

## **CONDITIONS OF APPROVAL**

### **GENERAL**

- A. 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.
- B. Comply with all applicable codes, regulations, ordinances and resolutions.
- C. Prior to the issuance of a Building Permit, the development of the site and all associated improvements shall conform to the approved plans with PLN23-00452, on file with the Community Development Department, Planning Division.
- D. **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.
- E. **Permit Expirations.** This Significant Property Alteration Permit and Minor Modification shall automatically be revoked and terminated if not used within two years of original grant or within the period of any authorized extensions thereof.

### **ATTORNEY'S OFFICE**

- A. The Developer 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, attorneys' fees, injuries, costs, and liabilities arising 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 developer's project.

### **COMMUNITY DEVELOPMENT BUILDING DIVISION**

- BD1. 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. 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. 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](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](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. No construction code review or analysis is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; 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). 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.
- BD5. See Title 15 of the Santa Clara City Code for any amendments to the California Building Codes.
- BD6. 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.
- Chp. 15.36 – Energy Code for “all electric” provisions for new construction.
  - Chp. 15.38 – Green Building Code for additional Electric Vehicle Charging requirements for new construction.

## **PLANNING DIVISION**

- P1. **Trash Collection during construction.** Property owner is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- P2. **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, all in accordance with City Code Chapter 9.10.

## **FIRE**

- F1. Sprinkler determination to be made at Building Permit stage.

## **PUBLIC WORKS ENGINEERING**

- E1. 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. 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.
- E3. 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.

## **STREETS DIVISION**

### Landscape

- L1. Include [City of Santa Clara Tree Protection Standards](#) and [City of Santa Clara Arborist Notes](#) on all improvement plans.
- L2. No cutting of any part of **public right-of-way trees**, including roots, shall be done without securing approval from the City Streets Division. If approved, applicant shall follow all specifications outlined in the permit. Refer to City of Santa Clara Arborist Notes and implement all City of Santa Clara Tree Protection Standards.
- L3. Identified existing mature trees to be maintained. Prepare a tree protection plans for review and approval by the City of Santa Clara prior to any demolition, grading or other earthwork in the vicinity of existing trees on the site.
- L4. Tree replacement ratio shall be 2:1 with minimum box size replacements. If project can't meet the 2:1 replacement ratio, in-lieu fees must be paid prior to issuance of building permit.

### Solid Waste

- 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 of Santa Clara Development Guidelines for Solid Waste Services](#) 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 of Santa Clara Development Guidelines for Solid Waste Services](#).
  - 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, renovation and construction activities. Applicant must visit <http://santaclara.wastetracking.com/> (Green Halo) to obtain a waste tracking number and create a Waste Management Plan. Applicant must then submit the plan for approval

- through <http://santaclara.wastetracking.com/> (Green Halo). After approval, provide the Green Halo waste online tracking number to Building staff.
- SW4. 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 City Street Division. A minimum of two (2) weeks review time is required.
- SW5. 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 [City of Santa Clara Construction Solid Waste Management Notes](#) into construction plans.
- SW6. This property falls within the City's exclusive franchise hauling area. 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.
- SW7. All refuse from residential, commercial, industrial and institutional properties shall be collected at least once a week. Garbage service level required for residential developments (single-family and multi-family) as well as motels and hotels shall be no less than twenty (20) gallons per unit. All projects shall submit a preliminary refuse service level assessment for approval to the City Streets Division.

#### Stormwater

- ST1. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan and update:
- C.3 Data Form
  - Special Project Narratives and Worksheet (as appropriate)
  - Erosion and Sediment Control Plan
- ST2. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3<sup>rd</sup> party consultant from the SCVURPPP List of Qualified Consultants, and a 3<sup>rd</sup> party review letter shall be submitted with the Plan.
- ST3. For projects that disturb 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 a 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](#) with the plans.
- ST5. Include the [C.3 Treatment Facilities Construction Notes](#) on the Improvement Plans and/or Stormwater Control Plans.
- ST6. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3<sup>rd</sup> party consultant from the SCVURPPP List of Qualified Consultants, and a 3<sup>rd</sup> party concurrence letter on the C.3 facilities construction shall be submitted to the Public Works Department. The City reserves the right to review the 3<sup>rd</sup> party inspection reports on the C.3 stormwater facilities installation.
- ST7. 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).
- ST8. As-Built drawing shall be submitted to the Public Works Department prior to building permit final.

- ST9. Permeable Pavement, Media Filter vaults, Interceptor Trees and Trash Full Capture Devices shall be inspected by a 3<sup>rd</sup> party reviewer and/or manufacturer representative for conformance with the details and specifications of the approved plans. All new pervious concrete and porous asphalt pavements should have a minimum surface infiltration rate of 100 in./hr as described in the SCVURPPP C.3 Handbook. 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.
- ST10. Stormwater treatment facilities must be designed, installed, and maintained to achieve the site design measures in accordance to the SCVRUPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C).
- 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 Environment@SantaClaraCA.gov for assistance completing the Agreement. For more information and to download the most recent version of the O&M Agreement, visit <http://santaclaraca.gov/cd> under Stormwater Management. Inspection of permeable pavement, media filter vaults and full trash capture devices is to be done annually by December 31 of each year.
- ST12. Any site design measures used to reduce or resize the size of stormwater treatment measures shall not be installed without the written approval from the City. Any approved changes will require a recertification of design and installation by a qualified 3<sup>rd</sup> party consultant and an amendment of the property's O&M Agreement with the City.
- ST13. 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 into 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.
- ST14. Developer shall install "No Dumping – Flows to Bay" medallions on any storm drains located on private property.
- ST15. All interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST16. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system. All trash enclosures must have roofs.
- ST17. All outdoor equipment and material storage areas shall be covered and/or bermed, or otherwise designed to limit the potential for runoff to contact pollutants.
- ST18. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.
- ST19. The use of architectural copper is prohibited.

## **WATER & SEWER**

W1. New 1-inch Domestic Water Service: The project shall install a new 1-inch service and meter to serve the new fire sprinkler system. The placement of the service shall comply with the City's separation requirements.