
**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JANUARY 26, 2026**

Planning Application **PLNG-2024-0639**

1001 S Wolfe Rd

SPECIAL DEVELOPMENT PERMIT: To allow construction of five 3-story town-home-style condominium units, including requests to deviate from front setback, height, garage size, and usable open space requirements.

TENTATIVE MAP: To create five condominium units.

The following Conditions of Approval [COA] and Standard Development Requirements [SDR] apply to the project referenced above. The COAs are specific conditions applicable to the proposed project. The SDRs are items which are codified or adopted by resolution and have been included for ease of reference, they may not be appealed or changed. The COAs and SDRs are grouped under specific headings that relate to the timing of required compliance. Additional language within a condition may further define the timing of required compliance. Applicable mitigation measures are noted with "Mitigation Measure" and placed in the applicable phase of the project.

In addition to complying with all applicable City, County, State and Federal Statutes, Codes, Ordinances, Resolutions and Regulations, Permittee expressly accepts and agrees to comply with the following Conditions of Approval and Standard Development Requirements of this Permit:

GC: THE FOLLOWING GENERAL CONDITIONS AND STANDARD DEVELOPMENT REQUIREMENTS SHALL APPLY TO THE APPROVED PROJECT.

GC-1. CONFORMANCE WITH APPROVED PLANNING APPLICATION:

All building permit drawings and subsequent construction and operation shall substantially conform with the approved planning application, including: drawings/plans, materials samples, building colors, and other items submitted as part of the approved application. Any proposed amendments to the approved plans or Conditions of Approval are subject to review and approval by the City. The Director of Community Development shall determine whether revisions are considered major or minor. Minor changes are subject to review and approval by the Director of Community Development. Major changes are subject to review at a public hearing. [COA] [PLANNING]

GC-2. ENTITLEMENTS—EXERCISE AND EXPIRATION:

The approved entitlements shall be null and void two years from the date of approval by the final review authority if the approval is not exercised, unless a written request for an extension is received prior to the expiration date and is approved by the Director of Community Development. [SDR] (PLANNING)

GC-3. INDEMNITY:

The applicant/developer shall defend, indemnify, and hold harmless the City, or any of its boards, commissions, agents, officers, and employees (collectively, "City") from any claim, action, or proceeding against the City to attack, set aside, void, or annul, the approval of the project when such claim, action, or proceeding is brought within the time period provided for in applicable state and/or local statutes. The City shall promptly notify the developer of any such claim, action or proceeding. The City shall have the option of coordinating the defense. Nothing contained in this condition shall prohibit the City from participating in a defense of any claim, action, or proceeding if the City bears its own attorney's fees and costs, and the City defends the action in good faith. [COA] [OFFICE OF THE CITY ATTORNEY]

GC-4. NOTICE OF FEES PROTEST:

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

GC-5. STORMWATER MANAGEMENT PLAN:

Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2022-0018, as determined by a completed Stormwater Management Plan Data Form, and therefore must submit a Stormwater Management Plan as per SMC 12.60.210 prior to issuance of the building permit. [SDR] [PLANNING]

GC-6. PUBLIC IMPROVEMENTS:

The developer is required to install, per Sunnyvale Municipal Code (SMC) Chapter 18.08, all public improvements, which may include but not be limited to, curb & gutter, sidewalks, driveway approach, curb ramps, street pavement, utility connections, meters/vaults, trees and landscaping, traffic signal/signage, striping, street lights, etc.

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and

specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works.

The developer is required to complete the installation of all public improvements and other improvements deemed necessary by the Public Works Department, prior to occupancy of the first building, or to the satisfaction of the Department of Public Works. [COA] [PUBLIC WORKS]

GC-7. OFF-SITE IMPROVEMENT PLANS:

Submit off-site improvement plans separate from the Building on-site improvement plans as the off-site improvement plans are approved through a Public Works Encroachment Permit process. Sheet C1.0 thru Sheet C5.0 of Civil Plans dated 09/05/25 is subject to change during the plan check process.

See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/637820856582800000>

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/638097347304330000> [SDR] [PUBLIC WORKS]

GC-8. ENCROACHMENT PERMIT:

Prior to any work in the public right-of-way, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Department of Public Works. [COA] [PUBLIC WORKS]

GC-9. FINAL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a vesting tentative map and recordation of a Final Map. The submittal, approval and recordation of the Final shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. All existing and proposed property lines, easements, dedications shown on the vesting tentative map are subject to City's technical review and approval during the final map process prior to any grading or building permit. Sheet TM1.0 of Vesting Tentative Map submittal dated 09/05/25 is subject to change during plan check process. [COA] [PUBLIC WORKS]

PS: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO SUBMITTAL OF ENCROACHMENT PERMIT, BUILDING PERMIT, AND/OR GRADING PERMIT.

PS-1. SANITARY SEWER ANALYSIS:

Prior to first off-site plan check submittal, submit a focused sanitary sewer analysis, to be reviewed and approved by the City, identifying the overall project impact to the City's existing sanitary sewer main(s). This includes, but is not limited to, the following:

- a) A detailed estimate of water consumption in gallons per day or estimate of sanitary sewer discharge in gallons per day; and
- b) Any incremental impact that will result from the new project in comparison to the existing sewer capacity of the immediate downstream mainline as needed, and allocation of wastewater discharge from the project site to each of the proposed laterals. Any deficiencies in the existing system in the immediate vicinity of the project will need to be addressed and resolved at the expense of the developer as part of the off-site improvement plans. Sewer flow monitoring data may be required as needed. Any mitigation improvements needed shall be incorporated in the first plan check submittal. [COA] [PUBLIC WORKS]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR ANY DEMOLITION PERMIT, BUILDING PERMIT, GRADING PERMIT, AND/OR ENCROACHMENT PERMIT AND SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT(S).

BP-1. CONDITIONS OF APPROVAL:

Final plans shall include all Conditions of Approval included as part of the approved application starting on sheet 2 of the plans. [COA] [PLANNING]

BP-2. RESPONSE TO CONDITIONS OF APPROVAL:

A written response indicating how each condition has or will be addressed shall accompany the building permit set of plans. [COA] [PLANNING]

BP-3. NOTICE OF CONDITIONS OF APPROVAL:

A notice of conditions of approval shall be filed in the official records of the county of Santa Clara and provide proof of such recordation to the city prior to issuance of any city permit, allowed use of the property, or final map, as applicable. The notice of conditions of approval shall be prepared by the planning division and shall include a description of the subject property, the planning application number, attached conditions of approval and any accompanying subdivision or parcel map, including book and page and recorded document number, if any, and be signed and notarized by each property owner of record.

For purposes of determining the record owner of the property, the applicant shall provide the City with evidence in the form of a report

from a title insurance company indicating that the record owner(s) are the person(s) who have signed the Notice of Conditions of Approval. [COA] [PLANNING]

BP-4. **BLUEPRINT FOR A CLEAN BAY:**

The building permit plans shall include a “Blueprint for a Clean Bay” on one full sized sheet of the plans. [SDR] [PLANNING]

BP-5. **DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM:**

To mitigate the impacts of large projects on local waste disposal, recycling levels and the migration of PCBs, demolition waste weights/volumes including hazardous waste manifests for applicable structures with PCB concentrations greater than 50 ppm, construction weights/volumes, and recycling weights/volumes are to be reported to the City using Sunnyvale.wastetracking.com hosted by Green Halo. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and submit these records through the website both periodically and at project completion. [COA] [ENVIRONMENTAL SERVICES]

BP-6. **ROOF EQUIPMENT:**

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19 of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]

BP-7. **FEES AND BONDS:**

The following fees shall be paid in full at the times specified below and at the rates in effect at the time of payment. The fee estimates are calculated based on the Fiscal Year 2025/26 adopted fee schedule, and are provided below for informational purposes. Prior to building permit issuance, the applicant, property owner and/or lessee shall enter into an agreement in a form provided by the City for the payment of the fees within the time specified below (for fees that will be paid after building permit issuance), which agreement shall be recorded in the office of the county recorder and from the date of recordation shall constitute a lien for the payment of the fee and shall be enforceable against successors in interest to the property owner or lessee.

- a) **TRANSPORTATION IMPACT FEE** - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$10,286.00**, prior to issuance of final occupancy. (SMC 3.50). [SDR] [PLANNING]

b) PARK IN-LIEU - Pay Park In-lieu fees estimated at **\$203,860.80**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]

BP-8. TREE PROTECTION PLAN:

Prior to issuance of a Demolition Permit, a Grading Permit or a Building Permit, whichever occurs first, obtain approval of a tree protection plan from the Director of Community Development. The tree protection plan shall include measures noted in Title 19 of the Sunnyvale Municipal Code and at a minimum:

- a) An inventory shall be taken of all existing trees on the plan including the valuation of all 'protected trees' by a certified arborist, using the latest version of the "Guide for Plant Appraisal" published by the International Society of Arboriculture (ISA).
- b) All existing (non-orchard) trees on the plans, showing size and varieties, and clearly specify which are to be retained.
- c) Provide fencing around the drip line of the trees that are to be saved and ensure that no construction debris or equipment is stored within the fenced area during the course of demolition and construction.
- d) The tree protection plan shall be installed prior to issuance of any Building or Grading Permits, subject to the on-site inspection and approval by the City Arborist and shall be maintained in place during the duration of construction and shall be added to any subsequent building permit plans. [COA] [PLANNING/CITY ARBORIST]

BP-9. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:

A detailed solid waste disposal and recycling design plan shall be submitted for review and approval by the Director of Community Development prior to issuance of building permit. The solid waste disposal plan and building permit plans shall demonstrate compliance with current City requirements and guidelines for residential/multi-family projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-10. ON-SITE PRIVATE WATER METER(S)

The developer shall install individual private water meters for each residence, and for each ancillary building on-site. [COA] [BUILDING]

BP-11. STORMWATER MANAGEMENT C.3 DATA FORM:

Submit the completed City of Sunnyvale and Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Data Form to the Planning Division prior to issuance of a Building Permit. [COA] [PLANNING]

BP-12. STORMWATER MANAGEMENT PLAN:

Submit the Stormwater Management Plan subject to review and approval by Director of Community Development and third party certification, pursuant to SMC 12.60, prior to issuance of building permit. [COA] [PLANNING/PUBLIC WORKS]

BP-13. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third party certification of the Storm Water Management Plan is required per the following guidance: City of Sunnyvale – Storm Water Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Storm Water Management Plan Requirements. The third party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/PUBLIC WORKS]

BP-14. BEST MANAGEMENT PRACTICES - STORMWATER:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.230. Best management practices shall be identified on the building permit set of plans and shall be subject to review and approval by the Director of Public Works:

- a. Storm drain stenciling. The stencil is available from the City's Environmental Services Department, which may be reached by calling (408) 730-7717.
- b. Landscaping that minimizes irrigation and runoff, promotes surface infiltration where possible, minimizes the use of pesticides and fertilizers, and incorporates appropriate sustainable landscaping practices and programs such as Bay-Friendly Landscaping.
- c. Appropriate covers, drains, and storage precautions for outdoor material storage areas, loading docks, repair/maintenance bays, and fueling areas.
- d. Covered trash, food waste, and compactor enclosures.
- e. Plumbing of the following discharges to the sanitary sewer, subject to the local sanitary sewer agency's authority and standards:
 - i. Discharges from indoor floor mat/equipment/hood filter wash racks or covered outdoor wash racks for restaurants.
 - ii. Dumpster drips from covered trash and food compactor enclosures.
 - iii. Discharges from outdoor covered wash areas for vehicles, equipment, and accessories.
 - iv. Swimming pool water, spa/hot tub, water feature and fountain discharges if discharged to onsite vegetated areas is not a feasible option.
 - v. Fire sprinkler test water, if discharged to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]

BP-15. PARKING MANAGEMENT PLAN (RESIDENTIAL MULTI-FAMILY):

A Parking Management Plan is subject to review and approval by the Director of Community Development prior to issuance of a building permit. The Parking Management Plan shall include the following:

- a) A clear definition of "guest" as proposed by the property manager/homeowner's association and subject to review and approval by the Director of Community Development.
- b) The property manager/homeowner's association may specify that 25% to 75% of unassigned spaces be reserved for guest use.
- c) Clearly indicate that unassigned spaces cannot be rented or reserved for a specific resident and will be available for parking on a first come, first serve basis without a fee or charge.
- d) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
- e) Prohibit tenants from parking RV's, trailers, or boats in assigned spaces.
- f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]

BP-16. BICYCLE SPACES:

Provide the following minimum bicycle facilities at the main entrance and/or high visible areas per Sunnyvale Municipal Code Section 19.46.150: 4 total bicycle spaces. 4 of which must be Class I (secured bicycle parking). Clearly indicate the location and number of spaces on building permit plans. [COA] [PUBLIC WORKS]

BP-17. NOISE REDUCTION VERIFICATION:

The project acoustical consultant shall review the final construction drawings and confirm that all recommended measures to meet City of Sunnyvale noise standards for interior and exterior noise (including, but not limited to, sound walls, STC-rated windows and doors, habitable ventilation with windows closed, noise attenuation in roof, wall, and floor-to-ceiling construction) have been incorporated into the drawings. [COA] [PLANNING]

BP-18. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 90 points on the Green Point Rated checklist, or the minimum points required effective at the time of building permit submittal. The project plans shall be accompanied with a letter from the project's Green Point Rater/LEED AP verifying the project is designed to achieve the required points. [COA] [PLANNING] [BUILDING]

BP-19. CONSTRUCTION MANAGEMENT PLAN:

The project applicant shall implement a Construction Management Plan (CMP) to minimize impacts of construction on surrounding residential uses to the extent possible. The CMP shall be subject to review and approval by the Director of Community Development and Director of Public Works with a separate Miscellaneous Plan Permit (MPP) prior to issuance of a demolition permit, grading permit, or building permit. The CMP shall identify measures to minimize the impacts of construction including the following:

- a) Measures to control noise by limiting construction hours to those allowed by the SMC, avoiding sensitive early morning and evening hours, notifying residents prior to major construction activities, and appropriately scheduling use of noise-generating equipment.
- b) Use 'quiet' models of air compressors and other stationary noise sources where such technology exists.
- c) Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.
- d) Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from residences or other noise-sensitive land uses.
- e) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- f) Route all construction traffic to and from the project site via designated truck routes where possible. Prohibit construction-related heavy truck traffic in residential areas where feasible. Obtain approval of proposed construction vehicle truck routes from the Department of Public Works.
- g) Manage construction parking so that neighbors are not impacted by construction vehicles. When the site permits, all construction parking shall be on-site and not on the public streets.
- h) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- i) Notify all adjacent business, residents, and noise-sensitive land uses of the construction schedule in writing. Notify nearby residences of significant upcoming construction activities at appropriate stages in the project using mailing or door hangers.
- j) Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint and will require that reasonable measures warranted to correct the problem be implemented. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

k) The plan shall include the procedures and requirements outlined in condition of approval BP-28. Environmental Site Assessment and Soil Management (AB 130), including additional soil sampling, preparation and implementation of the Soil Management Plan (SMP), remediation protocols, soil handling practices, and documentation by a qualified environmental professional. [COA] [PLANNING/PUBLIC WORKS]

BP-20. CONSTRUCTION MATERIAL AND STAGING:

All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-ways or public easements. [COA] [PUBLIC WORKS]

BP-21. UNDERGROUND UTILITIES:

All utilities shall be undergrounded per Sunnyvale Municipal Code Section 19.38.095. Existing overhead lines on Maria Lane are to be undergrounded. Joint pole on Wolfe Road frontage is to be removed and overhead lines are to be undergrounded. [COA] [PLANNING/PUBLIC WORKS]

BP-22. AIR QUALITY MITIGATION MEASURES:

Install indoor air filtration systems (e.g., electrostatic filtering systems or equivalent systems) and place vents away from TAC, if the site-specific Health Risk Analysis reveals significant health risk exposure in terms of excess cancer risk. Project shall submit performance specification to the city to demonstrate that lifetime residential exposures would not exceed BAAQMD-recommended risk levels.

BP-23. CONSTRUCTION NOISE MITIGATION MEASURES:

The project shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise and vibration. These measures shall be included in a noise control plan that shall be submitted for review and approval by the Director of Community Development. Measures specified in the noise control plan and implemented during construction shall include, at a minimum, the following noise control strategies:

- a) Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds);
- b) Impact tools (e.g., jackhammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools; and
- c) Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed

within temporary sheds, incorporate insulation barriers, or include other measures.

d) Pile-driving is prohibited unless authorized by the Director of Community Development. If authorized, noise and vibration reducing pile-driving techniques shall be employed during construction and will be monitored to ensure no damage to nearby structures occurs (i.e., vibrations above peak particle velocity (PPVs) of 0.25 inches per second at nearby structures). These techniques shall include:

- Installing intake and exhaust mufflers on pile-driving equipment;
- Vibrating piles into place when feasible, and installing shrouds around the pile-driving hammer where feasible as determined by the Director of Community Development;
- Implementing “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions;
- Using cushion blocks to dampen impact noise, if feasible based on soil conditions as determined by the Director of Community Development. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and
- At least 48 hours prior to pile-driving activities, notifying building owners and occupants within 600 feet of the project area of the dates, hours, and expected duration of such activities.

[COA][PLANNING]

BP-24. ARCHAEOLOGICAL RESOURCES:

Prior to the issuance of grading or building or encroachment permits, the project applicant is required to include information on the improvement plans that if, during the course of on-site and off-site excavation, grading or construction, cultural resources (i.e. prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4(b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential. [COA] [PLANNING/PUBLIC WORKS]

BP-25. CULTURAL RESOURCES:

In the event of the discovery of human remains during on-site or off-site excavation, grading, or construction, there shall be no further excavation or disturbance of the site within a 50-foot radius of the remains 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 his authority, the Coroner shall notify the Native American Heritage Commission who 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 State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. Once the reburial has taken place, then the GPS location, description of location, and depth is recorded on standard Archaeological Site Forms, photographed, and copies shall be sent to the CHRIS/NWIC, NAHC, the permitting agency, and the applicable Tribe for their records, so that future projects can avoid the reburial location.

All measures shall be printed on all construction documents, contracts, and project plans, and reviewed by the Community Development Director prior to issuance of grading and building permits. During construction, the project applicant and contractor shall be responsible for, implementing these measures. [COA] [PLANNING/PUBLIC WORKS]

BP-26. PALEONTOLOGICAL RESOURCES:

Prior to the issuance of grading or building permits, the project is required to include information on the improvement plans that if, during the course of grading or construction, fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the City of Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, prior to the commencement of a project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow. [COA] [PLANNING]

BP-27. TRIBAL MONITORING (AB 130)

The following tribal cultural resources monitoring and treatment provisions are required for projects utilizing the CEQA statutory exemption set forth in Government Code Section 21080.66 (AB 130) and shall apply to this project.

1. Per the Muwekma Ohlone Tribe's request, the project shall include tribal monitoring during all ground-disturbing activities as follows:
 - a. The Muwekma Ohlone Tribe shall designate the monitor.
 - b. The tribal monitor shall comply with applicant's site access and workplace safety requirements.
 - c. The applicant shall compensate the tribal monitor at a reasonable rate, determined in good faith, that aligns with customary compensation for cultural resource monitoring, taking into account factors such as the scope and duration of the project.
2. Tribal cultural resources shall be avoided where feasible, in accordance with subdivision (a) of Public Resources Code Section 21084.3. Further, where feasible, the applicant shall provide deference to tribal preferences regarding access to spiritual, ceremonial, and burial sites, and incorporate tribal traditional knowledge in the protection and sustainable use of tribal cultural resources and landscapes.
3. All treatment and documentation of tribal cultural resources shall be conducted in a culturally appropriate manner consistent with Section 21083.9 of the Public Resources Code.
4. A California Historical Resources Information System archaeological records search and a tribal cultural records search shall be completed for the project site.
5. A Sacred Lands Inventory request shall be submitted to the Native American Heritage Commission.
6. The project shall comply with Section 7050.5 of the Health and Safety Code and Section 5097.98, including immediate work stoppage upon discovery of human remains or burial grounds, and treatment in accordance with applicable law and in consultation with the Muwekma Ohlone Tribe.
7. An application of tribal ecological knowledge into habitat restoration efforts undertaken by the project as applicable to the specific environmental context and conditions of the project.
8. Prior to the issuance of demolition, grading, building or encroachment permits, the project applicant shall execute an agreement with the Muwekma Ohlone Tribe that includes the provisions above.

[COA] [PLANNING/PUBLIC WORKS]

BP-28. ENVIRONMENTAL SITE ASSESSMENT AND SOIL MANAGEMENT (AB 130):

Prior to the issuance of a building permit, the applicant shall perform additional soil sampling, delineation, and analysis as recommended by the City's environmental peer reviewer (Peer Review of Phase I and Soil Sampling Reports prepared by AEI Consultants, dated September 15, 2025) and in accordance with AB 130, to determine the nature and extent of contamination on the project site.

Following demolition of the existing on-site structures, the applicant shall conduct an additional subsurface investigation consisting of approximately 10 to 20 soil sampling locations, evenly spaced across the project site in a grid pattern to the extent feasible. Shallow soil samples shall be collected using hand tools from depths of one foot and two feet below ground surface. All soil samples shall be analyzed for dieldrin. If dieldrin concentrations in the one-foot samples exceed the applicable residential direct exposure Environmental Screening Level (ESL), the corresponding deeper samples shall be analyzed to determine the vertical and lateral extent of contamination. Additional step-out sampling may be required, as necessary, to fully delineate impacted soils.

Based on the results of the investigation, the applicant shall prepare and submit a Soil Management Plan (SMP) for review and approval by the City prior to site disturbance. The SMP shall shall include procedures to protect the environment and construction workers and shall address, at a minimum, soil handling, worker health and safety, dust control, stockpiling, disposal, and appropriate mitigation measures to prevent exposure to contaminants during construction activities.

All required remediation activities and SMP measures shall be implemented during site grading and construction. The applicant shall provide written verification from a qualified environmental professional that remediation and mitigation have been completed in accordance with all applicable state and federal regulatory standards.

No Certificate of Occupancy shall be issued until the City receives documentation demonstrating that:

- a) All required environmental investigations have been completed;
- b) Any hazardous releases have been remediated or mitigated to levels required by current federal and state statutory and regulatory standards; and
- c) Any potential exposures to significant hazards from surrounding properties or activities have been mitigated to current federal and state statutory and regulatory standards. [COA][PLANNING]

EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.

EP-1. COMPLETE OFF-SITE IMPROVEMENT PLAN SET:

A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, , signing/striping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost

estimate and the initial Engineering and Inspection plan review fee. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. Sheet C1.0 thru Sheet C5.0 of Civil Plans dated 09/05/25 are subject to change during the plan check process. See Improvement Plan Checklist and Improvement Plan Submittal Checklist at the following 2 links:

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1654/637820856582800000>

<https://www.sunnyvale.ca.gov/home/showpublisheddocument/1656/638097347304330000>

[COA] [PUBLIC WORKS]

EP-2. UPGRADE OF EXISTING PUBLIC IMPROVEMENTS:

As part of the off-site improvement plan review and approval, any existing public improvements to be re-used by the project, which are not in accordance with current City standards and are not specifically identified in the herein project conditions (such as backflow preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]

EP-3. BENCHMARKS:

The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website [sunnyvale.ca.gov/home/showpublisheddocument/1590/637997914061100000](https://www.sunnyvale.ca.gov/home/showpublisheddocument/1590/637997914061100000). Plans based on NGVD29 will not be accepted. [COA] [PUBLIC WORKS]

EP-4. UTILITY CONNECTION:

This project requires connection to all City utilities or private utilities operating under a City or State franchise which provide adequate levels of service. [COA] [PUBLIC WORKS] (SMC 18.08.030, SMC 12.08.010)

EP-5. UTILITY CONNECTION TO THE MAIN:

All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new storm drain manhole, except where a pipe to pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]

EP-6. POTHOLING OF EXISTING UTILITIES:

Concurrent with the initial submittal of off-site improvement plans, obtain an encroachment permit for potholing purposes to locate existing utilities. Use pothole information to identify possible conflicts

between existing utilities and proposed new dry utilities, sewer and storm drain laterals, and water laterals 4" and larger. Potholing shall be performed during design after proposed locations of new laterals are not likely to change. Accurate elevations and locations of existing crossings shall be shown in profiles along gravity or pressure laterals 4" and larger. It is strongly recommended that both the top and bottom elevations of fiber and electrical duct banks are potholed. [COA] [PUBLIC WORKS]

EP-7. **EXISTING UTILITY ABANDONMENT/RELOCATION:**
Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]

EP-8. **MODIFICATIONS TO EXISTING PUBLIC UTILITIES:**
Developer is required to pay for all changes or modifications to existing City utilities, streets and other public utilities within or adjacent to the project site, including but not limited to utility facilities/conduits/vaults relocation due to grade change in the sidewalk area, caused by the development. [COA] [PUBLIC WORKS]

EP-9. **DRY UTILITIES:**
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to the issuance of any permits for utility work within any public right-of-way or public utility easements. All proposed bollards related to the protection of private transformer are to be placed on private property, not City right-of-way. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]

EP-10. **WET UTILITIES:**
All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]

EP-11. **SEWER ACCESS STRUCTURE AT UPSTREAM END OF LATERAL:**
For all sewer laterals 6" and larger, install a new manhole immediately inside private property and outside of any easement. For 4" laterals, install a cleanout at the same location. [SDR] [PUBLIC WORKS]

EP-12. NEW SEWER LATERAL CCTV VIDEO:

The contractor shall provide a CCTV video of new sewer laterals. Video must clearly show the front of the property before camera is inserted into the pipe. [COA] [PUBLIC WORKS]

EP-13. SANITARY SEWER AND STORM DRAIN TRIBUTARY PATTERN:

This project is required to follow the existing sanitary sewer and storm drain tributary pattern. Any deviations would require additional analysis and subject to approval by the Public Works Department as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]

EP-14. STORM DRAIN DESIGN

Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The new storm drain lateral shall be 12 inches and the main line shall be minimum 15 inches diameter in the public right-of-way.

EP-15. PUBLIC RIGHT-OF-WAY STORMWATER TREATMENT

Per the Municipal Regional Stormwater Permit 3.0 Provision C.3, all impervious area created or replaced in the public right-of-way must be treated. Treatment measures for public stormwater must be located on-site on private property. Treatment measures shall be identified and included in the Stormwater Management Plan, required per bp COAs above. all stormwater treatment and infrastructure constructed for conveyance of stormwater to the stormwater treatment shall be privately maintained. [COA] [PUBLIC WORKS]

EP-16. CATCH BASIN TRASH CAPTURE DEVICES:

Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system, the developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled that read "NO DUMPING". Stencils may be borrowed and returned by coordinating with the Environmental Services Department by calling 408-730-7738. [COA] [PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]

EP-17. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the driveway approach areas. All existing or new utility vaults serving the project site shall be located on-site and not within the public utility easement, if any. [COA] [PUBLIC WORKS]

EP-18. DRIVEWAY APPROACHES:

Remove existing driveway approach on Wolfe Road and replace with new curb, 2' gutter, and sidewalk, install new driveway approach along

the Maria Lane frontage per Detail 5C-6 to comply with Americans with Disabilities Act (ADA) requirements and City standard details and specifications. [SDR] [PUBLIC WORKS]

EP-19. **DRIVEWAY VISION TRIANGLE:**

Comply with the driveway vision triangle requirements at all driveway approaches per SMC 19.34.060. Show location of sidewalk relative to the driveway vision triangle. [COA] [Public Works]

EP-20. **CORNER VISION TRIANGLE:**

Comply with the corner vision triangle requirements at the intersection of Wolfe Road and Maria Lane per SMC 19.34.060. [COA] [Public Works]

EP-21. **STREETSCAPE IMPROVEMENTS:**

Along project frontage on Wolfe Road, remove existing concrete curb, gutter, driveway approach and sidewalk and install new concrete curb and 2' gutter per current City standards. Install a detached 6' wide sidewalk with 4' wide park-strip (not including 6-inch curb).

Along project frontage on Maria Lane, remove existing concrete curb, gutter, driveway approach and sidewalk and install new concrete curb and 2' gutter per current City standards. Install a detached 6' wide sidewalk with 4' wide park-strip (not including 6-inch curb).

The perpetual maintenance of sidewalk improvements along the project frontages shall be the sole responsibility of the property owner [SDR] [PUBLIC WORKS]

EP-22. **ROOT BARRIER:**

Install a continuous root barrier along back of curb and new sidewalk adjacent to City trees per City standard details and specifications. [SDR] [PUBLIC WORKS]

EP-23. **DECORATIVE PAVEMENT:**

Any and all proposed decorative pavement and vertical curb pertaining to on-site development shall not be located within the City right-of-way. [COA] [PUBLIC WORKS]

EP-24. **SIGNING AND STRIPING PLANS:**

Submit a signing and striping plan in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. [COA] [PUBLIC WORKS]

EP-25. **TRAFFIC CONTROL PLAN:**

Submit a traffic control plan with the off-site improvement plans for review and approval. Per the City's Temporary Traffic Control Checklist, the traffic control plan shall include a summary of the traffic control

types, dates, times and blocks affected. All construction related materials, equipment, and construction workers parking need to be stored on-site and the public streets need to be kept free and clear of construction debris. [COA] [PUBLIC WORKS]

EP-26. CURB RAMP:

Remove the existing curb ramp and replace with two new directional curb ramps at the southwest corner of Wolfe Road and Maria Lane in accordance to the latest City standard details, specifications and Americans with Disabilities Act (ADA) requirements. Include signal modification sheets and striping details in the off-site improvement plans for review and approval during the off-site phase. Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flow line. [COA] [PUBLIC WORKS]

EP-27. SLURRY SEAL:

Developer shall be responsible to install Type III slurry seal on Wolfe Road from lip of gutter to lip of gutter, out 20 feet past project limit, including the entire intersection. Install Type II slurry seal on Maria Lane from lip of gutter to lip of gutter, out 10 feet past project limit. Sheet C1.0 thru Sheet C5.0 of Civil Plans dated 09/05/25 is subject to change during the plan check process. [COA] [PUBLIC WORKS]

EP-28. CITY STREET TREES:

The developer shall install required street trees in proposed park-strip within the public right-of-way along the project frontage as follows: Wolfe Road: *Quercus engelmannii* - Engelmann Oak. Maria Lane: *Platanus x hispanica* 'Columbia' - Columbia London Plane. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15 gallon size spaced approximately 35 feet apart. No street trees are to be planted within 10' of a sanitary sewer lateral and within any existing or proposed Public Utility Easement. Sheet C1.0 thru Sheet C5.0 of Civil Plans dated 09/05/25 is subject to change during the plan check process.

[SDR] [PUBLIC WORKS]

EP-29. PROTECTION OF EXISTING TREES:

No utility trench shall be allowed within 15' radius of an existing mature tree. Boring, air spade or other excavation method as approved by the City Arborist shall be considered to protect existing mature tree. Consult with the City Arborist prior to adjusting locations of utility lines. [SDR] [PUBLIC WORKS]

EP-30. DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:

Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction, to City's satisfaction by the Public Works Department. All existing streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, and traffic signal conduits shall be protected in place during construction. Any damaged streetlight conduits, streetlight wires, streetlight pull boxes, traffic detector loops, and traffic signal conduits shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]

EP-31. **TRAFFIC SIGNAL MODIFICATIONS:**

Developer shall install traffic signal improvements at the intersection of Wolfe Road and Maria Lane, including but not limited to traffic signal poles, safety light, pull boxes, conduits, conductors, and vehicle detection equipment. All traffic signal improvements shall be constructed in accordance with Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works, latest Caltrans Standards Plans and Specifications, latest California MUTCD, City Standard Details for Public Works Construction, City Standard Specifications for Public Works Construction, City Traffic Signal Standard Details. Include signal modification sheets and striping details in the off-site improvement plans for review and approval during the off-site phase. On Sheet C1.1 and C4.0, the callouts referring to the two traffic signals at the southwest corner of Wolfe Road and Maria Lane are incorrect. During off-site plan review, label correctly such that the signal pole south of the existing ramp states, "Existing Traffic Signal with the Streetlight to be protected in place, or otherwise relocated if proposed curb ramp impacts the pole". The signal pole west of the existing curb ramp is to state, "Existing Traffic Signal and Box to be relocated". [COA] [PUBLIC WORKS]

EP-32. **APPROVAL FROM OTHER AGENCIES:**

This project requires approval letter from Cal Water for fire hydrant, fire service, domestic and irrigation services. [COA] [PUBLIC WORKS]

EP-33. **RECORD DRAWINGS:**

Stamped and signed hard copy record drawings of the off-site improvements (including off-site street, sewer, water, storm drain and landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. In addition, streetlight record drawings shall be in AutoCAD format & GIS format. Developer shall pay the record drawing fee. [COA] [PUBLIC WORKS] (SMC 13.08.160(a))

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.
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TM-1. FINAL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:
The final map shall be substantially the same as the vesting tentative map. Any alteration of the vesting tentative map after the vesting tentative map is approved is subject to additional approval by the City and may require a public hearing. Sheet C1.0 thru Sheet C5.0 of Civil Plans dated 09/05/25 is subject to change during the plan check process. [COA] [PLANNING/PUBLIC WORKS]

TM-2. TITLE 18 AND SUBDIVISION MAP ACT:
The submittal, approval and recordation of the final map shall be in accordance with the provision of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. [COA] [PUBLIC WORKS]

TM-3. STREET EASEMENT DEDICATION
To accommodate the streetscape requirements, a 1' street dedication in the form of an easement is required on Maria Lane. New public right-of-way line shall be measured 11 feet from face of curb.
A portion of Wolfe Road is to be dedicated as street easement to clarify the dedication of the Bellomo Heights Tract Map No 465 recorded February 4, 1948. [COA] [PUBLIC WORKS]

TM-4. UTILITY COMPANY APPROVAL:
Obtain map approval letters from the utility companies in regards to any existing or new easements associated with their facilities. [COA] [PUBLIC WORKS]

TM-5. PUBLIC WORKS DEVELOPMENT FEES:
The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees and off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]

TM-6. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:
The developer shall execute a subdivision improvement agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to map recordation or any permit issuance, whichever occurs first. Provide an itemized engineer's estimate for all off-site public improvements for the entire project for determination of security amount. [COA] [PUBLIC WORKS]

TM-7. SUBDIVISION IMPROVEMENT AGREEMENT AND IMPROVEMENT SECURITIES:

The developer shall execute a subdivision improvement agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to map recordation or any permit issuance, whichever occurs first. Provide an itemized engineer's estimate for all off-site public improvements for the entire project for determination of security amount. [COA] [PUBLIC WORKS]

TM-8. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&Rs):

Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development, the City Attorney and the Engineering Division of the Public Works Department. Four (4) sets of the CC&Rs including all information required below (and a document or chart showing in which CC&R section each requirement is addressed) shall be submitted to the Engineering Division of the Public Works Department for routing. In addition to requirements as may be specified elsewhere, the CC&R's shall include the following provisions:

- a) Membership in and support of an association controlling and maintaining all common facilities shall be mandatory for all property owners within the development.
- b) The owners association shall obtain approval from the Director of Community Development prior to any modification of the CC&R's pertaining to or specifying the City.
- c) The developer shall maintain all private utilities and landscaping for a period of three years following installation of such improvements or until the improvements are transferred to a Homeowners Association, following sale of at least 75% of the units, whichever comes first. (Subdivision Improvement Agreement)
- d) All public/private easements pertaining to the project shall be identified and/or defined and made aware to the homeowners in the CC&R's.
- e) The CC&Rs shall contain language for Best Management Practices "Agreement to Maintain" pursuant to Sunnyvale Municipal Code 12.60.200.
- f) There shall be provisions of post construction Best Management Practices in the CC&R's in regard to storm water management. (SMC 12.60.200)
- g) Homeowners Association shall maintain parkstrip landscaping and sidewalk in perpetuity along the public street fronting the project site. (SMC 13.08.370 and 13.08.380)
- h) Property owners are prohibited from modifying drainage facilities and/or flow patterns unless reviewed and approval granted from the Public Works Department.
- g. The CC&Rs shall contain the following language:

- i) "Right to Remedy Failure to Maintain Common Area. In the event that there is a failure to maintain the Common Area so that owners, lessees, and their guests suffer, or will suffer, substantial diminution in the enjoyment, use, or property value of their Project, thereby impairing the health, safety and welfare of the residents in the Project, the City, by and through its duly authorized officers and employees, will have the right to enter upon the subject Property, and to commence and complete such work as is necessary to maintain said Common Area. The City will enter and repair only if, after giving the Association and Owners written notice of the failure to maintain the Common Area, they do not commence correction of such conditions in no more than thirty (30) days from the giving of the notice and proceed diligently to completion. All expenses incurred by the City shall be paid within thirty (30) days of written demand. Upon a failure to pay within said thirty (30) days, the City will have the right to impose a lien for the proportionate share of such costs against each lot in the Project.
- ii) It is understood that by the provisions hereof, the City is not required to take any affirmative action, and any action undertaken by the City will be that which, in its sole discretion, deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
- iii) It is understood that action or inaction by the City, under the provisions hereof, will not constitute a waiver or relinquishment of any of its rights to seek redress for the violation of any of the provisions of these restrictions or any of the rules, regulations and ordinances of the City, or of other laws by way of a suit in law or equity in a court of competent jurisdiction or by other action.
- iv) No Waiver. No failure of the City of Sunnyvale to enforce any of the covenants or restrictions contained herein will in any event render them ineffective.

v) Hold Harmless. Declarant, Owners, and each successor in interest of Declarant and said Owners, hereby agree to save, defend and hold the City of Sunnyvale harmless from any and all liability for inverse condemnation which may result from, or be based upon, City's approval of the Development of the subject Property." [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

TM-9. HOA CREATION:

The developer/Owner shall create a Homeowner's Association that comports with the State law requirements for Common Interest Developments. Covenants, conditions and restrictions (CC&Rs) relating to the development are subject to review for consistency with the Conditions of Approval by the Director of Community Development, the City Attorney and the Engineering Division of the Public Works Department prior to approval of the Final Map. The Conditions of Approval shall be attached as an exhibit to the CC&Rs created for this subdivision. [COA] [PLANNING]

TM-10. HOA TRANSFER:

At the time the homeowners association is transferred from the developer to the individual property owners (typically at election of board members or officers), the developer shall schedule a meeting between the board members or officers, the City of Sunnyvale and the developer to review the Conditions of Approval of the development and other applicable City requirements. [COA] [PLANNING]

PF: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS AND/OR SHALL BE MET PRIOR TO RELEASE OF UTILITIES OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.

PF-1. LANDSCAPING AND IRRIGATION:

All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]

PF-2. PARKING LOT STRIPING:

All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]

PF-3. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (RECORDATION):

The Developer/Owner shall submit a copy of the recorded CC&Rs and a letter from the Developer/Owner either indicating that the recorded CC&Rs are in conformance with the approved draft CC&Rs or summary of changes shall be provided to the Director of Community Development

prior to release if utilities or certificate of occupancy. [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

PF-4. **COMPLETION OF PUBLIC IMPROVEMENTS:**

Developer shall complete all required public improvements as required and in accordance with City approved plans, prior to any building occupancy. [COA] [PUBLIC WORKS]

PF-5. **HOA ESTABLISHMENT:**

The developer shall submit to the Planning Division the names, addresses and telephone numbers of the officers of the homeowners association, architectural review committee or similar committee, at the time the organization is granted autonomy. Until such information is supplied, the developer shall remain a Responsible Person for purposes of maintaining all common property. The chairperson, secretary or principal officer of any committee or association shall notify the City of any change in officers and provide the names, addresses and telephone numbers of the new officers within thirty (30) days after the change becomes effective. [COA] [PLANNING]

PF-6. **NOISE REDUCTION VERIFICATION:**

Following construction completion, the project acoustical consultant shall measure interior and exterior noise levels to confirm they are within allowable City of Sunnyvale noise standards and submit a report to the Director of Community Development prior to occupancy. If noise levels exceed allowable standards, the project applicant shall work with the project acoustical consultant on a compliance plan to reduce noise to acceptable levels, subject to the review and approval of the Director of Community Development. The project applicant shall incorporate all approved subsequent measures and confirm with additional testing that acceptable levels are met prior to occupancy of the units. [COA] [PLANNING]

PF-7. **VERIFICATION OF GREEN BUILDING MEASURES:**

Prior to any residential building occupancy, the applicant shall provide documentation from the project's Green Point Rater confirming the project has been built to achieve the required points.

DC: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES DURING THE CONSTRUCTION PHASE OF THE PROJECT.

DC-1. **BLUEPRINT FOR A CLEAN BAY:**

The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]

DC-2. TREE PROTECTION:

All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]

DC-3. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:

OR 2.1: Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.

OR 2.2: Construction equipment must be maintained per manufacturer's specifications.

OR 2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:

- a) Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
- b) Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
- c) Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
- d) Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]

DC-4. DUST CONTROL:

At all times, the Bay Area Air Quality Management District's CEQA Guidelines and "Basic Construction Mitigation Measures Recommended for All Proposed Projects", shall be implemented. [COA] [PLANNING]

AT: THE FOLLOWING CONDITIONS SHALL BE COMPLIED WITH AT ALL TIMES THAT THE USE PERMITTED BY THIS PLANNING APPLICATION OCCUPIES THE PREMISES.

AT-1. RECYCLING AND SOLID WASTE:

All exterior recycling and solid waste shall be confined to approved receptacles and enclosures. [COA] [PLANNING]

AT-2. **SOLID WASTE RECYCLING MANAGEMENT:**

Waste and recycling services for residential uses shall be maintained under a master account held by the applicant, owner or landlord. The account holder will be responsible for ensuring adequate services and that all locations, private sidewalks and streets are kept free of litter and stains. Requirements shall be specified in the approved documents and be submitted for approval by the City. [COA] [ENVIRONMENTAL SERVICES]

AT-3. **EXTERIOR EQUIPMENT:**

All unenclosed materials, equipment and/or supplies of any kind shall be maintained within approved enclosure area. Any stacked or stored items shall not exceed the height of the enclosure. Individual air conditioning units shall be screened with architecture or landscaping features. [COA] [PLANNING]

AT-4. **LANDSCAPE MAINTENANCE:**

All landscaping shall be installed in accordance with the approved landscape plan and shall thereafter be maintained in a neat, clean, and healthful condition. Trees shall be allowed to grow to the full genetic height and habit (trees shall not be topped). Trees shall be maintained using standard arboriculture practices. [COA] [PLANNING]

AT-5. **PARKING MANAGEMENT**

On-site parking management shall conform with the approved parking management plan. [COA] [PLANNING]

AT-6. **PARKING LOT MAINTENANCE:**

The parking lot shall be maintained in accordance with the approved plans and as follows:

- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- b) Maintain all parking lot striping and marking.
- c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
- d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
- e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]

AT-7. **UNENCLOSED STORAGE (PROHIBITED):**

Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]

AT-8. OFF-STREET PARKING:

Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]

AT-9. PARKING LOT MAINTENANCE:

The parking lot shall be maintained as follows:

- a) Garage spaces shall be maintained at all times so as to allow for parking of vehicles.
- b) Clearly mark all assigned, guest, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
- c) Maintain all parking lot striping and marking.
- d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and/or patrons. [COA] [PLANNING]

AT-10. RECREATIONAL VEHICLE STORAGE PROHIBITED:

Unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but excluding attached camper bodies and motor homes not exceeding 18 feet in length, shall be prohibited on the premises. [COA] [PLANNING]

AT-11. HOA REVIEW AND APPROVAL:

In common interest developments, any future applications to the City for physical modifications on commonly owned property shall require consent of the board of directors of the homeowners association, architectural review committee or similar committee; applications for physical modifications on privately owned property shall require the individual property owner's signature. Individual property owners submitting an application for physical modifications on private property shall comply with any approval processes outlined as such in the conditions, covenants & restrictions (CC&Rs) of their respective development. [COA] [PLANNING]

AT-12. HOA RESPONSIBILITIES:

The chairperson, secretary or principal officer of any committee or association shall notify the Planning Division and the Neighborhood and Community Resources Division of any change in officers and provide the names, addresses and telephone numbers of the new officers within thirty (30) days after the change becomes effective. [COA] [PLANNING DIVISION/NEIGHBORHOOD AND COMMUNITY RESOURCES DIVISION]

AT-13. BMP MAINTENANCE:

The project applicant, owner, landlord, or HOA, must properly maintain any structural or treatment control best management practices to be implemented in the project, as described in the approved Stormwater Management Plan and indicated on the approved building permit plans. [SDR] [PLANNING]

AT-14. BMP RIGHT OF ENTRY:

The project applicant, owner, landlord, or HOA, shall provide access to the extent allowable by law for representatives of city, the local vector control district, and the Regional Water Quality Control Board, strictly for the purposes of verification of proper operation and maintenance for the storm water treatment best management practices contained in the approved Storm Water Management Plan.[SDR] [PLANNING]

END OF CONDITIONS