

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

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APPLICATION NO.:

PL-2023-204

DATE OF FINDINGS:

February 12, 2025

EXPIRATION OF ZONING PERMIT:

**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:

**Josh Vrotsos of Dividend Homes, Inc.**

Property Address:

**301, 309, 317, and 323 Moorpark Way  
and 301 Sylvan Avenue**

Assessor's Parcel Nos.:

**161-05-003, 161-05-004, 161-05-005,  
161-05-006, and 161-05-007**

Zone:

**R1-10sd**

Request:

**Request for a Development Review Permit and a Special Design Permit to remove an existing single-family home, a vacant private school, and a commercial building to construct 22 single-family homes, including a 38.75% Density Bonus, and a Heritage Tree Removal Permit to remove 26 Heritage trees on a 2.51-acre project site.**

APPROVED

CONDITIONALLY   
APPROVED

DISAPPROVED

OTHER

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

**FINDINGS OF APPROVAL:**

**I. DEVELOPMENT REVIEW PERMIT FINDINGS (City Code Section 36.44.70).** The Zoning Administrator makes the following findings regarding the Development Review Permit pursuant to City Code Section 36.44.70 to redevelop the project site by removing an existing single-family home, a vacant private school, and a commercial building and constructing 22 single-family homes, including a 38.75% density bonus, and waivers :

**A. The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines.** The project complies with the general design considerations as described by the purpose and intent of Chapter 36 (Zoning) of the City Code, the General Plan, and any City-adopted design guidelines because the proposed 22-unit detached single-family residential development is consistent with the permitted residential land use allowances and density in the Low-Density Residential General Plan Land Use Designation and is an allowed use in the R1 (Single-Family Residential) Zoning District. The project meets all R1 zone development standards, including building and wall plate heights, with the exception of certain development standards that physically preclude construction of the proposed development at the proposed density. The applicant has requested a waiver of 16 development standards under State Density Bonus Law, including minimum public street frontage, minimum lot size, minimum lot width for both corner and interior lots, minimum front, side, and rear setback distances for both the first and second stories, projections into front and rear setbacks, maximum floor area ratio (FAR), minimum front setback landscaping, minimum driveway length, and the minimum street frontage requirement in the R1 Zoning District;

Owner

Agent

File

Fire

Public Works

- B. **The architectural design of structures, including colors, materials, and design elements (i.e., awnings, exterior lighting, screening of equipment, signs, etc.), is compatible with surrounding development.** The project was designed to integrate with the surrounding existing uses and relate cohesively to the proposed on-site layout and uses of the 22 single-family home development. The proposed single-family homes have a maximum height of 28', consistent with the 28' maximum allowable building height in the R1 Zoning District. The proposed buildings incorporate a variety of building types and styles that complement the surrounding single-family neighborhood, including traditional gable, hip and shed roof forms, as well as a mix of exteriors and building materials, such as cementitious panel siding, horizontal lap siding, board and batten siding, and masonry veneer. Special attention has been given to the facade design of the two lots (Lot 17 and Lot 18) along Sylvan Avenue to enhance the street presence by incorporating porches and a hip roof feature with projecting roof eaves to create a more natural transition to the adjacent residential neighborhood. The proposed site plan is developed with units facing an interior street and tree plantings that are proposed along the perimeter creating development patterns similar to adjacent residential neighborhoods;
- C. **The location and configuration of structures, parking, landscaping, and access are appropriately integrated and compatible with surrounding development, including public streets and sidewalks and other public property.** The finding is met because the proposed site design, with units facing an interior street and tree plantings proposed along the perimeter, create a development pattern similar to adjacent residential neighborhoods. The project proposes a 20' private street off of Sylvan Avenue to serve the proposed single-family homes, with a walkway along the northern side of the private street to provide pedestrian access between Sylvan Avenue and Moorpark Way. The project includes 44 on-site parking spaces within private garages (two per unit), even though no minimum parking is required per state law (AB 2097) due to the site's proximity to a major transit stop within one-half mile. Additionally, the project provides off-site improvements by constructing a new detached, landscaped sidewalk along the perimeter with landscaping and street trees on Moorpark Way and Sylvan Avenue;
- D. **The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area.** The general landscape design ensures visual relief, complements structures, provides an attractive environment, and is consistent with any adopted landscape program for the general area as the project proposes substantial and varied landscaping and the applicant has agreed to provide a minimum of 75% of the total proposed landscaping as native species. The applicant is proposing to plant a total of 83 24" box trees throughout the project site, including new street trees along the project's public street frontages. All proposed landscaping will comply with the City's Water Conservation in Landscaping Regulations. The site has been designed to preserve and highlight existing trees at key locations, such as the project entrance and along the project perimeter. The project will preserve seven Heritage trees and two non-Heritage trees on-site, including transplanting two existing redwood trees and one Coast live oak tree. One new 24" box Coast live oak tree is proposed at the terminus of the private street as a focal point for the site;
- E. **The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking.** The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing public improvements, including new curb, gutter, and sidewalk along the Moorpark Way and Sylvan Avenue frontages. The project includes a 20' wide private street off Sylvan Avenue, which will provide adequate space for safe circulation of vehicles, including emergency vehicles and trash collection vehicles. Pedestrian access is provided through a walkway on the north side of the private street, connecting Sylvan Avenue to Moorpark Way, enhancing walkability within the site. Although the project is exempted from minimum parking requirements under state law (AB 2097) due to the site's proximity to a major transit stop, each home will include a two-car garage, ensuring adequate off-street parking for residents while reducing the impact on neighborhood street parking; and
- F. **The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA).** The approval of the 22-unit single-family development complies with CEQA because it qualifies as a categorically exempt project under CEQA Guidelines Section 15332 ("In-Fill Development") and Section 15302 ("Replacement or Reconstruction") as the project is consistent with the following findings, and none of the exceptions in CEQA Guidelines Section 15300.2 apply:
1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as applicable zoning designation and regulations.** The project includes a 22-unit detached single-family residential development that is consistent with the permitted residential land use and density in the Low-Density Residential General Plan Land Use Designation and all applicable R1 Zoning District development standards, including building and wall plate heights. Zoning standards that are waived under State Density Bonus Law are not "applicable" for purposes

of the Section 15332 infill exemption, and therefore the project is consistent with the “applicable” zoning designations and regulations.

2. **The proposed development occurs within City limits, on a project site of no more than five acres, substantially surrounded by urban uses.** The gross project site is approximately 2.51 acres in size and is located at the southeast corner of Moorpark Way and Sylvan Avenue in the east of the City of Mountain View (City). The site is located within an urbanized, developed area and is surrounded by existing residential and community service uses.
3. **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).

4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: As the project is creating 22 single-family residential units, it would not exceed the City’s transportation impact thresholds. According to the City’s Vehicle Miles Traveled (VMT) policy, residential projects located in areas of low VMT, defined as exhibiting VMT that is 15% or greater, below the existing nine-county Bay Area regional average VMT shall be presumed to have a less-than-significant transportation impact. The project site is located in a low-VMT area; and, therefore, the project would not result in significant transportation impacts.

Noise: The project would create 22 new single-family residential units and would not exceed the City’s applicable significance thresholds related to noise or vibration.

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

The project would include stationary sources of operational noise, such as mechanical heating, ventilating, and air conditioning (HVAC) equipment that is standardized for noise reduction. The project will be required to comply with the City’s construction noise and stationary noise regulations and the City’s standard conditions of approval.

Air Quality: The project would not generate air pollution as a residential use. Given the nature of the proposed residential use, project operation would not be a substantial source of toxic air contaminants and would not pose a health risk to others. The project would have air quality emissions resulting from construction which would not exceed the screening criteria published by the Bay Area Air Quality Management District (BAAQMD). Construction-related emissions from the project will be reduced to a less-than-significant level with implementation of required City of Mountain View standard conditions of approval.

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

The project incorporates on-site stormwater treatment area per City’s applicable standards. Given the location and flat nature of the site, the project would not substantially increase runoff as a source of polluted runoff from the site. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality and would meet the criteria pursuant to CEQA Guidelines Section 15332(d) for an infill exemption.

5. **The site can be adequately served by all required utilities and public services.** The project is located in an urbanized area surrounded by residential and service uses that is served by all needed utilities, including electricity, sanitary sewer facilities, storm drain facilities, and water, as well as all required public services, including Police and Fire services and public schools. The project is currently served by California Water Service Company (Cal Water) through an existing waterline located within a public right-of-way. To support the proposed development, the existing waterline will require an upgrade within the same public right-of-way. This improvement is necessary to ensure compliance with Fire service standards and will not involve any significant expansion of capacity. The utility upgrade is categorically exempt under CEQA Guidelines Section 15302 (“Replacement or Reconstruction”) as the waterline upgrade will be a replacement or reconstruction of existing utility systems and/or facilities, involving negligible or no expansion of capacity, and the upgrade work will result in no significant environmental impacts.

If Cal Water is unable to provide service for the proposed development, the project will connect to the City’s existing water main, which is already available to adequately serve the site. In either scenario, the project site will be sufficiently served by water utilities, ensuring compliance with CEQA requirements. All aspects of the project, including utility upgrades, meet the criteria for an infill exemption under CEQA.

**II. DENSITY BONUS FINDINGS (City Code Section 36.48.95).** Additionally, in accordance with City and state requirements, the Zoning Administrator hereby makes the following findings regarding the application for density bonus and associated waiver requests pursuant to City Code Section 36.48.95:

- G. **The project is a housing development that contains at least one (1) of the features described in Section 65915(b) of the State Density Bonus Law to qualify for a density bonus, and all other eligibility requirements as described in Government Code Section 65915(c) have been met.** The project is a housing development in which 12% of the proposed units are dedicated to very low-income units, so the project is eligible for a density bonus pursuant to the Density Bonus Law (Gov. Code Section 65915, *et seq.*) and the City’s “Residential Density Bonus” Ordinance as codified in City Code Section 36.48.65. The required finding can be affirmatively made because the housing development provides two very low-income units, affordable to households earning up to 50% of area median income (AMI) in perpetuity, offering over 5% of housing units for sale to very low-income households pursuant to Section 65915(b)(1)(B). Therefore, under the State Density Bonus Law, the project is entitled to up to two concessions or incentives under Government Code Section 65915(d)(2)(D) and any number of necessary waivers from development standards;
- H. **The project has provided sufficient affordable units or otherwise meets the eligibility requirements for the bonus density as described in Section 65915(f) of the State Density Bonus Law.** The base density is 16 units, which is calculated based on a site acreage of 2.51 acres and the greatest allowable density of 6 units/acre (2.51 acres x 6 units/acre = 15.06 units, rounded up to 16 units). By providing 12% (or two) of the 16 units to very low-income households, the project will meet the criteria of Government Code Sections 65915(b)(1)(B) and 65915(f)(2) and qualify for a 38.75% density bonus. A base density of 16 units with a 38.75% density bonus results in 22.2 units, rounded up to 23, allows for an additional seven units, resulting in a total of 22 residential units proposed in this project;
- I. **The development standard(s) requested to be waived would physically preclude the units or incentives/concessions provided in the project as described in Section 65915(e) of the State Density Bonus Law.** The applicant is requesting the waiver of 16 development standards that would physically preclude the construction of the development at the proposed density as described in Section 65915(e) of the State Density Bonus Law. Strict adherence to each of the development standards described below would significantly reduce the project’s size and change the project’s layout, physically precluding the construction of the 22 single-family homes as proposed. The applicant is requesting reductions of the following development standards: (1) reduced minimum lot area (minimum 2,840 square feet); (2) reduced minimum lot width of corner lots (from 70’ to 45’9”); (3) reduced minimum lot width of interior lots (from 60’ to 43’); (4) reduced minimum front setback for the first story (from 20’ to 5’); (5) reduced minimum front setback for the second story (from 5’ to zero measured from the garage wall); (6) reduced minimum side setback for the first story (from 5’ to 4’ on one side and 10’ to 8’ on both sides); (7) reduced minimum side setback for the second story (from 5’ to 4’ on one side and 12’ to 8’ on both sides); (8) reduced minimum rear setback for the first story (from 15’ to 5’); (9) reduced minimum rear setback for the second story (from 20’ to 5’); (10) increased maximum allowable projections into front setback (from 3’ to 15’ with the total cumulative footprint area of the projections increased from 50 square feet up to 450 square feet on Lot 18); (11) reduced minimum distance of projections to the rear property line (from 10’ to 3.5’); (12) maximum FAR increased (from 0.45 to 1.04); (13) reduced front setback landscaping (from 50% to 26% of the required front yard); (14) reduced minimum length of driveway (from 20’ to 5’); (15) waiver of the minimum 35’ street

frontage on a public street; and (16) waiver for the Planned Unit Development permit required for projects not meeting the minimum public street frontage requirement in the R1 Zoning District.

The requested waivers are necessary to accommodate all units within the limited site area while allowing efficient layout and maintaining the necessary landscaping, spacing, and off-street parking spaces without reducing the proposed unit count. Without the proposed waivers of development standards pursuant to Section 65915(e), the development standards would have the effect of physically precluding the construction of the development project.

**III. SPECIAL DESIGN PERMIT FINDINGS (City Code Section 36.50.25).** The Zoning Administrator hereby makes the following findings regarding the Special Design Permit to allow 22 single-family homes with a 38.75% Density Bonus and development waivers pursuant to City Code Section 36.50.25:

- A. **The proposed land use(s) are allowed within the R1-10sd Zoning District.** The proposed project is to construct 22 detached single-family homes, which is an allowed use in the R1-10sd (Single-Family Residential Special Design Combining) Zoning District;
- B. **The proposed project is consistent with the General Plan.** The proposed 22-unit single-family residential development is consistent with the General Plan Land Use Designation of Low-Density Residential, which allows single-family residential land uses. The project qualifies for a density bonus under State Density Bonus Law, which allows for a density increase beyond the General Plan-allowed density of six dwelling units per acre;
- C. **The proposed project is in substantial compliance with the requirements of the applicable zoning district and would be harmonious and compatible with existing and future developments within the zoning district and surrounding area.** The project includes a 22-unit single-family residential development that is consistent with the permitted residential land use allowance and density in the Low-Density Residential General Plan Land Use Designation and meets all R1 Zoning District development standards, such as building and wall plate heights, with the exception of certain development standards that physically preclude construction of the proposed project at the proposed density. The applicant has requested a waiver of 16 development standards under State Density Bonus Law, including minimum public street frontage, minimum lot size, minimum lot width for both corner and interior lots, minimum front, side, and rear setback for both the first and second stories, projections into front and rear setbacks, maximum FAR, minimum front setback landscaping, minimum driveway length, and minimum street frontage requirement in the R1 Zoning District;
- D. **The proposed project, including any special design features to respond to the site constraints listed in Section 36.26.85.e (SD District, Development Criteria) which were identified at the time of zoning to the SD District, and implementation of a harmonious and integrated plan, justifies any necessary exceptions to the requirements of Chapter 36 (Zoning) of the City Code.** The proposed project, including any special design features to respond to the site constraints listed in Section 36.26.85.e (SD District, Development Criteria), which were identified at the time of zoning to the SD District, and implementation of a harmonious and integrated plan, justifies any necessary exceptions to the requirements of Chapter 36 (Zoning) of the City Code because the project is proposed with rear lot line consideration along Moorpark Way for Lot Nos. 9 to 17, which is required due to proximity to State Route 237 and harmonious neighborhood pattern.

As per City Code Section SEC. 36.60.27. (Definitions—"Lot line, front"), for lots running through from one street to another, both lot lines shall be construed to be front lot lines, and the lot may have no rear lot line. The proposed Lot Nos. 9 to 17 run through two streets (Moorpark Way and the newly proposed private street). The project is designed with the frontage along Moorpark Way as rear for these lots and proposing a sound wall in the rear yards. This rear yard consideration along Moorpark Way is necessary because the project site lacks abutter's rights along Moorpark Way due to its proximity to the State Route 237 ramp, which restricts direct access. Additionally, the proposed units align with the orientation of nearby single-family lots near the State Route 237 ramp on Moorpark Way. The sound wall is essential to reduce traffic noise for future residents, given the site's proximity to the highway. Positioned along Moorpark Way and Sylvan Avenue, the wall aims to mitigate noise exposure. The project complies with R1 Zoning District development standards, with exceptions granted through 16 waivers under the State Density Bonus Law;

- E. **The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community.** The location, size, design, and operating characteristics of the proposed project are not detrimental to the public interest, health, safety, convenience, or welfare of the community as the project has been designed to comply with all building and fire codes, traffic visibility requirements, provide on-site parking, and

vehicle circulation for emergency vehicles. Additionally, the project features a sidewalk with landscape and trees along the northside of the private street, creating a new pedestrian connection between Sylvan Avenue and Moorpark Way. The project also includes planting 83 new trees both on-site and along the project perimeter to provide a visual buffer to the adjacent residential uses while contributing to the overall aesthetic and environmental quality of the neighborhood; and

F. **The approval of the Special Design Permit complies with the California Environmental Quality Act (CEQA).** The approval of the special design permit associated with the 22-unit single-family development complies with CEQA because it qualifies as a categorically exempt project under CEQA Guidelines Section 15332 (“In-Fill Development”) and Section 15302 (“Replacement or Reconstruction”) as the project is consistent with the following findings, and none of the exceptions in CEQA Guidelines Section 15300.2 apply:

1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as applicable zoning designation and regulations.** The project includes a 22-unit single-family development that is consistent with the permitted residential land use and density in the Low-Density Residential General Plan Land Use Designation and all applicable R1 Zoning District development standards, such as building and wall plate heights. Zoning standards that are waived under State Density Bonus Law are not “applicable” for purposes of the Section 15332 infill exemption; and therefore, the project is consistent with the “applicable” zoning designations and regulations.
2. **The proposed development occurs within City limits, on a project site of no more than five acres, substantially surrounded by urban uses.** The gross project site is approximately 2.51 acres in size and is located at the southeast corner of Moorpark Way and Sylvan Avenue in the east of the City of Mountain View. The site is located within an urbanized, developed area and is surrounded by existing residential and community service uses.
3. **The project site has no value as a 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).

4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: As the project is creating 22 single-family residential units, it would not exceed the City’s transportation impact thresholds. According to the City’s VMT policy, residential projects located in areas of low VMT, defined as exhibiting VMT that is 15% or greater, below the existing nine-county Bay Area regional average VMT shall be presumed to have a less-than-significant transportation impact. The project site is located in a low-VMT area; therefore, the project would not result in significant transportation impacts.

Noise: The project would create 22 new single-family residential units and would not exceed the City’s applicable significance thresholds related to noise or vibration.

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

The project would include stationary sources of operational noise, such as mechanical heating, ventilating, and air conditioning (HVAC) equipment that is standardized for noise reduction. The project will be required to comply with the City’s construction noise and stationary noise regulations and the City’s standard conditions of approval.

Air Quality: The project would not generate air pollution as a residential use. Given the nature of the proposed residential use, project operation would not be a substantial source of toxic air contaminants and would not pose a health

risk to others. The project would have air quality emissions resulting from construction which would not exceed the screening criteria published by the BAAQMD. Construction-related emissions from the project will be reduced to a less-than-significant level with implementation of required City of Mountain View standard conditions of approval.

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

The project incorporates on-site stormwater treatment area per City's applicable standards. Given the location and flat nature of the site, the project would not substantially increase runoff as a source of polluted runoff from the site. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality and would meet the criteria pursuant to CEQA Guidelines Section 15332(d) for an infill exemption.

5. **The site can be adequately served by all required utilities and public services.** The project is located in an urbanized area surrounded by residential and service uses that is served by all needed utilities, including electricity, sanitary sewer facilities, storm drain facilities, and water, as well as all required public services, including Police and Fire services and public schools. The project is currently served by Cal Water through an existing waterline located within a public right-of-way. To support the proposed development, the existing waterline will require an upgrade within the same public right-of-way. This improvement is necessary to ensure compliance with Fire service standards and will not involve any significant expansion of capacity. The utility upgrade is categorically exempt under CEQA Guidelines Section 15302 ("Replacement or Reconstruction") as the waterline upgrade will be a replacement or reconstruction of existing utility systems and/or facilities, involving negligible or no expansion of capacity, and the upgrade work will result in no significant environmental impacts.

If Cal Water is unable to provide service for the proposed development, the project will connect to the City's existing water main, which is already available to adequately serve the site. In either scenario, the project site will be sufficiently served by water utilities, ensuring compliance with CEQA requirements. All aspects of the project, including utility upgrades, meet the criteria for an infill exemption under CEQA.

**IV. HERITAGE TREE REMOVAL PERMIT FINDINGS (City Code Section 32.35).** The Zoning Administrator hereby makes the following findings regarding the Heritage Tree Removal Permit to remove 26 Heritage trees (Tree Nos. 3, 4, 5, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 30, 32, 38, 47, 55, 59, 60, 61, 62, and 63) and relocate three Heritage trees (Tree Nos. 8, 9, and 10) based on the arborist report prepared by Ray Morneau for Dividend Homes, Inc., and a site visit conducted on December 14, 2023, pursuant to City Code Section 32.35:

- A. **It is necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the life span of that particular species, disease, infestation, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, and interference with utility services.** It is necessary to remove the trees due to the condition of the trees with respect to age of the trees relative to the lifespan of that particular species, disease, infestation, general health, damage, public nuisance, and danger of falling. According to the arborist report prepared by certified arborist Ray Morneau, assessment by the City arborist, and a site visit conducted by Planning and Forestry staff, Tree Nos. 4, 13 to 20, 38, 47, and 60 to 63 (a total of 15 trees) are in poor condition and are not expected to improve with any possible mitigations applied, and it is appropriate to relocate Tree Nos. 8, 9, and 10 because the trees' roots are currently in impacted locations by the proposed buildings and relocation would likely improve the trees' longevity;
- B. **It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties.** It is necessary to remove the trees in order to construct the improvements and/or allow reasonable and conforming use of the property when compared to other similarly situated properties as Tree Nos. 3, 5, 11, 21 to 24, 55, and 59 (a total of nine trees) are in locations which severely limit the site's potential to be developed in a reasonable and conforming way for 22 single-family homes, a necessary private street for access, stormwater treatment area, and a trash enclosure to serve these homes;
- C. **Removal of the trees will not adversely affect the remaining number, species, size, and/or location of existing trees on the site or in the general vicinity.** Removal of the trees will not adversely affect the remaining number, species, size, and/or location

of existing trees on the site or in the general vicinity since the tree-protection measures will be implemented prior to construction for the trees adjacent to the proposed single-family homes, sound wall, and sidewalk, as described in the arborist report dated July 24, 2024, and prepared by certified arborist Ray Morneau;

- D. **Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole.** Removal of the trees will not adversely affect the shade, noise attenuation, protection from wind damage and air pollution, historic value, or scenic beauty of the area, nor shall the removal adversely affect the general health, safety, prosperity, and general welfare of the City as a whole because the project will plant replacement trees per City standards, and the site will exceed the current canopy by 10% within 15 years of tree planting. Furthermore, this project includes new street trees along the entire project perimeter and provide additional canopy on the pedestrian right-of-way; and
- E. **The approval of the Heritage Tree Removal Permit complies with the California Environmental Quality Act (CEQA).** The approval of the Heritage Tree removals proposed as part of the 22-unit single-family development complies with CEQA because it qualifies as a categorically exempt project under CEQA Guidelines Section 15332 (“In-Fill Development”) and Section 15302 (“Replacement or Reconstruction”) as the project is consistent with the following findings, and none of the exceptions in CEQA Guidelines Section 15300.2 apply:
1. **The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as applicable zoning designation and regulations.** The project includes a 22-unit detached single-family residential development that is consistent with the permitted residential land use and density in the Low-Density Residential General Plan Land Use Designation and all applicable R1 Zoning District development standards, such as building and wall plate heights. Zoning standards that are waived under State Density Bonus Law are not “applicable” for purposes of the Section 15332 infill exemption; and therefore, the project is consistent with the “applicable” zoning designations and regulations.
  2. **The proposed development occurs within City limits, on a project site of no more than five acres, substantially surrounded by urban uses.** The gross project site is approximately 2.51 acres in size and is located at the southeast corner of Moorpark Way and Sylvan Avenue in the east of the City of Mountain View. The site is located within an urbanized, developed area and is surrounded by existing residential and community service uses.
  3. **The project site has no value as a 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).

4. **Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

Traffic/Transportation: As the project is creating 22 residential units, it would not exceed the City’s transportation impact thresholds. According to the City’s VMT policy, residential projects located in areas of low VMT, defined as exhibiting VMT that is 15% or greater, below the existing nine-county Bay Area regional average VMT shall be presumed to have a less-than-significant transportation impact. The project site is located in a low-VMT area; therefore, the project would not result in significant transportation impacts.

Noise: The project would create 22 new residential units and would not exceed the City’s applicable significance thresholds related to noise or vibration.

The project would result in construction noise and vibration at levels similar to other single-family construction projects within the City. There is nothing unique or particular about the project or its construction method that would suggest



that the project would have greater construction noise or vibration impacts than other typical single-family construction projects.

The project would include stationary sources of operational noise, such as mechanical heating, ventilating, and air conditioning (HVAC) equipment that is standardized for noise reduction. The project will be required to comply with the City's construction noise and stationary noise regulations and the City's standard conditions of approval.

Air Quality: The project would not generate air pollution as a residential use. Given the nature of the proposed residential use, project operation would not be a substantial source of toxic air contaminants and would not pose a health risk to others. The project would have air quality emissions resulting from construction which would not exceed the screening criteria published by the BAAQMD. Construction-related emissions from the project will be reduced to a less-than-significant level with implementation of required City of Mountain View standard conditions of approval.

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

The project incorporates on-site stormwater treatment area per City's applicable standards. Given the location and flat nature of the site, the project would not substantially increase runoff as a source of polluted runoff from the site. With implementation of all required standard conditions pertaining to water, the project would not result in significant impacts related to water quality and would meet the criteria pursuant to CEQA Guidelines Section 15332(d) for an infill exemption.

5. **The site can be adequately served by all required utilities and public services.** The project is located in an urbanized area surrounded by residential and service uses that are served by all needed utilities, including electricity, sanitary sewer facilities, storm drain facilities, and water, as well as all required public services, including Police and Fire services and public schools. The project is currently served by Cal Water through an existing waterline located within a public right-of-way. To support the proposed development, the existing waterline will require an upgrade within the same public right-of-way. This improvement is necessary to ensure compliance with Fire service standards and will not involve any significant expansion of capacity. The utility upgrade is categorically exempt under CEQA Guidelines Section 15302 ("Replacement or Reconstruction") as the waterline upgrade will be a replacement or reconstruction of existing utility systems and/or facilities, involving negligible or no expansion of capacity, and the upgrade work will result in no significant environmental impacts.

If Cal Water is unable to provide service for the proposed development, the project will connect to the City's existing water main, which is already available to adequately serve the site. In either scenario, the project site will be sufficiently served by water utilities, ensuring compliance with CEQA requirements. All aspects of the project, including utility upgrades, meet the criteria for an infill exemption under CEQA.

**V. Additionally with City and state requirements, the Zoning Administrator hereby makes the following finding regarding the application:**

1. **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.

The Zoning Administrator hereby recommends approval by the City Council of a Development Review Permit, Special Design Permit, and Heritage Tree Removal Permit to construct 22 single-family homes located on Assessor's Parcel Nos. 161-05-003, 161-05-004, 161-05-005, 161-05-006, and 161-05-007, based on the findings above and subject to the applicant's fulfillment of all of the conditions

of approval. Development shall be substantially as shown on the project materials listed below, except as may be modified by conditions contained herein, which are kept on file in the Planning Division of the Community Development Department:

- a. Project plans prepared by DAHLIN Group for Dividend Homes, Inc., dated November 14, 2024.
- b. Arborist Report prepared by Ray Morneau for Dividend Homes, Inc., dated October 25, 2024.
- c. Noise Assessment prepared by Edward L. Pack Associates, Inc., for Dividend Homes, Inc., dated April 25, 2024.

**SUBJECT TO THE FOLLOWING DRAFT CONDITIONS:**

Planning Division—650-903-6306 or [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov)

1. **EXPIRATION:** This permit is valid for a period of two years from the date of approval. This permit shall become null and void if building permits have not been issued and construction activity has not commenced within the two-year period unless a permit extension has been submitted to and approved by the Zoning Administrator at a duly noticed public hearing prior to the expiration date.
2. **PERMIT EXTENSION:** Zoning permits may be extended for up to two years after an Administrative Zoning public hearing, in compliance with procedures described in Chapter 36 of the City Code. An application for extension must be filed with the Planning Division, including appropriate fees, prior to the original expiration date of the permit(s).
3. **PLANNING INSPECTION:** Inspection(s) by the Planning Division are required for foundation, framing, application of exterior materials, and final completion of each structure to ensure that the construction matches the approved plans.

PERMIT SUBMITTAL REQUIREMENTS

4. **AIR QUALITY:** The applicant is required to secure a permit from the BAAQMD or provide written assurance that no permit is required prior to issuance of a building permit.
5. **OTHER REVIEW AGENCIES:** This project requires review and approval by outside agencies, including, but not limited to California Water Service and BAAQMD. Written proof of approval or acknowledgement of no approval necessary from these agencies is required prior to building permit issuance, inspections, and/or prior to issuance of a Certificate of Occupancy.
6. **CERTIFICATION OF BUILDING PERMIT PLANS:** In a letter, the project architect shall certify the architectural design shown in the building permit plans match the approved plans. Any changes or modifications must be clearly noted in writing and shown on redlined plan sheets. The project architect shall also certify the structural plans are consistent with the architectural plans. In the event of a discrepancy between the structural plans and the architectural plans, the architectural plans shall take precedence, and revised structural drawings shall be submitted to the Building Division.
7. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.
8. **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 FAR and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
9. **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.
10. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include an FAR diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.

11. **PAINT COLOR-CODING:** At submittal of building plan check, provide color-coded elevations of each side of the building(s) detailing the location of all paint and stain colors, manufacturer, and color names.
12. **GEOTECHNICAL REPORT:** The applicant shall have a design-level geotechnical investigation prepared which includes recommendations to address and mitigate geologic hazards in accordance with the specifications of California Geological Survey (CGS) Special Publication 117, *Guidelines for Evaluating and Mitigating Seismic Hazards*, and the requirements of the Seismic Hazards Mapping Act. The report will be submitted to the City during building plan check, and the recommendations made in the geotechnical report will be implemented as part of the project and included in building permit drawings and civil drawings as needed. Recommendations may include considerations for design of permanent below-grade walls to resist static lateral earth pressures, lateral pressures caused by seismic activity, and traffic loads; method for backdraining walls to prevent the build-up of hydrostatic pressure; considerations for design of excavation shoring system; excavation monitoring; and seismic design.
13. **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](http://www.mountainview.gov/planningforms).

#### SITE DEVELOPMENT AND BUILDING DESIGN

14. **EXTERIOR MATERIALS:** High-quality materials and finishes shall be used throughout the project and shall remain in compliance with the materials identified in the approved plans, except as modified by the conditions of approval herein. Details regarding all color and architectural details shall be provided in the building permit plan submittal and shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
15. **FUTURE MODIFICATIONS TO STRUCTURE(S):** The structures approved with this project deviated from applicable zoning standards pursuant to State Density Bonus Law. Any future addition or other alteration to the approved structure(s) will need to comply with the latest applicable development standards of the zoning district in which it is located. **(PROJECT-SPECIFIC CONDITION)**
16. **TRIM MATERIALS:** Trim materials throughout the project shall be wood or high-density foam trim. Details of the specific placement, utilization, and finish of the trim materials shall be provided with the building permit drawings. Final trim design details shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
17. **WINDOWS:** Manufacturer type, design, material, and installation details for all windows within the project shall be specified for each unit in the building permit drawings for review and approval by the Zoning Administrator prior to the issuance of building permits.
18. **PAINT BRUSH-OUTS:** The applicant shall paint a portion of the building or a mock-up wall with the proposed color scheme for inspection by the Planning Division. Proposed primary and secondary (accent) paint colors should be painted next to each other on the building, to the extent feasible, for purposes of inspection. The color(s) shall not be considered approved until after inspection and approval by the Zoning Administrator.
19. **MECHANICAL EQUIPMENT (GROUND SCREENING):** All mechanical equipment, such as air condenser (AC) units or generators, shall be concealed behind opaque screening. No mechanical equipment is permitted on front porches or balconies but may be located in the fenced yard area or building rooftops.
20. **FENCE(S)/WALL(S):** All fencing and walls are to be shown on building plan drawings, including details on height, location, and material finish. No fence or wall shall exceed 7' in height, measured from adjacent grade to the top of the fence or wall. The design and location must be approved by the Zoning Administrator and comply with all setback and traffic visibility area requirements.
21. **LIGHTING PLAN:** The applicant shall submit a lighting plan in building permit drawings. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The design and location of outdoor lighting fixtures shall ensure there will be no glare and light spillover to surrounding properties, which is demonstrated with photometric contours extending beyond the project property lines. The lighting plan submitted with building permit drawings must be approved by the Zoning Administrator prior to building permit issuance.

TREES AND LANDSCAPING

22. **LANDSCAPING:** Detailed landscape plans encompassing on- and off-site plantable areas out to the street curb must be included in building permit drawings. Minimum plant sizes are flats or one-gallon containers for ground cover, five-gallon for shrubs, and 24" box for trees. The drawings must be approved by the Zoning Administrator prior to building permit issuance and implemented prior to occupancy. All plans should be prepared by a licensed Landscape Architect and should comply with the City's Landscape Guidelines, including the Water Conservation in Landscaping Regulations (forms are available online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms)). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
23. **LANDSCAPE CERTIFICATION:** Prior to occupancy, the Landscape Architect shall certify in writing the landscaping has been installed in accordance with all aspects of the approved landscape plans and final inspection(s), subject to final approval by the Zoning Administrator.
24. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
25. **ARBORIST REPORT:** A qualified arborist shall provide written instructions for the care of the existing tree(s) to remain on-site before, during, and after construction. The report shall also include a detailed plan showing installation of chain link fencing around the dripline to protect these trees and installation of an irrigation drip system and water tie-in for supplemental water during construction. Arborist's reports shall be received by the Planning Division and must be approved prior to issuance of building permits. Prior to occupancy, the arborist shall certify in writing that all tree preservation measures have been implemented. Approved measures from the report shall be included in the building permit drawings.
26. **ARBORIST INSPECTIONS:** During demolition activity and upon demolition completion, a qualified arborist shall inspect and verify the measures described in the arborist report are appropriately implemented for construction activity near and around the preserved trees, including the critical root zones. Should it be determined that the root systems are more extensive than previously identified and/or concerns are raised of nearby excavation or construction activities for the project foundation or underground parking garage, the design of the building and/or parking garage may need to be altered to maintain the health of the trees prior to building permit issuance.
27. **MONTHLY ARBORIST INSPECTIONS:** Throughout demolition and construction, a qualified arborist must conduct monthly inspections to ensure tree protection measures and maintenance care are provided. A copy of the inspection letter, including recommendations for modifications to tree care or construction activity to maintain tree health, shall be provided to the Planning Division at [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
28. **LANDSCAPE SCREENING:** All utility meters, lines, transformers, backflow preventers, etc., on-site or off-site, must be shown on all site plan drawings and landscape plan drawings. All such facilities shall be located so as to not interfere with landscape material growth and shall be screened in a manner which respects the building design and setback requirements. Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate plant screening.
29. **TREE REMOVALS:** Permits to remove, relocate, or otherwise alter Heritage trees cannot be implemented until a project building permit for new construction is secured and the project is pursued.
30. **REPLACEMENT TREES:** The applicant shall offset the loss of each Heritage tree with two replacement trees, for a total of 52 replacement trees. Each replacement tree shall be no smaller than a 24" box and shall be noted on the landscape plan as Heritage or street replacement trees.
31. **STREET TREE PROTECTIONS:** All designated City street trees are to be protected throughout construction activity with protection measures shown on building permit plans.

32. **TREE PROTECTION MEASURES:** The tree protection measures listed in the arborist's report prepared by Ray Morneau dated October 25, 2024 shall be included as notes on the title sheet of all grading and landscape plans. These measures shall include, but may not be limited to, six-foot chain-link fencing at the drip line, a continuous maintenance and care program, and protective grading techniques. Also, no materials may be stored within the drip line of any tree on the project site.
33. **IRREVOCABLE DAMAGE TO HERITAGE TREES:** In the event one or more of the preserved Heritage tree(s) are not maintained and irrevocable damage or death of the tree(s) has occurred due to construction activity, a stop work order will be issued on the subject property and no construction activity shall occur for two (2) working days per damaged tree. The applicant will also be subject to a penalty fee at twice the tree valuation prior to damage; this fee applies to each Heritage tree damaged. No construction activity can resume until the penalty fee(s) have been paid to the City.
34. **TREE RELOCATION(S):** Trees numbered 8, 9, and 10 in the arborist report prepared by Ray Morneau, and dated October 21, 2024, shall be relocated to another location on-site as identified in the approved site and landscape plans.

#### NOISE

35. **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.
36. **INTERIOR NOISE LEVELS:** Construction drawings must confirm that measures have been taken to achieve an interior noise level of 45 dB(A) $L_{dn}$  that shall be reviewed and approved by a qualified acoustical consultant prior to building permit submittal.
37. **CONSTRUCTION NOISE REDUCTION:** The following noise reduction measures shall be incorporated into construction plans and contractor specifications to reduce the impact of temporary construction-related noise on nearby properties: (a) comply with manufacturer's muffler requirements on all construction equipment engines; (b) turn off construction equipment when not in use, where applicable; (c) locate stationary equipment as far as practical from receiving properties; (d) use temporary sound barriers or sound curtains around loud stationary equipment if the other noise reduction methods are not effective or possible; and (e) shroud or shield impact tools and use electric-powered rather than diesel-powered construction equipment.
38. **SITE-SPECIFIC BUILDING ACOUSTICAL ANALYSIS:** A qualified acoustical consultant will review final site plans, building elevations, and floor plans prior to construction to calculate expected interior noise levels as required by state noise regulations. Project-specific acoustical analyses are required by the California Building Code to confirm that the design results in interior noise levels reduced to 45 dB(A) $L_{dn}$  or lower. The specific determination of what noise insulation treatments are necessary will be completed on a unit-by-unit basis. Results of the analysis, including the description of the necessary noise control treatments, will be submitted to the City along with the building plans and approved prior to issuance of a building permit. Building sound insulation requirements will include the provision of forced-air mechanical ventilation for all residential units as recommended by the qualified acoustical consultant, so that windows can be kept closed at the occupant's discretion to control noise. Special building techniques (e.g., sound-rated windows and building facade treatments) will be implemented as recommended by the qualified acoustical consultant to maintain interior noise levels at or below acceptable levels. These treatments will include, but are not limited to, sound-rated windows and doors, sound-rated wall construction, acoustical caulking, protected ventilation openings, etc.

#### CC&RS AND DISCLOSURES

39. **CC&Rs:** One electronic PDF of the proposed Covenants, Conditions, and Restrictions (CC&Rs) for the homeowners association shall be submitted to the Planning Division and approved by the City Attorney prior to building permit issuance. The applicant shall provide a completed CC&R checklist at submittal along with associated review fee made payable to the City of Mountain View. The checklist can be obtained by contacting the project planner or by email inquiry to [planning.division@mountainview.gov](mailto:planning.division@mountainview.gov).
40. **MASTER PLAN:** The applicant shall prepare a master plan which establishes rules for modifications or additions of any building structures at this site, including fences, trellises, sunshades, and accessory buildings as well as modifications to principal buildings. These rules shall be consistent with the provisions of the R1 (Single-Family Residential) Zoning District and shall be approved by the Zoning Administrator. The Covenants, Conditions, and Restrictions (CC&Rs) shall specifically state that the master plan establishes the rules for additions/modifications to the complex and that changes to the master plan require

approval by the Zoning Administrator. Copies of the master plan shall accompany the CC&Rs to be submitted to the Planning Division for review and approval.

41. **PROJECT INFORMATION:** All marketing and sales literature, leasing information, and the Covenants, Conditions, and Restrictions (CC&Rs) for the complex shall clearly state that this project is complete as built and that no further expansions to the building structures are permitted without Planning Division approval. Any revisions to the project would require a separate application to the City by the homeowners association and would need to establish rules for all units in the complex.

#### CONSTRUCTION ACTIVITIES

42. **SINGLE-PHASE DEVELOPMENT:** Construction of the project shall be done in a single phase unless a phased construction project schedule is approved by the Zoning Administrator (or City Council).
43. **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 and contact information, including an after-hours contact. Violation of this condition of approval may be subject to the penalties outlined in Section 8.6 of the City Code and/or suspension of building permits.
44. **CONSTRUCTION PARKING:** The applicant shall prepare a construction parking management plan to address parking demands and impacts during the construction phase of the project by contractors or other continued operations on-site. The plan shall also include a monitoring and enforcement measure which specifies on-street parking is prohibited and will be monitored by the owner/operator of the property (or primary contractor), and penalties will be enforced by the owner/operator of the property (or primary contractor) for violations of on-street parking restrictions. Violations of this provision may result in a stop-work notice being issued by the City for development project. The construction parking management plan shall be subject to review and approval by the Zoning Administrator prior to the issuance of building permits.
45. **NOTICE OF CONSTRUCTION:** The applicant shall notify neighbors within 750' of the project site of the construction schedule in writing, prior to construction. For multi-phased construction, separate notices may be required for each phase of construction. A copy of the notice and the mailing list shall be submitted for review prior to issuance of building permits.
46. **DISTURBANCE COORDINATOR:** The applicant shall designate a "disturbance coordinator" who will be responsible for responding to any local complaints regarding construction noise. The coordinator (who may be an employee of the general contractor) will determine the cause of the complaint and will require that reasonable measures warranted to correct the problem be implemented. A telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site fence and on the notification sent to neighbors adjacent to the site. The sign must also list an emergency after-hours contact number for emergency personnel.
47. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the BAAQMD to reduce fugitive dust emissions. Emission reduction measures will include, at a minimum, the following measures: (a) all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day; (b) all haul trucks transporting soil, sand, or other loose material off-site will be covered; (c) all visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited; (d) all vehicle speeds on unpaved roads will be limited to 15 mph; (e) all roadways, driveways, and sidewalks to be paved will be completed as soon as possible. Building pads will be laid as soon as possible after grading unless seeding or soil binders are used; (f) idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points; (g) all construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation; and (h) post a publicly visible sign with the telephone number and person to contact at the City of Mountain View regarding dust complaints. This person will respond and take corrective action within 48 hours. BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

48. **DISCOVERY OF CONTAMINATED SOILS:** If contaminated soils are discovered, the applicant will ensure the contractor employs engineering controls and Best Management Practices (BMPs) to minimize human exposure to potential contaminants. Engineering controls and construction BMPs will include, but not be limited to, the following: (a) contractor employees working on-site will be certified in OSHA's 40-hour Hazardous Waste Operations and Emergency Response (HAZWOPER) training; (b) the contractor will stockpile soil during redevelopment activities to allow for proper characterization and evaluation of disposal options; (c) the contractor will monitor area around construction site for fugitive vapor emissions with appropriate field screening instrumentation; (d) the contractor will water/mist soil as it is being excavated and loaded onto transportation trucks; (e) the contractor will place any stockpiled soil in areas shielded from prevailing winds; and (f) the contractor will cover the bottom of excavated areas with sheeting when work is not being performed.
49. **DISCOVERY OF ARCHAEOLOGICAL RESOURCES:** If prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, it is recommended that all work within 100' of the find be halted until a qualified archaeologist and Native American representative can assess the significance of the find. Prehistoric materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ("midden") containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, will develop a treatment plan that could include site avoidance, capping, or data recovery.
50. **DISCOVERY OF HUMAN REMAINS:** In the event of the discovery of human remains during construction or demolition, there shall be no further excavation or disturbance of the site within a 50' radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the landowner shall reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.
51. **DISCOVERY OF PALEONTOLOGICAL RESOURCES:** In the event that a fossil is discovered during construction of the project, excavations within 50' of the find shall be temporarily halted or delayed until the discovery is examined by a qualified paleontologist, in accordance with Society of Vertebrate Paleontology standards. The City shall include a standard inadvertent discovery clause in every construction contract to inform contractors of this requirement. If the find is determined to be significant and if avoidance is not feasible, the paleontologist shall design and carry out a data recovery plan consistent with the Society of Vertebrate Paleontology standards.
52. **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).
53. **PRECONSTRUCTION NESTING BIRD SURVEY:** To the extent practicable, vegetation removal and construction activities shall be performed from September 1 through January 31 to avoid the general nesting period for birds. If construction or vegetation removal cannot be performed during this period, preconstruction surveys will be performed no more than two days prior to construction activities to locate any active nests as follows:

The applicant shall be responsible for the retention of a qualified biologist to conduct a survey of the project site and surrounding 500' for active nests—with particular emphasis on nests of migratory birds—if construction (including site preparation) will begin during the bird nesting season, from February 1 through August 31. If active nests are observed on

either the project site or the surrounding area, the applicant, in coordination with the appropriate City staff, shall establish no-disturbance buffer zones around the nests, with the size to be determined in consultation with the California Department of Fish and Wildlife (usually 100' for perching birds and 300' for raptors). The no-disturbance buffer will remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes during the nesting season, an additional survey will be necessary to avoid impacts on active bird nests that may be present.

54. **VIBRATION BEST MANAGEMENT PRACTICES CONSTRUCTION MEASURES:**

- Avoid impact pile driving and drill piles instead where possible. Drilled piles cause lower vibration levels where geological conditions permit their use.
- Avoid using vibration rollers and tampers near sensitive areas.
- In areas where project construction is anticipated to include vibration generating activities, vibration studies shall be conducted to determine the areas of impact and to present appropriate mitigation measures that may include the following:
  - Identification of sites that would be exposed to project vibration compaction activities and could result in vibration impacts to structures;
  - Develop a vibration monitoring and contingency plan;
  - Construction contingency plan; and
  - Conduct post-survey on structures where either monitoring has indicated high levels or complaints of damage have been made.

Affordable Housing Division—650-903-6379 or [neighborhoods@mountainview.gov](mailto:neighborhoods@mountainview.gov)

55. **BMR OWNERSHIP, PROVIDING UNITS:** Prior to issuance of the first building permit for the project, the applicant shall enter into a recorded agreement with the City that will require the applicant to provide at least 15% of the total base density number of dwelling units within the development as Below-Market-Rate (BMR) units consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. Prior to the issuance of building permits, the applicant shall also submit a plan indicating the location, size, and phasing of BMR units. This results in a total of two (2) units being available; the units will be designated as follows: two units at fifty percent (50%) AMI. This is in accordance with the units outlined in the Affordable Housing Compliance Plan dated October 14, 2024, including BMR unit locations indicated on the plan set dated October 14, 2024. The Housing Department reserves the right to review, approve, or deny any modifications to the Affordable Housing Compliance Plan or unit delivery.
56. **BMR, PROCESS:** Prior to the first building permit submittal, the applicant shall contact the Housing Department at 650-903-6190 to begin preparation of a BMR agreement for the project. The applicant shall submit the following information: (a) a copy of the Findings Report or Conditions of Approval; (b) a legal description of the property; (c) a plan indicating the location, size, and phasing of BMR units; and (d) additional information as requested by the Affordable Housing Division. The BMR agreement must be recorded prior to building permit issuance.
57. **BMR, FRACTIONAL IN-LIEU FEES:** The building permit submittal shall identify the aggregate net new habitable square footage of all residential units in the project. Prior to the issuance of the first building permit for the development, the applicant shall pay an Ownership Fractional Housing In-Lieu Fee as defined by the City Master Fee Schedule for all net new habitable square feet as applied to the total project.
58. **DENSITY BONUS, OWNERSHIP UNITS SALES PRICE:** Under State Density Bonus Law, for-sale affordable units must be sold at costs as defined in the Health and Safety Code (HSC) Section 50052.5 based on "housing costs" defined in the California Code of Regulations, Title 25, Section 6920.



59. **HOA RESERVE FUND:** In order to count toward the project's 15% BMR requirements and to maintain affordability levels, the applicant will establish a homeowners association (HOA) reserve fund for the BMR units set for sale to households with income levels below 80% AMI, consistent with Chapter 36, Article XIII, Divisions 1 and 2, of the City Code and the Below-Market-Rate Housing Program Administrative Guidelines and Directives. This fund is designated to be set aside to help low-income owners to fully pay for special assessments and future HOA fee increases to ensure housing costs do not exceed 30% of the household's income over the life of the mortgage for each unit. The City currently estimates Sixty-Nine Thousand Nine Hundred Seventy-Five Dollars (\$69,975) will need to be deposited in the reserve fund for each low-income affordable unit for a total of One Hundred Thirty-Nine Thousand Nine Hundred Fifty Dollars (\$139,950) for the two (2) affordable units designated 50% AMI and below. The reserve fund shall be identified and its purpose described in the CC&Rs for the project.

Building Division—650-903-6313 or [building@mountainview.gov](mailto: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](http://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.

60. **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, CALEnergy, in conjunction with the City of Mountain View Amendments, and the Mountain View Green Building Code (MVGBC).
61. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for the proposed project per the CBC, Chapter 3.
62. **DWELLING UNIT SEPARATION:** Private garage separation required per the CBC, Section 406.3.2.
63. **BUILDING HEIGHT AND NUMBER OF STORIES:** The project shall comply with the requirements per the CBC, Chapter 5, Section 504.
64. **TYPE OF CONSTRUCTION:** Provide the type of proposed construction per Chapter 6 of the CBC.
65. **AUTOMATIC FIRE SPRINKLERS:** An automatic sprinkler system shall be installed for structures identified with Group R occupancy per the CBC, Chapter 9, Section 903.2.8.
66. **EMERGENCY ESCAPE AND RESCUE OPENINGS:** The project shall comply with the egress window requirements per the CRC, Section R310.
67. **MVGBC CALGREEN:** The project shall comply with the Mountain View CALGreen checklist requirements available online at [www.mountainview.gov/greenbuilding](http://www.mountainview.gov/greenbuilding).
68. **REACH CODES FOR SINGLE-FAMILY AND DUPLEXES (NEW CONSTRUCTION):**
- a. **EV Parking Requirements:** Parking shall comply with one EVCS Level 2 to be installed and rated at 40 amps minimum and EV1-ready, as amended in MVCC Section 8.20.31 and per Table 101.10.
  - b. **Photovoltaic System Requirements:** Installation of photovoltaic (PV) to accommodate an all-electric building to 100% of annual kilowatt hour (kWh) consumption offset, as amended in MVCC Section 8.20.8 and per Table 101.10.
69. **UTILITIES:** No utilities shall cross property lines.
70. **SERVICE DISCONNECT:** For single-family dwellings and duplexes, the service-disconnecting means shall have a rating of not less than 200 amperes, three wires, as amended in MVCC Section 8.51.C.

71. **ADDRESSES:** All street names, street numbers, residential apartment numbers, ADU numbers, and suite numbers will be processed by the Building Division prior to permit issuance.
72. **SURVEY REQUIRED:** Structures within 6' of a property line, or required setback, shall provide a site survey certificate and obtain approval from the City prior to concrete pour.
73. **SCHOOL IMPACT FEE:** The project is subject to school impact fees. To obtain information, fee estimates, and procedures, please contact the following local school districts: Mountain View Los Altos Union High School District at [www.mvla.net](http://www.mvla.net) or 650-940-4650; *and* Mountain View Whisman School District at [www.mvwsd.org](http://www.mvwsd.org) or 650-526-3500; or Los Altos School District at [www.lasdschools.org](http://www.lasdschools.org) or 650-947-1150.
74. **ELECTRICAL VEHICLE CHARGERS (EVs) AND PHOTOVOLTAIC SYSTEM (PVs) PERMITS:** Proposed EV and PV are to be a deferred submittal under a separate building permit application.
75. **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](mailto:fire@mountainview.gov)

#### FIRE PROTECTION SYSTEMS AND EQUIPMENT

76. **RESIDENTIAL FIRE SPRINKLER SYSTEM:** Provide an approved automatic fire sprinkler system designed in accordance with NFPA 13D and Mountain View Fire Department specifications. (California Residential Code Section R313.)
77. **FIRE HYDRANTS:** Hydrants in accordance with the Department of Public Works Standard Provisions shall be located every 300' (apart) and within 150' of all exterior walls. Installation shall be complete, and the system shall be tested prior to combustible construction.
78. **SMOKE ALARMS:** All residential occupancies shall be provided with California State Fire Marshal-listed smoke alarms. Smoke alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 907.2.11.)
79. **CARBON MONOXIDE ALARMS:** All residential occupancies shall be provided with carbon monoxide alarms. Carbon monoxide alarms shall be installed in accordance with the California Building Code and the approved manufacturer's instructions. (California Fire Code, Section 915.)

#### FIRE DEPARTMENT ACCESS

80. **FIRE APPARATUS ACCESS ROADS:** Access roads shall have 13'6" unobstructed vertical clearance, 20' of unobstructed width (26' where building occupied floors exceed 30' height), and minimum turning radii of 21' (inside turning radius). Unobstructed width shall mean a clear travelway, excluding parking width, and designed for an emergency vehicle weight of 70,000 pounds. Unobstructed width shall not include the width of rolled curbs, sidewalks, or nondrivable surfaces. (California Fire Code, Section 503, and Mountain View City Code, Sections 14.10.14, 14.10.15, and 14.10.16.)
81. **FIRE APPARATUS TURNAROUNDS:** Dead-end fire apparatus access roads in excess of 150' in length shall be provided with approved provisions for the turning around of apparatuses. "Approved provisions" shall mean that turnarounds, in accordance with Mountain View Fire Department specifications, are provided in locations such that fire apparatuses shall never be more than 150' away from the closest turnaround. (California Fire Code, Section 503.)

82. **FIRE LANE MARKING:** “NO PARKING—FIRE LANE” signs shall be posted along fire lanes, and curbs shall be painted red with the words “NO PARKING—FIRE LANE” stenciled in white on the top and side of the curb. (California Fire Code, Section 503.)

83. **ALL-WEATHER FIRE APPARATUS ACCESS ROADS:** Prior to combustible construction, an all-weather access road capable of supporting emergency vehicles (70,000 pounds) shall be constructed to allow access within 150’ of every portion of the project. Access roads shall have 13’6” overhead clearance, 20’ of unobstructed width, and 21’ inside turning radius. (California Fire Code, Section 503.)

#### EXTERIOR IMPROVEMENTS

84. **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](mailto:public.works@mountainview.gov)

#### OWNERSHIP AND PROPERTY

85. **PRELIMINARY TITLE REPORT:** At first submittal of the building permit and improvement plans, the applicant shall submit to the Public Works Department a current preliminary title report or land deed (dated within six months of the first submittal) indicating the exact name of the current legal owners of the property(ies), their type of ownership (individual, partnership, corporation, etc.), and legal description of the property(ies) involved. The title report shall include all easements and agreements referenced in the title report. Depending upon the type of ownership, additional information may be required. The applicant shall provide an updated title report to the Public Works Department upon request. All required materials shall be submitted electronically (i.e., flattened, reduced-size PDFs).

86. **SUBDIVISION:** Any combination or division of land for sale, lease, or financing purposes requires the filing and approval of a tentative map, completion of all conditions of subdivision approval, and the recordation of the final map, all prior to the issuance of the building permit. In order to place the approval of a final map on the City Council agenda, all related materials must be completed and approved a minimum of 40 calendar days prior to the Council meeting date.

#### RIGHTS-OF-WAY

87. **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-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-way of 35’ is currently not provided, as required by the Public Works Director.

88. **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.

89. **FRONTAGE PUBLIC UTILITY EASEMENT DEDICATION:** Dedicate a 10’ wide public utility easement (PUE) along project street frontage(s) of Moorpark Way and Sylvan Avenue for such use as sanitary sewer, water, storm drains, and other public utilities, including gas, electric, and telecommunication 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.

90. **PUBLIC WATER METER EASEMENT:** *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:* Dedicate public water meter easement (WME) to construct, install, maintain, repair, replace, and operate water meters and appurtenances, as required by the Public Works Director. **(PROJECT-SPECIFIC CONDITION)**
91. **PUBLIC SERVICE EASEMENT:** Dedicate a public service easement (PSE) to the utility company(ies) for the proposed electric, gas, and telecommunication conduits and vaults serving the project.
92. **PRIVATE UTILITY AND ACCESS EASEMENTS:** Dedicate private utility and/or access easements, as necessary, for the common private street and utility improvements.
93. **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. 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.

#### FEES AND PARK LAND

94. **MAP PLAN CHECK FEE:** Prior to the approval of the final map, as applicable, the applicant shall pay the map plan check fee in accordance with Sections 28.7(b) and 28.6(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 the first map plan check submittal per the adopted fee in effect at time of payment.
95. **PLAN CHECK AND INSPECTION FEE:** Prior to the approval of the 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.

96. **TRANSPORTATION IMPACT FEE:** Prior to the approval of the 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.
97. **WATER AND SEWER CAPACITY CHARGES:** Prior to the issuance of any building permits, the applicant shall pay the water and sewer capacity fees for the development. The water and sewer capacity charges for residential connections are based on the number and type of dwelling units. Separate capacity charges apply for different types of residential categories to reflect the estimated demand of each type of connection. The water and sewer capacity charges for nonresidential connections are based on the water meter size, building area, and building use, respectively. Credit is given for the existing site use(s) and meter size(s), as applicable.
98. **PARK LAND DEDICATION FEE:** Prior to the approval of the final map, the applicant shall pay the Park Land Dedication Fee of \$53,820 for each net new market-rate residential unit with a project total fee of \$1,076,400, based on a land valuation of \$7.8 million per acre in accordance with Chapter 41 of the City Code. No credit against the Park Land Dedication Fee is allowed for private open space and recreational facilities.
99. **PUBLIC AND PRIVATE COMMON IMPROVEMENTS:** Install or reconstruct standard public and private common improvements for the subdivision and as required by Chapters 27 and 28 of the City Code. The public improvement(s) include, but are not limited to, new curb, gutter, sidewalk, driveway approach, curb ramps, street trees, streetlights, utility undergrounding, 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 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:* the public improvements also include water services. The private common improvement(s) 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 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:* the private common improvements also include underground utility services for domestic water and irrigation water.

- a. **Improvement Agreement:** Prior to the approval of the 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 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. 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](http://www.fiscal.treasury.gov/fsreports/ref/suretyBnd/c570_a-z.htm). The bond amount must be below the underwriting limitation amount listed on the Department of the Treasury's Listing of Approved Sureties. The surety must be licensed to do business in California. Guidelines for security deposits are available at the Public Works Department.
- c. **Insurance:** Prior to the approval of the final map, the property owner must provide a Certificate of Insurance and endorsements for 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) Contractors' Pollution Liability, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department. **(PROJECT-SPECIFIC CONDITION).**

#### STREET IMPROVEMENTS

100. **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 is to be prepared by the civil engineer preparing the improvement plans.
101. **EXCAVATION PERMIT:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, submit a complete Excavation Permit Application for all applicable work within the public right-of-way to the Public Works Department. Permit applications are available online from the City website at: <https://developmentpermits.mountainview.gov/about-permits/applications>.
102. **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"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) for work that impacts traffic on existing streets. Construction management plans 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 identified "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 the final map.

103. **PRIVATE COMMON IMPROVEMENT PLANS:** Prepare on-site private 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 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 USB flash drive with CAD file and PDF must be submitted to the Public Works Department prior to the approval of the final map.

104. **TRAFFIC CONTROL PLANS:** For projects with any work within the public right-of-way, upon first submittal of the building permit and improvement plans, the applicant shall submit traffic control plans for any off-site and on-site improvements or any work that requires temporary lane closure, shoulder closure, bike lane closure, and/or sidewalk closure for review and approval. Sidewalk closures are not allowed unless reconstruction of sidewalk necessitates temporary sidewalk closure. In these instances, sidewalk detour should be shown on the Traffic Control plans. Traffic control plans shall show and identify, at a minimum, work areas, delineators, signs, and other traffic-control measures required for work that impacts traffic on existing streets and shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD) and the latest City standards. A completed Traffic Control Checklist shall be included with each traffic control plan submittal.

105. **CONSTRUCTION MANAGEMENT PLAN:** Upon first submittal of the building permit and improvement plans, the applicant shall provide a construction traffic and parking management plan with the building plans and within the improvement plans identified "For Reference Only—See Building Permit Plans." The plan must be approved prior to the issuance of a building permit, including demolition permits. The plan must show the following:

1. **Truck Route:** Truck route (to and from project site) for construction and delivery trucks pursuant to City Code Sections 19.58 and 19.59 and which does not include neighborhood residential streets;
2. **Construction Phasing, Equipment, Storage, and Parking:** Show and identify construction vehicle and equipment parking area, material storage and lay-down area, sanitation facilities, and construction trailer location for each phase of construction. All construction vehicles, equipment, and trailers shall be located on-site or at a site nearby (not on a public street or public parking) arranged by the permittee/contractor. Construction equipment, materials, or vehicles shall not be stored or parked on public streets or public parking lots, unless approved by the Public Works Director due to special conditions. Construction contractors/workers are required to park on-site or at a private property arranged by the permittee/contractor and shall not be allowed to use neighboring streets for parking/storage;
3. **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities; and

4. **Traffic Control and Detour Plans:** Submit traffic control plans, including detour plans, when on-site improvements and phases of the construction management plan require temporary roadway, lane, shoulder, and/or bike lane closure. Provide pedestrian detour plans when necessary.

Site-specific traffic control plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). A completed Traffic Control Checklist shall be included with each traffic control plan submittal. A separate Excavation Permit from the Public Works Department will be required prior to the issuance of the building permit.

106. **NOTIFICATION OF ADJACENT/AFFECTED PROPERTIES:** During improvement plan design, the applicant shall provide advance written notification(s) to owners and tenants of adjacent and affected properties describing the nature of the proposed public improvements and estimated project duration, as determined necessary by the Public Works Department. The notice(s) shall be approved by the City prior to distribution.
107. **ENCROACHMENT RESTRICTIONS:** Private facilities, including, but not limited to, structures, steps, doors (including door swing), handrails, backflow preventers, signs, fences, retaining curbs, and retaining walls shall not encroach into the public right-of-way and/or street easement.
108. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
109. **CORNER STREET SIGHT TRIANGLE:** At street corners of controlled and/or uncontrolled intersections, the site shall be compliant with Corner Triangles of Safety per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project will be required to remove or modify all objects, including, but not limited to landscape, hardscape, soundwalls, etc., that are not compliant with safety triangle height and clearance requirements. Benches, tables, and chairs shall not be installed in this safety area.
110. **DRIVEWAY SIGHT TRIANGLE:** Within the pedestrian and/or vehicle traffic safety sight triangle(s), for the project site and adjacent properties, the site shall be compliant with height and clearance requirements per the Public Works Standard Details and to the satisfaction of the Public Works Director. The project is required to remove or modify all objects, including, but not limited to, landscape, hardscape, poles, bollards, miscellaneous structures (including columns), signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
111. **PHOTOMETRIC ANALYSIS:** Submit a photometric analysis for intersection of Moorpark Way and Sylvan Avenue. The analysis shall show all existing and/or proposed streetlights (show and identify pole height, arm length, and location). The analysis shall calculate the minimum, maximum, average illuminance values, and uniformity ratios for each crosswalk, shown separately. The project shall be required to install new streetlights or modify existing streetlights, as determined by the City Traffic Engineer, to ensure locations are compliant with minimum lighting requirements per the latest City Standard Details. (City Standard Detail E-1A/E-1B)
112. **STREETLIGHTS:** New City standard streetlights shall be installed along the project street frontages of Moorpark Way and Sylvan Avenue per City standards. Streetlights shall be installed near crosswalks, new driveway approach, intersections, or other locations deemed necessary by the City Traffic Engineer. All conduits, pullboxes, and wiring shall be removed, replaced, and upgraded along the project street frontages. Appropriate clearances per PG&E requirements between existing overhead lines shall be provided where applicable.
113. **STREET OVERLAY AND/OR PAVEMENT RECONSTRUCTION:** At a minimum, half-street overlay (minimum 2" grind and overlay) and/or pavement reconstruction along the Moorpark Way and Sylvan Avenue project street frontages shall be required to address the existing roadway conditions, multiple utility trenches, and impacts from the anticipated construction traffic. The extent of the grind and overlay shall also include areas with significant utility trench reconstruction, which may require full-street overlay. Existing street sections shall be shown on the plans based on pavement section data obtained during potholing, and proposed street sections shall be designed in accordance with City Standards and design criteria. The specific areas of work shall be clearly identified and shown on the plans. **(PROJECT-SPECIFIC CONDITION)**

114. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD). All new striping and pavement markings shall be thermoplastic. All striping and markings damaged and/or removed as part of construction and pavement work shall be replaced with thermoplastic striping. The specific areas of work shall be clearly identified and shown on the plans to the satisfaction of the City Traffic Engineer.
115. **HIGH-VISIBILITY CROSSWALK:** Crosswalks on Moorpark Way and Sylvan Avenue shall be high-visibility thermoplastic ladder crosswalks with warning signs and pavement markings. Conflicting markings and/or signage shall be removed or relocated, as determined by the City Traffic Engineer during the during the off-site improvement plan review process. The specific areas of work shall be clearly identified and shown on the plans to the satisfaction of the City Traffic Engineer.
116. **RED CURB ALONG PROJECT FRONTAGE:** Street curbs along the project street frontages shall be painted red, and double-sided “No Stopping Anytime” signs shall be installed, as determined and approved by the City Traffic Engineer. The specific areas of work shall be clearly identified and shown on the plans. Additional signing and striping may be required as determined during the off-site improvement plan review, including, but not limited to, centerline striping, curb paint, and roadway signage.
117. **BIKE FACILITY ALONG PROJECT FRONTAGE/INTERSECTION:** Green bike lane/bike crossings/skip boxes shall be installed along the project street frontages and intersection to accommodate increased vehicle and bicycle trips generated by the project and to improve bicyclists’ safety. The specific areas of work shall be clearly identified and shown on the plans. The design of the enhancements shall be to the satisfaction of the City Traffic Engineer, as determined during the off-site improvement plan review process.
118. **STOP-CONTROLLED SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled to address conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway. Stop-controlled egress shall include STOP signs, a limit line, and “STOP” pavement marking(s). The specific areas of work shall be clearly identified and shown on the plans.
119. **PARKING RESTRICTION:** Parking shall be prohibited within the private street, excluding approved guest parking, as the parking would obstruct the use of the driveway. 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. The private street shall be signed and/or striped as “No Parking” or “No Parking—Fire Lane.” The specific areas of work shall be clearly identified and shown on the plans.

#### CURBS, SIDEWALKS, AND DRIVEWAYS

120. **ADA RAMP REQUIREMENTS:** The project curb ramp on the southwest corner of Moorpark Way and Sylvan Avenue shall be reconstructed as a bidirectional ramp and generally conform to the preliminary design in the approved planning application. All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. The specific ramp case type, ramp design, and limits of work shall be clearly identified and shown on the plans. **(PROJECT-SPECIFIC CONDITION)**
121. **DRIVEWAY APPROACH AND ADA SIDEWALK REQUIREMENTS:** The new driveway approach shall align with the New Frontier Mobile Home Park on Sylvan Avenue and generally conform to the preliminary design in the approved planning application. A minimum 4’ wide ADA-compliant public sidewalk shall be provided behind the new driveway approach. Tapers (conforms) may be provided to connect the proposed public sidewalk on each side of the proposed driveway, and the new approach shall have commercial flares. The specific areas of work shall be clearly identified and shown on the plans. **(PROJECT-SPECIFIC CONDITION)**
122. **CURB, GUTTER, SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Moorpark Way and Sylvan Avenue. The sidewalk shall be detached with a landscape strip and designed with a consistent 2% cross-slope from the top of the curb to back of the sidewalk and minimal grade breaks in the longitudinal slope of the curb line. The sidewalk may meander to monolithic sidewalk to preserve Heritage trees at specific locations generally conforming to the preliminary design in the approved planning application.

Moorpark Way shall have a 5’ wide sidewalk with a 5’ wide landscape strip. Sylvan Avenue shall have a 6’ wide sidewalk with a 5’ wide landscape strip. Where the Sylvan Avenue sidewalk meanders to monolithic, the allowable sidewalk width may be



reduced to 5' wide and landscape strip increased to 6' wide to preserve the existing Heritage tree. The curb return radius at the intersection of Moorpark Way and Sylvan Avenue shall be a minimum 30'. The specific limits of work shall be clearly identified and shown on the plans. **(PROJECT-SPECIFIC CONDITION)**

123. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Moorpark Way and Sylvan Avenue out of the sidewalk and relocate to the Public Service Easement or Public Utility Easement. Utility boxes must be located so they fit entirely within the utility easement(s) and shall not encroach into the sidewalk. The specific areas and limits of work shall be clearly identified and shown on the plans. Private-serving transformers, vaults, boxes, etc., shall be placed on-site out of the public right-of-way and frontage Public Utility Easement. **(PROJECT-SPECIFIC CONDITION)**

#### STREET TREES

124. **PROJECT ARBORIST:** Developer to retain services of ISA Certified Arborist or ASCA Registered Consulting Arborist to serve as project arborist for the duration of the project.
125. **STREET TREE LOCATIONS:** The location of existing trees to be removed, existing trees to remain, and new street trees to be planted shall be shown on the grading, utility, and landscaping plans.
126. **STREET TREE INSTALLATION:** Install street trees along all street frontages such that tree-to-tree spacing is equivalent to 80% of mature canopy. All trees shall be a minimum of 15 gallons in size. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions.
127. **STREET TREE SPECIES:** New street tree species must be selected from the City's adopted Street Tree Master Tree list or an alternative species that has been reviewed and approved in writing by City arborist prior to planting. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Urban Forestry Division at [trees@mountainview.gov](mailto:trees@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
128. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.
129. **TREE PROTECTION ZONES (TPZ):** Detailed Tree Protection Zone (TPZ) drawings in accordance with City of Mountain View Tree Technical Manual shall be submitted and approved by the City arborist prior to issuance of any grading, building, or other permits.
130. **TREE PROTECTION FENCING:** Tree protection fencing shall be installed and approved by the City arborist, prior to commencing any work on-site. Once installed, no modification of tree protection fencing is allowed unless approved in writing by the City arborist prior to changes occurring. Modifications to tree protection fencing must include justifications for adjustment and alternatives to relocation that were considered.
131. **EXCAVATION WITHIN TPZ:** All excavations within the TPZ shall be performed using the least invasive methods possible, including the use of only hand tools, hydro-excavation, or other method approved in writing by the City arborist.
132. **PROJECT MONITORING:** All trees and tree protection fencing shall be inspected by an ISA Certified Arborist or ASCA Registered Consulting Arborist at least once per month for the duration of the project. The project arborist shall document changes to the health and condition of the tree or issues with tree protection fencing and provide copies to the project superintendent, building inspector, and City arborist.
133. **PRUNING OF TREES TO REMAIN:** All pruning of trees to remain shall be consistent with ISA BEST MANAGEMENT PRACTICES and ANSI A-300 Standards and approved by the project arborist prior to work being performed.
134. **IRRIGATION OF TREES TO REMAIN:** All mature trees on-site to remain shall be watered monthly with a minimum 10 gallons of water per inch of diameter when measured at 4.5' above grade (40" diameter tree receives 400 gallons per month).

135. **STREET TREES:** Install standard City street trees along the project street frontages, including where there are gaps in the space of existing street trees.
136. **STREET TREE LOCATION:** The location of existing trees to remain, existing trees to be removed, and new street trees shall be shown on the grading, utility, and landscaping plans. New street trees shall be planted in accordance with Detail F-1 of the Standard Provisions a minimum of 10' from sanitary sewer lines, traffic signals, stop and yield signs, and streetlights and 5' from water lines, fire lines, and driveways. New street tree species must be selected from the City's adopted Master Tree list or be an approved alternate by the City arborist. The applicant shall complete the "Proposed Street Tree" form available from the Planning Division online at [www.mountainview.gov/planningforms](http://www.mountainview.gov/planningforms). Once completed, the applicant shall email the original to the Parks Division at [parks@mountainview.gov](mailto:parks@mountainview.gov) and provide a duplicate copy to the Building Division with building permit submittal.
137. **STREET TREE IRRIGATION:** Street trees shall be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

#### UTILITIES

138. **CALIFORNIA WATER SERVICE:** The project is currently serviced by California Water Service Company (Cal Water) for water supply. The applicant shall confirm Cal Water can serve the development with the increased water demand due to the new fire sprinkler requirements and coordinate all water-system requirements directly with Cal Water.  
**Will-Serve Letter:** The applicant shall obtain a will-serve letter from Cal Water prior to the issuance of the building permit.  
**Approval for Water Service Connection(s):** Prior to building permit issuance, the applicant shall submit a copy of the approved Cal Water Service Application.  
**Relinquishment Letter:** If Cal Water is unable to serve the development, the applicant shall obtain a relinquishment of services letter from Cal Water prior to the issuance of the building permit and connect to City water. The applicant shall be required to pay a water main existing facilities fee with the water service application for connecting the project to the City water system prior to final map approval. **(PROJECT-SPECIFIC CONDITION)**
139. **POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans. Utilities shall be potholed to determine the depths and locations of existing subsurface utilities where improvements are proposed for construction, including, but not limited to, new utility crossings and installation of signal and streetlight pole foundations. Proposed pothole locations for signal pole foundations shall be approved by the City Traffic Engineer prior to potholing. Existing pavement sections shall also be recorded for all potholes. Obtain an Excavation Permit from the Public Works Department prior to performing potholing. Incorporate pothole data on the first submittal of improvement plans, including, but not limited to, pothole location, depth of utility, and pavement sections.
140. **WATER AND SEWER SERVICE:** Each dwelling, townhouse, apartment house, restaurant, or place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38. All new services are required, and sewer services shall be installed in accordance with City standards. *If Cal Water submits in writing 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:* Water services shall be installed in accordance with City standards.
141. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required.
142. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, potable water services, recycled water services, fire services, sewer laterals, sewer cleanouts, storm drain laterals, storm cleanouts/inlets, gate valves, manholes, and utility mains shall be shown on the plans. Sewer laterals, potable water services, and fire services shall have a minimum 5' horizontal separation from each other. New sewer laterals shall have a minimum 10' clearance from trees. Angled connections within City service lines shall not be allowed. Utility profiles shall be required for all new City services.

Existing sanitary sewer laterals and storm connections that are not reused shall be abandoned, and existing face-of-curb drains that are not reused shall be removed.

*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 new water main for the project shall be looped through the development. New potable water shall have a minimum 5' clearance from trees. Master water meters shall be located in the landscape strip behind the curb. **(PROJECT-SPECIFIC CONDITION)**

143. **BACKFLOW PREVENTER:** *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:* Aboveground reduced-pressure backflow preventers are required for all new and existing City potable 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. For master water meters, backflow preventers shall be placed behind the sidewalk, and the service line shall be encased in slurry if the distance between the master meter and backflow exceeds 8'. A minimum 3' clearance shall be provided around each assembly for accessibility and maintenance. A minimum 1' clearance shall be provided between the assembly and building face, as applicable. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation. **(PROJECT-SPECIFIC CONDITION)**

144. **SANITARY SEWER MANHOLE:** A sanitary sewer manhole shall be installed in accordance with City standards.

145. **WATER AND SEWER APPLICATIONS:** Upon first submittal of the building permit and improvement plans, the applicant shall submit complete applications for sewer service to the Public Works Department if new sewer laterals are required. Any sanitary sewer fees must also be paid prior to the issuance of any permits.

*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:* Upon first submittal of the building permit and improvement plans, the applicant shall submit complete applications for water service to the Public Works Department if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits. **(PROJECT-SPECIFIC CONDITION)**

146. **OFF-SITE TRASH CAPTURE DEVICES:** Trash capture devices in the public right-of-way required to be installed by the Fire and Environmental Protection Division shall be shown and identified on the improvement plans.

147. **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 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:* On-site water facilities shall also be privately maintained. **(PROJECT-SPECIFIC CONDITION)**

148. **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)**

149. **UNDERGROUNDING OF OVERHEAD SERVICES:** All new and existing electric and telecommunication facilities serving the site 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 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, as approved by the Community Development and Public Works Departments.
150. **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)**
151. **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)

152. **STORMWATER MANAGEMENT:** Stormwater treatment control measures in the public right-of-way shall generally conform to the preliminary design in the approved planning application and shall be included in the off-site improvement plans. Stormwater runoff within the public right-of-way shall remain separate from all on-site stormwater runoff, and any public facilities shall be placed within the public right-of-way landscape strip. The bioretention planter top-of-wall elevations shall be level with the adjacent public sidewalk and flush with the adjacent landscaping. Overflow drainage shall be directly connected to the public storm drain main system, and overland release shall be directed toward the public street. The design of stormwater control shall minimize the number and size of treatment measures within the public right-of-way to the satisfaction of the Public Works Director. Stormwater treatment control measures in the public right-of-way required under this condition shall enter into a formal recorded Maintenance Agreement with the City. **(PROJECT-SPECIFIC CONDITION)**
153. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
154. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways (other than single-family residential) shall not surface-drain across public sidewalks or driveway aprons. Storm drain laterals from the site shall be installed with a property line inlet or manhole and connect to existing storm drain manholes or curb inlets if at all possible. Existing storm inlets proposed for reuse shall meet current City Standards.
155. **LOT DRAINAGE:** Each residential lot shall be designed to drain toward the streets, alleys, private streets, 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.

156. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots, driveways, alleys, and private streets that prevents the 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 grading and drainage plans.

SOLID WASTE AND RECYCLING

157. **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."
158. **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.
159. **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."
160. **TRASH ENCLOSURE DESIGN AND DETAILS:** Trash plan sheet and enclosure details must be included on a separate sheet in the building plans and include the following:
- This 22-unit single-family residential development shall have trash, recycling, and organics/composting service. Display trash room layout, location, and dimensions to scale on the plans with the following minimum service levels: two 2-yard trash, three 96-gallon paper recycling carts, one 96-gallon container recycling cart, and one 2-yard compost.
  - The trash enclosure shall be 27' wide and 15'2" deep. Maintain trash room clearances of minimum 1' between bins, walls, and interior curbs and a minimum 6' aisle way to roll bins out. Do not extend the 1' wheel stop along the enclosure wall opposite the pedestrian door more than 4'5" (interior dimension). The layout of the containers shall allow for easy access to the front of the bins and carts.
  - The trash enclosure shall have a minimum of 8' wide doors with offset hinges to allow them to lay-flat when open and demonstrate the doors will not encroach into the travelway. Show and identify on the plans the means to secure the doors in both the opened and closed positions (e.g., cane bolts and drop-pin holes). Show and identify the four drop-pin holes or have notes on the detail sheet in the building plans.
  - The trash enclosure is for collection containers only and not for other storage. The trash enclosure shall be posted/labeled "Trash Room."
  - Enclosure standards require no less than 9' vertical clearance for roof from finished grade to roof interior. Show dimensions on plans.
  - In the trash enclosure, install the light switch above the height of a 3-yard bin (5'2") so it is accessible or install motion-sensing lights overhead. Show and identify on plans.
  - If trash room does not have an interior berm or curb, it shall have bumpers on the walls to avoid damage from bins hitting it. Show and identify on plans.
  - Install concrete stress pad the same width as the enclosure and extending a minimum of 10' beyond the enclosure access door(s). The concrete pad shall be designed to accommodate the weight of a 60,000-pound collection vehicle. Show and identify on plans.

- Trash truck circulation must demonstrate the collection vehicle can safely maneuver the property/project with an inside turning radius of 34' and outside turn radius no less than 41'. Display and dimension the complete truck travelway circulation to and from trash enclosure.
- Overhead clearances of 15' in the travelway and 22' at the point of collection shall be maintained. Show and identify on the plans.
- Driveway entrance at Sylvan Avenue shall have commercial flares (3' width) installed to avoid running over curbs when entering or exiting the property.
- Roll-out fees charged by the City's trash hauler will apply for containers that must be rolled more than 30' from any holding area to the truck. **(PROJECT-SPECIFIC CONDITION)**

#### CONSTRUCTION ACTIVITIES, NOTES, AND OTHER APPROVALS

161. **CALTRANS PERMIT:** The Applicant shall be responsible for applying for, and obtaining approval of, a Caltrans Encroachment Permit for all work within Caltrans' jurisdiction. Work within the state right-of-way must be in accordance with Caltrans requirements.
162. **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."
163. **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."
164. **OCCUPANCY RELEASE (RESIDENTIAL):** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: "For residential developments, no residential units will be released for occupancy unless the improvements to be constructed to City standards and/or to be accepted for maintenance by the City, including water meters and sanitary sewer cleanouts as well as trash rooms and/or enclosures, are substantially complete per the City of Mountain View Standard Provisions for Public Works construction. The Public Works Director shall make the determination of what public improvements are substantially complete."

Fire and Environmental Protection Division—650-903-6378 or [FEPD@mountainview.gov](mailto:FEPD@mountainview.gov)

#### ENVIRONMENTAL SAFETY

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at [www.mountainview.gov/fep](http://www.mountainview.gov/fep). "Stormwater Quality Guidelines for Development Projects" can be accessed on the Fire Department website at [www.mountainview.gov/fepforms](http://www.mountainview.gov/fepforms).

165. **STATE OF CALIFORNIA CONSTRUCTION GENERAL STORMWATER PERMIT:** A "Notice of Intent" (NOI) and "Stormwater Pollution Prevention Plan" (SWPPP) shall be prepared for construction projects disturbing one (1) acre or more of land. Proof of coverage under the State General Construction Activity Stormwater Permit shall be attached to the building plans.
166. **CONSTRUCTION BEST MANAGEMENT PRACTICES:** All construction projects shall be conducted in a manner which prevents the release of hazardous materials, hazardous waste, polluted water, and sediments to the storm drain system.
167. **CONSTRUCTION SEDIMENT AND EROSION CONTROL PLAN:** The applicant shall submit a written plan acceptable to the City which shows controls that will be used at the site to minimize sediment runoff and erosion during storm events. The plan

should include installation of the following items where appropriate: (a) silt fences around the site perimeter; (b) gravel bags surrounding catch basins; (c) filter fabric over catch basins; (d) covering of exposed stockpiles; (e) concrete washout areas; (f) stabilized rock/gravel driveways at points of egress from the site; and (g) vegetation, hydroseeding, or other soil stabilization methods for high-erosion areas. The plan should also include routine street sweeping and storm drain catch basin cleaning.

168. **ENGINEERED DRAWINGS:** Treatment systems and/or porous pavement, pavers, and other uncompacted surfaces require engineered drawings.
169. **LOW-USE ACCESS AREA DRAINAGE:** Low-use public access areas, such as overflow parking, emergency access roads, and alleys, shall be designed to increase stormwater infiltration and decrease runoff by one or more of the following methods: (a) porous pavement; (b) pavers; (c) uncompacted bark/gravel; or (d) drain to landscaped areas or vegetative strips.
170. **LANDSCAPE DESIGN:** Landscape design shall minimize runoff and promote surface filtration. Examples include: (a) no steep slopes exceeding 10%; (b) using mulches in planter areas without ground cover to avoid sedimentation runoff; (c) installing plants with low water requirements; and (d) installing appropriate plants for the location in accordance with appropriate climate zones. Identify which practices will be used in the building plan submittal.
171. **EFFICIENT IRRIGATION:** Common areas shall employ efficient irrigation to avoid excess irrigation runoff. Examples include: (a) setting irrigation timers to avoid runoff by splitting irrigations into several short cycles; (b) employing multi-programmable irrigation controllers; (c) employing rain shutoff devices to prevent irrigation after significant precipitation; (d) use of drip irrigation for all planter areas which have a shrub density that will cause excessive spray interference of an overhead system; and (e) use of flow reducers to mitigate broken heads next to sidewalks, streets, and driveways. Identify which practices will be used in the building plan submittal.
172. **FIRE SPRINKLERED BUILDINGS:** New buildings that will have fire sprinkler systems shall be provided with a sanitary sewer drain in a protected area, which can adequately accommodate sprinkler water discharged during sprinkler system draining or activation of the inspector test valve. Show the location and provide a detail of the fire sprinkler drain on the plans.
173. **PRIVATE STREET MAINTENANCE:** For residential projects with private streets, the following ongoing maintenance shall be provided: (a) private streets shall be swept at least four times per year; (b) private storm drain inlets shall be cleaned at least once per year prior to October 15; and (c) common area trash management and litter control. Attach a copy of the contract or maintenance agreement identifying the name, address, and phone number of the party carrying out these maintenance activities.
174. **PRIVATE STORM DRAIN INLET STENCILING:** For residential subdivisions with private streets, storm drain inlets shall be labeled in accordance with the City's storm drain inlet label program ("No Dumping, Flows to Bay").
175. **OUTDOOR STORAGE AREAS (INCLUDING GARBAGE ENCLOSURES):** Outdoor storage areas (for storage of equipment or materials which could decompose, disintegrate, leak, or otherwise contaminate stormwater runoff), including garbage enclosures, shall be designed to prevent the run-on of stormwater and runoff of spills by all of the following: (a) paving the area with concrete or other nonpermeable surface; (b) covering the area; and (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter. There shall be no storm drains in the outdoor storage area.
176. **STORMWATER TREATMENT (C.3):** This project will create or replace more than five thousand (5,000) square feet of impervious surface; therefore, stormwater runoff shall be directed to approved permanent treatment controls as described in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." Runoff from portions of the public right-of-way (e.g., sidewalks, curb extensions, pavement replacement, and curb and gutter replacement in the street frontage) that are constructed or reconstructed as part of Regulated Projects will also need to be treated using Low-Impact Development (LID) measures. The City's guidelines also describe the requirement to select LID types of stormwater treatment controls; the types of projects that are exempt from this requirement; and the Infeasibility and Special Projects exemptions from the LID requirement.

The "Stormwater Quality Guidelines for Development Projects" document requires applicants to submit a Stormwater Management Plan, including information such as the type, location, and sizing calculations of the treatment controls that will be installed. Include three stamped and signed copies of the Final Stormwater Management Plan with the building plan

submittal. The Stormwater Management Plan must include a stamped and signed certification by a qualified Engineer, stating that the Stormwater Management Plan complies with the City's guidelines and the State NPDES Permit. Stormwater treatment controls required under this condition may be required to enter into a formal recorded Maintenance Agreement with the City.

177. **STORMWATER MANAGEMENT PLAN—THIRD-PARTY ENGINEER'S CERTIFICATION:** The Final Stormwater Management Plan must be certified by a qualified third-party engineer that the proposed stormwater treatment controls comply with the City's Guidelines and Provision C.3 of the Municipal Regional Stormwater NPDES Permit (MRP). A list of qualified engineers is available at the following link: [https://scvurppp.org/wp-content/uploads/2022/12/SCVURPPP-Qualified-Consultants-List-Memo\\_December-2022.pdf](https://scvurppp.org/wp-content/uploads/2022/12/SCVURPPP-Qualified-Consultants-List-Memo_December-2022.pdf).
178. **FULL TRASH CAPTURE:** Projects undergoing site improvements shall install full trash capture protection within the existing storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. The full-trash capture device must be selected from the list of State Water Board-approved devices: [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html). Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer's recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site and include details for the installation of the trash capture system(s) in the building plans for the project.
179. **FULL TRASH CAPTURE (OFF-SITE IMPROVEMENT):** Projects that will construct off-site improvements to the public storm drain system shall install full trash capture protection within the newly constructed public storm drain system. Examples of full trash capture systems include large trash capture devices, such as hydrodynamic separators or media filtration systems, or small trash capture devices, such as storm drain catch basin connector pipe screens. The full-trash capture device must be selected from the list of State Water Board-approved devices: [https://www.waterboards.ca.gov/water\\_issues/programs/stormwater/trash\\_implementation.html](https://www.waterboards.ca.gov/water_issues/programs/stormwater/trash_implementation.html). Once installed, the property owner or property manager shall be responsible for maintaining the trash capture device. Maintenance shall be completed in accordance with the manufacturer's recommended frequency, but at a minimum of one time per year. Indicate the type of full trash capture device that will be installed to remove trash from runoff for the entire project site and include details for the installation of the trash capture system(s) in the building plans for the project.
180. **BUILDING DEMOLITION PCB CONTROL:** Nonwood-frame buildings constructed before 1981 that will be completely demolished are required to conduct representative sampling of priority building materials that may contain polychlorinated biphenyls (PCBs). If sample results of one or more priority building materials show PCBs concentrations  $\geq 50$  ppm, the applicant is required to follow applicable federal and state notification and abatement requirements prior to demolition of the building. Submit a completed "Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package" with the building demolition plans for the project. A demolition permit will not be issued until the completed "PCBs Screening Assessment Applicant Package" is submitted and approved by the City Fire and Environmental Protection Division (FEPD). Applicants are required to comply with applicable federal and state regulations regarding notification and abatement of PCBs-containing materials. Contact the City's FEPD at 650-903-6378 to obtain a copy of the "PCBs Screening Assessment Applicant Package" and related guidance and information.

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

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/HZ/6/FDG  
PL-2023-204