Lot Line Adjustment documents have been approved and are fully signed, the applicant's title company shall have the Santa Clara County Recorder's Office record the Notice of Lot Line Adjustment, grant deed(s) for Lot Line Adjustment purposes, and any other applicable documents. A conforming copy and scanned PDF of the recorded documents shall be returned within one week after recordation to the Public Works Department. The applicant is responsible for having all deeds of trust and mortgages modified to correspond to the new lot lines so that a foreclosure will not create an illegal parcel.

186. **CONSISTENCY:** This Lot Line Adjustment shall be consistent with all requirements of the development project, Application No. PL-2023-174.
187. **APPROVAL EXPIRATION:** If the Lot Line Adjustment is not completed within two years from the date of this approval, the Lot Line Adjustment approval shall expire.

Fire and Environmental Protection Division—650-903-6378 or 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. “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website at www.mountainview.gov/fepforms.

188. **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.
189. **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.
190. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system. Refer to SCVURPPP’s Construction Best Management Practices (BMPs) sheet found at: https://scvurppp.org/pdfs/1415/SCVURPPP_Countywide_Program_BMP_Plan_Sheet_041615.pdf.
191. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan, in compliance with Section 35.33.11 (Discharges and prevention thereof through implementation of best management practices) of the City Code and State Requirement C.6.c of the Municipal Regional Stormwater NPDES Permit, 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.
192. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
193. **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.
194. **LOW-USE ACCESS AREA DRAINAGE:** Pursuant to Section 35.33.11 (Discharges and prevention thereof through implementation of best management practices) of the City Code and State Requirement C.6.c of the Municipal Regional Stormwater NPDES Permit, 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.
195. **LANDSCAPE DESIGN:** Pursuant to Section 35.33.11 (Discharges and prevention thereof through implementation of best management practices) of the City Code and State Requirement C.6.c of the Municipal Regional Stormwater NPDES Permit, 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.

196. **EFFICIENT IRRIGATION:** Pursuant to Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3.c of the Municipal Regional Stormwater NPDES Permit, 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.
197. **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.
198. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control per Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3 of the Municipal Regional Stormwater NPDES Permit. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.
199. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay") per Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3 of the Municipal Regional Stormwater NPDES Permit.
200. **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, per Sections 35.33.11 (Discharges and prevention thereof through implementation of best management practices) and 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3.c. of the Municipal Regional Stormwater NPDES Permit. There shall be no storm drains in the outdoor storage area.
201. **PARKING GARAGES:** For multiple-level parking garages, interior levels shall be connected to an approved wastewater treatment system discharging to the sanitary sewer. Exterior drains exposed to stormwater (including trench drains at lower ends of entrance/exit ramps and the top story of uncovered parking garages) shall be plumbed to the on-site stormwater treatment system (for C.3 regulated projects) or to the storm collection system, per Sections 35.33.11 (Discharges and prevention thereof through implementation of best management practices) and 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3.c. of the Municipal Regional Stormwater NPDES Permit.
202. **STORMWATER TREATMENT (C.3):** This project will create or replace more than five thousand (5,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects" and per Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.3 of the Municipal Regional Stormwater NPDES Permit. Runoff from portions of the public right-of-way (e.g., sidewalks, curb extensions, pavement replacement, and curb and gutter replacement in the street frontage) that are constructed or reconstructed as part of Regulated Projects will also need to be treated using Low-Impact Development (LID) measures. The City's guidelines also describe the requirement to select LID types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

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

203. **HYDROMODIFICATION MANAGEMENT:** Postconstruction stormwater runoff shall drain to approved permanent Hydromodification Management (HM) controls to mitigate increases in peak runoff flow and increased runoff volume. Projects that will decrease impervious surface area in comparison to the pre-project condition are not subject to the HM requirement. Information related to this requirement, including the exemption criteria, is included in the City’s document entitled, “Hydromodification Management Plan Guidelines for Development Projects,” and the Santa Clara Valley Urban Runoff Pollution Prevention Program’s manual entitled, “C.3 Stormwater Handbook: Guidance for Implementing Stormwater Requirements for New and Redevelopment Projects.”

The City’s “Hydromodification Management Plan Guidelines for Development Projects” manual requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing requirements of the controls that will be installed. Include the Stormwater Management Plan with the building plan submittal. Property owners of projects that include stormwater controls constructed in accordance with this condition are required to enter into a formal recorded self-inspection and maintenance agreement with the City.

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

205. **FULL TRASH CAPTURE:** Per Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.10 of the Municipal Regional Stormwater NPDES Permit, projects located in “moderate,” “high,” or “very high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. The full-trash capture device must be selected from the list of State Water Board-approved devices: https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer’s recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site and include details for the installation of the trash capture system(s) in the building plans for the project.

206. **FULL TRASH CAPTURE (OFF-SITE IMPROVEMENT):** Per Section 35.34 (Permanent stormwater pollution prevention measures required.) of the City Code and State Requirement C.10 of the Municipal Regional Stormwater NPDES Permit, projects located in “moderate,” “high,” or “very high” trash generating areas as outlined in the City’s Long-Term Trash Load Reduction Plan that will construct off-site improvements to the public storm drain system shall install full trash capture protection within the newly constructed public storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. The full-trash capture device must be selected from the list of State Water Board-approved devices: https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html. Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer’s recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site, and include details for the installation of the trash capture system(s) in the building plans for the project.

207. **BUILDING DEMOLITION PCB CONTROL:** Non-wood frame buildings constructed before 1981 that will be completely demolished are required to conduct representative sampling of priority building materials that may contain polychlorinated biphenyls (PCBs). If sample results of one or more priority building materials show PCBs concentrations ≥ 50 ppm, the applicant is required to follow applicable federal and state notification and abatement requirements prior to demolition of the building. Submit a completed "Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package" with the building demolition plans for the project. A demolition permit will not be issued until the completed "PCBs Screening Assessment Applicant Package" is submitted and approved by the City Fire and Environmental Protection Division (FEPD). Applicants are required to comply with applicable federal and state regulations regarding notification and abatement of PCBs-containing materials. Contact the City's FEPD at 650-903-6378 to obtain a copy of the "PCBs Screening Assessment Applicant Package" and related guidance and information.
208. **PLAN REVIEW AND PERMIT INSPECTION SERVICE FEES:** Plan review and permit inspection services are subject to fees. An invoice will be issued for plan review and inspections, and a receipt verifying fee payment will be required prior to final building plan approval.

NOTE: 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.