Conditions of Planned Development Rezoning Approval (Option B – Revised Project)

PLN2018-13400 / 4995 Patrick Henry Drive and 3005 Democracy Way

Project Description: Planned Development Rezoning Rezone to PD, and Architectural Review for the proposed Mission Point project including up to 3,000,000 sf of office, 100,000 sf of retail, 2,600 housing units (including up to 1,800 housing units in Area D and, with a corresponding reduction to office/R&D uses in Area C, up to 800 housing units in Area C) on a 48-acre site.

GENERAL

G1. **Effective Date**. This Permit shall only become effective at such time as the General Plan Amendment, PD Zoning, and Development Agreement have been adopted by the Decision-making body and have taken effect.

G2. **Conformance with Plans.** Prior to the issuance of Building Permit, the development of the site and all associate improvements shall conform to the approved plans on file with the Community Development Department, Planning Division. No change to the plans will be made without prior review by the Planning Division through approval of a Minor Amendment or through an Architectural Review, at the discretion of the Director of Community Development or designee. Each change shall be identified and justified in writing.

G3. **Conditions on Plans.** All conditions of approval for this Permit shall be reprinted and included within the first three sheets of the building permit plan 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). Noncombustible 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.

h. Chapter 15.36 – Energy Code for "all electric" provisions for new construction.
i. 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.

G10. The City encourages the Owner and any contractors or subcontractors working on the project to evaluate hiring local labor, hiring from or contributing to approved, accredited apprenticeship programs, increasing resources for labor compliance, and providing living wages during the development of this Project.

COMMUNITY DEVELOPMENT – PLANNING DIVISION
DESIGN / PERFORMANCE– PRIOR TO BUILDING PERMIT ISSUANCE

P1. **Roof Mounted Mechanical Equipment.** All roof mounted mechanical equipment shall be placed within a screened roof top enclosure depicted on the elevation drawings or located below the parapet level and shall not be visible from the ground at any distance from the building. Cross section roof drawings shall be provided at the building permit stage indicating the relative height of the screen wall or parapet. Minimum screen height or parapet depth shall be five feet or greater to match the height of any proposed equipment.

P2. **Tree Replacement (on-site).** Protected trees permitted by the City for removal shall be replaced on-site at a 2:1 ratio for 24-inch box trees, 4:1 for 15-gallon trees, or 1:1 for dead trees. (SCC 12.35.090).

P3. **Construction Management Plan.** The owner or designee shall submit a construction management plan addressing impacts to the public during construction activities including: showing work hours, noticing of affected businesses, construction signage, noise control, storm water pollution prevention, job trailer location, contractor parking, parking enforcement, truck hauling routes, staging, concrete pours, crane lifts, scaffolding, materials storage, pedestrian safety, and traffic control. The plan shall be submitted to the Director of Community Development or designee for approval prior to issuance of demolition and building permits.

DURING CONSTRUCTION

P4. **Construction Hours.** Construction activity shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and shall not be allowed on recognized State and Federal holidays. Construction activities occurring outside of the City's allowed construction hours would need to comply with the City's exterior noise limits per Section 9.10.040 of the City Code.

P5. **Construction Trash/Debris.** During construction activities, the owner or designee is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.

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.

OPERATIONAL CONDITIONS

P7. **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.

P8. **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.

P9. **Transportation Demand Management (TDM) Program (Non-Residential Project).** The owner or designee shall implement the project TDM program that includes elements to reduce vehicle miles traveled (VMT) by 25 percent in the aggregate per the City's 2022 Climate Action Plan. A final TDM plan shall be submitted to the Director of Community Development or designee prior to Building Permit Final by the Planning Division. The property owner or designee shall monitor the project TDM program and submit an annual report to the Director of Community Development or designee. Monitoring and reporting requirements may be revised in the future if the minimum reduction is not achieved through the measures and programs initially implemented.

P10. **Transportation Demand Management (TDM) Program (Residential Project).** The owner or designee shall implement the project TDM program that includes elements to reduce vehicle miles traveled (VMT) by 20 percent with 10% through active TDM measures in the aggregate at full build out per the City's 2022 Climate Action Plan. A final TDM plan shall be submitted to the Director of Community Development or designee prior to Building Permit Final by the Planning Division. The property owner or designee shall monitor the project TDM program and submit an annual report to the Director of Community Development or designee. Monitoring and reporting requirements may be revised in the future if the minimum reduction is not achieved through the measures and programs initially implemented.

P11. **Transportation Management Association (TMA).** At any time after building permits have been issued for the Project and within two years of the formation of a TMA for the North Santa Clara area (comprising neighborhoods north of Highway 101) led by property

owners that are pursuing specific development proposals within the area, employers or other entities, join the TMA and pay a prorata share of TMA operational costs. The main purpose of the TMA is to fund and operate the local shuttle service or micro-transit solution, and may help to implement, coordinate and manage VMT-reduction programs as determined appropriate by the TMA members, between multiple properties and lead information and marketing campaigns to support behavior change.

MITIGATION MEASURES

P12. **Mitigation Monitoring and Reporting Program.** The Mitigation Monitoring and Reporting Program (MMRP), prepared for this project in compliance with the California Environmental Quality Act (CEQA), shall be incorporated by reference as conditions of approval. The applicant shall comply with all specified mitigation measures in the timelines outlined in the project's MMRP.

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.

BD2. **Flood Zone.** The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: https://msc.fema.gov/portal/home. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.

a. FEMA Flood Zone map designations and requirements are based on the map in effect at date of Building Permit issuance.

BD3. **Water Pollution Control.** The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa

Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page:

- https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention and will be routed to a contract consultant for review.

BD4. **Submittal Requirements.** The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.

DURING CONSTRUCTION

BD5. **Temporary Certificates of Occupancy.** Temporary Certificates of Occupancy (TCO) will not be routinely issued and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

COMMUNITY DEVELOPMENT - HOUSING DIVISION

H1. In accordance with the Santa Clara City Code chapter 17.40, this project is subject to the following affordable housing requirements and impact fee:

The requirement for the for-sale residential and rental residential development is as follows:

(a)Unless the City Council approves an alternate method of compliance pursuant to section (b) below, the Applicant shall provide not less than fifteen percent (15%) of the proposed units to affordable households made available at affordable housing cost or affordable rent to extremely low, very low, low and/or moderate-income households so long as the distribution of affordable units averages to a maximum of 100 percent Area Median Income. Prior to issuance of Building Permits, the Developer shall enter into an Affordable Housing Agreement (AHA) with the City that will determine the affordable rents and apply all terms and covenants guaranteeing the prescribed affordability, to the satisfaction of the Director of Community Development. There will be a fee for the AHA preparation in the amount of $5,868 rental development and $4,205 for for-sale development, that will be due prior to execution of the AHA. Additionally, there is an annual monitoring fee per affordable rental unit in the amount $127.

Payment of an Impact Fee for nonresidential development based on the square footage of the proposed project. The current impact fees for an Office building greater than

20,000 square foot shall have an impact fee of $28.79 per sf and Retail shall have an impact fee of $7.20 per sf.

Please note all fees are based on the current Municipal Fee Schedule in effect at the time the project is approved and must be paid prior to the issuance of the occupancy certificate of the building.

(b)In the alternative, the City Council may, in its sole discretion, authorize the Applicant to utilize an alternate means of compliance pursuant to SCCC § 17.40.080(g) through the execution of a development agreement. In order to utilize such an alternative, such Development Agreement must be fully executed prior to issuance of Building Permits. If no Development Agreement has been executed at the time Building Permits are issued, then section (a) above shall apply.

FIRE DEPARTMENT

DESIGN / PERFORMANCE—PRIOR TO BUILDING PERMIT ISSUANCE

F1. **Hazmat Clearance.** Prior to any Building Permit issuance, Hazardous Materials Closure (HMCP) is required as applicable: This is a permit is issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developer's due diligence. The hazardous materials closure plans demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.

F2. **Hazmat Clearance.** Prior to any Building Permit Issuance, a Phase II environmental assessment is required to be submitted to CRRD for review. If hazards are present that require site mitigation, cleanup, or management of chemical contaminants in soil, soil vapor, or groundwater a separate permit from one of the regulatory agencies below will be required. The type and extent of contamination on site(s) will govern which of the regulatory agencies noted below can supervise the cleanup: Department of Toxic Substances Control (DTSC); State Water Resources Control Board; or Santa Clara County, Department of Environmental Health.

If the project intends to contract with a State or County Agency for onsite/offsite environmental remediation activities the following documentation shall be provided to the Fire Prevention & Hazardous Materials Division prior to issuance of a Building Permit for demolition or grading: Oversight agency case number; and Oversight mangers contact name, phone number.

For smaller projects that are not moving soil at all, a Phase I environmental assessment may be adequate. Please contact Assistant Fire Marshal Fred Chun at fchun@santaclaraca.gov for more information.

F3. **Fire Flow Requirement.** Prior to Building Permit Issuance, provide documentation from the City of Santa Clara Water & Sewer Department that the minimum required fire-flow can be met. Fire Department fire-flow will be based on the current California Fire Code and local ordinance. The most restrictive departments requirement shall apply.

F4. **Fire Hydrants.** Prior to Building Permit Issuance, building plans shall show the required number, location and distribution of fire hydrants for the buildings will be based on the current California Fire Code, Appendix C as amended. The required number of fire hydrants will be based on the fire-flow before the reduction for fire sprinklers. Both public and private fire hydrants may be required.

F5. **Fire Department Access.** Prior to Building Permit Issuance, a five-foot all-weather perimeter pathway around the entire perimeter of the buildings to facilitate firefighter access is required to be incorporated into the Building permit submittal.

F6. Fire Department Access. Prior to the issuance of the Building Permit, approval for fire department apparatus access roads is required. Roadways must be provided to comply with all the following requirements:

F7. Fire apparatus access roadways shall be provided so that the exterior walls of the first story of the buildings are located not more than 150 feet from fire apparatus access as measured by an approved route around the exterior of each building. In addition, aerial apparatus roadways must be located so aerial apparatus will have clear access to the "entire" face/sides of the building. The minimum number of sides is project-specific and depends on the building configuration, building design, occupancy, and construction type, etc. As part of Building Permit Issuance, an alternative materials, design, and methods of construction and equipment permit application will need to be submitted for review and approval incorporating applicable mitigation measures as determined by the fire department for the lack of compliance. Please note acceptable mitigation methods may have been discussed during the planning stage. Those mitigations are not guaranteed until a formal alternate means permit is submitted concurrently with the Building Plans. Conversely, an acceptable mitigation method may not have been discussed and will be evaluated under an alternate means permit at the building permit stage.

- For underpasses, garages, gates, or anything similar that a Fire apparatus is required to drive under as part of the emergency vehicle access, 16 feet vertical clearance will be required. For all other areas, the "minimum" unobstructed vertical clearance shall not be less than 13 feet 6 inches.

or

- For all other areas, the "minimum" unobstructed vertical clearance shall not be less than 13 feet 6 inches.

- The "minimum" width of aerial roadways for aerial apparatus is 26 feet.

- The minimum inside turning radius shall be 30 feet.

- The “minimum” width of roadways for aerial apparatus is 26 feet. Aerial access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building. This requirement is only applicable when Appendix D of the Fire Code is enforceable.

- Overhead utility and power lines easements shall not be located over fire apparatus access roads or between the aerial fire apparatus roads and the buildings to avoid the possibility of injury and equipment damage from electrical hazards.

- Fire apparatus access roadways shall be all-weather surface(s) designed to support a gross vehicle weight of 75,000-pounds.

- Trees at full development must not exceed 30 feet in height and not impair aerials apparatus operations to sweep opposing sides of a building. Other obstructions such as site lighting, bio-retention, and architectural features are reviewed case-by-case to ensure they do not obstruct aerial and ground ladder access.

- Traffic control/calming devices are not permitted on any designated fire access roadway unless approved. A separate Fire Department permit is required for any barrier devices installed alone fire department apparatus access roads.

Prior to any Building Department Issuance, all fire department apparatus access roadways on private property are required to “be recorded” with the County of Santa Clara as Emergency Vehicle Access Easements (EVAE’s) and reviewed by the Fire Department. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.

F8. **Emergency Responder Radio Coverage System.** Prior to Building Permit Issuance, provisions shall be made for Emergency Responder Radio Coverage System (ERRCS) equipment, including but not limited to pathway survivability in accordance with Santa Clara Emergency Responder Radio Coverage System Standard.

F9. **Fire Department Access.** Prior to the start of construction, roadways and water supplies for fire protection are required to be installed and made serviceable and maintained throughout the course of construction.

F10. **Fire Department Access.** Prior to issuance of the Building Permit, a gate permit is required to obtained. Openings for access gates located across fire apparatus access roads shall be a minimum of 20 feet of clear width. Gates shall also be provided with a minimum unobstructed vertical clearance of 16-feet. All gates installed on designated fire department access roads must be electrically automatic powered gates. Gates shall be provided with an emergency power or be of a fail-safe design, allowing the gate to be pushed open without the use of special knowledge or equipment. A Tomar Strobe Switch or 3M Opticom detector shall be installed to control the automatic gate(s) to allow

emergency vehicles (e.g., fire, police, ems). Said device shall be mounted at a minimum height of eight to ten feet (8' - 10') above grade.

F11. **Alternative Means and Methods.** Prior to any Building Permit issuance, an alternate means or methods permits to mitigate any code deficiency must be submitted and approved. Please submit this permit concurrently with the building plans. Please note specific mitigations may have been discussed during the planning process. None of these discussions are binding and can only be formally approved through submitting an AMMR permit. The AMMR permit is formally documenting that and still needs to be submitted.

F12. **Hazmat Information.** Prior to Building Permit Issuance, a Hazardous Materials Inventory Statement including refrigerants is required to be submitted and reviewed with the Building Permit if applicable.

F13. **Fire Safety During Construction and Phased Occupancy.** Prior to Building Permit Issuance, a permit for Construction Safety & Demolition shall be submitted to the fire department for review and approval in compliance with our Construction Safety & Demolition standard. Any phased occupancy will require a separate fire department permit.

DURING CONSTRUCTION

F14. **Shared Fire Protection Features that Cross Property Lines.** Prior to Building Permit Final, any EVAEs or fire protection equipment (including but not limited to fire service undergrounds, sprinkler piping, fire alarm equipment, fire pumps, ERRCS) that cross property lines or is not located on the parcel of the building it serves shall have a CC&R legally recorded detailing who is responsible for maintenance and repair of the EVAE or fire protection equipment.

F15. **Fire Protection Systems Before Occupancy.** Prior to any Certificate of Occupancy Issuance (temporary or permanent), fire-life safety systems installations must be fully installed, functional, and approved.

PARKS & RECREATION DEPARTMENT

PR1. This Project is a subdivision, and the Quimby Act provisions will apply. The project will generate an estimated 6,240 residents (2.4 persons/household x 2600 units). Based on the Quimby standard of 3.0 acres/1000 residents, the amount of public parkland required for this Project to mitigate the impact of the new resident demand is approximately 18.72-acres. The equivalent fee due in lieu of parkland dedication is $124,355,400.

PR2. Stormwater management for public parks and privately owned areas shall be separate and distinct– public areas shall not be used for private requirements and private areas shall not be used for public requirements.

PR3. Any in lieu fees imposed under this Chapter shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.

PR4. Final calculations will depend upon the actual number and type of units and the mix of parkland dedicated and remaining fee due, at the discretion of the City.

PR5. Developer to present updated conceptual park plans at a future Parks & Recreation Commission (PRC) meeting for Commission and community input on the updated proposed park plan. Park plans as proposed are a conceptual plan.

PR6. The final Commission recommended, and Council approved, public park design will require review and approval of park construction plans by all City departments through

the City's online permitting portal (Accela). A separate permit will be issued for the park construction.

PR7. Developer to enter into a Park Improvement Agreement with the City which will be submitted to Council for approval and then recorded with the County before park construction begins.

PR8. Developer to enter into a Park Maintenance Agreement with the City which will be submitted to Council for approval and then recorded with the County before park construction begins. Developer to maintain public parkland in perpetuity is the preferred method for park maintenance.

PR9. The park shall be dedicated to City in fee title and should be free of all encumbrances.

PR10. When the park construction is completed, developer to provide City with GIS/Enterprise Asset Management System (EAMS) data (CAD file) for the public park. The base map and design elements/assets should meet the City data dictionary definitions for each asset.

PR11. There should be a minimum 10-foot set-back between the public park and the private buildings. The public will need access to the private buildings without walking through the public park. The access and outdoor space for the private building shall not be included in the calculation for the public park and shall not be within the public park parcel.

PR12. The public park must be programmed and constructed to the "Park Amenity & Design Standards" and City standards.

PR13. Follow City guidelines to service domestic water, recycled water, and electricity for the public park – lines should not cross between the public park and the private development.

PR14. Flood zone/FEMA designation information shall be taken into consideration with the design of the public parkland.

PR15. Reduce the pedestrian network areas crossing through the park – less hardscape and more area for recreation.

PR16. There is a distinction between open space and public parkland – these separate and distinct areas should be identified on the plan sheets with the correct labels.

PR17. Application for Private Recreation Amenity Credit.

a. According to City Code Section 17.35.070, a developer may submit a written request with the project application for a credit against the amount of parkland dedication or the amount of the in-lieu fee thereof.
b. Eligible on-site private park and recreation amenities shall be dedicated to Active Recreational Uses provided all requirements of Chapter 17.35 are met and provided such amenities are found to be in the public interest.

PR18. All residents shall have access to all amenities and all podium courtyards. If something else is intended, notify this Department to check for any effect on calculations.

PR19. The children's play area, for the public park and for the private amenity area, shall have separate areas serving ages 2-5 and 6-12 that include the six + one elements of play (climbing, balancing, spinning, brachiating, swinging, sliding, and running/free play/imagination) – see sample table below that will need to be submitted with park design plans. Equipment for one age group should be adjacent to the equipment for the other age group.

Park Playground

Elements of Play	Ages 2-5	Level of Play	*Proposed Capacity	Ages 6-12	Level of Play	*Proposed Capacity	Total Capacity
Balancing	2	B=1 I=1 A=0	9	2	B=0 I=1 A=1	15	24
Sliding	3	B=2 I=1 A=0	7	1	B=0 I=0 A=1	3	10
Brachiating	1	B=0 I=0 A=1	3	1	B=0 I=1 A=0	3	6
Spinning	0	B=0 I=0 A=0	0	1	B=0 I=1 A=0	5	5
Climbing	6	B=3 I=2 A=1	18	7	B=2 I=3 A=2	25	43
Swinging	2	B=2 I=0 A=0	2	2	B=2 I=0 A=0	2	4
Running/Free Play	2	N/A	21	4	N/A	22	43
Total:	16		60	18		75	135
Inclusive Play Elements	7	B=3 I=4 A=0	16	3	B=1 I=2 A=0	15	31

Level of Play:
B: Beginner I: Intermediate A: Advanced

PR20. Applicant to provide plan sheets with details on any proposed public parkland and private, on-site recreational amenity areas. Include an itemized list in a table format of what is contained in each area (i.e., number of BBQ grills, number of tables, description of the proposed agricultural and medicinal planting, required setbacks, etc.). Sample table shown here is to be used as an example and is not to be considered all inclusive:

SPACE/LOCATION	ELEMENT LISTED IN CITY CODE	TOTAL AREA – SQUARE FEET
Recreation Rm – 1st Floor	Element #8	xxx square feet
Roof Deck Community Garden	Element #4	xxx square feet - excludes x sq. ft. for 4 ft. perimeter setback
Family Picnic Area – 8th Floor	Element #5	000 square feet – excludes x sq. ft. for 4 ft. perimeter setback
Sport Court – ground floor	Element #6	xxx square feet

PR21. Dwelling Unit Tax. According to City Code Chapter 3.15, a dwelling unit tax is also due based upon the number of units and additional bedrooms. The unit mix is required to calculate the amount due.

PR22. Calculations may change if the number of units change, if any areas do not conform to the Ordinance and City Code Chapter 17.35, and/or if the fee schedule for new residential development fees due in lieu of parkland dedication changes before this Project is deemed complete by Planning.

POLICE DEPARTMENT

None.

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. **Site Clearance.** The sanitary sewer (SS) discharge information (i.e., building use, square footage, point of connection to the public system, and 24-hour average and peak SS flow graphs for the peak day, showing average daily and peak daily SS flows) submitted by the developer was added to the City's Sanitary Sewer Hydraulic Model (SSHM) to determine if there is enough SS conveyance capacity in the SS trunk system to accommodate the proposed development. The SSHM output indicates that there should be enough SS conveyance capacity to accommodate the proposed development. The SSHM output may change based on pending development applications and future projects. The SSHM output does not guarantee or in any way reserve or hold SS conveyance capacity until developer has Final Approval for the project. For purposes of this condition, "Final Approval" shall mean the final vote of the City Council necessary for all entitlements to be approved, unless a legal challenge is brought to the Council decisions, in which case the Final Approval shall mean the final disposition of the legal challenge.

E3. **Easement.** Obtain City Council approval of a resolution ordering vacation of existing public easement(s), including the vacation of Democracy Way, proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to start of construction. Vacation of Democracy Way is subject to the sale of the City's easement rights as detailed in the Project's Development Agreement.

E4. **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.

E5. **Encroachment Permit.** Developer shall complete the relocation of utilities within Democracy Way prior to City Council approval of a resolution ordering the vacation of Democracy Way street right-of-way and prior to recordation of the Final Map.

E6. **Subdivision Map.** If and when required per SVP requirements, pay appropriate fee through Public Works Department to initiate the processing of a Grant Deed or easement document, per SVP requirements, for dedication of electric substation to the City.

E7. **Site Clearance.** Applicant shall pay fair share fees as identified in the TIA.

DURING CONSTRUCTION

E8. **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.

E9. **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.

E10. **Encroachment Permit.** Coordinate construction of utilities near Old Glory Lane and Old Ironsides Drive with developer(s) in the Patrick Henry Drive Specific Plan if construction timelines coincide.

E11. **Encroachment Permit.** Route sanitary sewer discharge to avoid Tasman lift station. Utilize existing sewer main at Old Glory Lane and Old Ironsides Drive.

E12. **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.

E13. **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.

E14. **Encroachment Permit.** Owner or designee 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.

E15. **Encroachment Permit.** Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or ten (10) feet clear of the tree trunk, whichever is greater, to the satisfaction of the City Engineer.

E16. **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.

E17. **Encroachment Permit.** For proposed sanitary sewer laterals 8" and greater, connect to existing manholes. For proposed 6" sanitary sewer laterals, use "Tap-Tite" connections. Property line manholes/clean-outs are required.

E18. **Encroachment Permit.** Existing streetlights shall be clear of proposed sidewalk, developer shall relocate as necessary.

E19. **Encroachment Permit.** Maintain required vertical height clearance from top of pavement to bottom of skybridge per Santa Clara Fire Department.

E20. **Easement.** Dedicate required on-site easements per phase for any new public utilities, and/or emergency vehicle access by means of subdivision map or approved instrument prior to request for certificate of occupancy.

E21. **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.

E22. **Agreement.** Execute easement/right-of-way encroachment agreement for proposed private utilities within public easements/right-of-way. Record release of interest for easement/right-of-way encroachment agreements when no longer needed.

E23. **Agreement.** Execute release of interest for public right-of-way encroachment agreements and remove PVC conduits crossing Democracy Way (SC 15,643) and Patrick Henry Drive (SC 15,727).

E24. **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.

E25. **Encroachment Permit.** Pavement treatment for portions of roadway frontage with proposed utility work prior to parcel development construction shall be slurry sealed with digouts in the interim. Final pavement treatment shall be per condition E26 below.

E26. **Encroachment Permit.** In conjunction with installation of off-site improvements, the entire width of Old Ironsides Drive and Patrick Henry Drive, and half width of Tasman Drive shall be 2" grind and overlay with dig outs.

E27. **Encroachment Permit.** Applicant is required to implement all recommendations as identified in the TIA.

E28. **Encroachment Permit.** Replace all street signs and curb markings along the project frontage.

E29. **Encroachment Permit.** Implement Pedestrian Master Plan Policy 2.A.3, 2.A.4, and 2.C.3: At the Tasman/Patrick Henry intersection, modify traffic signal by replacing existing Type 1 poles with Type 15TS poles (northwest, southeast, and southwest corners) and reduce curb radius on southeast corner of the intersection to 25' or mutually agreed upon radius to support turning movements (SE corner of the intersection is part of Kylli's project frontage). Modify intersection striping to install setback stop lines on all approaches.

E30. **Encroachment Permit.** Implement Pedestrian Master Plan Policy 2.A.3, 2.A.4, and 2.C.3: At the Tasman/Old Ironsides intersection, modify traffic signal by: replacing existing Type 1 pole with Type 15TS pole (northwest, southeast, northeast, and southwest corners) and reduce curb radius on southwest corner of the intersection to 25' or mutually agreed upon radius to support turning movements (SW corner of the intersection is part of Kylli's project frontage).Modify intersection striping to install setback stop lines on all approaches.

E31. **Encroachment Permit.** Implement Pedestrian Master Plan Policy 2.A.3, 2.A.4, and 2.C.3: Upon approval by SFPUC, at the Great America/Old Glory intersection, modify traffic

signal at southwest corner by replacing existing Type 1 pole with Type 15TS pole. Should SFPUC not approve any work within the southwest corner of the intersection, an equivalent improvement shall be provided to the City to the satisfaction of the City Engineer. In seeking SFPUC approval, the City will cooperate with the applicant to submit and process any SFPUC application for this work. The applicant will make commercially reasonable efforts to obtain SFPUC approval, but if the process takes more than a year from application submittal, applicant and City will meet and confer to determine the likelihood of success in the City Engineer's reasonable discretion.

E32. **Encroachment Permit.** Design and construct minimum 5-foot sidewalks along Patrick Henry Drive, Tasman Drive, and Old Ironsides Drive.

E33. **Encroachment Permit.** Install bike friendly storm drain inlet grates on Patrick Henry Drive, Tasman Drive, and Old Ironsides Drive.

E34. **Encroachment Permit.** All new driveways shall use City Standard Detail ST-8.

E35. **Encroachment Permit.** All new intersections shall construction curb returns with minimum 25-foot curb radius and Case A curb ramp per Caltrans Standard Plan A88A per Pedestrian Master Plan Policy 2.A.4.

E36. **Encroachment Permit.** Provide lighting on private roads to meet or exceed latest American National Standard Institute (ANSI)/Illuminating Engineering Society (IES) standards per the Pedestrian Master Plan.

E37. **Encroachment Permit.** All new driveways and intersections must comply with City's driveway triangle of safety requirements per City Standard Detail TR-9

E38. **Encroachment Permit.** On-street parking shall not be counted toward on-site parking requirements.

E39. **Encroachment Permit.** Applicant shall implement any improvements identified by VTA related to existing bus stops at three existing bus stops along the project frontage on Tasman Drive, Old Ironsides Drive, and Patrick Henry Drive.

E40. **Encroachment Permit.** Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk.

E41. **Encroachment Permit.** All traffic striping, messages and symbols shall be thermoplastic.

E42. **Encroachment Permit.** The project shall construct a 30-foot multi-purpose trail on the southern boundary of the project site between Patrick Henry Drive and Old Ironsides Drive. The trail shall include an approximately 12-foot landscape area on the north side of the trail. The trail shall include a 16-foot paved pathway with 2-foot shoulders. The trail shall include pedestrian-scale lighting to meet or exceed latest American National Standard Institute (ANSI)/Illuminating Engineering Society (IES) standards per the Pedestrian Master Plan.

E43. **Encroachment Permit.** On the east side of Patrick Henry Drive, between the future on-site multi-purpose trail and the future crosswalk and beacon on Patrick Henry Dive identified in the Patrick Henry Drive Specific Plan, construct an approximately 10-foot wide multi-purpose trail connection. Any deviation from the design shall be subject to approval by City Engineer. Should SFPUC not approve any work within Hetch-Hetchy right of way, applicant shall be responsible for constructing reasonable equivalent improvements in coordination with the City, to the satisfaction of the City Engineer. In seeking SFPUC approval, the City will cooperate with the applicant to submit and process any SFPUC

application for this work. The applicant will make commercially reasonable efforts to obtain SFPUC approval, but if the process takes more than a year from application submittal, applicant and City will meet and confer to determine the likelihood of success in the City Engineer's reasonable discretion. The cost of these improvements (including the actual and reasonable costs to process SFPUC approval) will be credited towards traffic fair share line item #25, "Hetch Hetchy trail (between Guadalupe River Pkwy & Great America Pkwy & between Patrick Henry Dr & Calabazas Creek Trail)".

E44. **Encroachment Permit.** Upon approval by SFPUC, on Old Glory Lane, between Old Ironsides Drive and Great America Parkway, construct an approximately 16-foot wide multi-purpose trail on the south side of the roadway on City right-of-way to connect the new multi-purpose trail on Kylli development to Great America Parkway. Any deviation from the design shall be subject to approval by City Engineer. The center median must be removed and reconstructed. Should SFPUC not approve any work within Hetch-Hetchy right of way, applicant shall be responsible for constructing equivalent improvements in coordination with the City, to the satisfaction of the City Engineer. In seeking SFPUC approval, the City will cooperate with the applicant to submit and process any SFPUC application for this work. The applicant will make commercially reasonable efforts to obtain SFPUC approval, but if the process takes more than a year from application submittal, applicant and City will meet and confer to determine the likelihood of success in the City Engineer's reasonable discretion. The cost of these improvements (including the actual and reasonable costs to process SFPUC approval) will be credited towards traffic fair share line item #25, "Hetch Hetchy trail (between Guadalupe River Pkwy & Great America Pkwy & between Patrick Henry Dr & Calabazas Creek Trail)".

E45. **Encroachment Permit.** On Tasman Drive, between City limits and Great America Parkway, restripe each direction of travel to include a minimum of a 5-foot Class II bike lane and two 11-foot vehicle lanes, any deviations subject to approval by City Engineer.

E46. **Encroachment Permit.** On Patrick Henry Drive, between Tasman Drive and the Patrick Henry Specific Plan boundary, construct a protected Class IV bike lane with bollards with two 8-foot bike lanes, two 10-foot vehicle lanes, and a 12-foot center two-way left turn lane to match the cross section within the approved Patrick Henry Drive Specific Plan. Any deviations to be approved by City Engineer.

E47. **Encroachment Permit.** On Old Ironsides Drive, between Tasman Drive and Old Glory Lane, construct a parking protected Class IV bike lane with two 8-foot bike lanes, two 10-foot vehicle lanes, and a 12-foot center two-way left turn lane to match the cross section within the approved Patrick Henry Drive Specific Plan. Any deviations to be approved by City Engineer.

E48. **Encroachment Permit.** Residential and Non-residential Class I bicycle parking spaces and Class II bicycle parking spaces shall be provided per the requirements in the adopted Santa Clara Zoning Code Update. Bicycle parking, as defined in Santa Clara Municipal Code 18.74.075, shall be conveniently accessible from the street, within 200 feet of a building entrance and/or highly visible area.

STREETS DIVISION

General Condition: The Streets Division deems the Rezone and General Plan Amendment complete, however, the Streets Division will need to review and approve the architectural review for these individual projects to ensure that they meet right-of-way landscape, solid waste and stormwater requirements. The plans provided for the rezone and GPA only included overall conceptual plans, which is not enough detail for Streets to provide an appropriate review.

Right of Way Landscape

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

L1. Include City of Santa Clara Tree Preservation/City Arborist specifications on all improvement plans.

L2. Identify existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.

L3. 2:1 tree replacement ratio required for all trees removed from site.

DURING CONSTRUCTION OR OPERATION

L4. No cutting of any part of ***public***, including roots, shall be done without securing prior approval of the City Arborist. Tree trimming/removal shall be done in accordance to the City of Santa Clara Tree Preservation/City Arborist specifications and with direct supervision of a certified arborist (Certification of International Society of Arboriculture).

PRIOR TO FINAL OF BUILDING PERMIT

L5. If 2:1 replacement ratio cannot be met for removal of right of way landscape trees, tree planting fee must be paid prior to building permit final.

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

SW1. The applicant shall complete and provide the Post-Construction Solid Waste Generation Estimation and Collection Form, which includes the estimation of trash and recycling materials generated from the project. Use the City's Solid Waste Guidelines for New and Redevelopment Projects as specified by the development type. Contact the Public Works Department at Environment@SantaClaraCA.gov or (408) 615-3080 for more information.

SW2. The applicant shall provide a site plan showing all proposed locations of solid waste containers, chutes, compactors, trash enclosures and trash staging areas. The site plan shall show the route or access for trash and recycling collectors (trucks) including vertical clearance, turning radius and street/alley widths. All plans shall comply with the City's Solid Waste Guidelines. Solid metal roof, gates and a trench drain shall be installed within the trash enclosure and connected to the on-site sewer system.

SW3. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a Waste Management

Plan and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at http://santaclara.wastetracking.com/.

SW4. This project is subject to the City's Accumulation, Transportation and Disposal of Solid Waste Ordinance (Chapter 8.25 of the Municipal Codes), which requires the handling and disposal of waste by authorized service haulers. Insert the General Notes for the Construction & Demolition (C&D) Waste Management into construction plans in accordance with the City's municipal codes prior to the issuance of a Building or Grading permit. Provide the Green Halo waste online tracking number to Building staff prior to the issuance of a demolition or building permit.

SW5. Project applicant shall contact the Public Works Department, Street Maintenance Division at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant is required to use the City's exclusive franchise hauler and rate structure for any hired debris boxes. Prior to the issuance of a Public Works clearance, the project applicant shall complete and sign the Construction and Demolition (C&D) / Waste Management Rules and Regulations Form.

DURING CONSTRUCTION OR OPERATION

SW6. Applicant to track all waste generated and upload debris tags to GreenHalo for City staff review.

PRIOR TO FINAL OF BUILDING PERMIT

SW7. Prior to obtaining a Temporary or Final Certificate of Occupancy, individual weight tickets for all materials generated for discard or reuse by the project during demolition and construction activities shall be uploaded to Green Halo and submitted for review and approval by Environmental Services. At a minimum two (2) weeks review time is required.

Stormwater

DESIGN/PERFORMANCE PRIOR TO ISSUANCE OF BUILDING PERMIT

ST1. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan, update the C.3 Data Form, the Special Project Narratives and Worksheet (as appropriate), and an Erosion and Sediment Control Plan.

ST2. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party review letter (on design) shall be submitted with the Plan.

ST3. For project that disturbs a land area of one acre or more, the applicant shall provide a copy of the Notice of Intent (NOI) with WDID number for coverage under the State Construction General Permit. Active projects with NOI will be inspected by the City once per month during the wet season (October – April).

ST4. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans. Include the SCVURPPP Countywide Construction BMPs Plan Sheet with the plans. Applicant to add Source control measures with designations from C.3 stormwater handbook, Appendix H.

ST5. Include the C.3 Treatment Facilities Construction Notes on the Improvement Plans and/or Stormwater Control Plans.

ST 6. Include C.3 Stormwater Treatment Facilities Construction general notes on the improvement plans.

ST7. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.

ST8. For single-family homes and other small projects that create and/or replace 2,500 – 10,000 square feet of impervious surface area, the applicant shall implement at least one of the following site design measures:

a. Direction of roof runoff into cisterns or rain barrels

b. Direction of roof, sidewalk, walkway, patio, driveway, or parking lot runoff onto vegetated areas

c. Construction of sidewalks, walkways, patios, bike lanes, driveways, and parking lots with permeable surfaces

Plans shall specify which site design measures are selected for the project and show the direction of flow from impervious surfaces to the selected site design measures. All measures shall meet the design criteria in the 2016 C.3. Stormwater Handbook, Appendix K: Standard Specifications for Lot-Scale Measures for Small Projects.

ST9. Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.

ST10. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.

ST11. The use of architectural copper is prohibited.

DURING CONSTRUCTION OR OPERATION

ST12. Applicant shall install biotreatment soil media that meets the minimum specifications as set forth in the SCVURPPP C.3 Stormwater Handbook. If percolation rate test of the biotreatment soil mix is not performed on-site, a certification letter from the supplier verifying that the soil meets the specified mix (the date of such document shall not be older than 3 months).

ST13. Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C).

ST14. Any site design measures used to reduce the size of stormwater treatment measures shall not be installed for the project without the written approval from the City, installing the corresponding resizing of other stormwater treatment measures and an amendment of the property's O&M Agreement.

ST15. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.

ST16. All outdoor equipment and materials storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.

PRIOR TO FINAL OF BUILDING PERMIT

ST17. As-Built drawing shall be submitted to the Public Works Department.

ST18. Applicant shall schedule and City shall conduct a final C.3 inspection.

ST10. Permeable Pavement, Media Filter vaults, Interceptor Trees and Trash Full Capture Devices shall be inspected by a third-party reviewer and/or manufacturer representative for conformance with the details and specifications. If necessary, percolation test shall be performed to ensure proper installation. A map displaying the number, location and details of full trash capture devices shall be prepared as an attachment to the Operations and Maintenance (O&M) Agreement with the City.

ST11. The property owner shall enter into an Operation and Maintenance (O&M) Agreement with the City for all installed stormwater treatment measures and full trash capture devices in perpetuity. Applicants should contact Public Works Dept. - Environmental Services at (408) 615-3080 or Street@SantaClaraCA.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit the City's stormwater resources website at http://santaclaraca.gov/stormwater. Inspection of permeable pavement, media filter vaults and full trash capture devices is to be done annually by December 31 of each year.

SILICON VALLEY POWER

SVP1. Maximum substation size shall not exceed 225 feet (long) x 120 feet (wide). Final dimensions are to be finalized as part of the detailed design efforts.

SVP2. Project Electric Load less than or equal to 2.5 MVA
Developer shall only be required to comply with this Part I of these Silicon Valley Power (SVP or Silicon Valley Power) conditions of approval; provided the projected electric load of the all phases of the project do not cumulatively exceed 2.5 MVA (as determined by Silicon Valley Power) ("2.5 MVA Threshold"). Silicon Valley Power will make the 2.5 MVA available for Developer's use at the project site only after Silicon Valley Power has reasonably determined the condition of approval of this Part I have been met. This 2.5 MVA will be subject to the conditions of approval of Part II (including, but not limited to, additional analysis under a transmission system impact study and any new conditions resulting from that study) when projected electric load of the project (as determined by Silicon Valley Power) exceeds the 2.5 MVA Threshold.

So long as Developer's project is at or below the 2.5 MVA Threshold, Developer shall comply with all condition of approval of Part II, except for the following: EL1, EL2, EL15 and EL43. For this Part I only, EL 27 is amended that condition is amended to read as following: "Developer shall pay all Developer fees per the City of Santa Clara's Municipal fee schedule for Electric fees."

SVP3. Project Electric Load greater than 2.5 MVA
Developer shall comply with Part II of these Silicon Valley Power conditions of approval when the projected electric load of the project (as determined by Silicon Valley Power) exceeds the 2.5 MVA Threshold. Silicon Valley Power will make electric power available for Developer's use at the project site only after Silicon Valley Power has reasonably determined the condition of approvals of this Part II have been met.

The amount and ramp rate will be set forth in a substation agreement or, if not applicable, a system impact study [Transmission and/or Distribution System] or such other study required by SVP.

Developer may seek an amendment of these conditions of approval when any of phase of the Project requires to undergo the City's architectural review process; however, no amendment shall be authorized by the City without (1) the completion of a new system impact study [Transmission and/or Distribution System] (2) compliance with any additional SVP requirements as may be applicable at that time) for the applicable phase; and (2) SVP's written approval. Any SVP-approved revisions of these conditions of approval will be based on the new system impact study [Transmission and/or Distribution System] and any other SVP requirements.

SVP4. Maximum substation size shall not exceed 225 feet (long) x 120 feet (wide). Final dimensions (within the maximum) are to be finalized as part of the detailed design efforts.

SVP5. Maximum substation parcel must be the final building dimensions plus a minimum of the 30 feet set back from the property line from the public ROW. All other property lines will have a 0' setback.

SVP6. Silicon Valley Power (SVP) design of distribution trenches around the site may require additional manholes for cable pulling. Trenches require 5' clearance on each side of the trench and the clearance/easement area cannot overlap with any bioretention areas, building foundations, trees, other utilities, etc.

SVP7. SVP design of services for each phase of the project will require an additional switch vault for any additional services. Each 12KV service can be loaded up to a maximum of 4.5MVA. The Applicant is to provide detailed demand loading for each phase/building to confirm the number of electric services required.

SVP8. SVP 12KV services cannot be paralleled and each service will require Applicant owned switchgear. Switchgear requires 10' clearance on the side of cable termination with 18' wide drive-up access from the nearest road. 5' clearance is required on all other sides of the gear.

SVP9. Applicant owned 12KV switchgear cannot be located inside the building unless otherwise approved by SVP management in writing.

SVP10. All SVP facilities should be 5' clear of trees and per SD1235. The more stringent shall apply.
SVP11. All streetlighting, low voltage & fiber conduits, pull boxes, & foundations shall be designed during the detail design phase.
SVP12. Applicant shall install a new distribution trench at its sole cost and expense along Tasman Drive if the existing SVP trench conflicts with the newly proposed improvements. SVP shall relocate the existing wires to the new trench prior to abandoning the existing facilities. Once the existing facilities are abandoned the Applicant may install the newly proposed improvements and/or remove the abandoned SVP facilities.
SVP13. SVP distribution lines will require connection to existing infrastructure. Final design to be established during building permits.
SVP14. Applicant shall provide a thermal backfill for heat dissipation around SVP conduits around the site. The necessity of a thermal backfill and the specific backfill material shall be determined during the design phase.
SVP15. Distribution site design (downstream of substation 12KV switchgear) assumes standard SVP substructure & SVP owned equipment specifications will be used for the project. If SVP determines site conditions do not allow for standard substructure and equipment to be utilized, Applicant shall work with SVP to design and place non-standard substructure. Applicant shall be responsible for additional costs in material procurement for material provided and installed by SVP, which will be recovered from Applicant through fees determined at the building permit stage, if applicable. Standard substructure is defined in UG1000 standard. Standard material for SVP that may be affected includes cable sizes (standard sized are: 1100AL 15KV Triplex & 1/0 AL 15KV Triplex Cable).
SVP16. Bio-retention areas cannot be in front of the substation parcel or within any SVP easements.
SVP17. Unless expressly stated otherwise or covered by a fee to be paid by Applicant, Applicant shall be responsible for all costs and expenses associated with fulfilling these conditions of approval.
SVP18. Parking or additional occupied (storage, retail, residential, etc.) space shall not be placed above or below the substation. Alternative use of roof for additional green space may be allowed.
SVP19. Clearances: (Make sure job notes do not conflict with SVP clearance requirements). Design deviations from stated clearances must be approved in advance by SVP in writing.
    a. EQUIPMENT
        i. Ten (10) foot minimum clearance is required in front of equipment access doors. (UG1000 sheet 11)
        ii. Five (5) foot minimum clearance from pad is required on sides without equipment access doors. (UG1000 sheet 11)
        iii. Eighteen (18) foot minimum width shall be provided and maintained on one side of the equipment pad to allow an electric dept. line truck to drive up next to the pad for installation and maintenance of equipment. (UG1000 Sheet 11).
        iv. Barrier pipes are required only on sides accessible to vehicles. (UG1000 Sheet 12).
            1. Thirty (30) inches from side of equipment sides.
            2. Forty-Eight (48) inches in front of access doors.
                a. Barrier Pipes in front of access doors shall be removable.
    b. CONDUITS

i. Five (5) foot minimum longitudinal clearance between new conduits or piping systems (open trench installation) and any existing or proposed SVP conduit system. This is for longitudinal. (UG1250 sheet 5)
ii. Twelve (12) inch minimum vertical clearance between new conduit/pipes installed perpendicular to existing SVP conduits for open trench installations. (UG1000 sheet 36, UG1250 Sheet 6)
iii. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
iv. Three (3) foot minimum clearance is required between signposts, barrier pipes or bollards, fence posts, and other similar structures. (UG1250 sheet 10).
v. Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities. (UG1000 sheet 8)
vi. 60 kV Transmission Lines are to be placed in a separate trench than 12kV or below
vii. Five (5) foot minimum clearance from walls, footings, retaining wall, landscape planter, tree root barrier or other subsurface wall or structure. (UG1250 sheet 9).
viii. Five (5) foot minimum clearance is required between fire hydrant thrust block. The thrust block extends 5' foot on either side of the fire hydrant in line with the radial water pipe connected to the hydrant.

c. VAULTS/MANHOLES
   i. Ten (10) foot minimum clearance is required between adjacent Vaults or Manholes.
   ii. Five (5) foot minimum clearance is required between adjacent conduits.
   iii. Minimum 36" from face of curb, or bollards required.
   iv. 60kV transmission Lines are to be placed in separate manholes than the 12kV lines
d. Poles (Electrolier, Guy Stub poles, service clearance poles, self-supporting steel poles and lighting poles.)
   i. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
e. Guy Anchors
   i. Five (5) foot minimum clearance is required between center of anchor line and any excavation area. (UG1250 sheet 15).
f. Trees
   i. OH 1230 for Overhead Lines
   ii. SD 1235 for Tree Planting Requirements near UG Electric Facilities
   iii. Trees or Bushes are not to be planted over 60kV transmission line trenches

SVP20. Applicant shall comply with the following SVP standards (as may be amended or supplemented.
   a. Installation of Underground Substructures by Developers
   b. UG1250 – Encroachment Permit Clearances from Electric Facilities
   c. UG0339 – Remote Switch Pad
   d. OH1230 – Tree Clearances From Overhead Electric Lines
   e. SD1235 – Tree Planting Requirements Near Underground Electric Facilities
   f. UG1225 – Pad mounted Equipment Clearances

SVP21. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210. Applicant to provide and install electrical substructure as defined on

SVP developer work drawings for parcel frontage improvements & service requirements for each building/parcel.

SVP22. Electric service shall be underground as required by SVP. See Electric Department Rules and Regulations for available services.

SVP23. Installation of underground facilities shall be in accordance with City of Santa Clara Electric Department standard UG-1000, latest version, and Santa Clara City Code chapter 17.15.050.

SVP24. Underground service entrance conduits and conductors shall be "privately" owned, maintained, and installed per City Building Inspection Division Codes. Electric meters and main disconnects shall be installed per Silicon Valley Power Standard MS-G7, Rev. 2.

SVP25. The developer shall grant to the City, without cost, all easements and/or right of way necessary for the provision of electric service to the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110) as generally shown on the Vesting Tentative Map.

SVP26. If the "legal description" (not "marketing description") of the units is condominium or apartment, then all electric meters and services disconnects shall be grouped at one location, outside of the building or in a utility room accessible directly from the outside for SVP's 24/7 emergency access. If they are townhomes or single-family residences, then each unit shall have it's own meter, located on the structure. A double hasp locking arrangement shall be provided on the main switchboard door(s). Utility room door(s) shall have a double hasp locking arrangement or a lock box shall be provided. Utility room door(s) shall not be alarmed. Please refer to SVP rules and regulations section 9.A.6 "Meter Locations." Any deviations may be submitted to SVP for review & approval.

SVP27. If transformer pads are required, SVP requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5'-0" area away from the actual transformer pad. This area in front of the transformer may be reduced from a 8'-0" apron to a 3'-0", providing the apron is back of a 5'-0" min. wide sidewalk. Transformer pad must be a minimum of 10'-0 from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.

SVP28. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed SVP facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.

SVP29. Any relocation of existing electric facilities shall be at Developer's sole costs and expense.

SVP30. Applicant shall pay all Applicant fees per the City of Santa Clara's Municipal fee schedule for Electric fees. These fees are separate from any costs that are charged as part of the Substation Agreement.

SVP31. The Applicant shall perform, in accordance with current City standards and specifications, all trenching, backfill, resurfacing, landscaping, conduit, junction boxes, vaults, street light foundations, equipment pads and subsurface housings required for power distribution, street lighting, and signal communication systems, as required by the City in the development of frontage and on-site property. Upon completion of improvements satisfactory to the City, the Applicant will dedicate the improvement to the City subject to City's acceptance the work. The Applicant shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect Applicant to the electrical supply system of and by the City. After completion of the facilities installed by developer, the City shall furnish and install all cable, switches, street lighting poles, luminaries, transformers,

meters, and other equipment that it deems necessary for the betterment of the system (Santa Clara City Code chapter 17.15.210 (2)).

SVP32. Applicant shall comply with all applicable SVP rules, regulations, guidelines, and requirements, as may be amended from time to time.

SVP33. Non-Utility Generator equipment shall not operate in parallel with the electric utility, unless approved and reviewed by the Electric Engineering Division. All switching operations shall be "Open-Transition-Mode", unless specifically authorized by SVP Electric Engineering Division. A Generating Facility Interconnection Application must be submitted with building permit plans. Review process may take several months depending on size and type of generator. No interconnection of a generation facility with SVP is allowed without written authorization from SVP.

SVP34. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing have been completed & signed off on by SVP.

SVP35. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.) This is different than a PUE. Only publicly owned dry utilities can be in a UGEE. Other facilities can be in a joint trench configuration with SVP, separated by a 1' clearance, providing that they are constructed simultaneously with SVP facilities. See UG 1000 for details. Applicant shall provide SVP all U.G.E.E. required to cover all existing and new proposed facilities on the Applicant's project site.

SVP36. Proper clearance must be maintained from all SVP facilities in accordance with all applicable requirements, including a 5' clearance from the outer wall of all conduits. This is in addition to any UGEE specified for the facilities. Contact SVP before making assumptions on any clearances for electric facilities.

SVP37. Developer shall only locate transformer and switch devices outdoors. These devices MAY be placed 5' from an outside building wall, provided that the building wall in that area meets specific requirements. (See UG 1000 document for specifics) EXAMPLE: If there are any doors, windows, vents, overhangs or other wall openings within 5' of the transformer, on either side, then the transformer MUST be 10' or more away from the building. These clearances are to be assumed to be clear horizontally 5' in either direction and vertically to the sky.

SVP38. All existing SVP facilities, onsite or offsite, are to remain unless noted on an SVP's developer works drawing. It is the Developers' responsibility to maintain all clearances from equipment and easements. Developer should not assume that SVP will be removing any existing facilities without detailed design drawings from SVP indicating potential removals. Simply indicating that SVP facilities are to be removed or relocated on conceptual plans does not imply that this action has been approved by SVP.

SVP39. SVP does not utilize any sub-surface (below grade) devices in its system. This includes transformers, switches, etc.

SVP40. All interior meter rooms at ground level are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.

SVP41. Applicant shall comply with the requirements, as amended, for High-rise Metering and Multi-Floor Infrastructure requirements where applicable, including,
   a. Refer to UG0250 – High Density Residential Metering Requirements
   b. Refer to FO-1901 – Fiber Optic Splicing and Testing Methods

SVP42. In the case of podium-style construction, all SVP facilities and conduit systems must be located on solid ground (aka "real dirt"), and cannot be supported on parking garage ceilings or placed on top of structures.

SVP43. Notwithstanding SVP39, as determined by SVP in its sole discretion, if the SVP facilities and conduit systems are absolutely required to be on the podium or street above any Project building(s), Applicant shall meet SVP's design and installation

requirements and standards (as determined by SVP) and pay all related costs, including, without limitation, .the cost of conducting a study and future maintenance costs Applicant's share of the cost of maintenance of those facilities shall be determined by the study.

SVP44. Any proposed improvement that does not meet the requirement of the current SVP standard shall be reviewed and approved by SVP in advance in writing. Applicant shall be responsible for any cost associated with non-SVP standard equipment, including, but not limited to, design reviews, study, standard preparations, and testing. Applicant's share of the cost of maintenance of those facilities shall be determined by the study.

SVP45. Applicant shall contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal.

SVP46. Developer's proposed project requires a new electric distribution substation to serve Applicant's load and transmission system improvements.

a. Applicant must enter into a Substation Agreement (in a such form and content required by SVP) with SVP for such substation no earlier than Developer, (1) receiving full entitlements from the City, including but not limited to a completed CEQA; (2) CAISO approval of projects required to serve Developer's project load; and (3) City Council adopted projects required to serve Developer's project load. This Substation Agreement shall have such terms and conditions as SVP may require and shall set forth Applicant's obligations with respect to supplying Applicant with initial interim electric power and then with permanent capacity and transmission infrastructure for the projects, including, without limitation, Applicant's payment of any applicable fees, costs, and expenses associated with Applicant's project.
    i. These conditions of approval do not commit the City to (1) serve Developer's electric load or (2) allocate any capacity to Developer.
b. Applicant shall coordinate and cooperate with City for the design, procurement, and construction of the substation; provided that, Applicant shall be responsible for all costs and expenses to the extent set forth in the Substation Agreement. City shall have no obligation to undertake the design, procurement, and construction of the substation prior to the execution of the Substation Agreement, Funding Agreement, and completion of such other SVP requirements.
c. Applicant shall (1) coordinate with SVP to design and construct and fund (a) a transmission line extension to connect the new substation with SVP's transmission system; (b) the reconductoring of the existing underground 60kV loop and associated facilities from San Tomas Aquino Creek to Mission Substation as specified in the Substation Agreement; and (2) comply with such other requirements in the applicable Transmission System Impact Study.
d. Upon their completion, SVP shall own, operate and maintain all City-owned Substation Facilities and Transmission Facilities, and all equipment therein.
e. Applicant convey in fee any and all property for substation site and all easements and other property rights necessary to construct, complete, operate and maintain the Substation Facilities.
f. Applicant is responsible for costs outlined in the Substation Agreement related to transmission facility extensions to service the substation facility.
g. SVP has performed an Interconnection Study (i.e, System Impact Study) to assess requirements of interconnection for the project. SVP may require an additional study as necessary. Requirements will consist of the following;
    i. The System capacity of SVP's electric transmission system require the following mitigation measures.

1. A portion of the existing NRS to Mission Transmission Line is to be reconductored to allow an initial load ramp up to 9MVA for the electric load of Applicant's project. The 9 MVA is solely to serve the electric load of Applicant's project and does not otherwise run with the land. The 9 MVA is subject to a ramp rate and reduction as set forth in the Substation Agreement.
2. The Applicant's project shall not have an electric load beyond 9MVA, unless an extensive transmission system rebalancing project, tentatively referred to as "Loop 1" is completed. SVP has no obligation to undertake or pay for Loop 1.
3. In the event SVP determines, in its sole and absolute discretion, to undertake Loop 1 Project and Applicant desires additional electric capacity beyond 9MVA, Applicant will be responsible for a portion of the costs of the Loop 1 transmission system improvements; provided the Applicant executes a funding commitment agreement in such form and substance required by SVP.
4. Applicant will have the option to fully fund Loop 1to accommodate Applicant's schedule.

ii. Determine when to include Applicant load ramp in SVP's load forecast to the California Energy Commission (CEC).

iii. Determine when Applicant will be allowed to energize facilities, and allowed ramp schedule.

h. Applicant has entered into a Funding Agreement with the City to fund pre-design work of the substation. The primary deliverable of the pre-design work was "Democracy Substation Feasibility Study." Upon approval Project entitlements and execution of a Substation Agreement, this will serve as a basis for the design of the substation and transmission line extension. The purpose of the Funding Agreement was for pre-design work only and is not in any way an endorsement of the project receiving entitlements from the City.

WATER & SEWER DEPARTMENT

W1. Recycled Water Use: Pursuant to Chapter 13.15, Water, Article IV. Regulation of Recycled Water Service and Use, of the Municipal Code, the project is required to use recycled water for all non-potable uses where recycled water is made available and where provided for by Recycled Water regulations. This project is required to extend and connect to the City's existing Recycled Water System.

W2. Potable Water Redundancy: For all onsite industrial water use that requires uninterrupted service, the project shall provide a potable water back-up supply source that complies with all recycled water separation requirements.

W3. Recycled Water Design: Each Recycled Water land use (irrigation, dual-plumbing, cooling system, industrial processes, etc.) shall have a separate metered service connection to the main. Applicant shall verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.

W4. Onsite Recycled Water Review: The applicant shall submit all completed SBWR Proposed Use Request Applications to the Compliance Division of Water and Sewer Utilities at watercompliance@santaclaraca.gov for review and approval. All on-site recycled water plans shall be reviewed, approved, and signed by the City of Santa Clara, SBWR, and Department of Drinking Water. All three entities must individually review and approve a plan set for Final Approval. Contact the Compliance Division of Water and Sewer Utilities via email or by phone at (408) 615-2002 for more information

W5. On-site Recycled Water Construction: Construction and installation of all on-site recycled water system equipment shall not begin until the Compliance Division of Water and Sewer Utilities has approved the on-site recycled water design. Please note on-site designs are generally not the same as the Building Permit plans. On-site recycled water plans require SBWR and California State Water Resources Control Board, Division of Drinking Water signatures for final approval.

W6. On-site Recycled Water Inspection: Inspections are required at all on-site recycled water systems being installed prior to backfilling trenches or cover in walls and ceilings. Request a recycled water inspection by email watercompliance@santaclaraca.gov or call (408) 615-2002. Please provide the site location, SBWR project ID, and date and time preferences. These inspections are in addition to the Building Permit inspections.

a. Need to verify separations between all potable/fire lines and recycled water lines, pipe type, pipe depths, equipment types, warning lids, tags and signs.

W7. Recycled Water Main: The project shall replace all existing recycled water mains with new 12" DIP recycled water mains in all streets within or adjacent to the project site.

W8. Potable Water Main: The applicant shall replace all the existing water mains with new 12" DIP pipe water main in all streets within and adjacent to the project site.

W9. 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.

W10. 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.

W11. 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.

W12. 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.

W13. 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.

W14. 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.

W15. 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.

W16. 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).

W17. 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.

W18. 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.

W19. 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.

W20. 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.

W21. Record Drawings: Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as-built" drawings of the public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities Department.

W22. Water Shortage Response Actions: Pursuant to the City of Santa Clara's Urban Water Management Plan, during times of drought or water shortage, the City implements water shortage response actions in accordance with the level of water shortage declared. All construction activities and all new irrigation connections are subject to the Water Shortage Response Actions in effect at the time of construction and connection of the irrigation service.

Water Shortage Response Actions for Stage 2 and higher include water use restrictions that limit the use of potable water such as:

a. prohibiting the installation of new potable water irrigation services. new irrigation connections, construction, and dust control.
b. restrict the use of potable water used for construction and dust control if recycled water is available.

This project is subject to all the requirements and restrictions of the Water Shortage Response Actions in place or adopted during the duration of the project. For more information, visit the City of Santa Clara Water & Sewer Utilities website at www.santaclaraca.gov/waterconservation.

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.