

CITY OF MOUNTAIN VIEW
RESOLUTION NO. 18972
SERIES 2025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOUNTAIN VIEW
CONDITIONALLY APPROVING A VESTING TENTATIVE MAP TO
COMBINE FIVE EXISTING PARCELS AND CREATE 27 PARCELS, INCLUDING
22 RESIDENTIAL PARCELS AND FIVE COMMON PARCELS ON A 2.51-ACRE LOT
AT 301, 309, 317, AND 323 MOORPARK WAY AND 301 SYLVAN AVENUE
(APN: 161-05-003, 161-05-004, 161-05-005, 161-05-006, AND 161-05-007)

WHEREAS, an application (Application No. PL-2023-204) was received from Josh Vrotsos of Dividend Homes, Inc. ("Applicant") for a Development Review Permit and Special Design Permit to construct a 22-unit single-family home development utilizing State Density Bonus Law and a Heritage Tree Removal Permit to remove 26 Heritage trees on a 2.51-acre site located at 301, 309, 317, and 323 Moorpark Way and 301 Sylvan Avenue; and

WHEREAS, on the same date, the applicant submitted an application an application (Application No. PL-2023-205) for a Vesting Tentative Map to combine five existing parcels and create 27 parcels including 22 residential parcels and five common parcels for the 22-unit single-family homesdevelopment; and

WHEREAS, the subject property has a General Plan Land Use Designation of Low Density Residential; and

WHEREAS, the subject property is located in the R1-10sd (Single-Family Residential/Special Design) Zoning District; and

WHEREAS, the General Plan sets a goal for an expanded and enhanced park and open space system to meet current City needs for parks and open space based on population growth arising from new residential development. New residential subdivisions have a significant impact on the use and availability of park and recreation space and facilities; and

WHEREAS, this project is associated with a new residential subdivision and is, therefore, subject to the City's Park Land Dedication Ordinance (Chapter 41 of the Mountain View City Code (City Code)), which requires dedication of park land in the amount of three acres per 1,000 residents or payment of an in-lieu fee; and

WHEREAS, a park land dedication or payment of a Park Land Dedication In-Lieu Fee is critical to provide needed park facilities for the occupants of this project because it is located in the Sylvan-Dale Planning Area identified in the 2014 Parks and Open Space Plan, which is an area having a deficiency of 10.14 acres of park land for existing residents of the area based on the

General Plan standard of 3.0 acres of park land per 1,000 residents. The Sylvan-Dale Planning Area is currently developed with 9.05 acres of park land where 19.18 acres of park land is required to serve the current population. Therefore, there currently are not adequate park land facilities available for occupants of this project, and additional park facilities are necessary; and

WHEREAS, the Zoning Administrator and Subdivision Committee held a duly noticed public hearing on February 12, 2025 on said application and recommended the City Council conditionally approve the Vesting Tentative Map, Development Review Permit, Special Design Permit, and Heritage Tree Removal Permit for the project, subject to the attached findings and conditions of approval, attached hereto; and

WHEREAS, the City Council held a duly noticed public hearing on March 13, 2025 on said application and received and considered all evidence presented at said hearing, including the recommendation from the Subdivision Committee and Zoning Administrator, the City Council report, and project materials, 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 Development Review Permit, Density Bonus Application, Special Design Permit, and Heritage Tree Removal Permit and finding the project exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 and Section 15302; 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, based on substantial evidence in the record, the City Council of the City of Mountain View (City) finds the project to be categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (“In-Fill Development”) and Section 15302 (“Replacement or Reconstruction”) as set forth in the companion resolution and as described in further detail below; and be it

FURTHER RESOLVED: that the City Council hereby makes the following findings regarding the Vesting Tentative Tract Map (Application No. PL-2023-205):

- A. **The proposed subdivision, together with the provisions for its design and improvement, is consistent with applicable general and specific plans. (Gov. Code §§ 66473.5, 66474)**
The subdivision is compatible with General Plan policies—specifically, the project supports the General Plan Policies LUD 3.5 (Diversity) by providing housing for a range of diverse households and incomes, LUD 6.1 (Neighborhood character), 6.3 (Street presence), and LUD 6.5 (Pedestrian and bicycling improvements) by providing frontage improvements, including new utility connections, new landscaping, and new curb, gutter, and sidewalks;

B. **The site is physically suitable for the type and density of development. (Gov. Code § 66474)** The site is physically suitable for the proposed 22-unit single-family residential development as the underlying R1 zoning and the Low-Density Residential General Plan Land Use Designation allow single-family development in this area. The proposed site plan is developed with units facing an interior street and tree plantings proposed along the perimeter creating development patterns similar to adjacent residential developments. Although the proposed project density exceeds the permitted density of six dwelling units per acre under the General Plan, the project is providing two very low-income units (12% of the base project of 16 units) and qualifies for a 38.75% density bonus (seven additional units) under State Density Bonus Law. The proposed site design adequately accommodates vehicle, pedestrian, and bicycle circulation to meet requirements for life safety, City services, and occupants of the project. Additionally, the proposed Subdivision Map facilitates the construction of a new 22-unit single-family development that can be fully served by the physical infrastructure and services provided within the City;

C. **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 § 66474)** The design of the subdivision and the proposed improvements, as conditioned, will not cause environmental damage or substantially and avoidably injure fish or wildlife or their habitat as the project site complies with the California Environmental Quality Act (CEQA) as a categorically exempt project under CEQA Guidelines Section 15332 (“In-Fill Development”) and Section 15302 (“Replacement or Reconstruction”) and none of the exceptions in CEQA Guidelines Section 15300.2 apply. In addition, the project site has no value as habitat for endangered, rare, or threatened species. The project site is currently developed with residential and commercial uses. Vegetation on the site consists of landscape trees and fruit trees. The project will be required to comply with the City’s standard tree replacement requirements outlined in the City Code and the City’s standard conditions of approval.

No species identified as a candidate, sensitive, or special status species are known to occur at the site location, and no sensitive or jurisdictional habitats are present at or adjacent to the site. The site is not part of any habitat conservation plan. Therefore, the project site has no value as habitat for endangered, rare, or threatened species, and the project would meet this criterion under CEQA Guidelines Section 15332(c);

D. **The design of the subdivision and its improvements will not cause serious public health problems. (Gov. Code § 66474)** The design of the subdivision and the proposed improvements are not likely to cause serious public health problems because the project will be consistent with the policies included in the General Plan and the City Code and will be subject to standard conditions of approval to protect public health, safety, convenience, and welfare. Proposed public (off-site) improvements are designed to meet applicable City design standards and the City Code. Additionally, the project will be further reviewed for compliance with Building and Fire Codes to ensure on-site improvements comply with applicable codes for safe habitation;

- E. **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 § 66474)** The subdivision and improvements as conditioned will not conflict with existing easements;
- F. **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 § 66473.7)** This finding does not apply because the project proposes only 22 single-family residential units;
- G. **The discharge of waste from the proposed subdivision into the sewer system will not violate regional water quality control regulations. (Gov. Code § 66474.6)** The subdivision will not result in the discharge of waste into the sewer system that would violate regional water quality control regulations;
- H. **The design of the subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities. (Gov. Code § 66473.1)** The subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities;
- I. **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 § 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; and
- J. **The imposition of the City's Park Land Dedication In Lieu fees for this project is based on the following:** The park land dedication or payment of a Park Land Dedication In-Lieu Fee is critical to provide needed park facilities for the occupants of this project because it is located in the Sylvan-Dale Planning Area identified in the 2014 Parks and Open Space Plan, which is an area having a deficiency of 10.14 acres of park land for existing residents of the area based on the General Plan standard of 3.0 acres of park land per 1,000 residents. The Sylvan-Dale Planning Area is currently developed with 9.05 acres of park land where 19.18 acres of park land is required to serve the current population. Therefore, there currently are not adequate park land facilities available for occupants of this project, and additional park facilities are necessary; and be it

FURTHER RESOLVED: that the City Council hereby approves the Vesting Tentative Map (Application No. PL-2023-205), 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 as Exhibit A and incorporated by reference as though set forth fully herein.

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 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 exactions. The applicant is hereby further notified that the 90-day appeal period, in which the applicant may protest these fees and other exactions, pursuant to Government Code Section 66020(a), has begun. 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 or exactions.

HZ/4/RESO
831-03-13-25r

- Exhibits: A. Subdivision Conditions of Approval
 B. Vesting Tentative Map

The foregoing resolution was regularly introduced and adopted at a Special Meeting of the City Council of the City of Mountain View, duly held on the 13th day of March 2025, by the following vote:

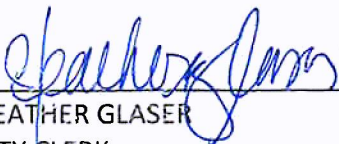
AYES: Councilmembers Clark, Hicks, McAlister, Ramirez, Showalter, Vice Mayor Ramos, and Mayor Kamei

NOES: None


ABSENT: None

ATTEST:

APPROVED:

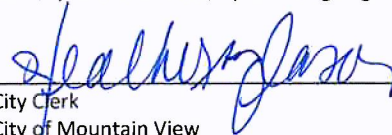


HEATHER GLASER
CITY CLERK



ELLEN KAMEI
MAYOR

Pursuant to Mountain View Charter § 709(b), I do hereby certify that the foregoing is an original or a correct copy of the Resolution passed and adopted by the City Council of the City of Mountain View at a Special Meeting held on the 13th day of March 2025, by the foregoing vote.



City Clerk
City of Mountain View

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

FINAL MAP

1. **MAP SUBMITTAL:** File a final map for approval and recordation in accordance with the City Code and the California Subdivision Map Act prior to the issuance of any building permit for the property(ies) within the subdivision. All existing and proposed easements are to be shown on the map. Submit the map for review concurrent with all items on the Map Checklist and the Off-Site Improvement Plans to the Public Works Department. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
2. **PRELIMINARY TITLE REPORT:** At first submittal of a final map to the Public Works Department, the applicant shall provide a current preliminary title report 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 (dated within six months of the submission). 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).
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. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

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. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).
5. **FINAL MAP APPROVAL:** A final map shall be signed and notarized by the owner and engineer/surveyor and submitted with an 8.5"x11" reduction of the map and a PDF 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 40 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. **STREET DEDICATION:** Dedicate the following public streets in fee on the face of the map:

- To widen Moorpark Way an additional 2' along the project frontage west of the State Route 237 on-ramp where the half-street right-of-way of 30' is currently not provided, as required by the Public Works Director.
 - To widen Moorpark Way an additional 0.5' along the project frontage northeast of the State Route 237 off-ramp to accommodate new curb, gutter, landscape strip, and sidewalk while maintaining the existing travelway and bike lane, as required by the Public Works Director.
 - To widen Sylvan Avenue an additional 10' along the project frontage south of the State Route 237 on-ramp where the half-street right-of-way of 35' is currently not provided, as required by the Public Works Director.
7. **STREET CORNER DEDICATION:** Dedicate a 20' radius public street corner return in fee on the face of the map, at Moorpark Way and Sylvan Avenue, as required by the Public Works Director.
 8. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 10' wide public utility easement (PUE) along project street frontage(s) of Moorpark Way and Sylvan Avenue on the face of the map for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, communication, and cable television facilities, as required by the Public Works Director. 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.
 9. **PUBLIC WATER METER EASEMENT:** *If Cal Water submits in writing that they cannot serve the properties as proposed, are releasing the parcels from the Cal Water service area, and agree to City water annexation for service:* Dedicate public water meter easement (WME) on the face of the map to construct, install, maintain, repair, replace, and operate water meters and appurtenances, as required by the Public Works Director. **(PROJECT-SPECIFIC CONDITION)**
 10. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) on the face of the map to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
 11. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements on the face of the map, as necessary, for the common private street and utility improvements.
 12. **EASEMENT VACATIONS AND QUITCLAIMS:** All existing easements that are or will no longer be needed and/or conflict with the proposed buildings and structures shall be vacated or quitclaimed. All vacations shall be approved with the project at the City Council meeting. Easements in conflict with the proposed building shall be vacated prior to the issuance of the building permit. The recording number of the easement vacation and quitclaim document(s) shall be included in the final map.
 13. **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

14. **SUBDIVISION FEES:** Pay all subdivision fees due in accordance with the rates in effect at the time of payment prior to the approval of a final map.
15. **MAP PLAN CHECK FEE:** Prior to approval of a final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.27(b) and 28.19(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.
16. **PLAN CHECK AND INSPECTION FEE:** 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 adopted fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities; public and private utilities and structures located within the public right-of-way; and utility, grading, and driveway improvements for common green and townhouse-type condominiums. Once the plans have been approved, the approved cost estimate will be used to determine the final bond amounts, plan check fees, and inspection fees. Any paid initial plan check fee will be deducted from the approved final plan check fee.

17. **TRANSPORTATION IMPACT FEE:** Prior to approval of a final map, the applicant shall pay the transportation impact fee for the development. 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.
18. **PARK LAND DEDICATION FEE:** Prior to approval of a final map, the applicant shall pay the Park Land Dedication Fee of \$53,820 for each net new market-rate residential unit (19 units) with a project total fee of \$1,022,580, based on a land valuation of \$7,800,000 per acre in accordance with Chapter 41 of the City Code. The fee is based on the lowest fair market value per acre identified in the Fiscal Year 23-24 Master Fee Schedule (\$7.8 million per acre) in effect at the time of application submittal. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.

Notwithstanding the foregoing, no later than sixty (60) days prior to the issuance of a building permit, the applicant may make a one-time written request to the City to recalculate the Park Land Dedication Fee applicable to the project based on any update to or replacement of the fee ordinance. The recalculated fee shall result in no less than a twenty percent (20%) reduction of the total fee amount set forth above. The reduced fee shall apply to the project and replace the fee calculated in this condition of approval. The Public Works Director or designee is authorized to recalculate the Park Land Dedication Fee upon a timely filed request by the applicant and is further authorized to approve collection of a reduced fee for the project consistent with the provisions of this condition of approval. **(PROJECT-SPECIFIC CONDITION)**

STREET IMPROVEMENTS

19. **PUBLIC AND PRIVATE COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements required for the subdivision and as required by Chapters 27 and 28 of the City Code. The public improvements include, but are not limited to, new curb, gutter, sidewalk, driveway approach, curb ramps, street trees, streetlights, utility undergrounding, and relocation of existing utility boxes out of new sidewalk; sewer and

storm drain services, grading/drainage improvements, C3 storm water treatment, pavement overlay, signing, and striping along the project street frontages; and *if Cal Water submits in writing that they cannot serve the properties as proposed, are releasing the parcels from the Cal Water service area, and agree to City water annexation for service:* the public improvements also include water services. The private common improvements include, but are not limited to, private common street; underground utility services for sewer and storm drain; underground utility services for gas, electrical, cable, and telephone; trash, recycling, and compost; and *if Cal Water submits in writing that they cannot serve the properties as proposed, are releasing the parcels from the Cal Water service area, and agree to City water annexation for service:* the private common improvements also include underground utility services for domestic water and irrigation water.

- a. **Improvement Agreement:** Prior to the approval of a final map, the property owner must sign a Public Works Department improvement agreement for the installation of the public and private common improvements.
 - b. **Bonds/Securities:** Prior to the approval of a final map, the property owner must sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100%) or provide a letter of credit (150%) or cash security (100%) securing the installation and warranty of the off-site and on-site common improvements in a form approved by the City Attorney's Office. 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 via the internet 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 are available at the Public Works Department.
 - c. **Insurance:** Prior to the approval of a final map, the property owner must provide a Certificate of Insurance and endorsements for the Commercial General Liability and Automobile Liability naming the City as an additional insured from the entity that will sign the improvement agreement. The insurance coverage amounts are a minimum of Two Million Dollars (\$2,000,000) Commercial General Liability, One Million Dollars (\$1,000,000) Automobile Liability, One Million Dollars (\$1,000,000) Contractor's Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department. **(PROJECT-SPECIFIC CONDITION)**
20. **INFRASTRUCTURE QUANTITIES:** For projects with off-site improvement plans, submit with the first submittal of the building permit and improvement plans a construction cost estimate indicating the quantities of street and utility improvements. 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.
21. **OFF-SITE IMPROVEMENT PLANS:** Prepare off-site public improvement plans in accordance with Chapter 28 of the City Code, the City's Standard Design Criteria, Submittal Checklist, Plan Review Checklist, and the conditions of approval of the project. The plans are to be drawn on 24" x 36" sheets at a minimum scale of 1" = 20'. The plans shall be stamped by a California-registered civil engineer and shall show all public improvements and other applicable work within the public right-of-way.

Traffic control plans for each phase of construction shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and shall show, at a minimum, work areas,

delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets. Construction management plans: Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval and shall be incorporated into the off-site improvement plans and identified as "For Reference Only."

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

22. **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" x 36" 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.

23. **MOORPARK ACCESS:** The applicant shall work with staff to explore options to create a second vehicular access point to the development project from Moorpark Way. **(PROJECT SPECIFIC CONDITION)**
24. **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

25. **ON-SITE UTILITY MAINTENANCE:** On-site sanitary sewer and storm drainage facilities shall be privately maintained by the property owner(s). *If Cal Water submits in writing they cannot serve the properties as proposed, are releasing the parcels from the Cal Water service area, and agrees to City water annexation for service:* On-site water facilities shall also be privately maintained. **(PROJECT-SPECIFIC CONDITION)**
26. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the subdivision are to be placed underground, including transformers. The undergrounding of the new and

existing overhead electric and telecommunication lines is to be completed prior to issuance of a Certificate of Occupancy for any new buildings within the subdivision. If allowed by the City, aboveground transformers shall be located so they are screened in the least visible location from the street or to the general public, as approved by the Community Development and Public Works Departments.

27. **UNDERGROUNDING OF OVERHEAD LINES:** Underground existing overhead electric and telecommunication facilities fronting the property along Moorpark Way, Sylvan Avenue, and/or within the division of land, unless waived by the City Council after consideration of the recommendation of the Public Works Director due to unusual or impractical circumstances. The undergrounding work shall be constructed in conjunction with any applicable off-site improvements and completed prior to issuance of a Certificate of Occupancy for any new unit. All poles fronting the property and/or within the division of land shall be removed. If the undergrounding requirement is waived, the subdivider shall fulfill whatever substitute conditions the City shall impose prior to a final map approval. **(PROJECT-SPECIFIC CONDITION)**

28. **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)

29. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, common driveways, or common areas. The drainage paths for the privately owned lots shall be designed such that the drainage paths do not cross the common property lines unless an exception is approved due to unavoidable circumstances by the Public Works Department, such as to provide drainage to an existing Heritage tree.
30. **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)

31. **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.

32. **CC&Rs, PARKING RESTRICTION:** Parking shall be prohibited within the private street, excluding approved guest parking, as the parking would obstruct the use of the private street. The private street shall be signed and/or striped as "No Parking" or "No Parking—Fire Lane." These parking prohibitions shall be stated within the Covenants, Conditions, and Restrictions (CC&Rs). A copy of the CC&Rs with this provision highlighted shall be submitted to the Community Development Department for review and approval by the Public Works Department.
33. **PRIVATE UTILITY MAINTENANCE PLAN, OFF-SITE TRASH CAPTURE DEVICES, PUBLIC RIGHT-OF-WAY STORMWATER TREATMENT FACILITIES, 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 sanitary sewer and storm drainage facilities, off-site trash capture devices, and stormwater treatment control facilities in the public right-of-way. 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, maintenance of off-site trash capture devices in accordance with the manufacturer, and maintenance of public right-of-way stormwater treatment facilities in accordance with the City Maintenance Agreement. 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.

If Cal Water submits in writing that they cannot serve the properties as proposed, are releasing the parcels from the Cal Water service area, and agree to City water annexation for service: The CC&Rs shall include a provision that the HOA prepare a private utility maintenance plan to also include on-site water facilities. The maintenance plan shall include elements, such as, but not limited to, inspection of the water system (including flushing and exercising of valves and blowoffs). **(PROJECT-SPECIFIC CONDITION)**

OTHER APPROVALS AND EXPIRATION

34. **CONSISTENCY WITH OTHER APPROVALS:** This map shall be consistent with all requirements of the Request for a Development Review Permit, Special Design Permit, and Heritage Tree Removal Permit to construct 22 single-family homes, including 38.75% density bonus to replace an existing single-family home, a vacant private school, and a commercial building on a 2.51-acre project site, Application No. PL-2023-204. 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.
35. **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 City Code.

