

ATTACHMENT 6

RECOMMENDED CONDITIONS OF APPROVAL AND STANDARD DEVELOPMENT REQUIREMENTS JULY 29, 2014

Planning Application 2013-8029

523 E. Homestead Road

(APNs: 309-44-003, 309-44-049, 309-44-050)

Special Development Permit to allow 7 single-family homes and Vesting Tentative Map to create 7 ownership lots. Project complies with all development standards, such as parking, lot coverage, FAR, landscaping, and setbacks.

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. PERMIT EXPIRATION:

The permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not

exercised, unless a written request for an extension is received prior to 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] [OFFICE OF THE CITY ATTORNEY]

GC-5. FUTURE HOME ADDITIONS:

Future home additions will be subject to the Sunnyvale Municipal Code development standards for properties within the R-2 zoning district, such as setbacks, parking, lot coverage and floor area ratio. Home additions will require a separate Planning Commission public hearing to assess conformance with development standards, design guidelines, and compatibility with the subdivision and neighboring properties. [COA] [PLANNING]

GC-6. ON-SITE AMENITIES:

Swimming pools, spas, pool and spa equipment structures, and accessory structures, except as otherwise subject to Planning Commission review, may be allowed by the Director of Community Development subject to approval of design, location and colors per Sunnyvale Municipal Code standards for properties within the R-2 zoning district. [COA] [PLANNING]

- GC-7. **STORMWATER MANAGEMENT PLAN:**
Project is subject to Provision C3, of the Municipal Regional Stormwater Permit Order No. R2-2009-0074, as determined by a completed “Stormwater Management Plan Data Form”, and therefore must submit a Stormwater Management Plan as per SMC 12.60.140 prior to issuance of the building permit. [SDR] [PLANNING]
- GC-.8 **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. [SDR] [PUBLIC WORKS]
- GC-9. **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-10. **PUBLIC IMPROVEMENTS:**
Developer shall install public improvements as required by Sunnyvale Municipal Code Sections 18.08, including but not limited to: curb & gutter, sidewalk, driveway approach, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, signing, striping and 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. [COA] [PUBLIC WORKS]
- GC-11. **RECORDATION OF FINAL MAP:**
This project is subject to, and contingent upon, the submittal and approval of a tentative map and recordation of a final map. The submittal, approval and recordation of the final map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. Final map shall be recorded prior to any grading or building permit issuance. [COA] [PUBLIC WORKS]
- GC-12. **REQUIRED REVISIONS TO THE PLANS:**
Some of the information shown on the plans titled “HOMESTEAD SITE” dated April 25, 2014 shall be revised based upon the project

conditions stipulated herein and email comments dated May 22, 2014 during the plan check process. [COA] [PUBLIC WORKS]

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

PS-1. REQUIRED REVISIONS TO PROJECT PLANS:

The plans shall be revised to address comments from the Administrative Hearing Officer, Planning Commission or City Council including the following prior to submittal of a building permit through a separate staff-level Miscellaneous Plan Permit:

- a) Front entry eave heights on Plans 1A and 1B must be reduced to be within 2 feet of the first floor eave heights, and
- b) Exterior wall materials must be made of textured stucco, such as smooth sand finish or hand-troweled. [COA] [PLANNING]

PS-2. FINAL ON-SITE LANDSCAPE AND IRRIGATION PLAN REVIEW:

A final on-site landscape and irrigation plan is required to demonstrate compliance with Sunnyvale Municipal Code requirements and Conditions of Approval BP-8 and BP-9 prior to submittal of a building permit through a separate staff-level Miscellaneous Plan Permit. The plan must also show the location of all fences and walls per Conditions of Approval BP-11 and BP-22, and mechanical equipment per Condition of Approval BP-7. [COA] [PLANNING]

BP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED ON THE CONSTRUCTION PLANS SUBMITTED FOR BUILDING PERMIT AND/OR SHALL BE MET PRIOR TO THE ISSUANCE OF SAID PERMIT.

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. SOLID WASTE DISPOSAL PLAN:

A detailed recycling and solid waste disposal 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 projects. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

BP-6. FEES AND BONDS:

The following fees and bonds shall be paid in full prior to issuance of building permit.

- a) TRANSPORTATION IMPACT FEE - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated at **\$7,398.00**, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
- b) PARK IN-LIEU - Pay Park In-lieu fees estimated at **\$63,869.85**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]

BP-7. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment/air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits. Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space. Individual exterior mechanical

equipment/air conditioning units shall be screened with architecture, fences or landscaping features. [SDR] [PLANNING]

BP-8. LANDSCAPE PLAN:

On-site landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Landscape and irrigation plans are subject to review and approval by the Director of Community Development through the submittal of a Miscellaneous Plan Permit (MPP). The on-site landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) Ten percent (10%) shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.
- c) Any “protected trees”, (as defined in SMC 19.94) approved for removal, shall be replaced with a specimen tree of at least 36-inch box size.
- d) Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
- e) Backflow device and other appurtenances are to include screening and covers as approved by the Director of Community Development. This includes all devices (irrigation, DCDA, etc.) located in the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).
- f) Climbing vines shall be planted along the perimeter wall.
- g) Decorative paving shall be used on the private sidewalk to distinguish the pedestrian path from the vehicular circulation areas. [COA] [PLANNING]

BP-9. PRE-APPROVED WATER-EFFICIENT LANDSCAPE PLANS:

The developer must install all front yard landscaping and irrigation per approved water-efficient landscape plans, and must submit (also applicable to rear yard landscaping) a Landscaping Certificate of Completion, Irrigation Audit Report and Irrigation Schedule, and Landscaping Maintenance Schedule. Regarding rear yard landscaping, future homeowners must decide to either:

- a) Have the developer install the landscaping per plans (developer to provide plans to homeowner at no charge),
- b) Select their own landscape professional to install landscaping per plans, or
- c) Submit an alternative water-efficient landscape plan for staff approval. [COA] [PLANNING]

BP-10. ON-SITE LANDSCAPE MAINTENANCE PLAN:

Prepare an on-site landscape maintenance plan subject to review and approval by the Director of Community Development prior to issuance of building permit. All landscaping within the corner and driveway vision triangles shall be properly maintained to ensure vision triangle clearance per Sunnyvale Municipal Code requirements [COA] [PLANNING]

BP-11. PERIMETER MASONRY WALL:

Install and maintain a 6 to 8 foot solid perimeter masonry wall, along the west and south property lines (street frontages), in keeping with City design guidelines and Mitigation Measures. [SDR] [PLANNING]

BP-12. 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. Two copies are required to be submitted for review. 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-13. STORMWATER MANAGEMENT PLAN:

Submit two copies of a Stormwater Management Plan subject to review and approval by Director of Community Development, pursuant to SMC 12.60, prior to issuance of building permit. The Stormwater Management Plan shall include an updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]

- BP-14. STORM WATER MANAGEMENT PLAN THIRD PARTY CERTIFICATION:
Third-party certification of the Stormwater Management Plan is required per the following guidance: City of Sunnyvale – Stormwater Quality BMP Applicant Guidance Manual for New and Redevelopment Projects - Addendum: Section 3.1.2 Certification of Design Criteria Third-Party Certification of Stormwater Management Plan Requirements. The third-party certification shall be provided prior to building permit issuance. [SDR] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-15. BEST MANAGEMENT PRACTICES - STORMWATER:
The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. 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 Division Public Outreach Program, which may be reached by calling (408) 730-7738.
 - 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 discharge to onsite vegetated areas is not a feasible option.
 - v) Fire sprinkler test water, if discharge to onsite vegetated areas is not a feasible option. [SDR] [PLANNING]
- BP-16. EXTERIOR LIGHTING PLAN:
Prior to issuance of a Building Permit submit an exterior lighting plan, including fixture and pole designs, for review and approval by the

Director of Community Development. Driveway and parking area lights shall include the following:

- a) Sodium vapor (or illumination with an equivalent energy savings).
- b) Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 18 feet on the interior of the project and 8 feet in height on the periphery of the project near residential uses.
- c) Provide photocells for on/off control of all security and area lights.
- d) All exterior security lights shall be equipped with vandal resistant covers.
- e) Wall packs shall not extend above the roof of the building.
- f) Lights shall have shields to prevent glare onto adjacent residential properties. [COA] [PLANNING]

BP-17. PHOTOMETRIC PLAN:

Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. The plan shall meet the specifications noted in the Standard Development Requirements. [COA] [PLANNING]

BP-18. LIGHTING SPACING:

Installation of lights at a minimum of 50 feet intervals along the private street. [COA] [PLANNING]

BP-19. GREEN BUILDING:

The plans submitted for building permits shall demonstrate the project achieves a minimum of 80 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-20. 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 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. 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. [COA] [PLANNING]

BP-21. HAZARDS AND HAZARDOUS MATERIALS:

Final construction drawings shall incorporate all noise mitigation measures as set forth under "Mitigation Measures" in the approved environmental document. [COA] [PLANNING]

Mitigation Measure – Indoor and Outdoor Noise

WHAT: 1. A qualified contractor must test for asbestos-containing building materials (ACBM) and lead-based paint (LBP) prior to demolition of existing buildings on-site. If suspect materials are encountered, they should be properly managed and disposed.

2. The trash behind the duplex and shed must be properly managed and disposed. Any household hazardous materials (such as chemicals, cleaners, paints, oils, etc.) must be properly disposed at an appropriate facility or through the County Household Hazardous Materials Program.

WHEN: These mitigations shall be converted into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City's Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance.

WHO: The project applicant or property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

BP-22. NOISE REDUCTION:

Final construction drawings shall incorporate all noise mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and all plans shall be wetstamped and signed by the project consultant. [COA] [PLANNING]

Mitigation Measure – Indoor and Outdoor Noise

WHAT: 1. A noise barrier wall with a height of 8 feet above the final yard grade is required to be built on the southern property lines of Lots 5, 6, and 7 and either on the corner periphery of Lot 7. Additionally, a 6 foot high noise barrier wall must be built on the western property line of Lot 1 adjacent to the home and rear yard and on the northern property line of Lot 5. These noise barrier heights may be achieved either with a single solid wall or with the combination of a berm with a shorter wall at its crest. To be effective as a noise barrier, these walls must be built without cracks or gaps in the face or large or continuous gaps at the base and have a minimum surface weight of 3.0 lbs. per sq. ft. Acceptable materials include, but are not limited to, masonry block and pre-cast concrete panels. Wood may also be used as a homogeneous sheet material, such as 3/4” plywood, as a backing for a typical 1” thick (nominal) wood fence slats. A variety of other materials may be used for the barrier wall as long as the above specifications for noise attenuation are met.

2. Sound-rated construction methods and building façade treatments on Lots 1, 5, 6, and 7 are required, including but not limited to, sound rated windows and doors, acoustical caulking, protected ventilation openings, etc. The needed Sound Transmission Class (STC) ratings of the windows and patio doors in these areas are expected to range from 28 to 30. Homes on these lots will require a suitable form of forced-air mechanical ventilation, satisfactory to the local building official, so that windows could be kept closed at the occupant’s discretion to control noise.

WHEN: These mitigations shall be converted into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City’s Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. A qualified acoustical consultant shall review the final site plan, building elevations, and floor plans and submit a noise analysis showing compliance with the indoor noise standard of 45 dBA and

outdoor noise standard of 60 dBA prior to issuance of a building permit. A second study providing evidence of compliance shall be submitted prior to occupancy of units. The compliance report shall comply with the provisions of the current building codes and Sunnyvale requirements.

WHO: The project applicant or property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

Mitigation Measure – Construction Noise

WHAT: 1. Develop a construction mitigation plan in close coordination with adjacent noise-sensitive land uses so that construction activities can be schedule to minimize noise disturbance. The construction mitigation plan must consider the following available controls to reduce construction noise levels to level that do not exceed municipal code standards:

- a. Restrict noise-generating activities at the construction site or in areas adjacent to the construction site to the hours between 7:00 a.m. ad 6:00 p.m., Monday through Friday and 8:00 a.m. to 5:00 pm. On Saturday. Construction shall be prohibited on Sundays and city observed federal holidays;
- b. Temporary noise barriers (e.g., solid plywood fences at a minimum height of 8 feet) and/or acoustical blankets could be erected, if necessary, along affected property boundaries or building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected;
- c. Equip all internal combustion engine-driven equipment with mufflers in good condition and appropriate for the equipment;
- d. Prohibit all unnecessary idling of internal combustion engines;
- e. Route construction related traffic to and from the site via designated truck routes and avoid Canary Drive where possible;
- f. Utilize “quiet” models of air compressors and other stationary noise sources where technology exists;
- g. Locate all stationary noise-generating equipment, such as air compressors and portable power generators, as far away as possible from adjacent land uses;
- h. Shield adjacent sensitive uses from stationary equipment with individual noise barriers or partial acoustical enclosures;
- i. Locate staging areas and construction material storage areas as far away as possible from adjacent noise sensitive land uses;

- 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. Hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.

WHEN: These mitigations shall be converted into conditions of approval for the Special Development Permit (SDP) prior to its final approval by the City’s Planning Commission. The conditions will become valid when the SDP is approved and prior to building permit issuance. The construction mitigation plan shall be submitted prior to building permit issuance. The compliance report shall comply with the provisions of the current building codes and Sunnyvale requirements.

WHO: The project applicant or property owner will be solely responsible for implementation and maintenance of these mitigation measures.

HOW: The conditions of approval will require these mitigation measures to be incorporated into the construction plans.

- BP-23. DEMOLITION/CONSTRUCTION/RECYCLING WASTE REPORT FORM: To mitigate the impacts of large projects on local waste disposal and recycling levels, demolition waste weights/volumes, construction weights/volumes, and recycling weights/volumes are to be reported to the city, per city’s “waste & recycling reporting form” (electronic copy available) or a similar chart approved by the city. As part of the project’s construction specifications, the developer shall track the type, quantity, and disposition of materials generated, and forward a complete report to the department of environmental services, solid waste division both periodically and at project completion [COA][ENVIRONMENTAL SERVICES]

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, including street improvement plans, streetlight plans, streetscape plans, traffic signing and striping plans, traffic control plans, shall be submitted as part of the off-site improvement plans, including engineering cost estimates. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Director of Public Works. [COA] [PUBLIC WORKS]
- EP-2. 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]
- EP-3. UTILITY CONNECTION TO THE MAIN:
All sanitary sewer laterals connecting to the existing main line shall be with a new sanitary sewer manhole, unless otherwise approved by the Director of Public Works. All storm drain lateral connecting to the main shall be with 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. [SDR] [PUBLIC WORKS]
- EP-4. EXISTING UTILITY ABANDONMENT:
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 to the satisfaction of the Director of Public Works. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-5. 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-6. 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 issuance of any permits for utility work within public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. All utility companies shall be contacted to establish appropriate easements to provide services to each lot. [SDR] [PUBLIC WORKS]

EP-7. WET UTILITIES:

All wet utilities (water, sanitary sewer, storm drain) on-site shall be privately owned and maintained. [COA] [PUBLIC WORKS]

EP-8. RE-USE OF EXISTING CITY UTILITY SERVICE LINES:

The re-use of any existing City utility service lines and appurtenances is subject to City's review and approval. Developer's contractor shall expose the existing facilities during construction for City's evaluation or provide video footage of the existing pipe condition. Developer's contractor shall replace any deficient facilities as deemed necessary by Public Works Department. [COA] [PUBLIC WORKS]

EP-9. WATER METER:

Install new radio-read master water meter in the park strip area. For water meter sizes three (3) inches or larger, provide meter sizing calculations to Public Works Department for approval of meter size, as part of the off-site improvement plan submittal. Install new backflow prevention devices on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]

EP-10. SANITARY SEWER ANALYSIS:

Submit a focused sanitary sewer analysis 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. 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.
[COA] [PUBLIC WORKS]

EP-11. SEWER MANHOLE:

Install new sewer manhole at the street right-of-way for the proposed sanitary sewer laterals. [SDR] [PUBLIC WORKS]

EP-12. 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 be subject to approval by the Director of Public Works 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-13. UTILITY METER/VAULT:

No existing or new utility meters or vaults shall be located within the new 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-14. STREETLIGHTS:

Provide photometric analysis to confirm if the street lighting along the project frontage is in accordance with the City's Roadway Lighting Design Criteria. The minimum average illuminance shall be approximately 1.3fc or above and the uniformity ratio shall be approximately 3.0 or below for Homestead Road and the minimum average illuminance shall be approximately 0.7fc or above and the uniformity ratio shall be approximately 6.0 or below for Canary Drive. Relocation of existing streetlights and/or installation of new streetlights may be required as needed.

Remove existing street light fixture for two streetlights and replace with new Cree Type II LED fixtures along on East Homestead Road and Canary Drive.

Replace all existing streetlight conduits, wires and pull boxes with new ones along the entire project frontage per City's current standards.

Submit separate streetlight plans concurrently with the off-site improvement plan review to include installation of new conduits, existing and/or new locations of power source connection and new service pedestal, conductors, pull boxes, voltage drop and load calculations, and any other streetlight equipment as required to be installed by Developer per latest City standard details and specifications and National Electrical Code. Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance by Public Works Department. [SDR] [PUBLIC WORKS]

EP-15. DRIVEWAY APPROACHES:

Install a new driveway approach per City Standard Detail 5C-5 entering the private cul-de-sac. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk along the project frontage. [COA] [PUBLIC WORKS]

EP-16. STREETSCAPE IMPROVEMENTS:

Remove existing concrete curb and 2' gutter and install new concrete curb and 1' gutter per current City standard detail 15C-1 along Homestead Road. Remove existing concrete curb and 2' gutter and install new concrete curb and 2' gutter per current City standard detail 15C-1 along Canary Drive. Provide gutter transition for 1' gutter to 2' gutter. Install a 4-foot wide parkstrip and 6-foot wide detached sidewalk along the entire frontage per City standard details 9C-1. Provide a minimum 5 foot sidewalk clearance that meander around the existing tree or utility poles that are to remain. [COA] [PUBLIC WORKS]

EP-17. STREET PAVEMENT:

Furnish and install Type II slurry seal along the entire project frontage of Canary Drive from lip of gutter to lip of gutter, unless otherwise approved by the Director of Public Works. [COA] [PUBLIC WORKS]

EP-18. TRAFFIC SIGNING AND STRIPING PLANS:

Submit a traffic 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. [SDR] [PUBLIC WORKS]

EP-19. TRAFFIC CONTROL PLAN:

Submit a traffic control plan with the off-site improvement plans for review and approval. 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-20. CITY STREET TREES:

The developer shall install required street trees along the project frontage as follows: Homestead Road: Fraxinus Pennsylvanica 'Marshall' – Marshall Ash, double rows staggered; and Canary Drive: Zelkova Serrata – Japanese Zelkova. 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. The city tree spacing should be approximately 35 feet apart. A continuous root barrier shall be installed along the parkstrip area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-21. 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-22. 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 Director of Public Works. [COA] [PUBLIC WORKS]

EP-23. MAINTENANCE AGREEMENT:

Concurrently with the final map recordation, record a maintenance agreement (or other document) to ensure that the property owners are responsible for perpetual maintenance of private roadway, private sidewalk, private utilities, curb drain at Canary Drive, other common facilities and landscaping in the park strip areas and outside the sound wall within the public right-of-way. Submit the agreement for City's review and approval prior to recordation. [COA] [PUBLIC WORKS]

EP-24. RECORD DRAWINGS:

Record drawings (including but not limited to, street, sewer, water, storm drain and off-site landscaping plans) shall be submitted to the City prior to encroachment permit sign-off. [COA] [PUBLIC WORKS]

EP-25. UNDERGROUND UTILITIES:

All utilities, including two utility poles in the public right-of-way along Homestead Road, and communication services shall be placed underground per Sunnyvale Municipal Code Chapter 19.38.090 and 19.38.095. The developer shall work with the Department of Public Works to explore provisions for cost-sharing with the City for lines extending beyond the project frontage per Sunnyvale Municipal Code Chapter 19.38.100. [COA] [PLANNING/PUBLIC WORKS]

TM: THE FOLLOWING CONDITIONS SHALL BE MET PRIOR TO THE APPROVAL OF THE FINAL MAP OR PARCEL MAP.

TM-1. NEW STREET NAMING:

The name of the private street shall be in accordance with the official Street Name System, as selected by the Community Development Department. [COA] [PLANNING]

- TM-2. TITLE 18 AND SUBDIVISION MAP ACT:
The submittal, approval and recordation of the final map shall be in accordance with the provisions of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 subdivision requirements.
[COA] [PUBLIC WORKS]
- TM-3. RESERVATION/ABANDONMENT OF EASEMENTS:
Reservation of new and/or abandonment of existing public/private utility easement(s), ingress/egress easement(s) necessary for the project site shall be delineated on the final map or recorded concurrently with the final map with a separate instrument, unless otherwise approved by the Director of Public Works. Quitclaim deed is required for abandonment of private easements prior to map recordation. All easements shall be kept open and free from buildings and structures of any kind except those appurtenances associated with the defined easements. [COA] [PUBLIC WORKS]
- TM-4. UTILITY COMPANY APPROVAL:
Obtain approval letters from various utility companies for the final map in regards to any existing or new easements associated with the project. [COA] [PUBLIC WORKS]
- TM-5. PUBLIC WORKS DEVELOPMENT FEES:
Developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage and/or connection fees, off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The water connection fee is \$3,738.00. The sanitary sewer connection fee is \$23,709.00 based upon fee rate for fiscal year 2013/14. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- TM-6. SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:
Developer shall execute a Subdivision Agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to final map recordation or any permit issuance, whichever occurs first. [COA] [PUBLIC WORKS]
- TM-7. OFF-SITE IMPROVEMENT COST ESTIMATE:
Provide an engineer's estimate for all off-site public improvements for the entire project. [COA] [PUBLIC WORKS]

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, or as addressed in Condition of Approval BP-9 (rear yard landscaping). [COA] [PLANNING]

PF-2. NOISE REDUCTION VERIFICATION:

Documentation indicating that the mitigation measures contained in BP-22 for indoor and outdoor noise have been satisfied shall be provided to the Director of Community Development prior to release of occupancy or utilities. [COA] [PLANNING]

PF-3. NOTICE OF COVENANT:

Developer shall provide a recordable document for City's review and approval to ensure that the property owner would be responsible for perpetual maintenance of their corresponding on-site boiretention storage area. The subject document shall be recorded prior to first building occupancy. [COA] [PLANNING/PUBLIC WORKS /ENVIRONMENTAL SERVICES]

PF-4. COMPLETION OF PUBLIC IMPROVEMENTS:

Developer shall complete all required public improvements, including undergrounding of utilities (unless approved for deferral per Sunnyvale Municipal Code Chapter 19.38), in accordance with City approved plans, prior to first building occupancy. [COA] [PUBLIC WORKS]

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]

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 shall be staged for pick-up per approved plans. [COA] [PLANNING]

AT-2. 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-3. 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-4. GARAGE PARKING:

Garage spaces shall be maintained at all times so as to allow for parking of two vehicles. [COA] [PLANNING]

AT-5. 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-6. 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-7. 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]