

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
JUNE 22, 2015**

Planning Application 2014-7900

625-627 E. Taylor Avenue

(APNs 205-29-006 and 205-29-007)

Special Development Permit for 20 townhome-style condominiums
and Tentative Map to create 20 condominiums and one common
lot. Project includes deviations from side yard setback and distance
between buildings requirements.

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.

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:

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

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 / OCA]

GC-5. ON-SITE AMENITIES:

Swimming pools, pool equipment structures, play equipment and other accessory utility buildings, 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. [COA] [PLANNING]

GC-6. FUTURE HOME ADDITIONS/MODIFICATIONS:

Future home modifications/additions will be subject to the Sunnyvale Municipal Code development standards for properties within the R-3 zoning district, such as setbacks, parking, lot coverage and floor area ratio. Home modifications/additions will be subject to the required permit procedures in place at that time, to ensure conformance with development standards, design guidelines, and compatibility with the subdivision and neighboring properties. [COA] [PLANNING]

GC-7. BMR OWNERSHIP HOUSING COMPLIANCE:

This project is subject to the City's Below Market Rate (BMR) Housing requirements as set forth in Sunnyvale Municipal Code Chapter 19.67 and the BMR Program Guidelines, both as may be amended. Developer shall enter into a BMR Developer Agreement in a form provided by the City, to be recorded against the property before issuance of building permits or recordation of a final map, whichever occurs first. When dwelling units in the project are made available for sale, the project will provide two (2) Below Market Rate dwelling unit for sale and pay a fractional in-lieu fee of 0.5 units in compliance with the BMR requirements set forth in SMC 19.67 and the BMR Program Guidelines. [SDR][HOUSING]

GC-8. 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-9. ON-SITE CATCH BASIN TRASH CAPTURE DEVICES:

Pursuant to SMC 12.60.130, install full trash capture devices on each of 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. .
[COA][PLANNING/ENVIRONMENTAL SERVICES/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, sidewalks, driveway approaches, curb ramps, street pavements, utility extensions and connections, meters/vaults, trees and landscaping, traffic signal/signs, 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. [COA] [PUBLIC WORKS]

GC-11. 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-12. 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-13. 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]

GC-14. FINAL MAP RECORDATION:

This project is subject to, and contingent upon 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. All existing and proposed property lines, easements, dedications shown on the tentative map are subject to City's technical review and approval during the final map process. Final map shall be recorded prior to any grading or building permit issuance. [COA] [PUBLIC WORKS]

GC-15. BUILDING CODES AND PERMIT FEES:

Building permit fees and applicable building codes will be based on the fee resolution and building codes effective at the time of building permit submittal.

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

PS-1. 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-9 and BP-10 prior to submittal of a building permit through a separate Miscellaneous Plan Permit (staff-level review) process. The plan must also show the location of all fences and walls, and mechanical equipment per Condition of Approval BP-8. [COA] [PLANNING]

PS-2. EXTERIOR MATERIALS REVIEW:

Final exterior building materials and color scheme are subject to review and approval by the Director of Community Development prior to submittal of a building permit. [COA] [PLANNING]

PS-3. BMR STANDARD PERMIT CONDITION:

The developer shall complete a "BMR Standard Conditions Form" provided by the Housing Division and submit it with a site plan to the Housing Division for review before submitting building permit applications for the project. The site plan must describe the number, type, size and location of each unit on the site. This information will be used to complete the Developer Agreement. [SDR] [HOUSING/BMR Administrative Guidelines]

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. FEES AND BONDS:
- a) **TRANSPORTATION IMPACT FEE** - Pay Traffic Impact fee for the net new trips resulting from the proposed project, estimated as of June 18, 2015 at **\$17,363.40**, prior to issuance of a Building Permit. (SMC 3.50). [SDR] [PLANNING]
 - b) **PARK IN-LIEU FEE**- Pay Park In-lieu fees estimated as of June 18, 2015 at **\$752,716.80**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]
 - c) **SENSE OF PLACE FEE** - Provide a cash contribution towards sense of place improvements estimated as of June 18, 2015 at **\$22,570.20** (\$1,128.51 per unit), prior to issuance of a Building Permit. [PLANNING] [COA]
- BP-6. BMR DEVELOPMENT AGREEMENT:
Before issuance of building permits for the project, the developer shall enter into a Development Agreement with the City to establish the method by which the development will comply with the applicable BMR requirements. The form of the Developer Agreement will be provided by the City, with tables regarding unit characteristics and timing of completion to be completed by the Developer, and is subject to the approval of the Community Development Director or his/her designee, consistent with the SMC. The completed Developer Agreement must be executed by both parties and recorded against the property, and will run with the land.
- In the event that any Below Market Rate dwelling unit or any portion thereof in the development is destroyed by fire or other cause, all insurance proceeds therefrom shall be used to rebuild such units, which will remain subject to the terms of the Developer Agreement and the BMR requirements. Grantee hereby covenants to cause the City of Sunnyvale to be named an additional insured party to all fire and casualty insurance policies pertaining to said assisted units. [SDR] [HOUSING/BMR Administrative Guidelines]
- BP-7. 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-8. MECHANICAL EQUIPMENT (EXTERIOR):

Detailed plans showing the locations of individual exterior mechanical equipment and air conditioning units shall be submitted and subject to review and approval by the Director of Community Development prior to issuance of building permits.

- a) Proposed locations shall have minimal visual and minimal noise impacts to neighbors and ensure adequate usable open space.
- b) Individual exterior mechanical equipment/air conditioning units shall be screened with architecture or landscaping features.
- c) 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. [SDR] [PLANNING]

BP-9. LANDSCAPE PLAN:

Landscape and irrigation plans shall be prepared by a certified professional, and shall comply with Sunnyvale Municipal Code Chapter 19.37 requirements. Submit a complete Miscellaneous Plan Permit application for review and approval of final landscape and irrigation plans by the Director of Community Development. The landscape plan shall include the following elements:

- a) All areas not required for parking, driveways or structures shall be landscaped.
- b) At least ten percent (10%) of new trees shall be planted as 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 as follows:
 - i) 12-inch to 18-inch diameter protected trees shall be replaced with one (1) 24-inch box tree or three (3) 15-gallon trees;
 - ii) 18-inch to 24-inch diameter protected trees shall be replaced with one (1) 36-inch box tree or two (2) 24-inch box trees; and
 - iii) Over 24-inch diameter protected trees shall be replaced with one (1) 48-inch box tree, two (2) 36-inch box trees or four (4) 24-inch box trees.
- d) Ground cover shall be planted so as to ensure full coverage 18 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 I the front yard landscape areas. Covers should be black, metal mesh with rounded top covers (e.g. “mailbox style”).

- F) Decorative paving shall be used to distinguish driveway entries, intersections, building entries, pedestrian paths and common areas from vehicular paving. [COA] [PLANNING]

BP-10. LANDSCAPE MAINTENANCE PLAN:

Prepare a 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. 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 removed or 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-12. 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-13. STORMWATER 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-14. BEST MANAGEMENT PRACTICES - STORMWATER:

The project shall comply with the following source control measures as outlined in the BMP Guidance Manual and SMC 12.60.220. 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-15. 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 light fixtures shall match the design, color or material of the wall packs on the building. Pole heights shall be uniform and compatible with the area, and shall not exceed 8 feet.
- 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-16. PHOTOMETRIC PLAN:

Prior to issuance of a Building Permit submit a contour photometric plan for approval by the Director of Community Development. [COA] [PLANNING]

BP-17. LIGHTING SPACING:

Installation of lights shall be at a minimum of 50 feet intervals along the private street/drive aisle. [COA] [PLANNING]

BP-18. 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 the property manager/homeowner’s association shall not rent unassigned spaces, except that a nominal fee may be charged for parking management.
- d) Residents shall use their garage parking spaces prior to using unassigned parking spaces.
- e) Prohibit residents 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-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.
- 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. [COA] [PLANNING]

BP-21. HISTORIC AND CULTURAL RESOURCES:

Final construction drawings shall incorporate all mitigation measures related to historic and cultural resources as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA] [PLANNING]

Mitigation Measure – Historic and Cultural Resources

- (1) After demolition of the existing buildings and prior to any site scraping or grading, a qualified archaeologist shall conduct further archival and field study to identify cultural resources, including a good-faith effort to identify buried archaeological deposits. Field study may include but is not limited to, pedestrian survey, hand auger sampling, shovel test units, or geoarchaeological analyses as well as other common methods used to identify the presence of archaeological resources.
- (2) If archaeological resources are encountered during construction, work shall be temporarily halted in the vicinity of the discovered materials and workers shall not alter the materials and their context until a qualified professional archaeologist has evaluated the situation and provided appropriate recommendations. Project personnel shall not collect cultural resources. Native American resources include chert or obsidian flakes, projectile points, mortars, and pestles; and dark friable soil containing shell and bone dietary debris, heat-affected rock, or human burials. Historic-period resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies.
- (3) Any identified cultural resources shall be recorded on DPR 523 historic resource recordation forms .

WHEN: These mitigations shall be incorporated 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/developer shall 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. HAZARDS AND HAZARDOUS MATERIALS:

Final construction drawings shall incorporate all hazards and hazardous materials mitigation measures as set forth under “Mitigation Measures” in the approved environmental document and as noted below. [COA][PLANNING]

Mitigation Measure – Hazards and Hazardous Materials

WHAT:

- (1) As required, secure regulatory oversight from the Santa Clara County Department of Environmental Health or a state agency (California Department of Toxic Substances Control (DTSC) or the Regional Water Quality Control Board (RWQCB)) to address the environmental concerns identified at the site. Comply with requirements as set forth by the lead regulatory agency overseeing the investigation and remediation of environmental pollution on the property.
- (2) Provide a Removal Action Plan (RAP) in coordination with the RWQCB and DTSC. The RAP will recommend clean-up of the soil to residential levels, which may include removal of some soil in the project area. Analyze additional samples as necessary to verify that the soil have been cleaned up to residential standards.
- (3) Install horizontal subslab vent systems and/or vapor barrier membranes, or other alternative approved by the RWQCB or appropriate regulatory agency to mitigate risks potentially posed by vapor intrusion. Following the installation of the vapor barriers, copies of the certifications from the contractor performing the vapor barrier installation must be provided to the City of Sunnyvale and County of Santa Clara Department of Environmental Health.

WHEN: These mitigations shall be incorporated 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. The RAP shall be provided to the City of Sunnyvale and Santa Clara County Department of Environmental Health prior to building permit issuance. Conditions will be applicable during the construction of the project.

WHO: The project applicant or property owner/developer shall 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 signal plans, traffic control plans, shall be submitted as part of the first 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.
- EP-2. BENCHMARKS
The off-site improvement plans shall be prepared by using City's latest benchmarks available on City's website:
<http://sunnyvale.ca.gov/Departments/PublicWorks/BenchMarks,RecordMapsandRecordDrawings.aspx>
- EP-3. 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 preventer and sign post, etc.), shall be upgraded to current City standards and as required by the Director of Public Works [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]
- EP-5. UTILITY CONNECTION TO THE MAIN:
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-6. 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-7. 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-8. 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. [SDR] [PUBLIC WORKS]

EP-9. WET UTILITIES:

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

EP-10. 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-11. SEPARATE FIRE PROTECTION SERVICE LINE:

Provide separate fire from domestic service lines. Provide separate fire service tap(s) to the street main for on-site fire hydrants. Install double check detector assembly (DCDA) behind the street right-of-way. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PREVENTION]

EP-12. WATER METER:

Install a new radio-read water meter for project. 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 reduced pressure backflow prevention (RPDA) devices in accordance with the City current standards and specifications on the discharge side of water service line on private property. Install backflow preventer enclosure where applicable. [SDR] [PUBLIC WORKS]

EP-13. 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, 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.
[COA] [PUBLIC WORKS]

EP-14. SEWER MANHOLE:

Install new sewer manhole at the property lines for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]

EP-15. SANITARY SEWER VIDEO:

The contractor shall make a video copy of the interior of the new sanitary sewer lateral installed prior to it is put into service. [COA] [PUBLIC WORKS]

EP-16. 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-17. 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. Provide cumulative hydrology and hydraulic calculations along the main line in Taylor Avenue from the project site to the

outfall to ensure the 10-year storm event design flow has the hydraulic grade line maintaining a minimum freeboard of one foot below the gutter flow, unless otherwise approved by the Public Works Director. The new storm drain main line shall be minimum 15 inches in diameter. On-site storm drain retention and/or payment for mitigation may be required as determined by the Director of Public Works.

EP-18. 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-19. 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 photometric analysis shall include all existing and proposed streetlights (with LED fixture) adjacent to the project frontage on both sides of Taylor Avenue and include all new decorative streetlights (with LED fixture) along the project frontage. Use LED wattage equivalent to 70 watt HPS bulbs and adjust the spacing to meet the following illuminance requirements: The minimum average illuminance shall be approximately 0.7 fc and the uniformity ratio shall be approximately 6.0.

Install new City downtown standard single-head decorative streetlights along project frontage with appropriate spacing. 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-20. DRIVEWAY APPROACHES:

Remove existing driveway approaches and install new driveway approach along the project frontage to comply with Americans with Disabilities Act (ADA) requirements and per city standard details and specifications. All unused existing driveway approaches shall be replaced with new curb, gutter and sidewalk. [COA] [PUBLIC WORKS]

EP-21. STREETSCAPE IMPROVEMENTS:

Remove existing concrete rolled curb and gutter. Install new concrete curb and 2' gutter per current City standards along the entire project frontage. Install a 4-foot wide park-strip (not including 6-inch curb) and 6-foot wide detached sidewalk along project frontage. Provide sidewalk, curb and gutter transition to conform to existing ones that comply with ADA requirements. [COA] [PUBLIC WORKS]

EP-22. FAIR OAKS JUNCTION SENSE OF PLACE PLAN:

This project is in the Fair Oaks Junction Sense Of Place Plan area; therefore, the developer shall comply with any applicable design requirements as identified in the plan or as amended and approved by the city. The design details for all sense of place improvements shall be submitted to the City for review and approval during the plan check stage. [COA] [PUBLIC WORKS]

EP-23. STREET PAVEMENT AND SLURRY SEAL:

Along the Taylor Avenue project frontage, grind and overlay min. of 2" of asphalt concrete from northerly lip of gutter to approximately 26 feet into the street. Install type II slurry seal from southerly lip of gutter to street centerline for new portion of the proposed storm drain line in public right-of-way, unless otherwise approved by the Director of Public Works with alternatives. [SDR] [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. [SDR] [PUBLIC WORKS]

EP-25. CITY STREET TREES:

The developer shall install required street trees along the project frontage as follow: Chinese Pistache. 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 both sides of the park-strip area. No trees are to be planted within 10' of a sanitary sewer lateral. [SDR] [PUBLIC WORKS]

EP-26. UNDERGROUND UTILITIES:

Coordinate with PG&E and other project developer(s) for completion of the undergrounding of the existing overhead lines along Taylor Avenue (including the project frontage) and on project site in accordance with the SMC 19.38.090 to 19.38.100. [COA] [PLANNING/PUBLIC WORKS]

EP-27. 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-28. RECORD DRAWINGS:

Record drawings (including 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]

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

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. [COA][PLANNING/PUBLIC WORKS]

TM-2. TITLE 18 AND SUBDIVISION MAP ACT:

The submittal, approval and recordation of the parcel 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. STREET DEDICATION/ABANDONMENT

This project is subject to new street dedication and abandonment of existing street easements along Taylor Avenue.

TM-4. 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 map or recorded concurrently with the 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-5. UTILITY COMPANY APPROVAL:

Obtain approval letters from various utility companies for each of the parcel map in regards to any existing or new easements associated with the project. [COA] [PUBLIC WORKS]

- TM-6. EMERGENCY VEHICLE ACCESS EASEMENT:
Developer shall dedicate a minimum 26'-wide emergency vehicle ingress-egress easement over the surface parking areas, excepting areas for parking stalls. [COA][PUBLIC SAFETY/PUBLIC WORKS]
- TM-7. 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 exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- TM-8. 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-9. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (DRAFT REVIEW):
Any proposed deeds, covenants, restrictions and by-laws relating to the subdivision are subject to review and approval by the Director of Community Development and the City Attorney. A digital copy and two (2) sets of the CC&Rs including all information required below 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 (3) years following installation of such improvements or until the improvements are transferred to an owners association, following sale of at least 75% of the units, whichever comes first.
 - 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 Standard Development Requirements and Conditions of Approval, Landscaping plan, Stormwater Management Plan, and

Solid Waste and Recycling plan, included as part of the approved Planning Application #2014-7900, and associated map shall be incorporated into the CC&Rs as an exhibit or attachment. The included map shall clearly indicate all public/private easements as disclosure for property owners. The CC&Rs shall include a list of all attachments and/or exhibits.

- f) The CC&Rs shall contain language for Best Management Practices “Agreement to Maintain” pursuant to Sunnyvale Municipal Code 12.60.200.
- g) The owners association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site.
- h) Property owners are prohibited from modifying drainage facilities and/or flow patterns unless reviewed and approval granted from the Public Works Department.
- i) 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, it deems reasonable to protect the public health, safety and general welfare, and to enforce it and the regulations and ordinances and other laws.
 - i) 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.

- ii) It is further understood that the remedies available to the City by the provision of this section or by reason of any other provisions of law will be cumulative and not exclusive of the maintenance of any other remedy. In this connection, it is understood and agreed that the failure to maintain the Common Area will be deemed to be a public nuisance and the City will have the right to abate said condition, assess the costs thereof, and cause the collection of said assessments to be made on the tax roll in the manner provided by appropriate provisions of the Sunnyvale Municipal Code or any other applicable law.
- iii) 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.
- iv) 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-10. HOA CREATION:

The developer/Owner shall create a Homeowner's Association that comports with the state law requirements for Common Interest Developments. [COA] [PLANNING]

TM-11. 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]

TM-12. OFF-SITE IMPROVEMENT COST ESTIMATE:

Provide an engineer's estimate for all off-site public improvements for the entire project with breakdowns. [COA] [PUBLIC WORKS]

TM-13. COMMON LOT/PRIVATE STREET NAME:

The common lot shall be assigned a private street name in accordance with the official Street Name System, as selected by the Community Development Department, and be shown on the final map. The private

street shall be designated as "Terrace". [COA] [PLANNING/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. [COA] [PLANNING]

PF-2. 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 of utilities or certificate of occupancy. [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]

PF-3. 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-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. BMR COMPLETION 60 ADVANCE DAY NOTICE:

The Developer/Owner must provide a written "Notice of Intent to Sell" to the Affordable Housing Manager for each BMR unit to be provided in the development sixty days (60) prior to the request for a certificate of occupancy or receipt of a DRE report for the unit, whichever is later. Upon receipt of this Notice, the Housing Division will inform the developer of the current maximum BMR sales price applicable to the

unit, based on number of bedrooms, as published in the Administrative Procedures and updated annually. The developer must also request and pass a site inspection by the Affordable Housing Manager to verify that the BMR units have been completed in compliance with the BMR Development Agreement. [COA] [HOUSING]

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 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 areas. 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 to the approved parking management plan. [COA] [PLANNING]
- AT-6. UNENCLOSED STORAGE (PROHIBITED):
Unenclosed storage of any kind shall be prohibited on the premises. [COA] [PLANNING]
- AT-7. ON-SITE PARKING MAINTENANCE:
a) Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans.
b) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
c) Clearly mark all assigned, guest, and compact spaces (as specified on the Building Permit plans and completed prior to occupancy).
d) Maintain all parking lot striping and marking.
e) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents. [COA] [PLANNING]
- AT-8. 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-9. 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-10. 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-11. 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 stormwater treatment best management practices contained in the approved Stormwater Management Plan.[SDR] [PLANNING]