

**RECOMMENDED
CONDITIONS OF APPROVAL AND
STANDARD DEVELOPMENT REQUIREMENTS
NOVEMBER 27, 2017**

Planning Application 2017-7453

1023 N. Fair Oaks Avenue

Special Development Permit for the construction of 14 three-story attached townhouse units, and

Vesting Tentative Map to subdivide one lot into 14 townhouse lots and one common lot.

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:

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- 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. 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-7. PUBLIC IMPROVEMENTS:

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

All public improvements shall be designed and constructed in accordance with current City design standards, standard details and specifications, and Americans with Disabilities Act (ADA) requirements where applicable, unless otherwise approved by the Department of Public Works.

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

GC-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. All Civil sheets number 1 to number 7 dated 10/20/17 are subject to change during the plan check 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. FINAL MAP RECORDATION:

This project is subject to, and contingent upon the approval of a vesting tentative map and recordation of a Final Map. The submittal, approval and recordation of the Final 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 vesting tentative map are subject to City's technical review and approval during the final map process prior to any grading or building permit. Sheet TM1.0 of Vesting Tentative Map dated 10/20/17 is subject to change during plan check process. [COA] [PUBLIC WORKS]

GC-11. 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 **one (1)** Below Market Rate dwelling unit for sale and pay a fractional in-lieu fee of **0.75 units** in compliance with the BMR requirements set forth in SMC 19.67 and the BMR Program Guidelines. [SDR][HOUSING]

- GC-12. **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.
- GC-13. **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]

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

- PS-1. **REQUIRED REVISIONS TO PROJECT PLANS:**
The plans shall be revised to address the following:
a) Incorporate tile detailing underneath upper story recessed windows along each side elevation.
- 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. **HYDRAULIC MODELING:**
Hydraulic Modeling Report shall be finalized prior to first off-site improvement plan check submittal. Developer shall pay City a fee, in an amount determined by the City, for a Water System Hydraulic

Modeling Report analysis to ensure that water main servicing the proposed project would meet various City design guidelines and other statutory requirements for fire, domestic and irrigation flows in terms of pipe size, demands, pressure and velocity.

Upgrade of existing water main by the developer may be required as determined by the City and shall be incorporated into first off-site improvement plan check submittal. Developer shall receive fair-share credit as determined by the City if upgrades of water main are required. Contact Environmental Services Department/Water Operations at [408-730-2744](tel:408-730-2744) for more information. [COA] [ENVIRONMENTAL SERVICES/PUBLIC WORKS]

PS-4. SANITARY SEWER ANALYSIS:

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

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

PS-5. 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]

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

BP-6. **ROOF EQUIPMENT:**

Roof vents, pipes and flues shall be combined and/or collected together on slopes of roof or behind parapets out of public view as per Title 19

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- of the Sunnyvale Municipal Code and shall be painted to match the roof. [COA] [PLANNING]
- BP-7. FEES AND BONDS:
The following fees and bonds shall be paid in full prior to issuance of building permit.
- a) PARK IN-LIEU - Pay Park In-lieu fees estimated at **\$691,558.56**, prior to approval of the Final Map or Parcel Map. (SMC 18.10). [SDR] [PLANNING]
 - b) SENSE OF PLACE FEE - Pay Tasman Crossing Sense of Place fee, estimated at **\$17,248.00**, prior to issuance of a Building Permit. Final fee is calculated at time of building permit submittal. [PLANNING] [COA]
- BP-8. 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 or landscaping features. [PLANNING] [COA]
- 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. 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 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, at a minimum, with a specimen tree as follows:
 - i) 12-inch to 18-inch diameter tree shall be replaced with one 24-inch box or three (3) 15-gallon trees;
 - ii) 8-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

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- 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 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) Decorative paving shall be provided on site for the first 15 feet of the driveway off each street frontage. [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. [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 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 for any impacted off-site trees 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. ON-SITE PRIVATE WATER METER(S)

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- The developer shall install individual private water meters for each residence, and for each ancillary building on-site. [COA] [BUILDING]
- BP-13. **STORMWATER MANAGEMENT CALCULATIONS:**
Submit two copies of the City of Sunnyvale Impervious Surface Calculation worksheet prior to issuance of a Building Permit. [COA] [PLANNING]
- BP-14. **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 as updated Stormwater Management Data Form. [COA] [PLANNING/ENVIRONMENTAL SERVICES]
- BP-15. **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-16. **CONSTRUCTION MATERIAL AND STAGING:**
All construction related materials, equipment, and construction workers parking need to be managed on-site and not located in the public right-of-ways or public easements. [COA] [PUBLIC WORKS]
- BP-17. **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.

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- 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-18. CITY STREET TREES (SUBDIVISION):

At the expense of the subdivider, City staff shall install required street trees of a species determined by the Public Works Department. Obtain approval of a detailed landscape and irrigation plan from the Director of Community Development (SMC 19.37) prior to issuance of a Building Permit. [SDR] [PLANNING/PUBLIC WORKS]

BP-19. 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, 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-20. PHOTOMETRIC PLAN:

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- 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-21. **LIGHTING SPACING:**
Installation of lights at a minimum of 50 feet intervals along all private streets. [COA] [PLANNING]
- BP-22. **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) Tenants shall use their assigned parking spaces prior to using unassigned parking spaces.
 - e) Prohibit tenants from parking RV’s, trailers, or boats in assigned spaces.
 - f) Notify potential residents that number of parking spaces provided for each unit on-site as per the approved plans. [PLANNING] [COA]
- BP-23. **GREEN BUILDING:**
The plans submitted for building permits shall demonstrate the project achieves a minimum of 110 points on the Green Point Rated checklist, or the minimum points required effective to achieve the incentive 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-24. **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) 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.
- f) Locate staging areas and construction material areas as far away as possible from residences or noise-sensitive land uses.
- g) 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.
- h) 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.
- i) Prohibit unnecessary idling of internal combustion engine-driven equipment and vehicles.
- j) 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.
- k) 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-25. 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]

BP-26. SOLID WASTE DISPOSAL AND RECYCLING DESIGN PLAN:

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

BP-27. UNDERGROUND UTILITIES:

All utilities shall be undergrounded per Sunnyvale Municipal Code Chapter 19.38.095. [COA] [PLANNING/PUBLIC WORKS]

BP-28. 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
WHAT:

- 1) Contact the local Native American tribes regarding traditional, cultural and religious heritage values.
- 2) A qualified archaeologist shall conduct further archival and field study to identify cultural resources. 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. Please refer to the list of consultants who meet the Secretary of Interior's Standards at <http://www.chrisinfo.org>.
- 3) 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.

- 4) 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 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 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 29. INTERIOR NOISE REDUCTION:

Final construction plans shall incorporate the following noise measures to achieve compliance with the City's interior noise level standard of 45 dB Ldn with a margin of safety:

- a) Install windows and glass doors rated minimum Sound Transmission Class (STC) 31 at all living spaces within 110 ft. of the centerline of North Fair Oaks Avenue and with a direct or side view of the road.
- b) Install windows and glass doors rated minimum Sound Transmission Class (STC) 28 at all living spaces beyond 110 ft. of the centerline of North Fair Oaks Avenue and with a direct or side view of the road, and at all living spaces within 100 ft. of the centerline of East Weddell Drive and with a direct or side view of the road.
- c) Install windows and glass doors with the minimum Sound Transmission Class (STC) ratings shown in Figure 1 of the provided noise study conducted Edward L. Pack Associates, Inc., dated June 1, 2017.

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- d) Provide some type of mechanical ventilation for all living spaces with the closed window and glass door condition.

BP-30. BMR DEVELOPMENT AGREEMENT:

Before issuance of building permits or recordation of a final map for the project, whichever occurs first, 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(s) 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-31. PRE-APPROVED WATER-EFFICIENT LANDSCAPE PLANS:

The developer must install all landscaping and irrigation within the common lots and the private usable open space areas per approved site water-efficient landscape plans, and must submit a Landscaping Certificate of Completion, Irrigation Audit Report and Irrigation Schedule, and Landscaping Maintenance Schedule. Any future changes to the approved landscaped areas or planting changes that may affect the approved landscaping water budget calculations are subject to approval by the Director of Community Development. [COA] [PLANNING]

<p>EP: THE FOLLOWING CONDITIONS SHALL BE ADDRESSED AS PART OF AN ENCROACHMENT PERMIT APPLICATION.</p>
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EP-1. TASMAN / FAIR OAKS AREA PEDESTRIAN AND BICYCLE CIRCULATION PLAN:

This project is in the Tasman / Fair Oaks Area Pedestrian and Bicycle Circulation area; therefore, the developer shall comply with any applicable design requirements as identified in the Tasman / Fair Oaks

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- Area Pedestrian and Bicycle Circulation Plan or as amended and approved by the City. [COA] [PUBLIC WORKS]
- EP-2. **COMPLETE OFF-SITE IMPROVEMENT PLAN SET:**
A complete plan check set applicable to the project, which may include street improvement plans, streetscape plans, streetlight plans, photometric analysis, signing/striping plans, erosion control plans, traffic signal plans and traffic control plans shall be submitted as part of the first off-site improvement plans, including on-site and off-site engineering cost estimate. Joint trench plans may be submitted at a later date. No partial sets are allowed unless otherwise approved by the Department of Public Works. All Civil sheets number 1 to number 7 dated 10/20/17 are subject to change during plan check process. See Improvement Plans – Submittal Checklist link: <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23625> <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=24002> [COA] [PUBLIC WORKS]
- 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 preventers, sign posts, etc.), shall be upgraded to current City standards and as required by the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-4. **BENCHMARKS:**
The improvement plans shall be prepared by using City's latest benchmarks (NAVD88) available on City's website <https://sunnyvale.ca.gov/civicax/filebank/blobdload.aspx?BlobID=23803>. Plans based on NAVD29 will not be accepted. [COA] [PUBLIC WORKS]
- EP-5. **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-6. **POTHOLING OF EXISTING DRY UTILITIES:**
Prior to initial submittal of Improvement Plans, obtain an encroachment permit for potholing purposes to determine location of existing dry utilities in public right-of-way and existing 10' PUE within property. Use pot hole information to identify if the existing 10' PUE to be abandoned and possible conflict between the proposed location of City trees and existing utilities, proposed joint trench, and proposed

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- connection of gravity utilities. Potholing is to take place in a timely manner so that this does not hold up the review of your construction plans. [COA][PUBLIC WORKS]
- EP-7 **UTILITY CONNECTION TO THE MAIN:**
All sanitary sewer laterals connecting to the existing main line shall be at a new sanitary sewer manhole. All storm drain laterals connecting to the main shall be at a new storm drain manhole, except where a pipe to pipe connection is permitted if the mainline is 36" or larger, or a junction structure is permitted where the point of connection is within close vicinity of an existing down-stream manhole. Pursuant to City design standards, any new and retrofitted manholes require Sewpercoat, Mainstay or Sancon calcium aluminate cementitious mortar coating of the interior. [SDR] [PUBLIC WORKS]
- EP-8. **EXISTING UTILITY ABANDONMENT/RELOCATION:**
Developer is responsible for research on all existing utility lines to ensure that there are no conflicts with the project. All existing utility lines (public or private) and/or their appurtenances not serving the project and/or have conflicts with the project, shall be capped, abandoned, removed, relocated and/or disposed of to the satisfaction of the City. Existing public facilities within the street right-of-way shall be abandoned per City's Abandonment Notes and procedures, including abandonment by other utility owners. [COA] [PUBLIC WORKS]
- EP-9. **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-10. **DRY UTILITIES:**
Submit dry utility plans and/or joint trench plans (PG&E, telephone, cable TV, fiber optic, etc.) to the Public Works Department for review and approval prior to the issuance of any permits for utility work within any public right-of-way or public utility easements. Separate encroachment permits shall be required for various dry utility construction. [SDR] [PUBLIC WORKS]
- EP-11. **WET UTILITIES:**
All wet utilities (water, sanitary sewer, storm drain) on private property shall be privately owned and maintained. The fire and domestic water systems shall be privately owned and maintained beyond the meter. [COA] [PUBLIC WORKS]

- EP-12. **RE-USE OF EXISTING CITY UTILITY SERVICE LINES:**
The re-use of existing City water service lines is not allowed. Re-use of existing City sanitary sewer and storm drain 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 the Department of Public Works. [COA] [PUBLIC WORKS]
- EP-13. **PUBLIC FIRE HYDRANTS:**
Remove and replace the existing fire hydrant barrel along the entire project frontage with current City standard Clow-Rich 865. New fire hydrant locations shall be per current City standard detail 2B and 2B-2. Public fire hydrant shall be maintained free and clear of all trees, vines, shrubs, bushes, ivy, etc. for a minimum of three feet. [COA] [PUBLIC WORKS/PUBLIC SAFETY-FIRE PROTECTION]
- EP-14. **WATER METER:**
Install new master radio-read domestic water meter(s) and RPBFP(s) at each point of connection to the water main. For water meter size two (2) inch or larger, provide meter sizing calculations to the Department of Public Works for approve of meter size. [COA] [PUBLIC WORKS]
- EP-15. **IRRIGATION SERVICE LINE:**
Install a separate irrigation water service line (separate from the domestic/fire water service line) with a water meter and reduced pressure backflow prevention device and enclosure.
- All landscape and irrigation systems, located in the public park strip areas shall be connected to the water system metered to the property owner.[COA] [PUBLIC WORKS]
- EP-16. **SEWER MANHOLES:**
Install new sewer manholes at the street right-of-way lines and at the point of connection at main line for all existing and proposed sanitary sewer laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-17. **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-18. **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

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- analysis and subject to approval by the Public Works Department as part of the off-site improvement plan review process. This project shall not cause any negative impact on the drainage pattern for adjacent properties. [COA] [PUBLIC WORKS]
- EP-19. STORM DRAIN DESIGN
Provide storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full. The new storm drain lateral shall be 12 inches and the main line shall be minimum 15 inches diameter in the public right-of-way. [COA] [PUBLIC WORKS]
- EP-20. STORM DRAIN MANHOLES:
Install new storm drain manholes at the street right-of-way lines and at the point of connection at main line for all existing and proposed storm drain laterals to be used for the project. [SDR] [PUBLIC WORKS]
- EP-21. EXISTING STREET CATCH BASIN RELOCATION:
The existing street catch basin(s) shall be relocated or removed and replaced with new one(s) to accommodate new street curb alignment and street corner radius reduction. [COA] [PUBLIC WORKS]
- EP-22. CATCH BASIN TRASH CAPTURE DEVICES:
Pursuant to SMC 12.60.130, install full trash capture devices on the project site, prior to connecting to the City's storm drain collection system, the developer shall be responsible for perpetual maintenance of those trash capture devices. All storm drain inlet facilities located in the public right-of-way shall be stenciled and/or have a badge that read "NO DUMPING" as supplied by the Environmental Services Department.[COA] [PLANNING/ENVIRONMENTAL SERVICES/PUBLIC WORKS]
- EP-23. UTILITY METER/VAULT:
No existing or new utility meters or vaults shall be located within the new driveway approach. 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-24. STREETLIGHTS:
Developer is required to provide a photometric analysis based upon LED fixtures for East Weddell Drive and North Fair Oaks Avenue as to determine that the street lighting meets current City's Roadway Lighting Design Criteria. Roadway, sidewalk and crosswalk illuminance calculations shall be calculated separately from each other.

The roadway and sidewalk illuminance values required to be met for East Weddell Drive are:

1. Minimum Maintained Average Illuminance ≥ 0.8 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

And for North Fair Oaks Avenue are:

1. Minimum Maintained Average Illuminance ≥ 1.0 fc
2. Uniformity Ratio (Avg/Min) ≤ 4.0
3. Max/Min ratio ≤ 20

Marked crossed at street intersection should have a minimum average illuminance value ≥ 2.2 fc and Uniformity Ratio (Avg/Min) $\leq x.x$.

The photometric analysis shall include all existing streetlights on both sides of East Weddell Drive (from North Fair Oaks Avenue to Kiel Court) and west side of the North Fair Oaks Avenue project to existing median (from East Weddell Drive to Scotia Terrace), with streetlights being LED fixtures. Developer shall remove the existing streetlight along the East Weddell Drive project frontage and install new single-head decorative streetlight(s) per City's detail DT11 along the East Weddell Drive and North Fair Oaks Avenue project frontage based upon City approved photometric analysis, unless otherwise directed by the City.

All LED fixtures shall be of the same make and model as determined from the photometric analysis (LED fixtures shall be manufactured by GE, Phillips, or approved equal and meet the current City of Sunnyvale LED roadway lighting specifications).

Replace all existing streetlight conduits, wires and pull boxes with new ones along the North Fair Oaks Avenue and East Weddell Drive project frontage to the end of the system per City's current standards.

Developer shall comply with City street light design guidelines and plan check submittal requirements as provided by the City upon request.

Obtain PG&E's approval for new service pedestal, if required, prior to Encroachment Permit issuance. [COA] [PUBLIC WORKS]

EP-25. DRIVEWAY APPROACHES:

Remove existing driveway approaches and install new driveway approaches along the project frontage to comply with Americans with

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- Disabilities Act (ADA) requirements and City standard details and specifications. All unused driveway approaches shall be replaced with new curbs, gutters, and sidewalks per current City standards. [SDR] [PUBLIC WORKS]
- EP-26. **STREETSCAPE IMPROVEMENTS:**
Along project frontage on East Weddell Drive, remove existing concrete curb, gutter and sidewalk and install new concrete curb and 2' gutter per current City standards. Install an attached 10' wide sidewalk (not including 6-inch curb) with 4'x5' tree wells at spacing approximately 30 feet on center apart per City's details 9C-2A and 12F-2 (with root barrier).
- Along project frontage on North Fair Oaks Avenue, remove existing concrete curb, gutter and sidewalk and install new concrete curb and 2' gutter per current City standards. The new concrete curb location shall accommodate new 6-foot wide bike lane requirements. Install an attached 10' wide sidewalk (not including 6-inch curb) with 4'x5' tree wells at spacing approximately 30 feet on center apart per City's details 9C-2A and 12F-2 (with root barrier). [SDR] [PUBLIC WORKS]
- EP-27. **DECORATIVE PAVEMENT:**
Any and all proposed decorative pavement and vertical curb pertaining to on-site development shall not be located within the City right-of-way. [COA] [PUBLIC WORKS]
- EP-28. **SIGNING AND STRIPING PLANS:**
Submit a signing and striping plan for the North Fair Oaks Avenue project frontage in accordance with the latest edition of the CA MUTCD to City for review and approval by the Public Works Department. Plan shall reflect a minimum 11-foot wide travel and turn lanes and 6-foot wide bike lane with new 6-inch wide striping. Transition to existing striping lanes shall comply with current CA MUTCD requirements.
- Along East Weddell Drive project frontage, extend the existing bike lane and buffer striping (6-inch wide striping) up to the existing crosswalk striping. [COA] [PUBLIC WORKS]
- EP-29. **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-30. **CURB RAMP:**

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- Remove the existing curb ramp and install two (2) new directional curb ramps at the northwest street corner of North Fair Oaks Avenue and East Weddell Drive in accordance to the latest City standard details, specifications and Americans with Disabilities Act (ADA) requirements. Additional re-grading of asphalt may be required to ensure there are no localized low points and positive surface runoff occurs along the flowline. All Civil sheets number 1 to number 7 dated 10/20/17 are subject to change during the plan check process. [COA] [PUBLIC WORKS]
- EP-31. CORNER RADIUS ADJUSTMENT:
Developer shall reduce the radius of the northwest corner of North Fair Oaks Avenue and East Weddell Drive to 40 feet (or subject to Caltrans' approval), as measured to the face of curb, to improve bicycle and pedestrian safety per City and MUTCD standards. The Developer shall include the corner radius adjustment in the off-site improvement plan submittal for City review and approval. [COA] [PUBLIC WORKS]
- EP-32. PAVEMENT RESTORATION AND SLURRY SEAL:
Developer shall be responsible to grind minimum 2 inches and overlay from lip of gutter to lip of gutter along project frontage on East Weddell Drive (from west side property line to the curb return) and at minimum 10 feet on both sides of the proposed sanitary sewer lateral line. Install type III slurry seal from lip of gutter to median along project frontage on North Fair Oaks Avenue. [COA] [PUBLIC WORKS]
- EP-33. CITY STREET TREES:
The developer shall install required street trees along the project frontage as follows: North Fair Oaks Avenue: *Plantanus Acerifolia* "Yarwood" – Yarwood Sycamore tree and East Weddell Drive: *Quercus Faintetto* – Italian Oak tree. Street trees and frontage landscaping shall be included in the detailed landscape and irrigation plan subject to review and approval by the Department of Public Works prior to issuance of encroachment permit. New street trees shall be 24-inch box size or 15-gallon size spaced approximately 30 feet apart. No street trees are to be planted within 10' of a sanitary sewer lateral. All Civil sheets number 1 to number 7 dated 10/20/17 are subject to change during the plan check process. [SDR] [PUBLIC WORKS]
- EP-34. 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]

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- EP-35. **DAMAGE TO EXISTING PUBLIC IMPROVEMENTS:**
Developer shall be responsible to rectify any damage to the existing public improvements fronting and adjacent to the project site as a result of project construction, to City's satisfaction by the Public Works Department. All existing traffic detector loops and conduits shall be protected in place during construction. Any damaged detector loops shall be replaced within 7 days at the expense of the developer. [COA] [PUBLIC WORKS]
- EP-36. **CALTRANS APPROVAL:**
This project requires approval letter from Caltrans for requirement of the traffic signal modification at the intersection. The existing traffic signals at the intersection are operated and maintained by Caltrans. Traffic signal modification plans shall be reviewed, approved and permitted by Caltrans. Pedestrian push buttons at the northwest corner of Fair Oaks Avenue and Weddell Drive shall comply with ADA requirement. Relocating pull boxes, rewiring, and replacing signal heads may be necessary for signal pole located at the northwest corner of Fair Oaks Avenue and Weddell Drive. [COA] [PUBLIC WORKS]
- EP-37 **VTA COORDINATION:**
There is an existing VTA bus stop fronting the project (or within 100' of the project site); therefore, developer shall provide written statement to the City for VTA's requirements, subject to City's concurrence. Developer shall coordinate with VTA for temporary bus stop location or bus rerouting as approved by VTA prior to Encroachment Permit issuance. VTA contact is Robert Daniels, Service & Operations Planning, (408) 321-5780.
- EP-38. **RECORD DRAWINGS:**
Stamped and signed record drawings of the off-site improvements shall be submitted to the city prior to encroachment permit sign-off. Upon completion of the streetlight improvements, developer shall provide record drawings to the City in AutoCAD format [COA] [PUBLIC WORKS]

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

- TM-1. **FINAL MAP COMPLIANCE WITH VESTING TENTATIVE MAP:**
The final map shall be substantially the same as the vesting tentative map. Any alteration of the vesting tentative map after the vesting tentative map is approved is subject to additional approval by the City and may require a public hearing. Sheet TM1.0 of Vesting Tentative

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- Map submittal dated 10/20/17 is subject to change during plan check process. [COA] [PLANNING/PUBLIC WORKS]
- TM-2. **TITLE 18 AND SUBDIVISION MAP ACT:**
The submittal, approval and recordation of the final map shall be in accordance with the provision of the California Subdivision Map Act and Sunnyvale Municipal Code Title 18 Subdivision requirements. [COA] [PUBLIC WORKS]
- TM-3. **STREET EASEMENT DEDICATION:**
This project requires a minimum of 11' street right-of-way measured from the face of new curb line location to accommodate new streetscape and new 6-foot wide bike lane along the North Fair Oaks Avenue project frontage. [COA] [PUBLIC WORKS]
- 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 shall be delineated on the map or recorded concurrently with the map with a separate instrument. (SMC 18.16.010 (c), Subdivision Map Act §66475 and §66499.20-1/2 for public easements) 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.
- TM-5. **ABANDONMENT OF EXISTING 10' PUBLIC UTILITY EASEMENT:**
Abandon the existing 10' Public Utility Easement (PUE) for the project, which shall be delineated on the map, if the mentioned PUE is not needed by utility companies. (SMC 18.16.010 (c), Subdivision Map Act §66475 and §66499.20-1/2 for public easements). [COA] [PUBLIC WORKS]
- TM-6. **EMERGENCY VEHICLE ACCESS EASEMENT:**
This project requires a minimum 26'-wide dedication of an emergency vehicle ingress and egress easement on and over private roadways. [COA] [PUBLIC SAFETY/PUBLIC WORKS]
- TM-7. **UTILITY COMPANY APPROVAL:**
Obtain map approval letters from the utility companies in regards to any existing or new easements associated with their facilities. [COA] [PUBLIC WORKS]
- TM-8. **PUBLIC WORKS DEVELOPMENT FEES:**
The developer shall pay all applicable Public Works development fees associated with the project, including but not limited to, utility frontage

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- and/or connection fees and off-site improvement plan check and inspection fees, prior to map recordation or any permit issuance, whichever occurs first. The exact fee amount shall be determined based upon the fee rate at the time of fee payment. [COA] [PUBLIC WORKS]
- TM-9. SUBDIVISION AGREEMENT AND IMPROVEMENT SECURITIES:
The developer shall execute a subdivision agreement and provide improvement securities and/or cash deposit(s) for all proposed public improvements prior to map recordation or any permit issuance, whichever occurs first. Provide an itemized engineer's estimate for all off-site public improvements for the entire project for determination of security amount. [COA] [PUBLIC WORKS]
- TM-10. COVENANTS, CONDITIONS AND RESTRICTIONS (CC&Rs):
Any proposed deeds, covenants, conditions, restrictions and by-laws relating to the subdivision are subject to review and approval by the City. The CC&R's shall include the following provisions:
- a) 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.
 - b) The Homeowners Association shall maintain parkstrip landscaping in perpetuity along the public street fronting the project site. (SMC 13.08.370 and 13.08.380)
 - c) The developer shall maintain all private utilities and landscaping for a period of three years following installation of such improvements or until the improvements are transferred to a Homeowners Association, following sale of at least 75% of the units, whichever comes first. (Subdivision Agreement)
 - d) Homeowners are prohibited from modifying drainage facilities and/or flow patterns of their lots without first obtaining permission from the City.
 - e) There shall be provisions of post construction Best Management Practices in the CC&R's in regards to the storm water management. (SMC 12.60.200)
[COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]
- TM-11. PUBLIC/PRIVATE STREETS:
All streets, both public and private, shall be shown on the Final Map. Street names shall be approved by the Director of Community Development. Private streets shall be designated as "Terrace". [COA] [PUBLIC WORKS] (SMC 18.12.190)

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

- PF-1. LANDSCAPING AND IRRIGATION:
All landscaping and irrigation as contained in the approved building permit plan shall be installed prior to occupancy. [COA] [PLANNING]
- PF-2. PARKING LOT STRIPING:
All parking lot striping, carpool and compact spaces shall be striped as per the approved plans and Public Works standards. [COA] [PLANNING/ENGINEERING]
- PF-3. CONDITIONS, COVENANTS AND RESTRICTIONS (CC&RS) (RECORDATION):
The Developer/Owner shall submit a copy of the recorded CC&Rs and a letter from the Developer/Owner either indicating that the recorded CC&Rs are in conformance with the approved draft CC&Rs or summary of changes shall be provided to the Director of Community Development prior to release if utilities or certificate of occupancy. [COA] [PUBLIC WORKS/PLANNING/CITY ATTORNEY]
- PF-4. 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-5. 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]

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:

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- The project shall be in compliance with stormwater best management practices for general construction activity until the project is completed and either final occupancy has been granted. [SDR] [PLANNING]
- DC-2. TREE PROTECTION:
All tree protection shall be maintained, as indicated in the tree protection plan, until construction has been completed and the installation of landscaping has begun. [COA] [PLANNING]
- DC-3. CLIMATE ACTION PLAN – OFF ROAD EQUIPMENT REQUIREMENT:
OR 2.1: Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]), or less. Clear signage will be provided at all access points to remind construction workers of idling restrictions.
OR 2.2: Construction equipment must be maintained per manufacturer's specifications.

OR 2.3: Planning and Building staff will work with project applicants to limit GHG emissions from construction equipment by selecting one of the following measures, at a minimum, as appropriate to the construction project:
- a) Substitute electrified or hybrid equipment for diesel- and gasoline-powered equipment where practical.
 - b) Use alternatively fueled construction equipment on-site, where feasible, such as compressed natural gas (CNG), liquefied natural gas (LNG), propane, or biodiesel.
 - c) Avoid the use of on-site generators by connecting to grid electricity or utilizing solar-powered equipment.
 - d) Limit heavy-duty equipment idling time to a period of 3 minutes or less, exceeding CARB regulation minimum requirements of 5 minutes. [COA] [PLANNING]
- DC-4. DUST CONTROL:
At all times, the Bay Area Air Quality Management District's CEQA Guidelines and "Basic Construction Mitigation Measures Recommended for All Proposed Projects", shall be implemented. [COA] [PLANNING]

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

- AT-1. **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-2. **PARKING MANAGEMENT:**
On-Site parking management shall conform with the approved parking management plan. [COA] [PLANNING]
- AT-3. **PARKING LOT MAINTENANCE:**
The parking lot shall be maintained in accordance with the approved plans and as follows:
- a) Clearly mark all employee, customer, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 - b) Maintain all parking lot striping and marking.
 - c) Assure that adequate lighting is available in parking lots to keep them safe and desirable for the use.
 - d) Require signs to direct vehicles to additional parking spaces on-site, as needed.
 - e) Clearly mark all compact spaces as per approved plans. [COA] [PLANNING]
- AT-4. **OFF-STREET PARKING:**
Off-street parking for both residents and guests shall be maintained at all times in accordance with approved plans. [COA] [PLANNING]
- AT-5. **PARKING LOT MAINTENANCE:**
The parking lot shall be maintained as follows:
- a) Garage and carport spaces shall be maintained at all times so as to allow for parking of vehicles.
 - b) Clearly mark all assigned, guest, and compact spaces. This shall be specified on the Building Permit plans and completed prior to occupancy.
 - c) Maintain all parking lot striping and marking.
 - d) Maintain parking lot lighting and exterior lighting to ensure that the parking lot is maintained in a safe and desirable manner for residents and/or patrons. [COA] [PLANNING]
- AT-6. **RECREATIONAL VEHICLE STORAGE PROHIBITED:**

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- 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-7. 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-8. 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-9. 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-10. 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]
- AT-11. 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]]