

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

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APPLICATION NO.:

PL-2023-196

DATE OF FINDINGS:

December 13, 2023

EXPIRATION OF ZONING PERMIT:

December 13, 2025

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

Applicant's Name:

Christopher Hudec for Dog and Cat Skin Care, Inc.

Property Address:

Assessor's Parcel No(s).:

Zone:

1350 Grant Road, Unit 9

193-12-001

P(27)

Request:

Request for a Provisional Use Permit to allow an 1,840 square foot animal service establishment, a small animal dermatology veterinary practice, within the Grant Park Plaza shopping center; and a determination that the project is categorically exempt pursuant to Section 15301 ("Existing Facilities") of the CEQA Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The Provisional Use Permit to allow an animal service establishment in an existing 1,840 square foot commercial tenant space is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.48.25:

- A. The proposed use is conditionally permitted within the Grant-Phyllis Precise Plan as a use deemed similar to those listed as permitted uses and complies with all of the applicable provisions of Chapter 36 (Zoning) of the City Code, including requirements for Animal Service Establishments outlined in Section 36.30.35. The commercial tenant improvement proposed with this use permit incorporates noise attenuation and odor-control measures;
- B. The proposed use is consistent with the Mixed-Use Corridor Land Use Designation of the General Plan because the proposed use meets the Mixed-Use Corridor Land Use Designation's intention of promoting a broad range of commercial, office, and residential uses serving both surrounding neighborhoods and visitors from nearby areas. Further, it provides a commercial use that is appropriate to the site and is compatible with the existing retail and service uses in the shopping center;
- C. The location, size, design, and operating characteristics of the proposed use are compatible with the site and building character and environmental conditions of existing and future land uses in the vicinity because the proposed use is located in an existing tenant space within a shopping center which includes other businesses providing neighborhood-serving goods and services. This business will not include any overnight animal boarding services and will operate within hours similar to those of the existing tenants within the shopping center. The use will be conducted entirely within the tenant space and does not include any outdoor business operations that could potentially result in impacts to adjacent tenants or other surrounding properties;
- D. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the Precise Plan in which it is to be located because the animal service use is proposed within an existing tenant space of an appropriate size and character to accommodate the veterinary practice and no exterior modifications to the building are necessary to accommodate the use; and

Owner

Agent

File

Fire

Public Works

- E. The approval of the Provisional Use Permit complies with the California Environmental Quality Act (CEQA) as it qualifies as a categorically exempt project per Section 15301 (“Existing Facilities”) because the project consists of a new use in an existing building with no exterior building or site modifications.

This approval is granted to allow an 1,840 square foot animal service establishment within an existing commercial tenant space located on Assessor’s Parcel No. 193-12-001. 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 Saunders + Wiant Architects, Inc., date stamped October 20, 2023.
- b. Project/Business Description Letter prepared by Saunders + Wiant, Inc., date stamped November 21, 2023.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

Planning Division—650-903-6306 or planning.division@mountainview.gov

PERMIT SUBMITTAL REQUIREMENTS

1. **APPLICABILITY OF THIS PERMIT:** This Permit shall apply to any business/owner entity whose use and operational characteristics match those of the approved use. Intensification of the approved use shall require an amendment to this Permit. A change to a different permitted use may require a new Permit. This Permit shall continue to be valid upon a change of ownership/operator of the site, business, service, use(s), or structure that was the subject of this approval provided the new owner/operator agrees in writing to all applicable conditions and operating standards prior to reopening or maintaining the use or structure(s) under the new ownership. Any new owner/operator must submit a wet (original) signed letter to the Planning Division noting agreement with the enclosed conditions which includes notation of this permit number and the new business/operator name. This letter may be requested by the City at any time.
2. **EXPIRATION:** If the approved use does not commence within two years of this approval, subject to all applicable conditions and permits from applicable government agencies (inclusive of City permits), this approval shall be null and void.
3. **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).

PERMIT SUBMITTAL REQUIREMENTS

4. **TENANT IMPROVEMENTS:** Details of interior tenant improvements are to be shown on building permit drawings and shall be reviewed for consistency with the operational characteristics of the proposed use by the Zoning Administrator, or designee, prior to permit issuance.
5. **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.
6. **REVISIONS TO THE APPROVED PROJECT:** Minor revisions to the approved plans shall require approval by the Zoning Administrator. Major modifications as determined by the Zoning Administrator shall require a duly noticed public hearing, which can be referred to the City Council.
7. **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.

OPERATIONS

8. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
9. **DAYS/HOURS OF OPERATION:** The approved days and hours of operation are Monday through Friday from 8:00 a.m. to 8:00 p.m. Any proposed change to the approved days and/or hours of operation will require review and approval by the Zoning Administrator and may require a modification to this permit.
10. **ANIMAL BOARDING:** This permit does not allow for long-term or overnight animal boarding. **(PROJECT-SPECIFIC CONDITION)**

SITE DEVELOPMENT AND BUILDING DESIGN

11. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows must maintain a minimum 75% transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
12. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
13. **ODORS:** The animal service establishment shall not create adverse odor impacts. The building shall be properly ventilated, and the exhaust shall be filtered so that the odor cannot be detected at the exterior of the building or on surrounding properties. The building permit plans shall include details for exhaust air filtration and venting equipment prior to issuance of a building permit. **(PROJECT-SPECIFIC CONDITION)**

GREEN BUILDING

14. **GREEN BUILDING—TENANT IMPROVEMENTS:** All nonresidential tenant improvements, including building additions of 1,000 square feet or greater, and/or building alterations with a permit valuation of \$200,000 or above, must meet the mandatory measures of the California Green Building Standards Code and Title 24, Part 6.

NOISE

15. **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.
16. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.
17. **NOISE LEVELS:** Construction drawings must confirm that measures have been taken to reduce any animal or related business noise to inaudible outside the tenant space. The plans shall be reviewed and approved by a qualified acoustical consultant, and verification of conformance to this requirement shall be submitted by the applicant with the building permit for review and approval prior to issuance of a building permit. **(PROJECT-SPECIFIC CONDITION)**

CONSTRUCTION ACTIVITIES

18. **INDOOR FORMALDEHYDE REDUCTIONS:** If the project utilizes composite wood materials (e.g., hardwood plywood, medium density fiberboard, particleboard) for interior finishes, then only composite wood materials that are made with CARB approved, no-added formaldehyde (NAF) resins, or ultra-low emitting formaldehyde (ULEF) resins shall be utilized (CARB, Airborne Toxic

Control Measure to Reduce Formaldehyde Emissions from Composite Wood Products, 17 CCR Section 93120, *et seq.*, 2009-2013).

Building Division—650-903-6313 or building@mountainview.gov

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

19. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2022 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
20. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
21. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
22. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
23. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC, Chapter 7, Table 706.4(c), as amended in MVCC Section 8.10.24.
24. **MEANS OF EGRESS:** The project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
25. **OCCUPANT LOAD:** The project shall comply with Table 1004.5, Maximum Floor Area Allowance per Occupant, per the CBC, Chapter 10, Section 1004.
26. **ACCESSIBLE MEANS OF EGRESS:** The site must meet accessible means of egress per the CBC, Chapter 10, Section 1009.
27. **EXIT DISCHARGE:** The project shall comply with the exit discharge requirements per the CBC, Chapter 10, Section 1028.
28. **ACCESSIBILITY REQUIREMENTS:**
 - **Chapter 11A:** The project will be required to comply with the accessibility requirements in the CBC, Chapter 11A.
 - **Parking (Chapter 11B):** The project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
29. **PLUMBING FIXTURES:** The project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
30. **FIRE ACCESS LANE(S):** The site must always meet/maintain the existing fire access lane(s).
31. **COMMERCIAL TENANT IMPROVEMENTS:** The tenant improvements for the commercial space(s) will be required to obtain a separate building permit(s).
32. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.

33. **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.
34. **WORK HOURS/CONSTRUCTION SITE SIGNAGE:** No work shall commence on the job site prior to 7:00 a.m. nor continue later than 6:00 p.m., Monday through Friday, nor shall any work be permitted on Saturday or Sunday or any holiday unless prior approval is granted by the Chief Building Official. The general contractor, applicant, developer, or property owner shall erect a sign at all construction site entrances/exits to advise subcontractors and material suppliers of the working hours (see job card for specifics) and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.70 of the MVCC and/or suspension of building permits.

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

FIRE PROTECTION SYSTEMS AND EQUIPMENT

35. **FIRE SPRINKLER SYSTEM TENANT IMPROVEMENT:** The automatic fire sprinkler system shall be altered as necessary to accommodate interior improvements. Shop-quality drawings shall be submitted electronically for review and approval prior to installation. All new and/or existing water flow indicators and system control valves shall be monitored by a central station monitoring alarm company. All work shall conform to NFPA 13, NFPA 72, and Mountain View Fire Department specifications.
36. **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.)

FIRE DEPARTMENT ACCESS

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

EGRESS AND FIRE SAFETY

38. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the electrical plan sheets in the drawing sets. (California Building Code, Section 1008.)
39. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.)

HAZARDOUS CONDITIONS

40. **HAZARDOUS PROCESSES:** Comply with all applicable provisions of the California Fire Code and the California Building Code. Submit a completed FPE—Hazardous Materials Inventory Statement. FPE—Hazardous Materials Inventory Statements shall be obtained from the Building Division and submitted for review by the Fire Protection Engineer. Additional hazardous materials forms, disclosure statements, and/or other documentation will be required by the Fire and Environmental Protection Division of the Fire Department online at www.mountainview.gov/fep.
41. **MEDICAL GAS SYSTEMS:** Medical gas systems shall comply with the California Fire Code, Section 5306.

EXTERIOR IMPROVEMENTS

42. **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.)

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

STREET IMPROVEMENTS

43. **EXCAVATION PERMIT:** If needed, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the Public Works Department website at: www.mountainview.gov/landdevelopment. All work within the City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.

UTILITIES

44. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City potable water and recycled water services. Backflow preventers shall be located directly behind the water meter or as reasonably close as possible at a location preapproved by the Public Services Division. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. A minimum 3' clearance shall be provided around each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.

45. **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.

46. **SANITARY SEWER CLEANOUT:** A one-way sanitary sewer cleanout shall be installed in accordance with City standards.

SOLID WASTE AND RECYCLING

47. **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."

48. **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.

49. **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."

50. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the initial building plans and include:
- The property management shall provide adequate shared trash and recycling service for all 21 tenants. The hauler, Recology, indicates existing service levels of one 3-yard trash, six times per week, and one 3-yard recycle, five times per week.
 - To comply with the mandatory composting ordinance, the business should apply for a waiver from these requirements if the business generates a “de minimis amount” or less than 20 gallons of total compostable material weekly. The waiver form is available online at MountainView.gov/ZeroWasteBusiness.
 - Alternatively, there is an existing two-yard compost bin service on-site through the property management account and, with their permission, compostables from the employee breakroom in your office could be diverted into that container.
 - The pet clean-up waste station with bags and a disposal bin for owners to clean up their pet waste shall be emptied daily by the business into the property management provided trash three-yard bin. The approved location of this waste station outside the suite entrance or inside the business shall be determined by the City’s Planning Division.
 - Overhead clearance for travel way must be no less than 15’ from finished grade to structural appurtenances (e.g., cameras, sprinklers, electrical). Overhead clearance in the collection area must be no less than 22’. **(PROJECT-SPECIFIC CONDITION)**

CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

51. **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.”
52. **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.”
53. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.”

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

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

AARON HOLLISTER, DEPUTY ZONING ADMINISTRATOR

AH/MF/4/FDG/PL-2023-196