

CONDITIONS OF SUBDIVISION MAP APPROVAL

In addition to complying with all applicable codes, regulations, ordinances and resolutions, the following **conditions of approval** are recommended:

GENERAL

- G1. 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.
- G2. Comply with all applicable codes, regulations, ordinances and resolutions.

ATTORNEY'S OFFICE

- A1. 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

- C1. Obtain City approval for name of private street prior to Final Map approval.
- C2. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&Rs) or equivalent instrument assigning and governing perpetual maintenance of the private street in good condition for the life of the Project, prior to issuance of building permits. Said document shall be recorded along with the Title for each property with the Santa Clara County Recorder's Office.

ENGINEERING

- E1. Obtain site clearance through Engineering 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 Engineering 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 included within a Single Encroachment Permit issued by the City Engineering 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 plans prepared in accordance with City Engineering Department procedures which provide for the installation of public improvements. 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.
- E4. 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

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- 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.
- E5. 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.
 - E6. All proposed driveway, sidewalk, walkway, curb and gutter, and curb ramp shall be ADA compliant.
 - E7. After City Council approval of the Tentative Subdivision Map, submit 10 copies of the Parcel 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. The City approved Subdivision Map shall be recorded by developer prior to building permit issuance.
 - E8. File and record Subdivision Map for proposed development and pay all appropriate fees prior to Building Permit issuance.
 - E9. In conjunction with installation of off-site improvements, the entire width of Kiely Boulevard along property frontage shall require cape sealing with dig outs.
 - E10. Developer shall provide a 16' minimum clear space along the proposed 15" storm drain (SD) line on the property for maintenance of this SD line. Place the 15" SD line in the center of this clear space. Trees shall not be placed within the 16' clear space.
 - E11. Trees shall be placed such that the drip line of mature trees shall not encroach into the proposed 10' wide proposed SD easement or the proposed SD main shall be 10' clear of the tree trunks whichever is greater. Other storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
 - E12. 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.
 - E13. The catch points over the proposed SD main on property shall be standard manholes with grates.
 - E14. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, through Engineering Department, and pay all appropriate fees, prior to start of construction. Existing SD easement shall be vacated after the dedication of replacement easements, including the required overland release SD easement with capacity to convey the 100-year storm event with no localized ponding in the public right-of-way.
 - E15. Dedicate required on-site easements for sidewalk and any new public utilities by means of subdivision map or approve instrument at time of development.
 - E16. Provide minimum 5' wide sidewalk with 4' wide landscape strip along Kiely Boulevard frontage.

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- E17. All proposed sidewalk, walkway, & driveways, shall be ADA compliant City standard.

ELECTRIC

- EL1. The developer shall grant to the City, without cost, all easements and/or right of way necessary for serving the property of the developer and for the installation of utilities (Santa Clara City Code chapter 17.15.110).
- EL2. If transformer pads are required, City Electric Department requires an area of 17' x 16'-2", which is clear of all utilities, trees, walls, etc. This area includes a 5' 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', providing the apron is back of a 5' minimum. wide sidewalk. Transformer pad must be a minimum of 10' from all doors and windows, and shall be located next to a level, drivable area that will support a large crane or truck.
- EL3. Any relocation of existing electric facilities shall be at Developer's expense.
- EL4. The developer shall provide the City, 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 City shall accept the work. Developer shall further install at his cost the service facilities, consisting of service wires, cables, conductors, and associated equipment necessary to connect a customer 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)).
- EL5. Encroachment permits will not be signed off by Silicon Valley Power (SVP) until Developers Work substructure construction drawing has been completed.
- EL6. All SVP-owned equipment is to be covered by an Underground Electric Easement (UGEE). This is different than a PUE. Only publically-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.
- EL7. Proper clearance must be maintained from all SVP facilities, 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.

WATER

- W1. If the water services are installed behind the public right-of-way, then the water utility easement for meter services and all other public water infrastructure is required. The water utility easement shall be a minimum 15' wide without overlapping any other public utility easement.