

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

Page 1 of 25

APPLICATION NO.:

PL-2020-165

DATE OF FINDINGS:

September 13, 2023

EXPIRATION OF ZONING PERMIT:

September 13, 2025

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

Applicant's Name:

Amin Salkhi

Property Address:

Assessor's Parcel No(s).:

Zone:

2110 Old Middlefield Way

147-07-048

CS

Request:

Request for a Conditional Use Permit and Development Review Permit to construct a new gas station with three dual-fueling pumps (providing six total fueling stations), a drive-through car wash, and a 531 square foot convenience store on a vacant 0.32-acre project site; and a determination that the project has prepared an Initial Study/Mitigated Negative Declaration pursuant to the California Environmental Quality Act (CEQA) Guidelines.

APPROVED

CONDITIONALLY
APPROVED

DISAPPROVED

OTHER

FINDINGS OF APPROVAL:

The Conditional Use Permit for a gas service station with retail sales and car wash is conditionally approved based upon the conditions contained herein and upon the following findings per Section 36.48.25:

- A. The proposed use is conditionally permitted within the Commercial Service Zoning District and complies with all of the applicable provisions of Chapter 36 (Zoning) of the City Code, including maximum floor area ratio, building height, and setback requirements;
- B. The proposed use is consistent with the General Mixed-Use Land Use Designation of the General Plan because the proposed gas service station with retail sales and car wash supports the intent of providing a wide range and mix of land uses. Furthermore, the Monta Loma Planning Area as described in the General Plan calls out the Old Middlefield Way corridor as one of the few locations remaining in the City for service commercial uses, such as auto repair and light manufacturing. Additionally, the key policy direction for this area encourages new service uses, specifically on underused sites, and states the importance of protecting these important service commercial uses;
- C. The location, size, design, and operating characteristics of the proposed use are compatible with the site, building character, and environmental conditions of existing and future land uses in the vicinity because the currently vacant lot will be developed with a proposed gas service station with retail sales and car wash, which is a conditionally permitted land use in the CS Zoning District. The convenience store and car wash structures utilize high-quality exterior finish materials with a complementary color scheme. Additionally, the existing undeveloped site will be enhanced with 14 new trees in total, including three new street trees, and extensive new landscaping in large planter areas along the perimeter of the site;
- D. Any special structure or building modifications necessary to contain the proposed use would not impair the architectural integrity and character of the zoning district in which it is to be located because the project is compliant with all applicable

Owner

Agent

File

Fire

Public Works

zoning requirements of the CS Zoning District and is buffered by new tree plantings and landscaping located in wide planter areas along the perimeter of the site; and

- E. The approval of the Conditional Use Permit is in compliance with the California Environmental Quality Act (CEQA) as an Initial Study/Mitigated Negative Declaration was prepared pursuant to Sections 15064(f)(3) and 15070(b) of the CEQA Guidelines, which document that the proposed project, with inclusion of the mitigation measure and the City's standard conditions of approval, would not have a significant effect on the environment.

The Development Review Permit to allow a gas service station with retail sales and car wash is conditionally approved based upon the conditions of approval contained herein and upon the following findings per Section 36.44.70:

- 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 since the project provides an efficiently designed site layout and high-quality building design and enhances the pedestrian realm with wider sidewalks and is buffered by landscaping along the perimeter, which aids in integrating the project in with the surrounding land uses;
- 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 because the project proposes a modern exterior material and a neutral earth-tone paint color program. Additionally, the rectilinear forms and awnings of the retail store and car wash are complementary of the architectural design and aesthetic of the mixed-use residential building located directly adjacent to the project site across Rengstorff Avenue;
- 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, as the project provides a well-designed site layout, which includes Americans with Disabilities Act (ADA) accessible ramps from the public right-of-way onto the site, clear pedestrian and vehicle triangles of visibility at the two driveways, widened sidewalks along the project frontage to 10', and features extensive landscape planters and new tree plantings, including 14 new trees in total (11 on-site and three new street trees), which provide a visual buffer and enhanced pedestrian experience along the public right-of-way;
- 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 by developing the existing vacant undeveloped site with a comprehensive landscape program featuring extensive landscaped planter areas along the perimeter of the project site, including 14 new trees in total (11 on-site and three new street trees) and a significant number of shrub plantings;
- E. The design and layout of the proposed project will result in well-designed vehicular and pedestrian access, circulation, and parking by providing a site layout which provides safe access onto the site for both vehicles and pedestrians via two access driveways fronting Old Middlefield Way and Rengstorff Avenue and a direct paved pathway from the public sidewalk leading to the service station's retail store. Additionally, one long-term bicycle rack is located at the entrance to the retail store; and
- F. The approval of the Development Review Permit complies with the California Environmental Quality Act (CEQA) as an Initial Study/Mitigated Negative Declaration was prepared pursuant to Sections 15064(f)(3) and 15070(b) of the CEQA Guidelines, which documents that the proposed project, with inclusion of the mitigation measure and the City's standard conditions of approval, would not have a significant effect on the environment.

This approval is granted to construct a gas service station with retail sales and car wash located on Assessor's Parcel No. 147-07-048. 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 Studio O2, date stamped May 19, 2023.
- b. Project description, date stamped May 19, 2023.
- c. Color and materials board prepared by Studio O2, date stamped May 11, 2023.

- d. An Initial Study/Mitigated Negative Declaration entitled 2110 Old Middlefield Way Gas Station, dated June 2023, as prepared by David J. Powers & Associates was prepared for the City in accordance with Sections 15064(f)(3) and 15070(b) of the California Environmental Quality Act (CEQA) Guidelines.

THIS REQUEST IS GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

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

1. **APPLICABILITY OF THIS PERMIT:** This Permit shall apply to any business/owner entity whose use and operational characteristics match those of the approved use. Intensification of the approved use shall require an amendment to this Permit. A change to a different permitted use may require a new Permit. This Permit shall continue to be valid upon a change of ownership/operator of the site, business, service, use(s), or structure that was the subject of this approval provided the new owner/operator agrees in writing to all applicable conditions and operating standards prior to reopening or maintaining the use or structure(s) under the new ownership. Any new owner/operator must submit a wet (original) signed letter to the Planning Division noting agreement with the enclosed conditions which includes notation of this permit number and the new business/operator name. This letter may be requested by the City at any time.
2. **EXPIRATION:** If the approved use does not commence within two years of this approval, subject to all applicable conditions and permits from applicable government agencies (inclusive of City permits), this approval shall be null and void.
3. **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.
4. **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).
5. **ABANDONMENT OF USE:** The approved use shall be considered abandoned if the approved use in this tenant space (or building) ceases for a period of six months or more, at which point this Permit shall have expired and a new Permit shall be required. Determination of the abandonment of the use shall be based on the best available data, which may include business license, tax payment records, utility records, and other government agency permits or licenses.
6. **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

7. **AIR QUALITY:** The applicant is required to secure a permit from the Bay Area Air Quality Management District or provide written assurance that no permit is required prior to issuance of a building permit.
8. **OTHER REVIEW AGENCIES:** This project requires review and approval by outside agencies, including, but not limited to, Gas Dispensing Facility Permit from the Bay Area Quality Management District. 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.
9. **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.
10. **ACCESSORY STRUCTURE(S):** Any future accessory structure on-site will require approval by the Planning Division and may require separate City permits.

11. **ZONING INFORMATION:** The following information must be listed on the title sheet of the building permit drawings: (a) zoning permit application number; (b) zoning district designation; (c) total floor area ratio and residential density in units per acre, if applicable; (d) lot area (in square feet and acreage); and (e) total number of parking spaces.
12. **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.
13. **FLOOR AREA RATIO (FAR) DIAGRAM:** Building permit drawings must include a floor area ratio (FAR) diagram for each structure on-site, clearly identifying each level of the structure(s) and the gross area(s) which count toward floor area per required zoning calculations. The diagram must also clearly identify all areas which are exempt from FAR.
14. **COLOR CHIPS:** At submittal of building plan check, provide a set of color chips, and the color scheme shall be shown on the elevations.
15. **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.
16. **TOXIC ASSESSMENT:** A toxic assessment report shall be prepared and submitted as part of the building permit submittal. The applicant must demonstrate that hazardous materials do not exist on the site or that construction activities and the proposed use of this site are approved by: the City's Fire Department (Fire and Environmental Protection Division); the State Department of Health Services; the Regional Water Quality Control Board; and any Federal agency with jurisdiction. No building permits will be issued until each agency and/or department with jurisdiction has released the site as clean or a site toxics mitigation plan has been approved.
17. **SOIL MANAGEMENT PLAN:** Prepare a soil and groundwater management plan for review and approval by the Santa Clara County Department of Environmental Health (SCDEH). Proof of approval or actions for site work required by the SCDEH must be provided to the Building Division prior to issuance of any demolition or building permits.
18. **VAPOR BARRIER:** A vapor barrier shall be installed beneath all structures to mitigate any issues associated with the potential for vapor intrusion within the structure. The vapor barrier design shall be equivalent to those required for sites with known concerns in Mountain View that are also exposed to groundwater. Specifications for the vapor barrier included in the Site Management Plan shall include thickness, type, durability, and diffusion rates for VOCs of concerns. The specifications shall also describe the effectiveness of the liner over the life of the building.
19. **VIBRATION AND SETTLEMENT PLAN:** At building permit submittal, the applicant shall prepare a Vibration and Settlement Plan which specifies monitoring and mitigation measures to avoid damage to the adjacent building(s) as a result of project construction. Approved monitoring protocols shall be in place prior to issuance of any building permits for the project.
20. **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.
21. **ELECTRIC VEHICLE CHARGER:** The project will install one (1) electric vehicle charger on-site. Manufacturer and technical specifications for the proposed electric vehicle (EV) charger parking station will be provided as part of the building permit submittal.

OPERATIONS

22. **OPERATIONAL CRITERIA:** In the event that problems with the operational criteria of the business arise, including, but not limited to, parking shortages, delivery truck issues, hours of operation, or noise, the Zoning Administrator may hold a public hearing to review the situation and impose new or modified conditions of approval in response to the information received. The public hearing shall be conducted and noticed in accordance with Chapter 36, Article XVI, Division 6, of the City Code.
23. **CAR WASH OPERATIONS:** The operation of the car wash will be muted to not generate any automated voice instructions or audible alerts and will instead use lighted signals to provide the driver instructions.
24. **NONCONFORMING USE:** No existing building, structure, or land devoted to a nonconforming use shall be enlarged, extended, reconstituted, substituted, or substantially altered, unless the use thereof is changed to a permitted use in the zoning district in which the building, structure, or land is located unless authorized per City Code Section 36.06.08.
25. **DAYS/HOURS OF OPERATION:** The approved days of operation are Monday through Sunday, and the hours of operation are as follows: Fuel service pumps would be operational daily from 6:00 a.m. to 9:00 p.m. The retail convenience store would be operational daily from 7:00 a.m. to 9:00 p.m., and the drive-through car wash would be operational daily from 7:00 a.m. to 8:00 p.m. Any proposed change to the approved days and/or hours of operation will require review and approval by the Zoning Administrator and may require a modification to this permit.
26. **LOADING/DELIVERY PLAN:** Prior to building permit issuance, the applicant shall develop a plan specifying measures to manage on-site deliveries and loading, which may include measures to tailor delivery hours and/or days to limit conflicts with peak traffic times or adjacent land uses.

SITE DEVELOPMENT AND BUILDING DESIGN

27. **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.
28. **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.
29. **GROUND-FLOOR TRANSPARENCY:** Storefronts and windows must maintain a minimum 75% transparency along the ground floor of the building(s) at all times. No window tinting/treatment, permanent/affixed furniture, or sunshades which permanently block the windows/storefronts are permitted. Sunshades which maximize transparency while providing UV light screening for building occupants may be permitted, subject to review and approval by the Zoning Administrator.
30. **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.
31. **COLOR AND MATERIALS:** Colors and materials of the proposed addition are to be shown and noted on permit drawings to match the existing structure.
32. **ROOFTOP EQUIPMENT SCREEN:** All rooftop equipment must be concealed behind opaque (solid) screening designed to complement the building design such that rooftop equipment is not visible from any elevation. Details of the rooftop equipment and roof screens shall be included in the building permit drawings and approved by the Zoning Administrator.
33. **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.

34. **OUTDOOR STORAGE:** There is to be no outdoor storage without specific Development Review approval by the Planning Division.
35. **TRASH ENCLOSURE:** Details of an opaque screen trash enclosure are to be shown on building permit drawings and be approved by the Zoning Administrator prior to permit issuance. The trash enclosure should match the architectural design, color, and materials of the primary structure. For food-serving uses or trash compactors, the trash enclosure must be equipped with hot water, a drain inlet to the sanitary sewer system, and a locking device. An enclosure constructed to store trash/recycling/compost bins shall have a concrete pad the same width as the enclosure and extending a minimum 10' beyond the enclosure access door(s). The concrete pad will be designed to accommodate the weight of a 60,000-pound collection vehicle.
36. **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.
37. **PARKING SPACE DESIGN:** All parking spaces (except parallel spaces) must be double-striped with 4" wide stripes. Double stripes shall be 18" apart, from outside edge to outside edge of the stripes, or 10" from inside edge to inside edge of the stripes. The 8-1/2' parking space width is measured from the center of one double stripe to the other, such that the space between stripes is 7'. For parallel parking spaces, only single-striped or tic-mark is required between spaces. Single stripes shall be measured from interior edge to interior edge of the stripe, such that the space between stripes is 24'.
38. **LIGHTING PLAN:** The applicant shall submit a lighting plan in the building permit drawings. This plan should include photometric contours, manufacturer's specifications on the fixtures, and mounting heights. The location of outdoor lighting schedule and design of light fixtures shall be designed to minimize the adverse effects of light pollution caused by skyglow, light trespass, and glare emanating from the project site, limiting light spillover to surrounding properties and adjacent natural environments as 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.
39. **BIKE PARKING FACILITIES:** The applicant shall provide the following bike parking on the project site, which must be shown on building permit drawings:
 - a. One short-term bike parking space is required for visitors at 5% of vehicle parking spaces to be provided on-site. The project will provide up to three (3), but at minimum two (2), bike parking spaces in locations to be identified in the building permit plans. These spaces shall be provided as a bike rack which must secure the frame and both wheels. Racks should be located near the building entrance (i.e., within constant visual range) unless it is demonstrated that they create a public hazard or it is infeasible. If space is unavailable near building entrances, the racks must be designed so that the lock is protected from physical assault and must include clear and visible signage leading to public bicycle parking if not visible from a street or public path.

GREEN BUILDING

40. **GREEN BUILDING—NONRESIDENTIAL NEW CONSTRUCTION:** The project is required to meet the mandatory measures of the California Green Building Standards Code and meet the intent of LEED® Gold certified. All mandatory prerequisite points and minimum point totals per category to attain the required LEED Certified™ status must be achieved unless specific point substitutions or exceptions are approved by the Community Development Department. Formal project registration and certification through the U.S. Green Building Council (USGBC) is not required for compliance with the Mountain View Green Building Code (MVGBC). The project is also required to comply with Title 24, Part 6.
41. **ENERGY MONITORING:** To support energy management and identify opportunities for energy savings, the project shall provide submeters or equivalent combinations of sensors to record energy use data (electricity, natural gas, etc.) for each major energy system in the building.

TREES AND LANDSCAPING

42. **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). Additional landscaping materials or modifications may be required by the Planning Division at final inspection to ensure adequate planting coverage and/or screening.
43. **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.
44. **STREET TREE FORM:** The applicant shall complete the "Proposed Street Tree" form available in the Planning Division or online at www.mountainview.gov/planningforms. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Division with building permit submittal.
45. **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.

NOISE

46. **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.
47. **NOISE GENERATION:** All noise-generating activities (i.e., entertainment or amplified sound) are limited to interior areas only, and the heating, ventilation, and air conditioning system shall be maintained to ensure that all windows and doors remain closed when the business is in operation.
48. **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.
49. **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.
50. **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.

51. **PILE DRIVING NOISE REDUCTION:** The following measures shall be incorporated into construction plans and contractor specifications if pile driving is proposed: (a) multiple pile drivers shall be considered to expedite construction. Although noise levels generated by multiple pile drivers would be higher than the noise generated by a single pile driver, the total duration of pile driving would be reduced; and (b) temporary noise control blanket barriers shall shroud pile drivers or be erected in a manner to shield the foundation pile holes as a standard construction noise control technique. Predrilling reduces the number of blows required to seat the pile.

AGREEMENTS AND FEES

52. **NONRESIDENTIAL HOUSING IMPACT FEE:** Prior to the issuance of the first grading or building permit, the applicant shall pay a Housing Impact Fee based on the net new floor area and the adopted fees in effect at the time of building permit issuance. For purposes of calculating the fee, the project includes construction of 531 square feet of net new retail floor area, resulting in a nonresidential Housing Impact Fee of \$1,062 (531 square feet x \$2 per net new square foot).
53. **INDEMNITY AGREEMENT:** Prior to the issuance of any building permits, the applicant shall agree, in writing, to defend, indemnify, and hold harmless the City and the City's officers, agents, and employees in any action brought by a third party to void this Permit(s). The agreement shall be in a form satisfactory to the City Attorney and Zoning Administrator. It shall run with the land and shall not be amended without prior City consent.

CONSTRUCTION ACTIVITIES

54. **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).
55. **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.
56. **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.
57. **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.
58. **HEALTH AND SAFETY MEASURES:** The permittee/contractor is responsible for preparing and implementing an appropriate health and safety plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.

59. **HAZARDOUS MATERIALS CONTAMINATION:** To reduce the potential for construction workers and adjacent uses to encounter hazardous materials contamination from asbestos-containing materials (ACM) and lead-based paint, the following measures are to be included in the project:

- a. In conformance with local, State, and Federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures proposed for demolition. The surveys shall be completed prior to demolition work beginning on the structures.
- b. A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable ACMs, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition that may disturb the materials. All construction activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than 1% asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

60. **BASIC AIR QUALITY CONSTRUCTION MEASURES:** The applicant shall require all construction contractors to implement the basic construction mitigation measures recommended by the Bay Area Air Quality Management District (BAAQMD) to reduce fugitive dust emissions. There shall be a designated on-site coordinator and monitor to ensure implementation of the below dust control measures. Emission reduction measures will include, at a minimum, the following measures, which also include additional measures identified in the project-specific air quality analysis and by BAAQMD:

- (a) When the air quality index forecast exceeds 100 for particulates for the project area and the reading exceeds 100 for particulates by 10:00 a.m. for the project area, prohibit grading activities for that day.
- (b) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- (c) All haul trucks transporting soil, sand, or other loose material off-site will be covered.
- (d) 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.
- (e) All vehicle speeds on unpaved roads will be limited to 15 mph.
- (f) 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.
- (g) 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.
- (h) 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.
- (i) 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.

61. **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.
62. **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.
63. **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.
64. **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.
65. **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).
66. **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.

67. **BURROWING OWL HABITAT AREA:** This project is located in the habitat area of burrowing owls, a protected Special Status species under the Endangered Species Act. Any construction activity in this area shall be performed carefully and with attention to any ground disturbances, exterior lighting, and operations of mechanical or construction equipment which may impact the species. During construction activity, if a burrowing owl is present within 250' of the site, then no disturbances or construction activity may occur that would cause the owl to abandon their burrow or nest. Additionally, the California Department of Fish and Wildlife (CDFW) must be contacted immediately and a safety plan will need to be developed and approved by CDFW to determine the impacts the project may have on the owl(s). Construction activity must cease during this period.
68. **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.
69. **CULTURAL SENSITIVITY TRAINING:** As requested during the Tribal Consultation process for the project, Cultural Sensitivity Training shall be provided to the construction crews at the beginning of the project to aid those involved in the project to become more familiar with the indigenous history of peoples in the vicinity of the project site.
70. **NATIVE AMERICAN ARCHAEOLOGICAL MONITOR:** A Native American archaeological monitor shall be present for all ground-disturbing activities throughout the project construction process.

MITIGATION MEASURES

71. **MITIGATION CERTIFICATION:** Prior to occupancy of any structure or establishment of any use, the property owner, Grand Salkhi Properties, LLC, shall inspect the site and shall certify, in writing, that all mitigation measures listed in their Final Initial Study-Mitigated Negative Declaration document have been correctly implemented.
72. **AIR QUALITY—GREENHOUSE GAS EMISSIONS (MM AIR-1.1):** The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleetwide average of 45% reduction in diesel particulate matter (DPM) exhaust emissions or greater to be reviewed and approved by City staff. One feasible plan to achieve this reduction would include the following:

- a. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM₁₀ and PM_{2.5}), if feasible.
- b. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 45% reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).
- c. Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 45% or greater. Such construction operations plan would be subject to review by an air quality expert chose by the City at cost to the developer and approved by the City prior to construction.

Neighborhoods and Housing Division—650-903-6379 or neighborhoods@mountainview.gov

73. **HOUSING IMPACT FEE:** Prior to the issuance of the first grading or building permit, the applicant shall pay a Housing Impact Fee based on the net new floor area and the adopted fees in effect at the time of building permit issuance. For purposes of calculating the fee, the project includes construction of 531 net new floor area of Retail.

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

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

74. **BUILDING CODES:** Construction plans will need to meet the current codes adopted by the Building Division upon building permit submittal. Current codes are the 2019 California Codes: Building, Residential, Fire, Electrical, Mechanical, Plumbing, CALGreen, CAEnergy, in conjunction with the City of Mountain View Amendments and the Mountain View Green Building Code (MVGBC). **Any projects submitted after January 1, 2023 will be subject to the 2022 California Codes.**
75. **ACCESSIBILITY REQUIREMENTS:**
- **CHAPTER 11B:** Project will be required to comply with the accessibility requirements in the CBC, Chapter 11B.
 - **PARKING (CHAPTER 11B):** Project will be required to comply with the accessible parking requirements in the CBC, Chapter 11B.
76. **ADDRESSES:** All street names, street numbers, and residential apartment numbers will be processed prior to Building Division approval of the project. Commercial suite numbers are issued by the United States Postal Service (USPS).
77. **APPROVALS REQUIRED:** Project requires approval of the Santa Clara County Environmental Health Department (SCCHD) prior to building permit submittal to the Building Division. Visit SCCHD online at www.sccgov.org or by phone at 408-918-3400 to obtain information and requirements for approval.
78. **TYPE OF CONSTRUCTION:** Provide type of proposed construction per Chapter 6 of the CBC.
79. **ACCESSIBLE MEANS OF EGRESS:** Site must meet accessible means of egress per the CBC, Section 1009.
80. **FIRE WALLS:** Provide the required Fire Wall Resistance Ratings per CBC Table 706.4c, as amended in MVCC Section 8.10.24.
81. **HAZARDOUS MATERIALS:** Any installation of hazardous materials will require submittal of HMIS forms for the Fire Protection Engineer *and* the Hazardous Materials Specialist. Visit the City of Mountain View Fire and Environmental Protection Division

online at <https://www.mountainview.gov/our-city/departments/fire/fire-and-environmental-protection-division> or by phone at 650-903-6378 to obtain information and submittal requirements.

82. **USE AND OCCUPANCY CLASSIFICATION:** Provide proposed use(s) and occupancy(ies) for proposed project per the CBC, Chapter 3.
83. **OCCUPANCY SEPARATION:** Proper separation is required to be provided between occupancies per the CBC, Table 508.4.
84. **OCCUPANT LOAD/EXIT DISCHARGE:** Provide detailed occupant load and exit discharge plans for each occupied area per requirements of the CBC, Sections 1004 and 1028.
85. **PEDESTRIAN PROTECTION:** Public sidewalks are required to remain open during the course of construction. Provide sufficient information at the time of building plan submittal of how pedestrians will be protected from construction activity per the CBC, Section 3306.
86. **EV PARKING REQUIREMENTS FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Parking shall comply with Table 101.10 and Table A5.106.5.3.2, as amended in MVCC Section 8.20.12, Subsection 101.10.1.2.c.
87. **ELECTRIC REQUIREMENTS FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Natural gas is prohibited. The following list of items shall be electric installation: space-conditioned equipment, clothes dryers, cooking appliances, fireplaces, and/or fire pits. Exceptions to install a gas-fueled cooking appliance apply. Water-heating systems and equipment shall be electric or solar as amended in MVCC Section 8.20.12, Subsections 101.10.1.2.f through j.
88. **PHOTOVOLTAIC SYSTEM FOR NONRESIDENTIAL (NEW CONSTRUCTION):** Photovoltaic (PV) shall be installed on 50% of roof area as amended in MVCC Section 8.20.12, Subsection 101.10.1.2.2.e.
89. **SURVEY:** A survey will be required to be completed to verify structure placement.
90. **SCHOOL IMPACT FEE:** 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 High School District at www.mvla.net or 650-940-4650; *and* Mountain View Whisman School District at www.mvwsd.org or 650-526-3500; or Los Altos Elementary School District at www.lasdschools.org or 650-947-1150.
91. **DEMOLITION PERMIT(S):** Demolition permit(s) are issued under a separate permit application. Visit the City of Mountain View Building and Fire Division online at www.mountainview.gov/building or contact by phone at 650-903-6313 to obtain information and submittal requirements.
92. **ALLOWABLE AREA FACTOR:** Project shall comply with the requirements per the CBC, Chapter 5.
93. **FIRE-RESISTANCE RATING:** Project shall comply with the requirements per the CBC, Chapter 6 (Table 602), Fire-Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance.
94. **MAXIMUM AREA OF EXTERIOR WALL OPENINGS:** Project shall comply with the requirements per the CBC, Chapter 7 (Table 705.8).
95. **MEANS OF EGRESS:** Project is required to comply with the requirements per the CBC, Chapter 10, Means of Egress.
96. **MVGBC CALGREEN:** Project shall comply with the CALGreen checklist requirements by the City of Mountain View.
97. **PLUMBING FIXTURES:** Project shall comply with Table 422.1 of the California Plumbing Code (CPC), Section 4.
98. **BUILDING UTILITIES:** Utilities (gas, electrical, etc.) shall comply with PG&E Green Book requirements.
99. **FIRE ACCESS LANE(S):** Site must meet/maintain the existing fire access lane(s) at all times.
100. **STRUCTURAL CALCULATIONS:** Structural calculations may be required once the application for a building permit is submitted.

101. **SIGNS:** Proposed signs are to be a deferred submittal under a separate building permit application.
102. **FEMA (CBC):** Projects located within Flood Zone shall comply with Appendix G flood-resistance construction, per Chapter 16 flood loads by the CBC and MVCC Section 8.164. Proposed structures are to be built per FEMA requirements and enforced by the Mountain View Public Works Department.
103. **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 8.6 of the MVCC and/or suspension of building permits.

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

FIRE PROTECTION SYSTEMS AND EQUIPMENT

104. **FIRE SPRINKLER SYSTEM:** Provide an automatic fire sprinkler system to be monitored by a central station monitoring alarm company. This monitoring shall include water flow indicators and tamper switches on all control valves. Shop-quality drawings shall be submitted electronically for review and approval. The underground fire service system shall be approved prior to approval of the automatic fire sprinkler system. All work shall conform to NFPA 13 (2016 Edition), NFPA 24 (2016 Edition), NFPA 72 (2016 Edition), and Mountain View Fire Department specifications. Contact the Building Division at 650-903-6313 for a copy of specifications and submittal requirements or visit www.mountainview.gov/our-city/departments/community-development/building-fire-inspection/fire-construction/fire-forms-and-handouts. (City Code Sections 14.10.27 and 14.10.28 and California Fire Code Section 903.)
105. **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.
106. **FIRE EXTINGUISHERS:** Install one 2-A:10-B:C fire extinguisher for every 50'/75' of travel or every 3,000 square feet. Fire extinguisher locations shall be indicated on the architectural floor plans. (California Code of Regulations, Title 19, Chapter 3, and California Fire Code, Section 906.)

FIRE DEPARTMENT ACCESS

107. **LOCKBOX:** Install an approved key lockbox per the Fire Protection Engineer's directions. Contact the Building Division at 650-903-6313 for instructions or visit www.mountainview.gov/our-city/departments/community-development/building-fire-inspection/fire-construction/fire-forms-and-handouts. (California Fire Code, Section 506.)

EGRESS AND FIRE SAFETY

108. **EXIT ILLUMINATION:** Exit paths shall be illuminated any time the building is occupied with a light having an intensity of not less than one footcandle at floor level. Power shall normally be by the premises wiring with battery backup. Exit illumination shall be indicated on the Electrical Plans. (California Building Code, Section 1008.)
109. **EXIT SIGNS:** Exit signs shall be internally or externally illuminated and provided with battery backup per Uniform Building Code Chapter 10. Exit signs shall be posted above each required exit doorway and wherever otherwise required to clearly indicate the direction of egress. (California Building Code, Section 1013.)
110. **INTERIOR WALL AND CEILING FINISH:** Interior finishes shall have a flame-spread rating in accordance with the California Building Code, Chapter 8, and California Code of Regulations, Title 19, Section 3.21.

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

HAZARDOUS CONDITIONS

112. **HAZARDOUS PROCESSES:** Comply with all applicable provisions of the Uniform Fire Code and the Uniform Building Code. Submit a completed FPE—Hazardous Materials Inventory Statement. FPE—Hazardous Materials Inventory Statements shall be obtained from the Building Division and submitted for review by the Fire Protection Engineer. (Additional hazardous materials forms, disclosure statements, and/or other documentation will be required by the Environmental Safety Section of the Fire and Environmental Protection Division.)
113. **FLAMMABLE FINISHES:** Application of flammable finishes shall comply with the California Fire Code, Chapter 24.

EXTERIOR IMPROVEMENTS

114. **REFUSE AREAS:** Refuse areas within 5' of combustible construction or building openings shall be protected with automatic fire sprinklers. A maximum of two (2) sprinkler heads are permitted off a 1" domestic water service. Approved accessible shutoff valves shall be provided. Contact the Building Division at 650-903-6313 for specifications or visit www.mountainview.gov/our-city/departments/community-development/building-fire-inspection/fire-construction/fire-forms-and-handouts. (California Fire Code, Section 304.3.)
115. **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. (City Code, Section 14.10.18.)

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

OWNERSHIP AND PROPERTY

116. **PRELIMINARY TITLE REPORT:** At submittal of the initial building permit and improvement plans, the applicant shall submit a current preliminary title report or land deed indicating the exact name of the current legal owners of the property, their type of ownership (individual, partnership, corporation, etc.), and legal description of the property involved to the Public Works Department. The title report shall be dated within six months of the initial improvement plan submittal and include all easements and agreements referenced in the title report. This information is required for the preparation of Public Works agreements and documents.

FEES AND PARK LAND

117. **PLAN CHECK AND INSPECTION FEE:** Prior to issuance of any building permits, the applicant shall pay the plan check and inspection fee in accordance with Sections 27.60 and 28.36 of the City Code per the adopted rates in effect at time of payment.
- An initial plan check fee based on the Public Works fee schedule shall be paid at the time of initial improvement plan check submittal based on the initial cost estimate for constructing street improvements and other public facilities and public and private utilities and structures located within the public right-of-way. 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.
118. **TRANSPORTATION IMPACT FEE:** Prior to issuance of any building permits, the applicant shall pay the transportation impact fee for the development. Retail, Service, Office, R&D, and Industrial category fees are based on the square footage of the development.
119. **WATER AND SEWER CAPACITY CHARGES:** Prior to 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 nonresidential connections are based on the water meter size, building area, and building use, respectively. Credit is given for the existing site use and meter sizes, as applicable.

120. **STORM DRAINAGE FEE:** Prior to issuance of any building permits, the applicant shall pay the off-site storm drainage fee per Section 28.51(b) with the rates in effect at the time of payment.

STREET IMPROVEMENTS

121. **PUBLIC IMPROVEMENTS:** Install or reconstruct standard public improvements required for the project and as required by Chapters 27 and 28 of the City Code. These improvements include, but are not limited to: new curb, gutter, sidewalk, property driveways, adjacent property driveways, curb ramp, and conform along the project frontages; utility pole relocation; new park strip landscaping and irrigation; new water, sewer, and storm facilities, including mains, services/laterals, water meters, cleanouts, manholes, and any related appurtenances; electric, telecommunications, and gas utility improvements; curb and roadway striping; and half-street grind and overlay along the project frontages on Old Middlefield Way and North Rengstorff Avenue.
- a. **Improvement Agreement:** The property owner must sign a Public Works Department improvement agreement for the installation of the public improvements prior to the issuance of the building permit.
- b. **Bonds/Securities:** Sign a Public Works Department faithful performance bond (100%) and materials/labor bond (100%), or provide a cash deposit (100%), or provide a letter of credit (150%) securing the installation and warranty of the off-site 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. 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:** 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 prior to the issuance of the building permit. 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) Pollution Legal Liability Insurance, and One Million Dollars (\$1,000,000) Workers' Compensation. The insurance requirements are available from the Public Works Department.
122. **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) and shall show, at a minimum, work areas, delineators, signs, and other traffic control measures required for work that impact traffic on existing streets. Locations of on-site parking for construction equipment and construction workers and on-site material storage areas must be submitted for review and approval. Off-site improvement plans, an initial 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. All required materials shall be submitted electronically (i.e., flattened 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, 10 full-size and two half-size black-line sets, one Xerox Mylar (4 mil) set of the plans, and a CD with CAD file and PDF must be submitted to the Public Works Department prior to the issuance of the building permit. CAD files shall meet the City of Mountain View's Digital Data Submission Standards.
123. **TRAFFIC CONTROL PLANS:** Upon submittal of the initial 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 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.

124. **INFRASTRUCTURE QUANTITIES:** Upon submittal of the initial building permit and improvement plans, submit a construction cost estimate indicating the quantities of street and utility improvements. 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.
125. **EXCAVATION PERMIT:** Upon submittal of the initial 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 Public Works Department website: www.mountainview.gov/landdevelopment. All work within the City right-of-way must be consolidated on the site, off-site, and/or utility plans. Plans of the work, traffic control plans for work within the public roadway and/or easement, insurance certificate and endorsements, and permit fees are required with the Excavation Permit Application.
126. **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.
127. **SPECIAL PAVERS AND CONCRETE:** Pavers, colored concrete, and textured concrete shall not be installed within the public street or sidewalk.
128. **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, monument signs, mailbox banks/cluster, planters, retaining walls, seat walls, bicycle racks, partitions, miscellaneous structures (including columns), parking stalls, bicycle racks, etc., that are not compliant with safety triangle height and clearance requirements. Artwork, benches, tables, chairs, bicycle racks, and planters shall not be installed in this safety area.
129. **DRIVEWAY SIGHT TRIANGLES:** Within the pedestrian and/or vehicle traffic safety sight triangles, 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, signs, mailboxes, planters, retaining walls, seat walls, bicycle racks, partitions, buildings, and other structures, parking stalls, etc., that are not compliant with safety triangle height and clearance requirements.
130. **ROADWAY SIGNING, STRIPING, AND PAVEMENT MARKINGS:** 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. Removal and installation shall be shown on the plans to the satisfaction of the City Traffic Engineer. Signing and striping plans shall be prepared in accordance with the latest edition of the California Manual of Uniform Traffic Control Devices (CA MUTCD).
131. **STREET OVERLAY AND/OR PAVEMENT RECONSTRUCTION:** Half-street overlay (minimum 2" grind and overlay) and/or pavement reconstruction along the Old Middlefield Way and North Rengstorff Avenue project street frontages shall be required to address the existing roadway conditions, multiple utility trenches, and impacts from the anticipated construction traffic.

CURBS, SIDEWALKS, AND DRIVEWAYS

132. **ADA RAMP REQUIREMENTS:** All new access ramps shall comply with the Americans with Disabilities Act (ADA) requirements. Existing nonconforming access ramps shall be reconstructed to comply with the ADA requirements.
133. **ADA SIDEWALK REQUIREMENTS:** A minimum 4' wide Americans with Disabilities Act-compliant public sidewalk shall be provided behind new and existing driveway approaches. Tapers (conforms) may be provided to connect the proposed public sidewalk on each side of the proposed driveway.

134. **SIDEWALK IMPROVEMENTS:** Construct new curb, gutter, and sidewalk along the project frontages of Old Middlefield Way and North Rengstorff Avenue. Sidewalk shall be detached with landscape strip and designed with a consistent 2% cross-slope from the top of curb to back of walk and minimal grade breaks in the longitudinal slope of the curb line. Old Middlefield Way and North Rengstorff Avenue shall have 5' wide sidewalk with a 4.5' wide landscape strip.
135. **UTILITY BOX RELOCATION OUT OF SIDEWALK:** Move existing utility boxes on Old Middlefield Way and North Rengstorff Avenue out of the sidewalk and relocate to a Public Utility Easement, landscape strip, or behind the back of the curb. Utility boxes must be located so they fit entirely within a utility easement, landscape strip, or behind the curb and shall not encroach into the sidewalk. A Public Utility Easement dedication shall be required for any utility boxes that do not fit within the landscape strip or behind the back of curb.
136. **DRIVEWAY REMOVAL:** Replace abandoned driveways with standard curb, gutter, and sidewalk. The specific areas and limits of replacement work shall be clearly identified and shown on the plans.
137. **SITE EGRESS:** All egress points to public streets or public easements shall be stop-controlled in order to control conflict points with pedestrians, bicyclists, and vehicles as they enter a public roadway and, therefore, improve safety. Stop-controlled egress shall include STOP signs, a limit line, and "STOP" pavement marking(s).
138. **ON-STREET PARKING RESTRICTIONS:** Parking shall be prohibited along Old Middlefield Way and North Rengstorff Avenue along the project frontage due to sight visibility constraints from the proposed project driveways, proximity to the intersection, and presence of bike lanes. Painted red curb shall be installed along the entire project frontage.

STREET TREES

139. **STREET TREES:** Install standard City street trees along the street frontage, including where there are gaps in the space of existing street trees.
140. **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 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. Once completed, the applicant shall email the original to the Parks Division at parks@mountainview.gov and provide a duplicate copy to the Building Division with building permit submittal.
141. **STREET TREE IRRIGATION:** Street trees are to be irrigated by the property owner(s) in accordance with Chapter 32 of the City Code.

UTILITIES

142. **UTILITY POTHOLING:** Potholing shall be completed prior to the first submittal of the building plans and improvement plans 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 pole foundations. 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 and depth of utility.
143. **WATER AND SEWER SERVICE:** Each place of business shall have its own water meter and sanitary sewer lateral in accordance with City Code Section 35.38.
144. **SEPARATE FIRE SERVICE:** Domestic water and fire services shall have separate lines connected to the City's water main, except when supplying NFPA 13D fire sprinkler systems, as approved by the City Fire Protection Engineer. On-site fire lines, post indicator valves, Fire Department connections, and detector checks also require approval from the City's Fire Protection Engineer.

145. **SEPARATE IRRIGATION SERVICE AND METER:** A separate water service and water meter for irrigation will be required. The existing water service may be adequate to serve multiple meters, depending on size, and would require advance approval from the Public Works Director.
146. **WATER AND SEWER APPLICATIONS:** Upon submittal of the initial building permit and improvement plans, the applicant shall submit complete applications for water and sewer service to the Public Works Department, if new water services, water meters, fire services, or sewer laterals are required. Any unpaid water and sanitary sewer fees must also be paid prior to the issuance of any permits.
147. **UTILITY SERVICES:** The size and location of all existing and new water meters, backflow preventers, 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, water services, and fire services shall have a minimum 5' horizontal separation from each other. Angled connections within service lines shall not be allowed. Utility profiles will be required for all new services.

Existing water services shall be shown to be disconnected and plugged at the main. Water services 4" or larger shall be plugged at the main by removing the gate valve and installing a blind flange and thrust block at the tee. Existing face-of-curb drains shall be removed.

148. **BACKFLOW PREVENTER:** Aboveground reduced-pressure backflow preventers are required for all new and existing City 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 and screened from view with landscaping. Backflow prevention assemblies shall be conveniently located as close to the meter as feasible outside of buildings and are not allowed within buildings' utility closets or basements. A minimum 3' clearance shall be provided around and between each assembly for accessibility and maintenance. Protective covers and/or enclosures must be preapproved by the Cross-Connection Control Specialist prior to installation.
149. **CATHODIC PROTECTION:** Cathodic protection shall be required due to soil corrosivity.
150. **UTILITY MAINTENANCE:** On-site water, sanitary sewer, and storm drainage facilities shall be privately maintained by the property owner.
151. **UNDERGROUND 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 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.
152. **JOINT UTILITY PLANS:** Upon submittal of the initial 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. Joint trench intent drawings will be accepted at first improvement plan submittal. All subsequent improvement plan submittals shall include joint trench design plans. Appropriate horizontal and vertical clearances per PG&E requirements shall be provided between gas transmission lines, gas service lines, street trees, and building structures.

GRADING AND DRAINAGE IMPROVEMENTS (ON-SITE)

153. **DRAINAGE PLANS:** On-site drainage plans shall be included in the building plans.
154. **DRAINAGE REQUIREMENTS:** On-site parking lots and driveways shall not surface-drain across public sidewalks or driveway aprons. A 2'x2' inlet/cleanout box is required at or near the property line for connections to the City storm drains. For developments that do not require a subdivision map, a connection to the City's storm main requires: (1) a written request to the Public Works Director; (2) payment of storm drainage fees; and (3) approval from the Public Works Department, unless the storm drainage fees were paid in the past for the property.

155. **SURFACE WATER RELEASE:** Provide a surface stormwater release for the lots and driveways 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.
156. **STORM DRAIN HOLD HARMLESS AGREEMENT:** As portions of the site are or will be lower than the adjacent public street or the surface grade over the City's storm mains, the owner shall sign an agreement to hold the City harmless against storm surcharges or blockages that may result in on-site flooding or damage prior to approval of the building permit.
157. **SANITARY SEWER HOLD HARMLESS AGREEMENT:** If the sanitary sewer connection(s) inside the structure(s) is/are less than 1' above the rim elevation of the upstream sanitary sewer manhole, before approval of the building permit, the owner shall sign an agreement to hold the City harmless against sewer surcharges or blockages that may result in on-site damage prior to approval of the building permit.

FLOOD ZONE

158. **AO FLOOD ZONE:** The site is located within Special Flood Hazard Zone AO, depth 1', and must comply with the drainage and flood control requirements of the City Code. The elevation of the lowest floor of the building must be at least 1' above the highest adjacent grade on North Rengstorff Avenue and must be above elevation 12.75 (NAVD 88). The highest adjacent grade is defined as the highest natural elevation of the ground surface prior to construction next to the proposed walls of the structure. The applicant shall obtain a Flood Development Permit from the Public Works Department prior to issuance of a building permit, including foundation work. It is recommended this permit be obtained before the design of the building plans is complete in order to avoid potential redesign of the building.
159. **GRADING REQUIREMENTS:** For sites located within a special flood hazard zone, the grading or site plan must show the elevation of the finished pad, lowest floor, highest adjacent grade for Flood Zone AO, and base flood elevation for Flood Zone AE. All elevations must be referenced to a City elevation benchmark. The benchmark number, description, elevation, and datum year shall be noted on the grading plan.
160. **ELEVATION CERTIFICATE:** The following note shall be clearly labeled on the first sheet of the building permit plans: "An elevation certificate shall be submitted to the Chief Building Official and Public Works Director prior to the issuance of a Certificate of Occupancy."
161. **DRY FLOODPROOFING:** Nonresidential structures may be made watertight (dry floodproofing) below the base flood and minimum elevation in lieu of elevating the building. The structure must be dry floodproofed to an elevation at least one foot (1') above the base flood and minimum elevation requirements. The use of levees to dry floodproof a structure will not be permitted. A registered engineer or architect must submit a floodproofing certificate which certifies the designs and construction floodproofing requirements. The following note shall be clearly shown on the first sheet of the plans: "A floodproofing certificate for nonresidential structures shall be submitted to the Chief Building Official and Public Works Land Development Division prior to the issuance of a Certificate of Occupancy."
162. **FLOOD INSURANCE CONSIDERATIONS:** The applicant may want to consider elevating an additional 1' or 2' to lower the flood insurance premiums. If the structure's grading pad is raised at least 1' above the base flood elevation, the owner has the option to obtain a Letter of Map Revision to take the structure out of the special flood hazard zone. With a Letter of Map Revision, the owner would not be required to obtain flood insurance for the raised structure. However, the structure and site must be designed and constructed in accordance with FEMA's requirements for a Letter of Map Revision, which are more stringent than the City's requirements for raising a structure.
163. **FLOOD ZONE ELEVATION DATUM:** All base flood elevations on the FEMA Flood Insurance Rate maps are based on the North American Vertical Datum of 1988 (NAVD 88). Please note that the NAVD 88 is several feet higher than the NGVD 29 datum. The elevations required in the Flood Development Permit Application are to be based upon City elevation benchmarks using the NAVD 88 elevation datum. The City's 1998 elevation benchmark survey lists the NGVD 29 and NAVD 88 elevations of City benchmarks within the City. The 2010 benchmark survey is available at the Public Works Department.

SOLID WASTE AND RECYCLING

164. **RECOLOGY MOUNTAIN VIEW:** 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.
165. **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 issuance of a building permit. A Final Construction and Demolition Waste Management Plan shall be submitted and approved prior to final inspection.
166. **TRASH ENCLOSURE DESIGN AND DETAILS:** Include trash plan with enclosure details and collection vehicle access on a separate sheet in the initial building plans.
- The property must have trash, recycling, and compost services. Display on the plans the trash enclosure layout, location, and dimensions (6'8"x25'4") to scale with the following minimum service levels: one 3-yard trash bin, one 3-yard cardboard recycling bin, one 96-gallon container recycling cart, and one 96-gallon compost cart.
 - Provide centered enclosure door openings at least 8' wide each. The openings must be clear of door edges, hinges, or other obstructions. Provide means to secure doors in both the opened and closed positions (e.g., cane bolts and drop-pin holes).
 - Enclosure standards require no less than 9' vertical clearance for roof from finished grade to roof interior.
 - If the trash enclosure does not have an interior berm or curb, it shall have bumpers on the walls to avoid damage from bins hitting it.
 - Light switch in enclosure needs to be above the height of a 3-yard bin so it is accessible.
 - Enclosure shall have a flat concrete pad in front of the structure and extending 10' to provide a smooth surface for bin movement and staging for service. Design concrete pad to withstand weight of a 60,000-pound collection vehicle.
 - "No Parking" signs shall be posted on enclosure doors.
 - Maintain overhead clearances of 15' in the travel way and 22' at point of collection.
167. **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."
168. **CONSTRUCTION MANAGEMENT PLAN:** Upon submittal of the initial building permit and all subsequent building permit submittals, the applicant shall provide a construction traffic and parking management plan with the building plans. The plan must be approved prior to the issuance of a building permit, including demolition. 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 trailer 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; and

3. **Sidewalks:** Sidewalk closure or narrowing is not allowed during any on-site construction activities.
 4. **Traffic Control and Detour Plans:** Traffic control plans, including detour plans, shall be submitted to the Public Works Department for review and approval and included with building permit plans to the Building Division for any on-site improvements and/or work related to any phase of the construction management plan that requires temporary roadway closure, lane closure, shoulder closure, and/or bike lane closure. Pedestrian detour plans shall be provided when necessary. 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 may be required prior to issuance of the building permit.
169. **SOIL AND GROUNDWATER CONTAMINATION:** The applicant/contractor is advised the project site is located in, or in close proximity to, an area of known soil and groundwater contamination, ARCO No. 2010. The applicant/contractor is responsible for working with the Santa Clara County Department of Environmental Health, the lead regulatory agency, to obtain the appropriate clearances and/or recommendations for work in the contaminated area.
170. **CONSTRUCTION HEALTH AND SAFETY MEASURES:** Work within soil and groundwater contamination areas may expose construction workers to contaminants in the soil, groundwater, and associated vapors. The applicant/contractor is responsible for preparing and implementing an appropriate Health and Safety Plan to address the contamination and manage the operations in a safe manner and in compliance with the Cal/OSHA Construction Safety Orders and other State and Federal requirements.
171. **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:
- “Santa Clara Valley Water District (Valley Water) records indicate that two active wells are located on the subject property. If the wells will continue to be used following permitted activity, they must be protected so that they do not become lost or damaged during completion of permitted activity. If the wells will not be used following permitted activity, they must be properly destroyed under permit from Valley Water.
- Valley Water records indicate that 22 properly destroyed wells are located on the subject property. Because the wells are considered properly destroyed, no action is necessary to protect them or to bring them into compliance with the District Well Ordinance.
- Valley Water records indicate that one abandoned well may be located on the subject property. If this well is found on the subject property during development, it must be properly destroyed under permit from Valley Water or registered with Valley Water and protected from damage.
- While 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.”
172. **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.”
173. **OCCUPANCY RELEASE:** The owner/developer shall comply with and include the following note on the off-site or grading/drainage or utility plans: “For commercial and office developments, no buildings will be released for occupancy until the off-site improvements to be constructed to City Public Works standards and/or accepted for maintenance by the City are complete and ready for acceptance.”

Fire and Environmental Protection Division—650-903-6378 or FEPD@mountainview.gov

ENVIRONMENTAL SAFETY

For more information, guidelines, design criteria, or materials about urban runoff conditions, contact the Fire and Environmental Protection Division of the Fire Department at 650-903-6378 or online at www.mountainview.gov/our-city/departments/fire/fire-and-environmental-protection-division. “Stormwater Quality Guidelines for Development Projects” can be accessed on the Fire Department website at www.mountainview.gov/fepforms.

174. **STORM DRAIN/SANITARY SEWER PLAN CHECK SHEET:** Complete a “Storm Drain/Sanitary Sewer Discharges” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.
175. **FOOD SERVICE CHECKLIST:** Complete a “Food Service Checklist: Grease Control and Stormwater Pollution Prevention” for building plan review. All applicable items in the checklist should be completed and shown on the building plan submittal.
176. **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.
177. **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.
178. **WASTEWATER DISCHARGE PERMIT:** All treatment systems connected to the sanitary sewer require a Wastewater Discharge Permit.
179. **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.
180. **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.
181. **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.
182. **VEHICLE/EQUIPMENT FUELING FACILITIES:** Vehicle or equipment fueling facilities 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 extending the cover at least 10’ beyond the fuel pumps in the directions of vehicle or equipment access and egress; (c) sloping the area inward (negative slope) or installing a berm or curb around its perimeter; and (d) roof drainage shall be directed outside of the fueling pad area located underneath the canopy. No roof drainage shall flow across the covered fueling pad area. There shall be no storm drains in the fueling area.
183. **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.

184. **STORMWATER TREATMENT (C.3)—SPECIAL LAND USE CATEGORIES:** For retail gasoline outlets, auto service facilities, restaurants, and uncovered parking lots that create or replace more than five thousand (5,000) square feet of impervious surface, stormwater runoff shall be directed to approved permanent treatment controls as required in the City's guidance document entitled, "Stormwater Quality Guidelines for Development Projects." The City's guidelines also describe the requirement to select Low-Impact Development (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 are required to enter into a formal recorded Maintenance Agreement with the City.

185. **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/2020/09/14/scvurppp-list-of-qualified-consultants/>

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

187. 1. **A Stormwater Management Plan is required for this project. Information regarding the proposed stormwater treatment controls is included in the plans on Page C.2, but the Stormwater Management Plan, which is a separate report, was not provided. Guidance on the required items for the Stormwater Management Plan can be found here: www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=13392**
2. **Provide the cut sheets and a plumbing plan for the pretreatment system associated with the drive-through car wash. The car wash must have a sample port and must obtain a wastewater discharge permit before commencing discharge to the sanitary sewer.**

HAZARDOUS MATERIALS

For more information, materials, and worksheets, contact the Fire and Environmental Protection Division of the Fire Department online at www.mountainview.gov/fep or by phone at 650-903-6378.

188. **HAZARDOUS MATERIALS:** If hazardous materials will be stored or used on-site (including paints, thinners, compressed gases, propane, diesel, gasoline, etc.), complete an Environmental Compliance Plan (ECP) application. Attach a copy of the completed ECP to your building plan submittal.
189. **INSTALLATION OR UPGRADE OF HAZARDOUS MATERIALS STORAGE:** Complete an "Installation or Upgrade of Hazardous Materials Storage or Use Areas" check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

190. **UNDERGROUND HAZARDOUS MATERIALS STORAGE TANK SYSTEM INSTALLATION:** Complete an “Underground Hazardous Materials Storage Tank System Installation” check sheet. All applicable items in the check sheet should be completed and shown on the building plan submittal.

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

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

AMBER BLIZINSKI, ASSISTANT COMMUNITY DEVELOPMENT DIRECTOR

AB/PB/6/FDG
PL-2020-165

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