

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

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APPLICATION NO.:

PL-8889

DATE OF FINDINGS:

May 27, 2026

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

Applicant's Name:

Jenny Kang of Silicon Valley Custom Homes

Property Address:

Assessor's Parcel No(s).:

Zone:

333 Franklin Street

158-12-069

P(19) Downtown Precise Plan

Request:

Request for a Planned Community Permit and Development Review Permit construct a three-story, multi-family building with 11 apartment units and two detached Accessory Dwelling Units (ADUs) on a vacant site which previously contained a multi-family building, utilizing State Density Bonus Law; and a Heritage Tree Removal Permit to remove two Heritage trees on a 0.172-acre site.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

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

FINDINGS OF APPROVAL:

The Zoning Administrator recommends approval of the Planned Community Permit to construct an 11-unit apartment complex and two detached accessory dwelling units (ADUs) based on the following findings per Section 36.50.55 of the City Code:

- A. **The proposed use or development is consistent with the provisions of the applicable Precise Plan, or, if no Precise Plan exists for the subject area, the proposal clearly demonstrates superior site and building design and compatibility with surrounding uses and developments; or, if variations from requirements in the applicable Precise Plan are granted, the proposal clearly demonstrates superior site and building design and is in substantial compliance with the intent of the requirements in the applicable Precise Plan.** The proposed use and development are consistent with applicable provisions of Area B of the P(19) Downtown Precise Plan (DTPP), including building height, setbacks, and ground-level treatment. Additionally, the project meets the goals and objectives of Area B of the DTPP as a "transition area" between the commercial downtown district and the surrounding residential neighborhood. The proposed project complies with the DTPP standards and guidelines regarding height limits, building massing, and scale, maintaining the two-story appearance that aligns with the residential character of the adjacent neighborhood as the third floor is incorporated into the dormers, creating compatibility within the surrounding neighborhood;
- B. **The proposed use or development is consistent with the General Plan.** The proposed use is consistent with the Medium-High Density Residential Land Use Designation of the General Plan as the applicant proposes a new residential apartment complex, including two detached accessory dwelling units, which is consistent with the residential uses identified in the General Plan Land Use Designation. The proposed use is also consistent with General Plan Policies LUD 3.1 (Land use and transportation) since the project is a residential development that is near transit, as the site is within one-half mile of the Mountain View Caltrain and Valley Transit Authority (VTA) stations; LUD 3.5 (Diversity) since the project is a residential development that

Owner

Agent

File

Fire

Public Works

supports a range of incomes as the applicant proposes an 11-unit multi-family building and two detached ADUs, inclusive of one very low-income (50% AMI) and seven low-income (80% AMI) units; LUD 6.1 (Neighborhood character) since the applicant proposes a new residential development in an existing residential neighborhood and is designed to foster the appearance of a two-story building by incorporating the third floor into the third-story roof gables and using traditional building materials to further compatibility with the existing neighborhood; and LUD 7.5 (Compatible uses and design) since the proposed development is consistent with the prescribed height limit of the DTPP and is designed to have the appearance of a two-story building to serve as a transition between the commercial area of downtown and the surrounding residential neighborhoods to the west;

- C. **The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare.** The proposed uses and development will not be detrimental to the public interest, health, safety, convenience, or welfare because the project is an infill project that is served by existing and available public infrastructure and complies with all applicable Fire and Building Code requirements as adopted by the City of Mountain View, including, but not limited to, requirements under the Americans with Disabilities Act (ADA). The project will comply with the Bay Area Air Quality Management District (BAAQMD) basic construction mitigation measures, the City's allowable construction work hours, and noise requirements as specified in the conditions of approval. Moreover, the site is within an urban area that is less than one-half (0.5) mile to transit and other services;
- D. **The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area.** The proposed project promotes a well-designed development that is harmonious with existing and planned development in the surrounding area because the project maintains a similar site layout as the previously existing multi-family building with the architectural style that is considered modern Craftsman-style with the inclusion of traditional elements, such as stucco, horizontal and vertical cement plaster siding, street-facing gable roof, and angled dormers integrated into the roof form. The project also meets all applicable setbacks with the exception of the items identified as State Density Bonus Law waivers that would physically preclude construction of the development at the proposed density. The project utilizes materials and colors similar to those found in the neighborhood, which aids with its compatibility and integration within the surrounding area; and
- E. **The proposed project complies with the California Environmental Quality Act (CEQA).** The approval of the Planned Community Permit complies with CEQA because it qualifies as a categorically exempt project per CEQA Guidelines Section 15332 ("In-Fill Development Projects") and none of the potential exceptions to the use of the categorical exemption apply to the project or project site:
1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations.** The project site has a General Plan Land Use Designation of Medium-High Density Residential, which allows for multi-family housing such as apartments and condominiums, ranging from 26 to 35 dwelling units per acre. The project is generally consistent with the General Plan policies and zoning designation and regulations with the exception of the necessary modifications to development standards achieved through waivers permitted under State Density Bonus Law. The project complies with the following General Plan policies: LUD 3.1 (Land use and transportation) since the project is a residential development within one-half mile of the Mountain View Caltrain and VTA stations; LUD 3.5 (Diversity) since the project supports a range of incomes in the residential development, including one very low-income (50% AMI) and seven low-income (80% AMI) units; LUD 6.1 (Neighborhood character) by proposing a new development within a residential neighborhood that is compatible with the neighborhood character. The project is compatible with the neighborhood character since it uses traditional building materials and incorporates the third floor of the building into the roof gables and fosters the appearance of a two-story building; and LUD 7.5 (Compatible uses and design) since the project is consistent with the prescribed height limits and is designed to have the appearance of a two-story building and serves as a transition between the commercial area of downtown and the surrounding residential neighborhood to the west. The project complies with the applicable DTPP Area B development standards, including setbacks, building height, and walls and fence height. Zoning standards that are waived under State Density Bonus Law are not "applicable" for purposes of CEQA Guidelines Section 15332 ("In-Fill Development Projects"), and, therefore, the project is consistent with the "applicable" zoning designations and regulations.

2. **The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses.** The proposed project site is approximately 0.172 acre in size, located within City limits, and surrounded on all sides by urban uses, which include single-family houses and multi-family developments.
3. **The project site has no value as a habitat for endangered, rare, or threatened species.** The existing site is vacant and was previously comprised of a multi-family structure on the front half of the site with a carport located on the rear half of the site. The site primarily consists of paving and has no value as habitat for endangered, rare, or threatened species. The site is not part of any habitat conservation plan.
4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: The proposed project is screened out from additional Vehicle Miles Traveled (VMT) analysis as the site is located within one-half (0.5) mile of a major transit stop (Caltrain and VTA) as defined in California Public Resources Code Section 21064.3. A preliminary construction logistics plan has been reviewed by the City, and conditions of approval have been added to ensure that approval of the project, including truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures, will not result in significant impacts relating to traffic and circulation.

Noise: The project would create 11 new residential units and two ADUs and would not exceed the City's applicable significance thresholds related to noise or vibration.

The project would result in construction noise and vibrations similar to other multi-family construction projects within the City. There is nothing unique or particular about the project or its construction method that would suggest that the project would have greater construction noise or vibration impacts than other typical multi-family construction projects.

Conditions of approval have been added to ensure that approval of the project, including construction-related noise and operational noise associated with the project, shall not exceed 55 db(A) in accordance with General Plan Policy NOI 1.2 (Noise-sensitive land uses) and will not result in any significant effects relating to noise.

Air Quality: The project would not generate air pollution as a residential use or result in any significant effects relating to air quality. Given the nature of the proposed residential use, project operations would not be a substantial source of toxic air contaminants and would not pose a health risk to others. The project would be subject to conditions of approval requiring conformance with the BAAQMD requirements for construction to reduce fugitive dust emissions resulting from construction.

Water Quality: The project would not exceed the City's applicable significance thresholds related to water quality. The project site is currently developed within an urbanized environment. There are no lakes, creeks, or other surface waters in the immediate site vicinity. The project is served by the City's existing stormwater system and downstream conveyance channels that will receive runoff from the project.

The project is replacing less than 5,000 square feet of impervious surfaces and is not required to install a storm drain main. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality. The project is subject to Municipal Regional Permit (MRP) 3.0, Provision C.3, to treat stormwater runoff.

5. **The site can be adequately served by all required utilities and public services.** The project is situated in an urban area that is served by all necessary municipal utilities (e.g., water, wastewater, stormwater, solid waste) and public services (e.g., fire, police, schools).
6. **None of the exceptions in CEQA Guidelines Section 15300.2 apply.**

Location: This exception does not apply to the project because it is only applicable to Class 3, 4, 5, 6, and 11 exemptions. Class 32 exemptions are not excluded on the basis of location.

Cumulative Impact: This exception does not apply to the project as this development is the only project proposed at this time on the project site, and successive projects of the same type in the same place have not been approved or proposed. Furthermore, once the construction of the proposed project is complete, there would be no available space on the site for future development.

Significant Effect: This exception does not apply to the project because the City's analysis has shown the project would not result in any significant effects relating to traffic, noise, air quality, water quality, or utilities and public services, and there are no unusual circumstances at the project site that would exacerbate environmental effects. The project site is flat, currently vacant, and does not have any other unusual circumstance, including proximity to scenic highways, hazardous waste conditions, or historical resources. The scope and size of the project do not differ from conditions in the surrounding vicinity. The project does not have any features that distinguish it from others in the exempt class, such as its size or location. The project site possesses no unusual features or environmental characteristics that distinguish it from other properties of the same size in the downtown area. The project site is located within an urban area, surrounded by development, and sensitive resources are not present. The project also does not include uses that would be considered unusual in the downtown area. The proposed residential use is consistent with the surrounding zoning and land uses, including consistency with the underlying General Plan, zoning designations, and development standards in the DTPP. Therefore, there are no unusual circumstances related to the project or its surroundings that may lead to a significant effect on the environment.

Scenic Highways: This exception does not apply to this project site as it is not located on, near, or prominently visible from any highway officially designated as a state scenic highway. Additionally, the project would not result in environmentally significant damage to any other scenic resources such as trees, historic buildings, rock outcroppings, or similar resources. The site neither contains nor is it adjacent to any officially designated scenic resources. Although the project would remove two Heritage trees, such removals are permitted pursuant to the City's Heritage Tree Removal Permit process, and the project would comply with standard requirements for tree replacement such that project tree counts and canopy would meet or exceed existing conditions.

Hazardous Waste Sites: This exception does not apply to the project as the City conducted a records search and found the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

Historical Resources: This exception does not apply as the project would not cause any substantial adverse change in the significance of a historical resource as the project site does not contain any existing historic resources or any known archaeological resources. While such resources are not known to exist on the site, if any human remains, prehistoric, or historic-period cultural materials or similar historical resources are unearthed, City standard conditions of approval would address any unanticipated discoveries.

The Zoning Administrator recommends approval of the Development Review Permit to construct an 11-unit apartment complex and two detached ADUs based on the following findings per Section 36.44.70 of the City Code:

- A. **The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines.** The project complies with the general design considerations as described in the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines because the proposed 11-unit multi-family residential development and two detached ADUs are consistent with the permitted residential land use allowances in the Medium-High Density Residential General Plan Land Use Designation and is an allowed use in the P(19) Downtown Precise Plan. Based on the project area of 0.172 acres and General Plan maximum density of 35 dwelling units per acre, the site has a base density of seven units. The project meets all development standards and design guidelines (such as building massing, roof treatment, windows, and building materials) for Area B of the DTPP except for development standards that would physically preclude construction of the development at the proposed density and have been requested as waivers pursuant to State Density Bonus Law, including open space, floor area ratio (FAR), landscaping requirements, eave height, and trash staging area dimensions;
- 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 architectural design of structures, including colors, materials, and design elements, is compatible with surrounding development because the project is designed using a palette of colors that complement and are compatible with the adjacent residential neighborhood, including building

materials such as horizontal and vertical siding and stucco, which are all materials that are commonly found in the surrounding neighborhood. The front facade is intentionally designed and scaled to create the appearance of a two-story building, further integrating with the surrounding neighborhood and serving as a transition from the commercial downtown district to the adjacent single-family neighborhood as Franklin Street serves as one of the DTPP area boundaries. Additionally, the third floor is intentionally designed to integrate into the roofline with dormers to reduce the overall building massing and bulk of a traditional three-story building, further emphasizing the two-story building appearance;

- 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 location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development because the project maintains a similar site layout as the previous building, sharing the entry drive with the adjacent multi-family development to the north, and maintains a development pattern similar to other existing multi-family residential developments in the surrounding neighborhood. The applicant proposes new pedestrian walkways along the project frontage and perimeter to improve pedestrian circulation from the public right-of-way. New native landscaping is proposed along the project frontage and along the perimeter of the project site. The project is within the DTPP which has no minimum parking requirement for multi-family residential projects; however, the applicant is voluntarily providing two on-site parking spaces: one accessible and one electric vehicle (EV) parking space;
- 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 general landscape design ensures visual relief, complements the structures, provides an attractive environment, and while there is not an adopted landscape program for the general area, the project is consistent with the landscaping and open space guidelines of the DTPP and Section 36.34.10 (General landscaping standards) of the City Code as the proposed landscaping at the front and perimeter of the site consists of more than 75% native and low-water usage species and is designed to provide a buffer to adjoining properties. The applicant is proposing four replacement trees to replace the two Heritage trees proposed for removal;
- E. **The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking.** The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by maintaining the existing site entry driveway and vehicular access to the site, and providing adequate space for vehicle circulation, including emergency and trash collection vehicles. Pedestrian access is provided along the south (right) side of the site with a pedestrian walkway to allow for safe access from the public right-of-way to the residential building and the ADUs at the rear of the site. The project site is within the DTPP, which has no minimum parking requirement for multi-family residential projects; however, the applicant is voluntarily providing two on-site parking spaces: one accessible and one EV parking space.
- F. **The approval of the development review permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA).** The approval of the Development Review Permit complies with CEQA because it qualifies as a categorically exempt project per CEQA Guidelines Section 15332 (“In-Fill Development Projects”) and none of the potential exceptions to the use of the categorical exemption apply to the project or project site:
1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations.** The project site has a General Plan Land Use Designation of Medium-High-Density Residential, which allows for multi-family housing such as apartments and condominiums, ranging from 26 to 35 dwelling units per acre. The project is generally consistent with the General Plan policies and zoning designation and regulations, with the exception of the necessary modifications to development standards achieved through waivers permitted under State Density Bonus Law. The project complies with the following General Plan policies: LUD 3.1 (Land use and transportation) since the project is a residential development within one-half mile of the Mountain View Caltrain and VTA stations; LUD 3.5 (Diversity) since the project supports a range of incomes in the residential development, including one very low-income (50% AMI) and seven low-income (80% AMI) units; LUD 6.1 (Neighborhood character) by proposing a new development near a residential neighborhood that is compatible with the neighborhood character. The project is compatible with the neighborhood character since it uses traditional building materials and incorporates the third floor of the building into the roof gables and fosters the appearance of a two-story building; and LUD 7.5 (Compatible uses and design) since the project is consistent with the prescribed height limits and designed to have the appearance of a two-story building and serves as a transition between the commercial area of downtown and the surrounding residential neighborhood to the west. The project complies with the applicable DTPP Area B

development standards, including setbacks, building height, and walls and fence height. Zoning standards that are waived under State Density Bonus Law are not “applicable” for purposes of CEQA Guidelines Section 15332 (“In-Fill Development Project”), and, therefore, the project is consistent with the “applicable” zoning designations and regulations.

2. **The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses.** The proposed project site is approximately 0.172-acre in size, located within City limits, and surrounded on all sides by urban uses, which include single-family houses and multi-family houses.
3. **The project site has no value as a habitat for endangered, rare, or threatened species.** The existing site is vacant and previously comprised of a multi-family structure on the front half and a carport on the rear half. The current site is vacant and primarily consists of paving and has no value as habitat for endangered, rare, or threatened species. The site is not part of any habitat conservation plan.
4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: The proposed project is screened out from additional vehicle miles traveled (VMT) analysis as the site is located within one-half (0.5) mile of a major transit stop (Caltrain and VTA) as defined in California Public Resources Code Section 21064.3. A preliminary construction logistics plan has been reviewed, and conditions of approval have been added to ensure that approval of the project, including truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts relating to traffic and circulation.

Noise: The project would create 11 new residential units and two ADUs and would not exceed the City’s applicable significance thresholds related to noise or vibration.

The project would result in construction noise and vibrations similar to other multi-family construction projects within the City. There is nothing unique or particular about the project or its construction method that would suggest that the project would have greater construction noise or vibration impacts than other typical multi-family construction projects.

Conditions of approval have been added to ensure that approval of the project, including construction-related noise and operational noise associated with the project shall not exceed 55 db(A) in accordance with General Plan Policy NOI 1.2 (Noise-sensitive land uses) and will not result in any significant effects relating to noise.

Air Quality: The project would not generate air pollution as a residential use or result in any significant effects relating to air quality. Given the nature of the proposed residential use, project operations would not be a substantial source of toxic air contaminants and would not pose a health risk to others. The project would be subject to conditions of approval requiring conformance with the BAAQMD requirements for construction to reduce fugitive dust emissions resulting from construction.

Water Quality: The project would not exceed the City’s applicable significance thresholds related to water quality. The project site is currently developed within an urbanized environment. There are no lakes, creeks, or other surface waters in the immediate site vicinity. The project is served by the City’s existing stormwater system and downstream conveyance channels that will receive runoff from the project.

The project is replacing less than 5,000 square feet of impervious surfaces and is not required to install a storm drain main. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality. The project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff.

5. **The site can be adequately served by all required utilities and public services.** The project is situated in an urban area that is served by all necessary municipal utilities (e.g., water, wastewater, stormwater, solid waste) and public services (e.g., fire, police, schools).

6. **None of the exceptions in CEQA Guidelines Section 15300.2 apply.**

Location: This exception does not apply to the project review because it is only applicable to Class 3, 4, 5, 6, and 11 exemptions. Class 32 exemptions are not excluded on the basis of location.

Cumulative Impact: This exception does not apply to the project as this development is the only project proposed at this time on the project site and successive projects of the same type in the same place have not been approved or proposed. Furthermore, once the construction of the proposed project is complete, there would be no available space on the site for future development.

Significant Effect: This exception does not apply to the project because the City's analysis has shown the project would not result in any significant effects relating to traffic, noise, air quality, water quality, or utilities and public services, and there are no unusual circumstances at the project site that would exacerbate environmental effects. The project site is flat, currently vacant, and does not have any other unusual circumstance, including proximity to scenic highways, hazardous waste conditions, or historical resources. The scope and size of the project do not differ from conditions in the surrounding vicinity. The project does not have any features that distinguish it from others in the exempt class, such as its size or location. The project site possesses no unusual features or environmental characteristics that distinguish it from other properties of the same size in the downtown area. The project site is located within an urban area, surrounded by development, and sensitive resources are not present. The project also does not include uses that would be considered unusual in the downtown area. The proposed residential use is consistent with the surrounding zoning and land uses, including consistency with the underlying General Plan, zoning designations, and development standards in the DTPP. Therefore, there are no unusual circumstances related to the project or its surroundings that may lead to a significant effect on the environment.

Scenic Highways: This exception does not apply to this project site as it is not located on, near, or prominently visible from any highway officially designated as a state scenic highway. Additionally, the project would not result in environmentally significant damage to any other scenic resources such as trees, historic buildings, rock outcroppings, or similar resources. The site neither contains nor is it adjacent to any officially designated scenic resources. Although the project would remove two Heritage trees, such removals are permitted pursuant to the City's Heritage Tree Removal Permit process, and the project would comply with standard requirements for tree replacement such that project tree counts and canopy would meet or exceed existing conditions.

Hazardous Waste Sites: This exception does not apply to the project as the City conducted a records search and found the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

Historical Resources: This exception does not apply as the project would not cause any substantial adverse change in the significance of a historical resource as the project site does not contain any existing historic resources or any known archaeological resources. While such resources are not known to exist on the site, if any human remains, prehistoric, or historic-period cultural materials or similar historical resources are unearthed, City standard conditions of approval would address any unanticipated discoveries.

The Zoning Administrator recommends approval of the application for Density Bonus and associated incentive/concession and waiver requests based on the following findings per Section 36.48.95 of the City Code:

- A. **The project is a housing development that contains at least one (1) of the features described in Section 65915(b) of the State Density Bonus Law to qualify for a density bonus, and all other eligibility requirements as described in Government Code Section 65915(c), such as replacement of existing units, have been met.** The project site previously contained an eight-unit multi-family building that was demolished in the five-year period preceding the application, and that was subject to a recorded covenant, ordinance, or law that restricts rents to levels affordable to persons and families of lower or very low income, subject to any other form of rent control, or occupied by lower or very low income households. Government Code Section 65915(c)(3) provides that the project is ineligible for a density bonus or any other incentives or concessions unless the proposed housing development replaces those units at specified levels of affordability. Government Code Section 66300.6 also provides that the City shall not approve a development project that will require the demolition of occupied or vacant protected units, or that is located on a site where protected units were demolished in the previous five years, unless the project replaces the same number of units that existed on-site within the last five years. The eight demolished units are protected units and must be replaced at the same income level of the previous tenants: seven units

as low-income (80% area median income or AMI) and one unit as very low-income (50% AMI). The housing development project replaces the demolished units by providing one very low-income unit, affordable to households earning up to 50% AMI, and seven low-income units, affordable to households earning up to 80% of AMI in perpetuity, and satisfies the requirements in Government Code Sections 65915(c)(3) and 66300.6.

The project is a housing development that contains at least one of the features described in Government Code Section 65915(b) because it provides deed-restricted affordable rental units within a multifamily housing development, and all other eligibility requirements in Section 65915(c). The project is proposing that 100% of the base units (7 units) will be deed restricted as below-market-rate (BMR) units for lower-income households at or below 80% of Area Median Income. With the density bonus, the applicant is proposing 11 residential units and 2 accessory dwelling units, which is consistent with State Density Bonus Law. The required findings can be affirmatively made because the development contains at least one of the features described in Section 65915(b). The project qualifies for a 50% density bonus, up to three concessions or incentives (i.e., modifications to development standards or regulations that result in identifiable and actual cost reductions to provide for affordable housing costs), and unlimited necessary waivers or reductions of any development standards that have the effect of physically precluding the construction of the development at the permitted density;

- B. If bonus density is requested, the project has provided sufficient affordable units or otherwise meets the eligibility requirements for the bonus density as described in Section 65915(f) of the State Density Bonus Law.** The project has provided sufficient affordable units or otherwise meets the eligibility requirements for the bonus density as described in Section 65915(f) of the State Density Bonus Law. Pursuant to the General Plan, the base density is seven units, which is calculated based on a site acreage of 0.172 acre and the greatest allowable density of 35 units per acre ($0.172 \text{ acre} \times 35 \text{ units/acre} = 6.02 \text{ units}$, rounded up to seven units). Although the site is currently vacant, the previous use of the site contained an eight-unit multi-family residential building that was demolished within five years of application submittal. The project applicant must provide replacement units at specified levels of affordability to comply with Government Code Section 65915(c)(3) (eligibility for density bonus and any other incentives/concessions) and Government Code Section 66300.6 (demolition protections for existing housing). The eight units that previously existed on the project site meet the definition of protected units; therefore, they must be replaced at the income level of the previous tenants: seven units as low-income (80% AMI) and one unit as very low-income (50% AMI). By providing 100% of the seven base units to low-income households (80% AMI), the project qualifies for a 50% density bonus and meets the criteria of Government Code Sections 65915(b)(1)(A) and 65915(f)(1). The applicant is opting to utilize the 50% density bonus which, at a base density of seven units with a 50% density bonus, results in four additional market-rate units ($7 \times 50\% = 3.5 \text{ units}$, rounded up to four units), resulting in a total of 11 residential units proposed in this project;
- C. If reduced parking ratios are requested, the project meets the eligibility requirements thereof as described in Section 65915(p) of the State Density Bonus Law.** The project is a multi-family residential development in the DTPP, which has no minimum parking requirement for residential projects. The project voluntarily provides two residential parking spaces, composed of one accessible and one electric vehicle parking space. The applicant is not requesting a reduction in parking standards, therefore, this finding does not apply;
- D. If incentives/concessions are requested, the project meets the eligibility requirements as described in Section 65915(d) of the State Density Bonus Law, and the incentive(s)/concession(s) result(s) in reduced costs to provide the affordable units.** The applicant proposes eight BMR units, with seven units at low-income (80% AMI) and one unit at very low-income (50% AMI). The base density per the General Plan is seven units. By providing at least 24% of the total units for lower-income households, the project will meet the criteria of Government Code Section 65915(d)(2)(C) and qualify for three incentives/concessions. The applicant is requesting one incentive/concession to locate the one two-bedroom BMR unit and one of the four one-bedroom BMR units in the detached ADU building in lieu of locating all of the BMR units in the multi-family building as is required in multi-family developments. The applicant's density bonus letter states that the concession to locate all BMR units in the primary building will provide identifiable and actual cost reductions for the project and ensure its financial feasibility; and
- E. If waivers are requested, the development standard(s) requested to be waived would physically preclude the units or incentives/concessions provided in the project as described in Section 65915(e) of the State Density Bonus Law.** The applicant has requested five waivers of development standards that would physically preclude the construction of the development at the proposed density as described in Section 65915(e) in the State Density Bonus Law. Strict adherence to each of the development standards described below would significantly reduce the project size and change the layout, physically precluding the construction of the 11-unit multi-family building as proposed. The applicant is requesting waivers of the following development standards: (1) reduced open space (standard: minimum 50% of the site shall be open space); (2) increased FAR

(standard: maximum FAR allowed is 1.1); (3) reduction in landscaping (standard: large specimen trees planted in landscape areas); (4) increase in eave height (standard: eave heights have a maximum of 22 feet measured from top of existing or planned curb); and (5) reduced trash staging area dimensions (standard: minimum trash staging area of 16' 2" wide by 8' 5-½" depth).

The requested waivers are necessary to accommodate the units within the site area while allowing efficient layout and maintaining the required landscaping and setbacks without reducing the proposed unit count.

The Zoning Administrator recommends approval of the Heritage Tree Removal Permit to remove two Heritage trees (Tree Nos. 1 and 2) based on an arborist report prepared by Ray Morneau dated February 14, 2023, and reviewed by the City Arborist and the following findings per Section 32.35 of the City Code:

- A. **It is necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services.** As detailed in the arborist report prepared by certified arborist Ray Morneau, it is necessary to remove the trees due to the condition of the trees with respect to the age of the trees relative to the lifespan of that particular species, disease, infestation, general health, damage, proximity to existing or proposed structures, and interference with utility services. Specifically, Tree No. 1 is in poor condition and is located within the footprint of the proposed building location, has overgrown the planting area, and is over-mature for the species' lifespan. According to the arborist report, Tree No. 2 is irrevocably dead with mushrooms and fungus growing at the base of the trunk;
- B. **It is necessary to remove the tree(s) 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 Tree No. 1 is in a location which would severely limit the site's potential to be developed with a 11-unit apartment building in a reasonable and conforming manner, including the pedestrian walkway access and additional perimeter landscaping. Tree No. 2 is located at the rear of the site and is determined to be dead by the arborist report. The removal of Tree No. 2 is necessary to replant new trees on-site and allow for the use of the property;
- C. **It is appropriate to remove the tree(s) based on the nature and qualities of the tree(s) as Heritage tree(s), 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 quality of the trees as Heritage trees because Tree No. 1 has overgrown the existing planting area and has poor form and structure. The tree is in an existing hazardous state, and further construction activity will result in greater risk of failure. Tree No. 2 is already dead and does not contribute to the overall neighborhood canopy nor the overall visual impact of the neighborhood. Replacement of both trees will provide greater canopy coverage and visual impact to the overall neighborhood;
- D. **It is appropriate to remove the tree(s) to implement good forestry practices, such as, but not limited to, the number of healthy trees a given parcel of land will support, the planned removal of any tree nearing the end of its life cycle, and replacement with young trees to enhance the overall health of the urban forest.** 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 Tree No. 1 is an over-mature coastal redwood that has overgrown the existing planting area on-site and is in very poor condition. According to the arborist report, the stability and health of Tree No. 1 would be severely impacted after construction if not removed, and Tree No. 2 is dead. The removal of Tree No. 2 will allow for replacement with new young trees that will enhance and contribute to the overall urban forest and provide additional landscaping on-site;
- E. **Removal of the tree(s) will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.** Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole because the project will plant replacement trees per City standards of 2:1 tree replacement with a minimum box 24" box size tree, and the site will provide the same amount of canopy coverage on-site within 10 years of planting; and

F. **The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA).** The approval of the Heritage Tree Removal Permit complies with CEQA because it qualifies as a categorically exempt project per CEQA Guidelines Section 15332 (“In-Fill Development Projects”), and none of the potential exceptions to the use of the categorical exemption apply to the project or project site:

1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations.** The project site has a General Plan Land Use Designation of Medium-High Density Residential, which allows for multi-family housing such as apartments and condominiums, ranging from 26 to 35 dwelling units per acre. The project is generally consistent with the General Plan policies and zoning designation and regulations, with the exception of the necessary modifications to allow the replacement housing density required by SB 330 (Government Code Section 66300, *et seq.*) and development standards achieved through waivers permitted under State Density Bonus Law. The project complies with the following General Plan policies: LUD 3.1 (Land use and transportation) since the project is a residential development within one-half mile of the Mountain View Caltrain and VTA stations; LUD 3.5 (Diversity) since the project supports a range of incomes in the residential development, including one very low-income (50% AMI) and seven low-income (80% AMI) units; LUD 6.1 (Neighborhood character) by proposing a new development near a residential neighborhood that is compatible with the neighborhood character. The project is compatible with the neighborhood character since it uses traditional building materials and incorporates the third floor of the building into the roof gables and fosters the appearance of a two-story building; and LUD 7.5 (Compatible uses and design) since the project is consistent with the prescribed height limits and designed to have the appearance of a two-story building and serves as a transition between the commercial area of downtown and the surrounding residential neighborhood to the west. The project complies with the applicable DTPP Area B development standards, including setbacks, building height, and walls and fence height. Zoning standards that are waived under State Density Bonus Law are not “applicable” for purposes of CEQA Guidelines Section 15332 (“In-Fill Development Projects”), and, therefore, the project is consistent with the “applicable” zoning designations and regulations.
2. **The proposed development occurs within City limits on a project site of no more than five acres substantially surrounded by urban uses.** The proposed project site is approximately 0.172 acre in size, located within City limits, and surrounded on all sides by urban uses, which include single-family houses and multi-family houses.
3. **The project site has no value as a habitat for endangered, rare, or threatened species.** The existing site is vacant and previously comprised of a multi-family structure on the front half of the site and a carport on the rear half of the site. The current site is vacant and primarily consists of paving and has no value as habitat for endangered, rare, or threatened species. The site is not part of any habitat conservation plan.
4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: The proposed project is screened out from additional VMT analysis as the site is located within one-half (0.5) mile of a major transit stop (Caltrain and VTA) as defined in California Public Resources Code Section 21064.3. A preliminary construction logistics plan has been reviewed by the City, and conditions of approval have been added to ensure that approval of the project, including truck routes, construction vehicle circulation, parking, storage, and potential sidewalk closures will not result in significant impacts relating to traffic and circulation.

Noise: The project would create 11 new residential units and two ADUs and would not exceed the City’s applicable significance thresholds related to noise or vibration.

The project would result in construction noise and vibrations similar to other multi-family construction projects within the City. There is nothing unique or particular about the project or its construction method that would suggest that the project would have greater construction noise or vibration impacts than other typical multi-family construction projects.

Conditions of approval have been added to ensure that approval of the project, including construction-related noise and operational noise associated with the project shall not exceed 55 db(A) in accordance with General Plan Policy NOI 1.2 (Noise-sensitive land uses) and will not result in any significant effects relating to noise.

Air Quality: The project would not generate air pollution as a residential use or result in any significant effects relating to air quality. Given the nature of the proposed residential use, project operations would not be a substantial source of

toxic air contaminants and would not pose as a health risk to others. The project would be subject to conditions of approval requiring conformance with the BAAQMD requirements for construction to reduce fugitive dust emissions resulting from construction.

Water Quality: The project would not exceed the City's applicable significance thresholds related to water quality. The project site is currently developed within an urbanized environment. There are no lakes, creeks, or other surface waters in the immediate site vicinity. The project is served by the City's existing stormwater system and downstream conveyance channels that will receive runoff from the project.

The project is replacing less than 5,000 square feet of impervious surfaces and is not required to install a storm drain main. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality. The project is subject to MRP 3.0, Provision C.3, to treat stormwater runoff.

5. **The site can be adequately served by all required utilities and public services.** The project is situated in an urban area that is served by all necessary municipal utilities (e.g., water, wastewater, stormwater, solid waste) and public services (e.g., fire, police, schools).
6. **None of the exceptions in CEQA Guidelines Section 15300.2 apply.**

Location: This exception does not apply to the project review because it is only applicable to Class 3, 4, 5, 6, and 11 exemptions. Class 32 exemptions are not excluded on the basis of location.

Cumulative Impact: This exception does not apply to the project as this development is the only project proposed at this time on the project site, and successive projects of the same type in the same place have not been approved or proposed. Furthermore, once the construction of the proposed project is complete, there would be no available space on the site for future development.

Significant Effect: This exception does not apply to the project because the City's analysis has shown the project would not result in any significant effects relating to traffic, noise, air quality, water quality, or utilities and public services, and there are no unusual circumstances at the project site that would exacerbate environmental effects. The project site is flat, currently vacant, and does not have any other unusual circumstance, including proximity to scenic highways, hazardous waste conditions, or historical resources. The scope and size of the project do not differ from conditions in the surrounding vicinity. The project does not have any features that distinguish it from others in the exempt class, such as its size or location. The project site possesses no unusual features or environmental characteristics that distinguish it from other properties of the same size in the downtown area. The project site is located within an urban area, surrounded by development, and sensitive resources are not present. The project also does not include uses that would be considered unusual in the downtown area. The proposed residential use is consistent with the surrounding zoning and land uses, including consistency with the underlying General Plan, zoning designations, and development standards in the DTPP. Therefore, there are no unusual circumstances related to the project or its surroundings that may lead to a significant effect on the environment.

Scenic Highways: This exception does not apply to this project site, as it is not located on, near, or prominently visible from any highway officially designated as a state scenic highway. Additionally, the project would not result in environmentally significant damage to any other scenic resources such as trees, historic buildings, rock outcroppings, or similar resources. The site neither contains nor is it adjacent to any officially designated scenic resources. Although the project would remove two Heritage trees, such removals are permitted pursuant to the City's Heritage Tree Removal Permit process, and the project would comply with standard requirements for tree replacement such that project tree counts and canopy would meet or exceed existing conditions.

Hazardous Waste Sites: This exception does not apply to the project as the City conducted a records search and found the project site is not included on any list compiled pursuant to Section 65962.5 of the Government Code.

Historical Resources: This exception does not apply as the project would not cause any substantial adverse change in the significance of a historical resource as the project site does not contain any existing historic resources or any known archaeological resources. While such resources are not known to exist on the site, if any human remains, prehistoric, or

historic-period cultural materials or similar historical resources are unearthed, City standard conditions of approval would address any unanticipated discoveries.

The Zoning Administrator hereby recommends approval by the City Council of a Planned Community Permit, Development Review Permit, and Heritage Tree Removal Permit to construct an 11-unit apartment complex and two detached ADUs located on Assessor's Parcel No. 158-12-069, subject to conditions of approval. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by Silicon Valley Custom Homes for David Chao, dated December 4, 2025.
- b. Color and materials board prepared by Silicon Valley Custom Homes for David Chao, dated November 3, 2025.
- c. Arborist Report prepared by Ray Morneau for David Chao, dated February 14, 2023.
- d. Density Bonus Letter prepared by Silicon Valley Custom Homes for David Chao, dated April 20, 2026.

THE ZONING ADMINISTRATOR RECOMMENDS APPROVAL 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. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

PERMIT SUBMITTAL REQUIREMENTS

4. **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.
5. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Division.
6. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
7. **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.
8. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved project, including conditions of approval, shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.

9. **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.
10. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
11. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
12. **SIGNAGE:** No signs are approved as part of this application. Any new signage will require separate planning and/or building permits. Application form and submittal requirements are available online at www.mountainview.gov/planningforms.
13. **SHARED DRIVEWAY GATE APPROVAL:** Prior to issuance of any building permit, the property owner/applicant shall provide written approval from the adjacent property owner(s) to the north (325 Franklin Street, APN: 158-12-050) for the proposed shared driveway gate design, location, operation, and access arrangement. The written approval shall be submitted to the City's Community Development Director or designee. [PROJECT SPECIFIC CONDITION]

SITE DEVELOPMENT AND BUILDING DESIGN

14. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal.
15. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement, utilization, and finish of the trim materials shall be provided with the building permit drawings.
16. **SPECIAL PAVING MATERIALS:** The color, material, design, and product specifications for the special paving materials used on-site shall be submitted with the building permit drawings.
17. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings.
18. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
19. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings. The trash enclosure should match the architectural design, color, and materials of the primary structure. For food-serving uses or trash compactors, the trash enclosure must be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device. An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
20. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall exceed 6' in height, measured from adjacent grade to the top of the fence or wall.

21. **PARKING SPACE DESIGN:** All parking spaces must adhere to the requirements of Chapter 36, Article X (Parking and Loading) of the City Code.
22. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. Short-term bike parking for visitors at one bike space per 10 units. 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 at one bike space per unit. 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

23. **LANDSCAPING:** Landscaping shall comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at www.mountainview.gov/planningforms), and be planted in accordance with the approved plans prior to final occupancy.
24. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s).
25. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
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.
27. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage/street tree with two replacement trees, for a total of four replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
28. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Ray Morneau and dated February 14, 2023, shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, 6' chain link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
29. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.

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.

31. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) L_{dn} that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
32. **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.
33. **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

34. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator.
35. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project.
36. **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.
37. **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.
38. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other state and federal requirements.
39. **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.

40. **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.
41. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
42. **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.
43. **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.
44. **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 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 the project site, 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. 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 five 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.

Housing Department—650-903-6190 or housing@mountainview.gov

45. **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) and Density Bonus Agreement with the City that will require the applicant to provide at least 15% of the total base density number of dwelling units within the development as BMR units consistent with Chapter 36, Article XIV, Divisions 1 and 2, of the City Code and the BMR Housing Program Administrative Guidelines and Directives. Prior to the issuance of the building permits, the applicant shall also submit a plan indicating the location, size, and phasing of BMR units. This results in a total of eight (8) units being available. The units will be designated as follows: seven (7) units at eighty percent (80%) AMI and one (1) unit at fifty percent (50%) AMI. This is in accordance with the units outlined in the Affordable Housing Compliance Plan dated April 20, 2026, including BMR unit locations indicated on the plan set provided to the Housing Department dated April 20, 2026. The BMR units may be counted toward the replacement units and Density Bonus unit requirements, provided the strictest AMI limits are applied. The Housing Department reserves the right to review, approve, or deny any modifications to the BMR Affordable Housing Compliance Plan or unit delivery.
46. **BMR AND DENSITY BONUS 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 and Density Bonus Agreement for the project. The applicant shall submit the following information: (a) a copy of the Findings Report or Conditions of Approval; (b) a legal description of the property; (c) a site plan indicating the location, size, and phasing of BMR units in compliance with the City's BMR Ordinance; (d) updated affordable housing compliance plan; and (e) additional information as requested by the Housing Department. The BMR and Density Bonus Agreement must be recorded prior to the issuance of the first building permit for the project.
47. **DENSITY BONUS, AFFORDABLE HOUSING UNITS:** Under provisions of the State Density Bonus Law, the applicant must submit an offer to construct eight (8) affordable rental units for eighty percent (80%) AMI and below. The applicant shall enter into an agreement with the City consistent with the Costa-Hawkins Act, as applicable, that addresses these on-site affordable rental housing units requirements, which shall be executed and recorded against the property prior to issuance of the first building permit for the project.
48. **DENSITY BONUS, RENTAL UNITS:** Under State Density Bonus Law, rents for the lower-income affordable units that qualify the project for a density bonus 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.
49. **REPLACEMENT UNITS:** In compliance with the State Housing Crisis Act (California Government Code Section 66300.6.) and Density Bonus Law, the applicant shall replace eight (8) protected units with units at a comparable size at an affordable rent or an affordable housing cost in the new development. Each 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 Notice of Intent to develop the site was issued. If the tenant household in occupancy at the time the Notice of Intent to develop the site was issued was above low-income, the income was unknown, or the unit was vacant, the unit must be deed-restricted at 80% AMI or below. 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, four 1-bedroom, and three studio units are required as replacement units in the new construction. These eight (8) units may also count toward the applicant's BMR and Density Bonus unit requirements.

Building Division—650-903-6190 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.

50. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2025 California Building Standards Codes, Title 24: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, Historical, and Existing Building, in conjunction with any local amendments adopted by the City of Mountain View.
51. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
52. **MOUNTAIN VIEW GREEN BUILDING CODE/REACH CODE:** The project shall comply with the Mountain View Green Building Code/Reach Code requirements, based on the scope of work, which are available online at www.mountainview.gov/greenbuilding.
53. **DWELLING UNIT SEPARATION:** Private garage separation required per the CBC, Section 406.3.2.
54. **OPENING PROTECTION:** Openings from a private garage directly into a room used for sleeping purposes shall not be permitted per the CRC, Section R302.5.1.
55. **BUILDING HEIGHT AND NUMBER OF STORIES:** The project shall comply with the requirements per the CBC, Chapter 5, Section 504.
56. **BUILDING AREA:** The project shall comply with the requirements per the CBC, Chapter 5, Section 506.
57. **MIXED USE AND OCCUPANCY:** The project shall comply with the requirements per the CBC, Chapter 5, Section 508.
58. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
59. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
60. **FIRE AND SMOKE PROTECTION FEATURES:** The project shall comply with the requirements per the CBC, Chapter 7.
61. **MINIMUM DISTANCE OF PROJECTIONS:** The project shall comply with the requirements per the CBC, Chapter 7 (Table 705.2).
62. **BUILDINGS ON THE SAME LOT:** The project shall comply with the requirements per the CBC, Chapter 7, Section 705.3.
63. **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).
64. **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).
65. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
66. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.

67. **EMERGENCY ESCAPE AND RESCUE:** The project shall comply with the egress window requirements per the CBC, Section 1031.
68. **ACCESSIBILITY REQUIREMENTS:**
- **Chapter 11A:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
69. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at www.mountainview.gov/greenbuilding.
70. **UTILITIES:** No utilities shall cross property lines.
71. **SERVICE DISCONNECT:** The service-disconnecting means shall have a rating of not less than 125 amperes, as amended in MVCC Section 8.44.10.
72. **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.
73. **SCHOOL IMPACT FEE:** The project is subject to school impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos Union High School District at www.mvla.net or 650-940-4650; *and* Mountain View Whisman School District at www.mvwsd.org or 650-526-3500; or Los Altos School District at www.lasdschools.org or 650-947-1150.
74. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.
75. **PEDESTRIAN PROTECTION:** Pedestrians shall be protected during construction, remodeling, and demolition; additionally, if required, signs shall be provided to direct pedestrian traffic. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
76. **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 8.06.05 of the MVCC and/or suspension of building permits.
77. **RESPONSIBLE CONSTRUCTION:** This project is subject to the City's Responsible Construction Ordinance. For projects covered by this Ordinance, owners, contractors, and/or qualifying subcontractors are required to acknowledge responsibilities and make specified certifications upon completion of a project. The required certifications include that: (a) employees are provided written wage statements and notice of employers' pay practices as required under state law (or, alternatively, are covered by a valid collective bargaining agreement); and (b) they have no unpaid wage theft judgments. Acknowledgement forms are required to be submitted at building permit application, which is available online at www.mountainview.gov/building. More information is available at www.mountainview.gov/wagetheft.

Fire Department—650-903-6343 or fire@mountainview.gov

FIRE PROTECTION SYSTEMS AND EQUIPMENT

78. **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.)

79. **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.)
80. **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.)
81. **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.)
82. **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

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

EGRESS AND FIRE SAFETY

84. **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.
85. **ON-SITE DRAWINGS:** Submit electronic (.pdf) drawing files according to Fire Department specifications prior to final Certificate of Occupancy.

HAZARDOUS CONDITIONS

86. **ELECTRICAL ENERGY STORAGE SYSTEMS:** Electrical Energy Storage Systems shall comply with the California Fire Code, Section 1207.

EXTERIOR IMPROVEMENTS

87. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. (California Fire Code, Section 304.3.)
88. **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

89. **EMERGENCY ESCAPE OPENING ACCESS:** Provide clear space and ladder pads at ground level for emergency escape opening access in R occupancies. Ladder pads shall be accessible by fire crews with a three-section, 12' long ladder. Awnings and window shades shall be designed to not interfere with ladder access. (California Building Code, Section 1031.)
90. **EMERGENCY RESPONDER RADIO COVERAGE:** All buildings shall have approved radio coverage for emergency responders within the building. (California Fire Code, Section 510.)

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

OWNERSHIP AND PROPERTY

91. **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 property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved. The title report shall include all easements and agreements referenced in the title report. Depending upon the type of ownership, additional information may be required. The applicant shall provide an updated title report to the Public Works Department upon request. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

FEES AND PARK LAND

92. **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 per the adopted rates in effect at time of payment.
93. **TRANSPORTATION IMPACT FEE:** Prior to the issuance of any building permits, the applicant shall pay the transportation impact fee for the development. The project may qualify for deferred payment of impact fees until final inspection granting occupancy under SB 937, codified at Government Code Section 66007. Residential category fees are based on the number of units. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development. Credit is given for the existing site use(s), as applicable.
94. **WATER AND SEWER CAPACITY CHARGES:** Prior to the issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. The project may qualify for deferred payment of impact fees until final inspection granting occupancy under SB 937, codified at Government Code Section 66007. 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

95. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These public improvements include, but are not limited to, curb, gutter, sidewalk, driveway, and utility connections.
96. **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.
97. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
98. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
99. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not

limited to, landscape, hardscape, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.

100. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). All new striping and pavement markings shall be thermoplastic. All striping and markings damaged and/or removed as part of construction and pavement work shall be replaced with thermoplastic striping. The specific areas of work shall be clearly identified and shown on the plans to the satisfaction of the City Traffic Engineer.
101. **RED CURB AT DRIVEWAY ENTRANCES:** Street curbs adjacent to driveway entrances, including entrances to underground parking garages, shall be painted red a minimum of 10' in each direction, as determined and approved by the City Traffic Engineer. The specific areas of work shall be clearly identified and shown on the plans.
102. **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.

CURBS, SIDEWALKS, AND DRIVEWAYS

103. **DRIVEWAY APPROACH AND ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) may be provided to connect the proposed public sidewalk on each side of the proposed driveway. The specific areas of work shall be clearly identified and shown on the plans.
104. **CURB, GUTTER, SIDEWALK IMPROVEMENTS:** Replace the portion of existing monolithic sidewalk along Franklin Street with new landscape. 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. The specific limits of work shall be clearly identified and shown on the plans.

STREET TREES

105. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
106. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

UTILITIES

107. **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.
108. **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.
109. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
110. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, potable water services, recycled water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves,

manholes, and utility mains shall be shown on the plans. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. Recycled water and potable water shall have a minimum 10' horizontal separation from each other. New potable water and recycled water services shall have a minimum 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. 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.

111. **REUSE OF EXISTING SEWER LATERAL:** City records show the existing sewer lateral was constructed as part of the original development and may have outlived its useful life. Unless the applicant conducts a video inspection of the lateral and it is determined by the City to be in satisfactory condition for reuse, the construction of a new sewer lateral from the property line to the City main will be required, including the installation of a new property line sewer cleanout.

Prior to the issuance of any building permits, the applicant shall conduct a video inspection of the lateral. A representative from the Public Services Division must be present to observe the video inspection. Please contact the Public Services Division's Wastewater Supervisor at 650-903-6329 to schedule a City maintenance person to be present at time of video inspection.

After reviewing the recording, the City will determine if the lateral and/or cleanout requires replacement. If an existing cleanout is not present, a new cleanout shall be installed. If a new sewer lateral is required, it shall be installed with 10' minimum horizontal clearance from any existing trees to protect against root intrusion and 5' minimum horizontal clearance from the existing water service to protect against cross-contamination. The applicant shall submit an Excavation Permit Application for replacement/installation and pay any applicable fees prior to the issuance of any building permits.

112. **SANITARY SEWER CLEANOUT:** A one-way sanitary sewer cleanout shall be installed in accordance with City standards.
113. **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. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits.
114. **ON-SITE UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s) and shall be noted on the plans.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

115. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
116. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. Storm drain laterals from the site shall be installed with a property line inlet or manhole and connect to existing storm drain manholes or curb inlets if at all possible.

SOLID WASTE AND RECYCLING

117. **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."
118. **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. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.

119. **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."
120. **TRASH ENCLOSURE DESIGN AND DETAILS:** Include trash plan sheet and enclosure details on a separate sheet in the initial building plans.

This 11-unit residential property must have trash, recycling, and organics/composting service. Display on the plans the trash room layout, location, and dimensions to scale with minimum service levels: one 2-yard trash, two 96-gallon paper recycling, one 96-gallon container recycling, and one 64-gallon compost.

- The trash room shall have the minimum interior measures of approximately 16'2"x8'5-1/2", including interior curbs or footing. Trash room shall be 174.06 square feet.
- Trash room shall maintain 1' between bins, interior curbs, and walls in trash rooms. If there is no interior berm or curb, there shall be bumpers on the walls to avoid damage from bins hitting it. The trash room shall have a 6' wide gate and a minimum 9' interior vertical clearance to allow for the trash bin lid to open and close.
- The trash room must have signage with sorting instructions according to the City's programs and all signage approved by the Solid Waste Program Manager prior to installation.
- The path of travel to roll out the trash bin to the street for servicing must be flat and smooth. Bins will not be rolled over curbs, pavers, or stamped surfaces.
- There shall be a trash staging area that is 10'x4', including a curb or bumper to protect the building wall from damage from the trash bin hitting it. The staging area shall be a smooth, flat concrete surface and must be displayed and labeled on architectural, civil, and landscape plans.
- The driveway gate must be able to be secured in the fully open position while the driver is rolling the bin out of and back into the trash staging area. The gate must be a minimum of 4' wide. The driver shall perform roll-out service for the trash bin from the staging area to Franklin Street, where service will occur. The collection vehicle shall not drive onto the property to service. The trash collection route on Plan Sheet A-1.1 is not approved by the Solid Waste Program.
- Property maintenance shall be responsible for transporting all containers to and from the trash room for collection. The trash bin will be placed in the staging area and the carts will be placed curbside on Franklin Street. Bins and carts are to be removed promptly after collection and placed back inside the trash room.
- Trash rooms are for collection containers only and not for other storage and shall be labeled "Trash Room." Post "No Parking" sign in front of the trash room gate.
- Any movement of bins over 30' is subject to hauler rollout fees. The current rollout fee is \$0.75 per foot per container per month.
- Maintain overhead clearances of 15' in travelway and 22' at the point of collection.

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

121. **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: "While the Santa Clara Valley Water District (Valley Water) has records for most wells located in the County, it is always possible that a well exists that is not in Valley Water's records. If previously unknown wells are found on the subject property during development, they must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage."

122. **STREET CLEANING:** The owner/developer shall comply with and include the following note on the off-site, or grading/drainage, or utility plans: “The prime contractor or developer is to hire a street cleaning contractor to clean up dirt and debris from City streets that are attributable to the development’s construction activities. The street cleaning contractor is to have the capability of sweeping the streets with both a broom-type sweeper and a regenerative air vacuum sweeper, as directed by the Public Works Director or designated representative.”
123. **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. The Public Works Director shall make the determination of what public improvements are substantially complete.”

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.

124. **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.
125. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.
126. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
127. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
128. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigation for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
129. **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.
130. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the

area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.

131. **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." 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.

132. **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.

133. **SITE DESIGN MEASURES FOR SMALL PROJECTS AND DETACHED SINGLE-FAMILY HOMES:** Stormwater site design measures are required for the following project types: (1) residential and nonresidential projects that create or replace greater than 2,500 square feet of impervious surface and less than 10,000 square feet of impervious surface; and (2) detached single-family homes that create or replace greater than 2,500 square feet of impervious surface. Projects that meet either of these criteria are required to install one or more of the stormwater site design measures listed below:

- Direct roof runoff to cisterns or rain barrels for reuse.
- Direct roof runoff onto vegetated areas.
- Direct runoff from sidewalks, walkways, and/or patios onto vegetated areas.
- Construct sidewalks, walkways, and/or patios with permeable paving materials.
- Construct bike lanes, driveways, and/or uncovered parking lots with permeable paving materials.

Indicate the stormwater site design measure that will be installed for the project.

134. **FULL TRASH CAPTURE:** Projects located in "moderate," "high," or "very high" trash generating areas as outlined in the City's Long-Term Trash Load Reduction Plan that are undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. 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.

135. **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 will begin on the date of approval of this application by the City Council, 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/VK/CDD/FDG
PL-8889

DRAFT