



CONDITIONS OF TENTATIVE MAP APPROVAL

PLN2019-13846 /4249 Cheeney Street

Project Description: Combine two parcels into one and subdivide for condominium purpose for up to nine for-sale townhomes.

GENERAL

- G1. **Subdivision Expiration.** This subdivision shall automatically be revoked and terminated if not used within two years of original grant or within the period of any authorized extension thereof. The date of granting this subdivision is the date this subdivision is approved by the Decision-making body. The expiration date is July 16, 2027.
- G2. **Conformance with Plans.** The lot design on the subdivision map shall be designed in conformance with the subdivision map, as approved by the decision-making body.
- G3. **Conditions of Plans.** All conditions of approval for this subdivision shall be reprinted and included within the first three sheets of the subdivision map sets submitted for review and approval. At all times these conditions of approval shall be on all grading and construction plans kept on the project site.
- G4. **Necessary Relocation of Public Facility.** If relocation of an existing public facility becomes necessary due to a conflict with the developer's new improvements, then the cost of said relocation shall be borne by the developer.
- G5. **Indemnify and Hold Harmless.** The owner or designee agrees to defend and indemnify and hold City, its officers, agents, employees, officials and representatives free and harmless from and against any and all claims, losses, damages, attorney's fees, injuries, costs, and liabilities from any suit for damages or for equitable or injunctive relief which is filed by a third party against the City by reason of its approval of owner or designee's project.
- G6. **Code Compliance.** The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis; proposed use and occupancy of all spaces (CBC Ch. 3), all building heights and areas (CBC Ch. 5), all proposed types of construction (CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (CBC Ch. 7), all proposed interior finishes fire resistance (CBC Ch. 8), all fire protection systems proposed (CBC Ch. 9), and all means of egress proposed (CBC Ch. 10). Noncombustable exterior wall, floor, and roof finishes are strongly encouraged.
 - a. During construction retaining a single company to install all fire related penetrations is highly recommended.
 - b. The grade level lobbies shall be minimum 1-hour rated all sides and above.
 - c. All stair shafts shall be minimum 1-hour rated.
 - d. All elevator shafts shall be minimum 1-hour rated.
 - e. All trash chute shafts shall be minimum 1-hour rated.
 - f. Recommendation: provide minimum two trash chutes; one for recyclables, one for trash, each trash chute to be routed down to a grade level trash collection room.
 - g. Any trash rooms shall be minimum 1-hour rated all sides and above.
- G7. **Building Codes as Amended.** See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.
- G8. **Reach Codes.** This project is subject to the provisions of the City of Santa Clara 2022 Reach Code, effective January 2022. See Ordinance No. 2034 and/or Title 15 of the Santa Clara City Code.

- a. Chapter 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.

G9. Comply with all applicable codes, regulations, ordinances and resolutions.

COMMUNITY DEVELOPMENT – PLANNING DIVISION

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- P1. The project shall comply with the Conditions of General Plan Amendment and Rezoning approvals (PLN2019-13847) and the mitigation measures identified in the CEQA Addendum prepared for the project.
- P2. Developer shall prepare and submit Covenant, Conditions and Restrictions (CC&R's) to the City for review and approval. The approved CC&Rs are to be recorded prior to the issuance of building permits and a copy is provided to the Planning Department.
- P3. **Tree Replacement (on-site).** Trees permitted by the City for removal shall be replaced on-site at a ratio of 2:1. (SCC 12.35.090)
- P4. **Tree Replacement (Alternative Means).** If the applicant is unable to meet the 2:1 ratio requirement, trees permitted by the City for removal shall be replaced at a ratio pursuant to an alternative plan approved by the Director of Community Development. (SCC 12.35.090)

OPERATIONAL CONDITIONS

- P5. **Landscaping Installation & Maintenance.** The owner or designee shall ensure that the landscaping installed and accepted with this project shall be maintained on the site as per the approved plans. Any alteration or modification to the landscaping shall not be permitted unless otherwise approved by the Director of Community Development.
- P6. **Landscape Water Conservation.** The owner or designee shall ensure that landscaping installation meets City water conservation criteria in a manner acceptable to the Director of Community Development.
- P7. **Landscaping.** The owner or designee shall maintain the front yard landscaping between the house and sidewalk. New landscape areas of 500 square feet or more or rehabilitated landscape of 2,500 square feet or more shall conform to the California Department of Water Efficient Landscape Ordinance.

COMMUNITY DEVELOPMENT - BUILDING DIVISION

DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

- BD1. **Addressing.** Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet.
 - a. Any building or structure that is demolished shall have its address retired and a new address/s shall be issued for the project.

PUBLIC WORKS DEPARTMENT - ENGINEERING

DESIGN—PRIOR TO BUILDING PERMIT ISSUANCE

- E1. **Site Clearance.** Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. **Subdivision Map.** After City Council approval of the Tentative Map, submit the Subdivision Map, prepared by a Licensed Land Surveyor or a Registered Civil Engineer with Land Surveyor privileges to the Engineering Department. The submittal shall include a title report, closure calculations, and all appropriate fees.
- E3. **Design.** On-street parking shall not be counted toward on-site parking requirements.

DURING CONSTRUCTION

- E4. **Encroachment Permit.** All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be submitted within a Single Encroachment Permit to be reviewed and issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E5. **Encroachment Permit.** Submit public improvement/encroachment permit plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements directly to the Public Works Department. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E6. **Encroachment Permit.** Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E7. **Encroachment Permit.** Extend storm drain main to project frontage and connect on-site private storm drain lateral. 10-year storm event shall be conveyed through the underground storm drain system.
- E8. **Encroachment Permit.** Extend storm drain main to project frontage and connect on-site private storm drain lateral. 10-year storm event shall be conveyed through the underground storm drain system.
- E9. **Encroachment Permit.** Damaged curb, gutter, and sidewalk within the public right-of-way along property's frontage shall be repaired or replaced (to the nearest score mark) in a manner acceptable to the City Engineer or his designee. The extents of said repair or replacement within the property frontage shall be at the discretion of the City Engineer or his designee.
- E10. **Encroachment Permit.** Existing non-standard or non-ADA compliant frontage improvements shall be replaced with current City standard frontage improvements as directed by the City Engineer or his designee.
- E11. **Encroachment Permit.** Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E12. **Encroachment Permit.** Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E13. **Encroachment Permit.** Developer shall perform slurry seal treatment with digouts for the full street width along the entire Cheeney Street project frontage.
- E14. **Easement.** Dedicate on-site easements for new public utilities and/or sidewalk as required by means of Subdivision Map or approved instrument at time of development.
- E15. **Easement.** Dedicate sidewalk easements along the project frontage where public sidewalks extend into private property. Sidewalk easements are to be 1' behind proposed back of walk where there is landscaping behind sidewalk. Sidewalk easement where hardscape is behind sidewalk is to be at back-of-walk. Cold joint is required between public sidewalk and private hardscape.

- E16. **Agreement.** If requested, owner or designee shall prepare and submit for City approval a maintenance plan for all sidewalk, curb and gutter, landscaping and irrigation system improvements installed within the public right-of-way prior to encroachment permit issuance. Such plan shall include at a minimum, maintenance requirements for trees and shrubs, in acknowledgement of developer's/property owner's obligation under Chapter 12.30 and 17.15.

WATER & SEWER DEPARTMENT

DESIGN / PERFORMANCE -- PRIOR TO ISSUANCE OF BUILDING PERMIT

- W1. **Encroachment Permit.** Prior to issuance of Building Permits, the applicant shall submit an encroachment permit application and design plans for construction of water utilities that comply with the latest edition of the Water & Sewer Utilities Water Service and Use Rules and Regulations, Water System Notes, and Water Standard Details and Specifications. In addition, prior to the City's issuance of Occupancy, the applicant shall construct all public water utilities per the approved plans. The Water & Sewer Utilities will inspect all public water utility installations and all other improvements encroaching public water utilities.
- W2. **Utility Design Plans.** Utility Design Plans shall indicate the pipe material and the size of existing water, recycled water and sewer main(s). The plans shall show the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area. The plans shall show meter and backflow configurations to scale and per City of Santa Clara Water & Sewer Utilities Standard Details. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area. Fire hydrants should be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Std Detail 18. The plans shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W3. **Utility Separations.** Applicant shall adhere to and provide a note indicating that all horizontal and vertical clearances comply with State and local regulations. The applicant shall maintain a minimum 12" of vertical clearance at water service crossing with other utilities, and all required minimum horizontal clearances from water services: 10' from sanitary sewer utilities, 10' from recycled water utilities, 8' from storm drain utilities, 5' from fire and other water utilities, 3' from abandoned water services, 5' from gas and electric utilities, and 5' from the edge of the propose or existing driveway. For sanitary sewer, water, and recycled water utilities, the applicant shall maintain a minimum horizontal clearance of 10' from existing and proposed trees. If applicant installs tree root barriers, clearance from tree reduces to 5' (clearance must be from the edge of tree root barrier to edge of water facilities). No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer, potable water and/or recycled water utilities and easements.
- W4. **Separate Services.** Applicant shall submit plans showing proposed water, recycled water, sanitary sewer, and fire services connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Different types of water and recycled water use (domestic, irrigation, fire) shall be served by separate water services, each separately tapped at the water main. Tapping on existing fire service line(s) is prohibited. Approved backflow prevention device(s) are required on all potable water services.
- W5. **City Standard Meters and Backflows.** All proposed meters and backflows for all water services shall meet the current City of Santa Clara Water & Sewer Utilities Standard Details. Plans shall show meter and backflow configurations to scale.
- W6. **Existing Services.** The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. If the existing services will not be used, then the applicant shall properly abandon these services to the main per Water & Sewer Utilities standards and install a new service to accommodate the water needs of the project. The applicant shall bear the cost of any relocation or abandonment of existing Water Department facilities required for project construction to the satisfaction of the Director of Water and Sewer Utilities.

- W7. **On-Site Storm Drain Treatment.** Prior to issuance of Building Permit, the applicant shall submit plans showing any onsite storm water treatment system. The plan shall include a section detail of the treatment system. No water, sewer, or recycled water facilities shall be located within 5-feet of any storm water treatment system.
- W8. **Water Usage.** Prior to the issuance of Building Permits, the applicant shall provide documentation of water usage so the Water Division can verify the appropriate size of all proposed water meters. Please note that if the existing water services are incapable of supplying the water needs to the site, the existing services shall be abandoned, and new separate dedicated water services shall be provided for each use (domestic and irrigation).
- W9. **Landscaping.** All the landscaping for the project shall comply with the California Water Conservation in Landscaping Act, Government Code Section 65591 et. seq. All plants shall be either California native or non-invasive, low water-using or moderate water-using plants. High water-using plants and nonfunctional turf are prohibited.
- W10. **Water Features.** Prior to issuance of Building Permits, the applicant shall submit plan details for all water features (including but not limited to fountains and ponds) designed to include provisions for operating the system without City potable water supply and capable of being physically disconnected from source of potable water supply during City declared water conservation periods, to the satisfaction of the Director of the Water & Sewer Utilities. Decorative water features may be permanently connected to the City's recycled water supply.
- W11. **Easements.** Prior to City's issuance of Building or Grading Permits, the applicant shall provide a dedicated water utility easement around the backflow prevention device onsite. The water utility easement for the water services and all other public water appurtenances shall be a minimum 15 feet wide and be adjacent to the public right-of-way without overlapping any public utility easement. Additionally, the applicant shall submit plans defining existing easements so Water Division can verify if there are any conflicts with proposed easements and water utilities.
- W12. **Underground Fire Permit.** Prior to issuance of Building Permits, applicant shall submit an underground fire permit unless otherwise waived by the Fire Department. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants. Fire service lines required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.

KEY:

G = General

P = Planning Division

BD = Building Division

H = Housing & Community Services Division

F = Fire Department

PR = Parks & Recreation Department

PD = Police Department

E = Engineering Division

Streets Division (Landscape, Solid Waste, and Stormwater)

L = Landscape

SW = Solid Waste

ST = Stormwater

SVP = Silicon Valley Power

W = Water & Sewer Department

ACKNOWLEDGEMENT AND ACCEPTANCE OF CONDITIONS OF APPROVAL

Permittee/Property Owner

The undersigned agrees to each condition of approval and acknowledges and hereby agrees to use the project property on the terms and conditions set forth in this permit.

Signature: _____

Printed Name: _____

Relationship to Property: _____

Date: _____

Pursuant to Santa Clara City Code 18.128.100, the applicant shall return this document to the Department, properly signed and dated, within 30-days following the date of the Acknowledgement.