

**CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2026**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
CONDITIONALLY APPROVING A VESTING TENTATIVE MAP TO CREATE 30 RESIDENTIAL LOTS
WITH 195 CONDOMINIUM UNITS AND 26 COMMON LOTS ON A 10-ACRE SITE AT
515-545 NORTH WHISMAN ROAD (APN 160-54-002 AND 160-54-003)**

WHEREAS, on March 11, 2025, the applicant, Brian Griggs submitted a preliminary application pursuant to Section 65941.1 of the Government Code and subsequently filed an application (PL-11346) on behalf of Stonelex, LLC, for a Planned Community Permit, Development Review Permit, and Provisional Use Permit to construct 195 three-story rowhouses; a Heritage Tree Removal Permit to remove 137 Heritage trees; and a Vesting Tentative Map to create 56 parcels and 195 condominium units on a 10-acre site; and

WHEREAS, the subject property has a General Plan Land Use Designation of East Whisman Mixed-Use; and

WHEREAS, the subject property is located in the P(41) East Whisman Precise Plan; and

WHEREAS, as authorized by the Quimby Act, Government Code Section 66477, the City of Mountain View has adopted a standard of providing parks and recreational facilities to its residents at a ratio of three acres per 1,000 residents. Increases in population due to new residential development place additional burdens on City parks and recreational facilities and negatively impact the City's standard of providing parks and recreational facilities to its residents at a ratio of three acres per 1,000 residents; and

WHEREAS, this development project is located within the Whisman Planning Area. Currently, approximately 9,780, or 11%, of the approximately 86,121 residents of Mountain View live within the Whisman Planning Area. To meet the City's three-acres-per-thousand-residents standard, the City must provide approximately 258 acres of parks and recreational facilities for the entire City, with approximately 29 acres located within the Whisman Planning Area. Currently, the Whisman Planning Area has only 18.81 acres of parks and recreational facilities, which means there is a 10.19-acre deficit; and

WHEREAS, in accordance with the City-adopted density formula, this 195-unit development project will add approximately 390 new residents to the City and the population within the Whisman Planning Area. Applying the exemption for the provision of affordable housing as required by the City Code and using the 0.0060-acreage-per-dwelling-unit factor adopted by the City, the applicant is required to dedicate 1.00 acre of land or pay a fee in lieu thereof to offset the burden the additional residents will place on the City's parks and recreational facilities.

Because this applicant is not dedicating the land necessary to offset the impact of the new units subject to the park land dedication requirements, the current 10.19-acre park and recreational facility deficit within the Whisman Planning Area will increase to 11.19 acres; and

WHEREAS, based on a fair-market land value of \$9,500,000 per acre, it will now cost the City \$106,324,000 to provide parks and recreational facilities at a ratio of three acres per 1,000 residents within the Whisman Planning Area. Because the additional residents generated by this project will make up approximately 4% of the population within the Whisman Planning Area, the applicant's proportional share of the total cost the City will now incur to provide parks and recreational facilities at a ratio of three acres per 1,000 residents within the Whisman Planning Area is \$4,252,960; and

WHEREAS, the fair-market land value of \$9,500,000 per acre represents the lowest price per acre in the range of values for Medium-High and High-Density (26+ dwelling units per acre (du/ac)) development per the Fiscal Year 2024-25 City of Mountain View Master Fee Schedule; and

WHEREAS, the City has established that the Park Land Dedication In-Lieu Fee has an "essential nexus" to the City's legitimate interest of providing parks and recreational facilities necessary to serve new growth, and the amount of the fee is roughly proportionate to the City's costs of providing park and recreational facilities at the three acres per 1,000 residents ratio to serve new development. The Park Land Dedication In-Lieu Fee will not exceed the estimated reasonable cost of providing park and recreational facilities for which the fees are imposed; and

WHEREAS, the Environmental Planning Commission held a duly noticed public hearing on February 4, 2026 on said application and recommended the City Council conditionally approve the Vesting Tentative Map based on the findings and subject to the conditions of approval attached hereto; and

WHEREAS, the City Council held a duly noticed public hearing on _____ on said application and received and considered all evidence presented at said hearing, including the recommendation from the Environmental Planning Commission, the City Council report, project materials, testimony, and written materials submitted, and determined that the Vesting Tentative Map is consistent with the applicable zoning and subdivision requirements in the General Plan and the City Code; and

WHEREAS, on that same date, the City Council adopted a companion resolution conditionally approving a Planned Community Permit, Development Review Permit, Density Bonus Application, Provisional Use Permit, and a Heritage Tree Removal Permit and finding the project to be in compliance with the California Environmental Quality Act (Public Resources Code, Section 21000, *et seq.*) (CEQA) as it is statutorily exempt from review pursuant to Section 21080.66 of the Public Resources Code ("Urban Infill Exemption"); and

WHEREAS, subdivision of the property will facilitate the development of the project site consistent with applicable provisions of the General Plan; now, therefore, be it

RESOLVED: that the above recitals are correct and are material to this Resolution and are incorporated into this Resolution as findings of the City Council; and be it

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

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Vesting Tentative Map (Application No. PL-11346):

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans (Gov. Code Sections 66473.5, 66474). The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan Land Use Designation for the site of East Whisman Mixed Use, including all applicable requirements therein, except for floor area ratio (FAR), which is waived under State Density Bonus Law. While the project exceeds the 1.0 FAR maximum in the General Plan, under the Housing Accountability Act, the use of a density bonus, concession, or waiver does not constitute a valid basis for finding a project inconsistent with the General Plan and Zoning Ordinance. In addition, the subdivision provides for the dedication of new public access easements for pedestrians, which would integrate the development with the existing and proposed pedestrian and bicycle network in the area, consistent with the Designation's intent for pedestrian and bike paths to connect the area to surrounding office campuses and other areas. The project is also consistent with General Plan policies aimed at ensuring adequate and safe utility services, such as Policies INC 1.3 (Utilities for new development) and INC 1.5 (Utility service), as well as policies for incorporating new sidewalks and improvements to prioritize pedestrian circulation (INC 3.4, Right-of-way regulations). In addition, the project is also consistent with applicable development standards in the East Whisman Precise Plan, which do not include those that are waived under State Density Bonus Law. The project complies with provisions for pedestrian access through the site, setbacks of structures, and the dimensions of paseos, service streets, and alleys;

2. The site is physically suitable for the type and density of development (Gov. Code Section 66474). The site is physically suitable for the type and intensity of the land use being proposed since it complies with allowed uses of the P(41) East Whisman Precise Plan and the applicable General Plan Land Use Designation, which envision residential uses that include rowhouses. Although the proposed floor area ratio exceeds the maximum allowed by the General Plan and East Whisman Precise Plan, the project is proposing additional FAR as a waiver pursuant to State Density Bonus Law, and the proposed site design adequately accommodates and/or makes improvements to vehicle and pedestrian circulation to meet or exceed requirements for life safety, City services, and the needs of existing/future residents and site users. Specifically, the property is a relatively flat lot with planned improvements for all required

utility services and on-/off-site pedestrian circulation and necessary vehicle and City service access. Further, the site is large enough with suitable dimensions to accommodate the proposed project in compliance with all applicable East Whisman Precise Plan development standards, except those that are waived under State Density Bonus Law. While the project site is located in the Environmental Protection Agency (EPA) Middlefield-Ellis-Whisman (MEW) Study Area with soil and groundwater contamination, the property will provide required remediation and mitigation, such as soil vapor barriers, to ensure the proposed development is safe for residential purposes;

3. The proposed design of the subdivision and improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat (Gov. Code Section 66474). The City prepared a peer review of Assembly Bill (AB) 130 CEQA Exemption Site Analysis Memorandum dated November 19, 2025 (incorporated by reference as though fully set forth herein), which demonstrates the project's compliance with the eligibility criteria and concludes that the project is statutorily exempt from CEQA under Section 21080.66 of the Public Resources Code ("Urban Infill Exemption"). The project site is in a developed and urbanized area and is located more than 500' from the Stevens Creek riparian area. No rare, threatened, endangered, or special-status species are known to inhabit the project area. There are no undisturbed areas or sensitive habitats, and the project area itself does not contain any streams, waterways, or wetlands. The nearest waterway, Stevens Creek, is located approximately one-half mile west of the Precise Plan area (EWPP EIR, Section 3.3.1.2). To minimize adverse effects on native and migratory bird species, the project will incorporate design measures to promote bird safety and is consistent with the General Plan and East Whisman Precise Plan Environmental Impact Report (EIR) Mitigation Monitoring and Reporting Program. The project will be required to comply with the City's standard tree replacement requirements, as outlined in the City Code and City standard conditions of approval, as well as standard requirements to avoid removal of trees with nesting birds. The project will comply with all applicable health and safety codes and regulations intended to manage potential environmental damage from development, including, but not limited to, basic construction measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions and any airborne toxics generated by project construction, construction noise management requirements and standard conditions of approval of the City, and water quality regulations established per the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Thus, the project would not cause environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;

4. The design of the subdivision and its improvements will not cause serious public health problems (Gov. Code Section 66474). The design of the subdivision and the proposed improvements are not likely to cause serious health problems because the project will be consistent with the applicable policies included in the General Plan, as summarized in Finding 1 above, and the City Code and will be subject to standard conditions of approval to protect public health, safety, convenience, and welfare, which include compliance with applicable Building and Fire codes to ensure on-site improvements provide for safe habitation. The proposed plans, as conditioned, also meet applicable requirements for emergency and solid waste service, and

proposed public (off-site) improvements are designed to meet applicable City design standards and City Code intended to manage and avoid public health impacts;

5. **The design of the subdivision and its improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the subdivision (Gov. Code Section 66474).** The subdivision and improvements, as conditioned, will not conflict with existing easements. Also, the proposed subdivision includes new public access easements providing circulation through and use of the property;

6. **For a proposed subdivision with more than five hundred (500) dwelling units, water will be available and sufficient to serve the proposed subdivision in accordance with Section 66473.7 of the Subdivision Map Act (Gov. Code Section 66473.7).** This finding does not apply because the project proposes only 195 dwelling units;

7. **The discharge of waste from the proposed subdivision into the sewer system will not violate regional water quality control regulations (Gov. Code Section 66474.6).** The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations;

8. **The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities (Gov. Code Section 66473.1).** The subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities; and

9. **The City has considered the effects on housing needs of the region in which the local jurisdiction is situated and balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code Section 66412.3).** In approving the Vesting Tentative Map, the City Council has considered its effect upon the housing needs of the region balanced with the public service needs of Mountain View residents and available fiscal and environmental resources. Further, the City has an adopted and certified Housing Element which has considered these issues in its evaluation of the regional housing needs allocation (RHNA) and found that growth including and beyond these units can be built while maintaining the public service needs of its residents and available fiscal and environmental resources; and be it

FURTHER RESOLVED: that the Vesting Tentative Map (PL-11346) based on the findings above and subject to the subdivider's compliance with and fulfillment of all of the conditions of approval, which are attached hereto and incorporated herein by reference.

TIME FOR JUDICIAL REVIEW

The time within which judicial review of this decision must be sought is governed by California Code of Civil Procedure, Section 1094.6, as established by Resolution No. 13850, adopted by the City Council on August 9, 1983.

NOTICE

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

CDD/SI-02-04-26r-1

Exhibits: A. Subdivision Conditions
B. Vesting Tentative Map

**SUBDIVISION CONDITIONS
APPLICATION NO.: PL-11346
515-545 NORTH WHISMAN ROAD**

FINAL MAP

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

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

4. **MAP DOCUMENTS:** Prior to the approval and recordation of the map, submit a subdivision guarantee, Santa Clara County Tax Collector's letter regarding unpaid taxes or assessments, and subdivision security if there are unpaid taxes or special assessments.
5. **FINAL MAP APPROVAL:** A final map shall be signed and notarized by the owner and engineer/surveyor and submitted to the Public Works Department. In order to place the approval of a final map on the public hearing agenda for the City Council, all related materials and agreements must be completed, signed, and received by the Public Works Department 60 calendar days prior to the Council meeting date. After City Council approval, the City Engineer will sign the map. The applicant's title company shall have the Santa Clara County Recorder's Office record the original and shall provide a Xerox Mylar copy of the map to be endorsed by the Santa Clara County Recorder's Office. The endorsed Xerox Mylar copy and a PDF shall be returned within one week after recording the map to the Public Works Department.

RIGHTS-OF-WAY

6. **PUBLIC ACCESS EASEMENTS (CONNECTIONS THROUGH SITES):** Prior to issuance of any building permits and prior to approval of a final map, the owner shall dedicate a public access easement (PAE), covenants, agreements, and deed restrictions on private property. The dedication shall indicate that:
 - a. Public access shall be granted for nonautomotive use at all times;

- b. The owner shall maintain, inspect, and monitor the PAE improvements in good order, condition, and repair and in compliance with the Americans with Disabilities Act (ADA);
- c. The PAE shall run with the land and be binding upon any successors;
- d. If the owner shall fail to abide by the PAE, the owner agrees to pay all reasonable costs and expenses incurred by the City in enforcing the performance of such obligations; and
- e. The owner agrees to defend and hold the City and the City's officers, employees, and agents harmless from any liability for damage or claims for damage for personal injury, including, but not limited to, death and/or property damage caused by negligent acts, errors, or omissions in the performance of services or operations under the dedication, including maintenance operations performed on the PAE by the owner or the owner's contractors, subcontractors, agents, or employees.

A legal description (metes and bounds) and plat map (drawing) of: (1) the owner's property; and (2) the PAE area shall be prepared by the owner in accordance with the City's Legal Description and Plat Requirements and submitted to the Public Works Department for review and approval.

- 7. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Behind the existing 5' wide PUE, dedicate a 1' wide public utility easement (PUE) (this supersedes the plan set), and various 10' wide segments along project street frontage(s) for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication facilities, and in compliance with Section 28.9.05 (Easements) of the City Code. Utility boxes and vaults are not allowed to encroach into the public sidewalk and must fit either entirely within the landscape strip or within the PUE. The property owner or homeowners association shall maintain the surface improvements over the easement and must not modify or obstruct the easement area in a manner contrary to the intent of the easement. The dedication statement shall specify the PUE shall be kept free and clear of buildings and other permanent structures/facilities, including, but not limited to, the following: garages, sheds, carports, and storage structures; balconies and porches; retaining walls; C.3 bioretention systems; and private utility lines running longitudinally within the PUE.
- 8. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) on the face of the map to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
- 9. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements on the face of the map, as necessary within the private street, for the common private street and utility improvements.
- 10. **UTILITY EASEMENT AND APPROVALS:** Dedicate utility easements, as required by the utility companies and as approved by the Public Works Director. All street and public service easement dedications are to be shown on a final map. The subdivider shall submit two copies of the map to PG&E, AT&T (SBC), and Comcast for their review and determination of easement needs. The public service easement dedications must be approved by the utility companies prior to the approval of a final map.

ASSESSMENTS, FEES, AND PARK LAND

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

13. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits OR prior to approval of a final map, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.

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

14. **TRANSPORTATION IMPACT FEE:** Prior to the issuance of any building permits or prior to the approval of the final map, the applicant shall pay the transportation impact fee for the development in accordance with Chapter 43 (Citywide Transportation Impact Fee) of the City Code and California Government Code Section 65589.5(s). If the project qualifies under California Government Code Section 66007(c)(4), the project may request the deferral of the payment of this fee until final inspection granting occupancy.

15. **PARK LAND DEDICATION FEE:** Prior to the final inspection that grants occupancy, the applicant shall pay a Park Land Dedication In-Lieu Fee of \$4,252,960 for the 167 net new residential units subject to the fee. This fee is based on a land value of \$9,500,000 per acre, as established in Chapter 41 of the City Code, and represents the project's proportional share of the cost of providing three acres of park and recreational space per 1,000 residents.

STREET IMPROVEMENTS

16. **PUBLIC AND PRIVATE COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements that are for a subdivision and as required for the subdivision and as required by Chapters 27 and 28 of the City Code (e.g., the detached 8' sidewalk and 6' landscape strip, off-site C.3 improvements, corner ramps, bike lane and roadway striping and overlay improvements, and new utility connections).

- Improvement Agreement:** Prior to the approval of a final map, the property owner must sign a Public Works Department improvement agreement for the installation of the public and private common improvements.
- Bonds/Securities:** Prior to the issuance of any building permits or approval of the final map, the property owner must sign a Public Works Department faithful performance bond (100% of Infrastructure Quantities) and materials/labor bond (100% of Infrastructure Quantities), or provide a cash deposit (100% of Infrastructure Quantities), or provide a letter of credit (150% of Infrastructure Quantities) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office in accordance with Section 27.39 of the City Code. The surety (bond company) must be listed as an acceptable surety on the most current Department of the Treasury's Listing of Approved Sureties on Federal Bonds, Department Circular 570. This list of approved sureties is available at: www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm. The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.
- Insurance:** Prior to the approval of a final map, the property owner must provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Contractor's Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.

17. **INFRASTRUCTURE QUANTITIES:** For projects with off-site improvement plans, submit with the first submittal of the building permit and improvement plans a preliminary construction cost estimate indicating the quantities of street and utility

improvements. A separate construction cost estimate shall also be submitted with the first submittal of the building permit and improvement plans for private common street and utility improvements for Common Green and Townhouse-Type Condominium developments. The construction cost estimate is used to estimate the cost of street and utility improvements and to determine the Public Works plan check and inspection fees. The construction cost estimate shall be prepared by the civil engineer preparing the improvement plans.

18. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, Section 27.60 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way.

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

Off-site improvement plans, an initial plan check fee, and map plan check fee based on the Public Works fee schedule, Improvement Plan Checklist, and items noted within the Checklist must be submitted together as a separate package concurrent with the first submittal of the building plans and a final map. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

The off-site plans must be approved and signed by the Public Works Department. After the plans have been signed by the Public Works Department, two full-size and two half-size black-line sets, one PDF of the signed/stamped plan set, and a USB flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the approval of a final map. CAD files shall meet the City's Digital Data Submission Standards.

19. **PRIVATE COMMON IMPROVEMENT PLANS:** Prepare on-site common improvement plans consisting of the proposed demolition, fill, grading, retaining walls, drainage, private streets, common driveways, common utilities, public utilities, and other applicable improvements in accordance with Chapter 28 of the City Code, the Standard Design Criteria for Common Green and Townhouse-Type Condominiums, and the conditions of approval of the subdivision. The plans are to be drawn on 24"x36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer. Where both public and common improvement plans are required, the plans shall be combined into one set of plans. The improvement plans, Improvement Plan Checklist, and items noted within the checklist must be submitted together as a separate package concurrent with the first submittal of the building plans and a final map. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs). The improvement plans must be approved and signed by the Public Works Department. After the improvement plans have been signed by the Public Works Department, one full-size and one half-size black-line sets, one PDF of the signed/stamped plan set, and a USB flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the approval of a final map. CAD files shall meet the City's Digital Data Submission Standards.
20. **SUBDIVISION AND DESIGN CRITERIA PROVISIONS:** It is the applicant's responsibility to comply with relevant provisions of Chapter 28 of the City Code and with the City's Design Criteria for Common Green Developments and Townhouse-Type Condominiums.

UTILITIES

21. **ON-SITE UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner(s).

22. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new electric and telecommunication facilities serving the site are to be placed underground, including transformers. The undergrounding of the new overhead electric and telecommunication lines is to be completed prior to the issuance of a Certificate of Occupancy for any new buildings within the site. If allowed by the City, aboveground transformers, power meters, and pedestals shall be located so they are screened in the least visible location from the street or to the general public. This supersedes the plan set.
23. **JOINT UTILITY PLANS:** Upon first submittal of the building permit and improvement plans, the improvement plans shall include joint utility plans showing the location of the proposed electric, gas, and telecommunication conduits and associated facilities, including, but not limited to, vaults, manholes, cabinets, pedestals, etc. Appropriate horizontal and vertical clearances in accordance with PG&E requirements shall be provided between gas transmission lines, gas service lines, overhead utility lines, street trees, streetlights, and building structures. These plans shall be combined with and made part of the improvement plans. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Dedicate utility easements that are necessary for the common utility on the final map. During joint trench design, the applicant shall provide advance written notification(s) to owners and tenants of adjacent and affected properties describing the nature of the proposed improvements and estimated project duration, as determined necessary by the Public Works Department. The notice(s) must be approved by the City prior to distribution.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

24. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the residential buildings from being flooded in the event the storm drainage system becomes blocked or obstructed. Show and identify path of surface water release on the improvement plans.

COVENANTS, CONDITIONS, AND RESTRICTIONS (CC&Rs)

25. **CC&Rs:** Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association, together with a completed CC&R checklist, shall be submitted to and approved by the City Attorney's Office and the Community Development Department prior to approval and recordation of the map. Said covenants shall include and stipulate all of the standard provisions which are shown on the attached sheet. The checklist and proposed CC&Rs shall be annotated to show exactly where each of the standard provisions have been incorporated into the CC&R document.
26. **CC&Rs, PRIVATE UTILITY MAINTENANCE PLAN AND SANITARY SEWER OVERFLOW PLAN:** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision that the homeowners association (HOA) prepare a private utility maintenance plan for on-site water, sanitary sewer, and storm drainage facilities. The maintenance plan shall include elements, such as, but not limited to, flushing of the sanitary sewer and storm lines, cleaning of storm drain inlets and grates, and inspection of the water system (including flushing and exercising of valves and blowoffs). The CC&Rs shall also include a provision that the HOA prepare a sanitary sewer overflow plan, which includes elements such as 24-hour contact information, response times, confinement, and methods to contain and remediate spills. A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
27. **CC&Rs, GARBAGE PICKUP (INDIVIDUAL SERVICE):** The Covenants, Conditions, and Restrictions (CC&Rs) shall include a provision stating homeowners are responsible for bringing their garbage, recycling, and compost carts to the curb along the private street on garbage collection days. An exhibit indicating the location of the carts on pick-up day shall be included. A copy of the CC&Rs with this provision shall be submitted to the Community Development Department for review and approval by the Public Works Department.
28. **CC&Rs, CART PLACEMENT:** Containers must be set out a minimum distance of 1' in front of the garage door and overhang and must not block the 17' wide drive aisle and/or sidewalk on collection day. The minimum travelway width from curb to curb shall be 23'. Cart placement must be at least 2' from any gas or water meters/lines. Maintain 22' vertical clearance at the point of collection.

Show the set-out locations of individual trash, recycling, and compost carts on the collection day. Alternative placement for carts shall be provided for the last two homes on the dead ends of N Alley, C Street, F Alley, and K Alley, to avoid multiple backing maneuvers by the waste hauler. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.

29. **CC&Rs, CART STORAGE:** Per City Code Section 16.21, carts shall be stored inside garage at all times with the exception of 24 hours prior to and 24 hours after designated collection day when carts may be set out in front of garage. This requirement shall be stated in the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision marked or highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.

OTHER APPROVALS AND EXPIRATION

30. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Planned Community Permit, Development Review Permit, and Provisional Use Permit (Application No. PL-11346). All conditions of approval imposed under that application shall remain in full force and effect and shall be met prior to approval of a final map.
31. **APPROVAL EXPIRATION:** If the map is not completed within 24 months from the date of this approval, this map shall expire. The map is eligible for an extension of an additional 24 months, provided the application for extension is filed with the Planning Division by the applicant prior to the expiration of the original map. Upon filing a timely application for extension, the map shall automatically be extended for 60 days or until the application for the extension is approved, conditionally approved, or denied, whichever occurs first. Notwithstanding any automatic extension period authorized in the Subdivision Map Act, the City may, upon the subdivider's application filed before the Vesting Tentative Map expiration date, extend its life in accordance with state law and Section 28.19.75 of the Municipal Code.