

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

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APPLICATION NO.:

PL-10665

DATE OF FINDINGS:

March 4, 2026

THIS DOCUMENT REPRESENTS THE SUBDIVISION COMMITTEE'S RECOMMENDATION FOR THE SUBJECT SITE.

Applicant's Name:

Joe Kirchofer for AvalonBay Communities

Property Address:

Assessor's Parcel No(s).:

Zone:

555 West Middlefield Road

158-49-001

P (Planned Community)

Request:

Request for a Vesting Tentative Map to create three new lots, including one lot for a future 1.34-acre public park and one lot for condominium purposes with 97 condominium units on a 14.5-acre project site located at 555 West Middlefield Road. The Vesting Tentative Map has been submitted in conjunction with a request for Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit to construct a 323-unit addition to an existing 404-unit residential apartment complex.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

******SUBDIVISION COMMITTEE RECOMMENDATION TO CITY COUNCIL******

FINDINGS OF APPROVAL:

The Subdivision Committee makes the following findings for a Vesting Tentative Map to create three new lots, including one lot for a future 1.34-acre public park and one lot for condominium purposes with 97 condominium units, in conjunction with a Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit located on a 14.5-acre project site:

- The proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans (Gov. Code Sections 66473.5, 66474).** The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation for the site of High Low-Density Residential, including all applicable requirements therein, including height, density, and use. The proposed multi-family housing project ranges in height from three to five stories and has a density of approximately 50 dwelling units per acre. In addition, the subdivision provides for the dedication of new public access easements for pedestrians and bicycles, which would integrate the development with the existing and proposed pedestrian and bicycle network in the area, consistent with the General Plan Policy MOB 3.2 (Pedestrian Connections). The project is also consistent with General Plan policies aimed at ensuring adequate and safe utility services, such as Policies INC 1.3 (Utilities for new development) and INC 1.5 (Utility service), as well as policies for incorporating new sidewalks and improvements to prioritize pedestrian circulation (INC 3.4, Right-of-way regulations). While the P (Planned Community) Zoning District does not have specified development standards, there remain development standards applicable to all districts. Per Section 36.22.20 (Height, area, and yard requirements and regulations) of the City Code, there are no listed development standards in the P (Planned Development) Zoning District, except as may be imposed by the precise plan or as conditions upon the granting of a Planned Community Permit. Therefore, the original 2022 Planned Community Permit functions as the referenced development standards for this project, which do not include those that are waived under State Density Bonus Law. The project will use the State Density Bonus Law to achieve waivers from certain standards that would otherwise physically preclude the development at the proposed density, but such waivers are not grounds for determining that the project is inconsistent with the applicable general plan and zoning ordinance;

Owner

Agent

File

Fire

Public Works

2. **The site is physically suitable for the type and density of development (Gov. Code Section 66474).** The site is physically suitable for the type and intensity of the proposed land use, as it complies with the allowed uses of the P (Planned Community) and the applicable General Plan Land Use Designation, which envisions multi-family housing, such as apartments and condominiums, with shared open space. While the P (Planned Community) Zoning District does not have specified development standards, there remain development standards applicable to all districts. Per Section 36.22.20 (Height, area, and yard requirements and regulations) of the City Code, there are no listed development standards in the P (Planned Development) Zoning District, except as may be imposed by the precise plan or as conditions upon the granting of a Planned Community Permit. Therefore, the original 2022 Planned Community Permit functions as the referenced development standards for this project, which do not include those that are waived under State Density Bonus Law. The proposed site design adequately accommodates and/or makes improvements to vehicle and pedestrian circulation to meet or exceed requirements for life safety, City services, and the needs of existing/future residents and site users. Specifically, the property is a relatively flat lot with planned improvements for all required utility services and on-/off-site pedestrian circulation and necessary vehicle and City service access;
3. **The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Gov. Code Section 66474).** The City prepared an AB 130 memorandum (incorporated by reference as though fully set forth herein), which demonstrates the project's compliance with the eligibility criteria and concludes that the project is statutorily exempt from CEQA under Section 21080.66 of the Public Resources Code ("Urban Infill Exemption"). While exempt under AB 130, the previous project approved in 2022 was similar in scope in design, and had an environmental impact report (EIR) that analyzed the project's impacts on riparian habitat or other sensitive natural communities, federally protected wetlands, and migratory wildlife/wildlife corridors and found that the project area is completely developed and does not contain any riparian habitat, wetlands, or other sensitive natural communities. Similarly, the EIR further found that the project site does not serve as a native resident or migratory wildlife corridor and that, consequently, implementation of the project would not have an adverse effect on any riparian habitat or sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S. Fish and Wildlife Service (USFWS); federally protected wetlands as defined by Section 404 of the Clean Water Act; or as established native resident or migratory wildlife corridors or access to native wildlife nursery sites. The project will be required to comply with the City's standard tree replacement requirements, as outlined in the City Code and City standard conditions of approval, as well as standard requirements to avoid removal of trees with nesting birds. The project will comply with all applicable health and safety codes and regulations intended to manage potential environmental damage from development, including, but not limited to, basic construction measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions and any airborne toxics generated by project construction, construction noise management requirements and standard conditions of approval of the City, and water quality regulations established per the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Thus, the project would not cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
4. **The design of the subdivision and its improvements will not cause serious public health problems (Gov. Code Section 66474).** The design of the subdivision and the proposed improvements are not likely to cause serious health problems because the project will be consistent with the applicable policies included in the General Plan, as summarized in Finding 1 above, and the City Code and will be subject to standard conditions of approval to protect public health, safety, convenience, and welfare, which include compliance with applicable Building and Fire codes to ensure on-site improvements provide for safe habitation. The proposed plans, as conditioned, also meet applicable requirements for emergency and solid waste service, and proposed public (off-site) improvements are designed to meet applicable City design standards and City Code intended to manage and avoid public health impacts;
5. **The design of the subdivision and its improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the subdivision (Gov. Code Section 66474).** The subdivision and improvements, as conditioned, will not conflict with existing easements. Also, the proposed subdivision includes new public access easements providing circulation through and use of the property;
6. **For a proposed subdivision with more than five hundred (500) dwelling units, water will be available and sufficient to serve the proposed subdivision in accordance with Section 66473.7 of the Subdivision Map Act (Gov. Code Section 66473.7).** This finding does not apply because the project proposes only 323 new dwelling units;

7. **The discharge of waste from the proposed subdivision into the sewer system will not violate regional water quality control regulations (Gov. Code Section 66474.6).** The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations;
8. **The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities (Gov. Code Section 66473.1).** The subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities; and
9. **The City has considered the effects on housing needs of the region in which the local jurisdiction is situated and balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code Section 66412.3).** In approving the Vesting Tentative Map, the City Council has considered its effect upon the housing needs of the region balanced with the public service needs of Mountain View residents and available fiscal and environmental resources. Further, the City has an adopted and certified Housing Element which has considered these issues in its evaluation of the regional housing needs allocation (RHNA) and found that growth including and beyond these units can be built while maintaining the public service needs of its residents and available fiscal and environmental resources.

The Subdivision Committee further transmits the following finding to the City Council that Vesting Tentative Map is statutorily exempt from CEQA pursuant to Section 21080.66 of the Public Resources Code. The City prepared an AB 130 CEQA Exemption Site Analysis Memorandum which demonstrates the project's compliance with the eligibility criteria as set forth below:

(1) **The project is a housing development project.** The project site consists of only residential units and meets the definition of a housing development project.

(2) **The project site is not more than 20 acres or five acres if a Builder's Remedy project.** The proposed project is located on a 14.5-acre site and is not a Builder's Remedy project.

(3) **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 within the boundaries of the City of Mountain View, an incorporated municipality, and is already developed with multifamily residential and is surrounded by urban development.

(4) **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 and 100% of the adjoining parcels are developed with existing residential and commercial (urban) uses on all four sides (one side is a freeway with a creek and public trail on the other side). Further, the site is developed with multi-family residential buildings and is surrounded by urban development.

(5) **The project is consistent with the applicable General Plan and Zoning Ordinance as well as any applicable local coastal program.** The project is consistent with the General Plan Land Use Designation for the site of High Low-Density Residential, including all applicable requirements therein, including height, density, and use. The proposed multi-family housing project ranges in height from three to five stories and has a density of approximately 50 dwelling units per acre. Moreover, the project is eligible for a 20 percent density bonus. The project is consistent with General Plan Policy LUD 3.1 (Land Use and Transportation), which encourages higher land use intensities and densities within one-half mile of public transit along major commute corridors because it provides 323 new units within a half-mile of the Mountain View Caltrain Station. While the P (Planned Community) Zoning District in which the project is located does not have specified development standards, there remain development standards applicable to all districts. Per Section 36.22.20 (Height, area, and yard requirements and regulations) of the City Code, there are no listed development standards in the P (Planned Development) Zoning District, except as may be imposed by the precise plan or as conditions upon the granting of a Planned Community Permit. Therefore, the original 2022 Planned Community Permit functions as the referenced development standards for this project. The proposed project is also consistent with the original planned development of the site approved in 2022. Except as waived under SDBL, the project is consistent with these referenced standards, as well as standards applicable to all property. Per the Housing Accountability Act, the use of a density bonus, concession, or waiver does not constitute a valid basis for finding a project inconsistent with the General Plan, land use, or development standard. Therefore, if not waived under State Density Bonus law, the project is consistent with applicable and referenced development standards.

(6) **The project will be at least one-half of the applicable density specified in Government Code Section 65583.2(c)(3)(B).** The project is proposed at a density of approximately 49.97 du/ac, which exceeds the minimum requirement of 15 units per acre (50 percent of Gov. Code Section 65583.2 (c)(3)(B)). Therefore, the project meets this criterion.

(7) **The project satisfies the requirements specified in Government Code Section 65913.4(a)(6).** The project site satisfies the requirements specified in Government Code Section 65913.4(a)(6). The site is not located within the coastal zone and does not contain farmland, wetlands, or sensitive habitats and is not subject to a conservation easement. The site is also not located within a very high fire hazard severity zone, earthquake fault zone, or flood hazard zone. While the site has been impacted by past soil, soil gas, and groundwater contamination associated with historical operations at nearby properties, the site itself is not designated as a hazardous waste site and is not included on any of the Section 65962.5 lists (the Cortese List), nor is it designated as a hazardous waste site under Health and Safety Code Section 25356.29.

(8) **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.** No listed historic structures are present on the site. The multifamily residential buildings on site will be retained and are not designated as historic resources and are not considered to be potential historic resources.

(9) **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.** There is no lodging present on the site, and no portion of the site is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging. The project does not propose any lodging uses.

The Subdivision Committee hereby recommends approval by the City Council of a Vesting Tentative Map to create three new lots, including one lot for a future 1.34-acre public park and one lot for condominium purposes with 97 condominium units, in conjunction with a Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit located on Assessor's Parcel No. 158-49-001 and based on the findings above and subject to the applicant's fulfillment of all the conditions of approval. Development shall be substantially as shown on the project materials listed below and for the associated Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit, except as modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department.

- a. Vesting Tentative Map prepared by Langan CA, Inc., dated January 5, 2026.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

FINAL MAP

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code Chapter 28, Article IV, Parcel Maps and Final Maps, and the California Subdivision Map Act prior to the issuance of any building permit for the property(ies) within the subdivision. All existing and proposed easements are to be shown on the map. Submit the map for review concurrent with all items on the Map Checklist and the Off-Site Improvement Plans to the Public Works Department. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
2. **PRELIMINARY TITLE REPORT:** At first submittal of a final map to the Public Works Department, 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 property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved in compliance with Section 27.60 of the City Code. The title report shall include all easements and agreements referenced in the title report as links or separate submitted documents. 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.
3. **SOILS REPORT:** Soils and geotechnical reports prepared for the subdivision shall be indicated on a final map. Submit a copy of the report with the first submittal of a final map.

As required by the State Seismic Hazards Mapping Act, a project site-specific geotechnical investigation shall be conducted by a registered soils/geologist identifying any seismic hazards and recommending mitigation measures to be taken by the project. The applicant, through the applicant's registered soils engineer/geologist, shall certify the project complies with the requirements of the State Seismic Hazards Mapping Act. Indicate the location (page number) within the geotechnical report of where this certification is located or provide a separate letter stating such.

4. **MAP DOCUMENTS:** Prior to the approval and recordation of the map, submit a subdivision guarantee, Santa Clara County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments.
5. **FINAL MAP APPROVAL:** A final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department. In order to place the approval of a final map on the public hearing agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 60 calendar days prior to the Council meeting date. After City Council approval, the City Engineer will sign the map. The applicant's title company shall have the Santa Clara County Recorder's Office record the original and shall provide a Xerox Mylar copy of the map to be endorsed by the Santa Clara County Recorder's Office. The endorsed Xerox Mylar copy and a PDF shall be returned within one week after recording the map to the Public Works Department.
6. **STREET DEDICATION:** Dedicate a public street in fee on the face of the map to complete the cul-de-sac on Cypress Point Drive in accordance with Sections 27.59 and 27.61 of the City Code. The property line shall be 5' behind the face of the curb.
7. **PEDESTRIAN ACCESS EASEMENT (SIDEWALK):** Dedicate a pedestrian access easement of varying width on the face of the map along Moffett Boulevard and Cypress Point Drive to cover segments of public sidewalk meandering on-site along the project frontage.
8. **PUBLIC ACCESS EASEMENTS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits and prior to approval of a final map, the owner shall provide an irrevocable offer of dedication for a 8' wide public access easement (PAE) on private property along the pedestrian pathway from Middlefield Road to Cypress Point Drive. The dedication shall indicate that:
 - a. Public access shall be granted for nonautomotive use at all times;
 - b. The owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
 - c. The PAE shall run with the land and be binding upon any successors;
 - d. If the owner shall fail to abide by the PAE, the owner agrees to pay all reasonable costs and expenses incurred by the City in enforcing the performance of such obligations; and
 - e. The owner agrees to indemnify, defend, and hold the City and the City's officers, employees, and agents harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in the performance of services or operations under the dedication, including maintenance operations performed on the PAE by the owner or the owner's contractors, subcontractors, agents, or employees.

The dedication shall be accepted by the City upon the owner's completion of the improvements within the easement area, which must occur prior to the release of occupancy of Building B.

A legal description (metes and bounds) and plat map (drawing) of the owner's property and the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Public Works Department for review and approval.

9. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 5' wide public utility easement (PUE) along project street frontage(s) on the face of the map for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication, and cable television facilities, 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.

10. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) on the face of the map to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
11. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements as required for the project and by the utility companies. All street and public service easement dedications are to be shown on a final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of a final map.
12. **PG&E EASEMENTS:** All easements that are or will no longer be needed or conflict with the proposed buildings or over the future public park shall be quitclaimed. Prior to the issuance of the building permit for each phase, the applicant shall provide to the City a letter from PG&E committing to the quitclaim of the conflicting easement(s) upon the abandonment and/or relocation of the PG&E facilities. The PG&E easements shown to be quitclaimed shall be completed prior to the first framing inspection or other milestone determined by the Chief Building Official. The easements over the public park shall be quitclaimed prior to City acceptance.

ASSESSMENTS, FEES, AND PARK LAND

13. **SUBDIVISION FEES:** Pay all subdivision fees due, in accordance with the rates in effect at the time of final map approval, prior to the approval of a final map in accordance to California Government Code Section 65589.5(o) if applicable.
14. **MAP PLAN CHECK FEE:** Prior to issuance of any building permits OR prior to approval of a final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.6.b and 28.7.b of the City Code per the rates in effect at time of payment. The map plan check fee shall be paid at the time of initial map plan check submittal per the adopted fee in effect at time of payment.
15. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits OR prior to approval of a final map, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.8.10 of the City Code per the adopted rates in effect at time of payment.

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

16. **TRANSPORTATION IMPACT FEE:** Prior to the issuance of any building permits OR prior to the approval of the final map, 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). If the project qualifies under California Government Code Section 66007(c)(4), the project may request the deferral of the payment of this fee until final inspection granting occupancy.
17. **PARK LAND DEDICATION:** Prior to the issuance of any building permit, dedicate in fee 1.34 acres of public park land in accordance with Chapter 41 of the City Code for the development as part of the final map.
18. **PARK LAND CONDITION:** Prior to the City's acceptance of the park land dedication, the parcel dedicated for a public park shall clear of any debris, graded towards the public street and the topsoil stabilized.

19. **CITY LAND DEDICATION/CONVEYANCE REQUIREMENTS:** For any land to be conveyed to the City, the following process is required for the City to accept the land parcel(s):

a. **Required Site Preparation:** The applicant shall complete the following activities prior to City acceptance of the park land dedication:

(1) **Site Construction/Infrastructure.** The applicant shall ensure that the dedicated parcel is “development-ready” by removing all existing structures, landscaping, and improvements on-site, including existing utilities and trees, and finish the site to a rough-grade finish.

(a) For land dedicated for park development, the applicant shall provide utility stubs to the property line and install all frontage improvements along the public street(s).

(b) For land dedicated for residential development, the applicant shall provide all infrastructure necessary to serve the units to the property line from the public street, including sewer, utilities, water, electricity, street access, and all frontage improvements on the dedicated parcel(s).

Any “development-ready” work will require a separate demolition permit for on-site work if: (1) it is completed earlier than prescribed herein; or (2) it is not included on the building permit plans for a given development phase. All work in the public right-of-way will require an excavation permit.

b. **Land Transfer:** The applicant shall offer the fee interest in parcel in dedication to the City on the face of a phased final map. Prior to conveying the land to the City, the applicant shall provide a preliminary title report and a grant deed, each subject to City approval. For dedicated parcels for residential development only, conveyance shall be accepted through escrow with a title company that the applicant and City mutually and jointly instruct.

STREET IMPROVEMENTS

20. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements that are required for the subdivision and as required by Chapters 27 and 28 of the City Code. These public improvements include, but are not limited to: new curb, gutter, sidewalk, and half-street grind and overlay along the complete project frontage; new stormwater, C.3 treatment, sanitary sewer, and water meter connections for each building and the public park; new backflow preventer and water meters; new electroliers; and undergrounding of overhead electric.

a. **Improvement Agreement:** Prior to the approval of a final map, the property owner must sign a Public Works Department improvement agreement for the installation of the public improvements.

b. **Bonds/Securities:** Prior to the issuance of any building permits, the property owner must sign a Public Works Department faithful performance bond (100% 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 and on-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 approval of a final map, the property owner must provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement. 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) Contractor’s Pollution Liability, and One Million Dollars (\$1,000,000) Workers’ Compensation. The insurance requirements are available from the Public Works Department.

21. **INFRASTRUCTURE QUANTITIES:** Submit with the first submittal of the building permit and improvement plans a construction cost estimate indicating the quantities of street and utility improvements. A separate construction cost estimate shall also be submitted with the first submittal of the building permit and improvement plans for private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate shall be prepared by the civil engineer preparing the improvement plans.
22. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 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" x 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way.

Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas, delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets. Construction management plans: Locations 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 and identified as "For Reference Only."

Off-site improvement plans, an initial plan check fee, and map plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans final map.

The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, 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 approval of a final map.

23. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.

UTILITIES

24. **ON-SITE UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s).
25. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the subdivision are to be placed underground, including transformers, unless such undergrounding is not permitted by the utility carrier. The undergrounding of the new and existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. If allowed by the City, aboveground transformers shall be located so they are screened in the least visible location from the street or to the general public.
26. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead electric and telecommunication facilities fronting the property along Moffett Boulevard and/or within the division of land as proposed. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property and/or within the division of land shall be removed.
27. **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 on the final map.

During joint trench design, the applicant shall provide advance written notification(s) to owners and tenants of adjacent and affected properties describing the nature of the proposed improvements and estimated project duration. The notice(s) must be approved by the City prior to distribution.

28. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the improvement plans.
29. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage prior to approval of a final map.
30. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage prior to approval of a final map.

OTHER APPROVALS AND EXPIRATION

31. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Community Permit and Development Review Permit, Application No. PL-10665. All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of a final map.
32. **APPROVAL EXPIRATION:** If the map is not completed within 24 months from the date of this approval, this map shall expire. The map is eligible for an extension of an additional 24 months, provided the application for extension is filed with the Planning Division by the applicant prior to the expiration of the original map. Upon filing a timely application for extension, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. Notwithstanding any automatic extension period authorized in the Subdivision Map Act, the City may, upon the subdivider's application filed before the Vesting Tentative Map expiration date, extend its life in accordance with state law and Section 28.19.15 of the Municipal Code.

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.

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/SH/CDD/FDG
PL-10665