

CONDITIONS OF REZONING 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. Submit plans for final architectural review to the Planning Division for Architectural Committee review and approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, lighting, signage, and stormwater management plan.
- C2. The Developer must provide third party verification of the stormwater management plan for conformance with C3 requirements as part of the architectural submittal.
- C3. Submit complete landscape plans, including irrigation plan and composite utility and tree layout overlay plan, for Planning Department review and approval with installation of required landscaping prior to the issuance of occupancy and or final building permits. Landscape plan to include type and size of proposed trees. Type and size of tree replacement on project site shall be at the direction of the City Arborist and require Planning review and approval. Coordinate with the Street Department and City Arborist for the type, location, installation and maintenance of street trees fronting the project site along the public right-of-way. Installation of root barriers and super-soil may be required with the installation of trees where electric, water, and sewer utilities are in proximity.
- C4. The overlay plan is to show the location of all utilities, storm drains, catch basins, sewer mains, joint trenches, building footprints, driveways, walkways, and trees. Trees are required to be 10 feet from public water, storm and sewer facilities unless a City approved Tree Root Barrier (TRB) is used. If a City approved TRB is used the TRB must be a minimum of five feet from the public water, storm and sewer facility with the tree behind the TRB, and specified on the plan. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Planning and Inspection.
- C5. Submit as-built on-site plans prepared by a registered civil engineer showing all utilities serving the subject property.
- C6. Obtain required permits and inspections from the Building Official and comply with the conditions thereof. As this project involves land area of one acre or more, the Developer shall file a Notice of Intent (NOI) with the State Water Resources Control Board prior to issuance of any building permit for grading, or construction; a copy of the NOI shall be sent to the City Building Inspection Division. A stormwater pollution prevention plan is also required with the NOI.

- C7. The Developer shall submit a truck hauling route for demolition, soil, debris and material removal, and construction to the Director of Community Development for review and approval prior to the issuance of demolition and building permits.
- C8. Noise generating construction activity (e.g., demolition, heavy equipment operations, jack hammering, truck loading and unloading of construction materials) not confined within a building shall be limited to the hours of 8:00 a.m. to 6:00 p.m. weekdays, 9:00 a.m. to 6:00 p.m. on Saturdays, and not permitted on Sundays and State and federal holidays for projects. Construction activity confined within a building 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, and prohibited on Sundays and State and federal holidays. These hours may be amended at the discretion of the Director of Community Development based on disturbance complaints received.
- C9. Designate a “disturbance coordinator” who would be responsible for responding to any complaints about construction noise. The applicant shall post a sign with contact information for the disturbance coordinator in a location clearly visible from the public right-of-way, for the duration of project construction. The disturbance coordinator will determine the cause of the noise or dust complaint (e.g., bad muffler, uncovered material etc.) and will require that reasonable measures be implemented to correct the problem.
- C10. Minor changes to individual homes, landscaping, or other minor plan elements would be subject to Planning Division review and approval of a Minor Adjustment to an approved project, or through Architectural Review, subject to the discretion of the Director of Community Development.
- C11. Project site landscaping shall be maintained in good condition throughout the life of the Project and no trees shall be removed without City review and approval. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box specimen tree, or equal alternative as approved by the Director of Community Development.
- C12. The Developer shall provide not less than ten percent (10%) of the units (Note: this may be subject to change per criteria of Affordable Housing Ordinance) to affordable households made available at affordable sales prices to extremely low, very low, low and moderate income households as long as the distribution of affordable units averages to a maximum of 100 percent Area Median Income. All prices are set in accordance with the City's Below Market Purchase (BMP) Program Policies and Procedures Manual (subject to updates and changes). Prior to issuance of Building Permits, the Developer shall enter into an Affordable Housing Agreement with the City that will determine the Affordable Sales Price, identify the actual units to be sold as Affordable Units, and apply all terms and covenants guaranteeing the prescribed affordability, to the satisfaction of the Director of Community Development.
- a. Residential ownership projects of fewer than ten (10) units may either provide an affordable unit or pay an in-lieu fee identified for residential ownership projects.
 - b. Also, where the calculation of affordable housing requirements described in this Section result in a fractional unit, the applicant shall either pay an In-Lieu Fee to the City Affordable Housing Fund or the development shall provide an additional unit to satisfy the requirement.
- C13. The in-lieu fee shall be due payment by the Developer to the City at the time when all designated BMP units have been sold. The in-lieu fee amount shall be equal to the difference between the unrestricted appraised market value ("Initial Market Value") and the Affordable Sales Price of one of the BMP units at completion, multiplied by the fractional unit. The Initial Market Value of the last BMP unit sold shall be the basis for calculating the in-lieu fee to be paid by Developer.

- C14. Developer shall submit to the City Covenants, Conditions and Restrictions (CC&R's) or equivalent instrument assigning and governing perpetual maintenance of the common lot/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.
- C15. The Covenant, Conditions and Restrictions for this project shall include language that precludes exclusive storage use of the garage and obstruction of parking spaces in the garage by storage, shall and requires property owners to maintain garages for parking purposes.
- C16. Garages shall be accessible for two-car covered parking and labeled as such on the building permit plans.
- C17. Overhead garage storage shall be offered as a design option in each of the townhouse units.
- C18. Provide automatic garage door openers and roll-up garage doors.
- C19. Each garage shall be equipped with electrical vehicle charging stations.
- C20. Signage shall be provided in the guest parking area closest to the live/work units reserving parking for business patrons during business hours.
- C21. Each condominium unit shall include an electrical outlet in the front porch area.
- C22. AC units shall be screened from view along the public right-of-way.
- C23. Individual garbage and recycling containers shall be kept out of sight from the public right of way and private driveway until collection day.
- C24. The front façade and elevations of the live/work units shall not be modified without approval of a Planned Development Amendment.
- C25. Applicant shall comply with all the construction and on-going mitigation measures described in the adopted Mitigation Monitoring and Reporting Program to the satisfaction of the Director of Community Development. The Mitigation and Monitoring and Reporting Program shall be included in all construction plan sets.
- C26. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved roads) shall be watered two times per day, except on days when rain occurs.
- C27. All visible mud or dirt track-out onto the adjacent public right-of-way shall be removed using wet power vacuum street sweeper at least once per day. The use of dry power sweeping shall be prohibited.
- C28. Additional dust and noise abatement measures may be on the project site at the discretion of the Community Development Director to provide additional sound attenuation and fugitive dust abatement as described in the project Mitigation Monitoring and Reporting Program. This may include additional noise monitoring and installation of a temporary noise control blanket barrier, if necessary, along building facades facing construction sites if conflicts occurred which are irresolvable by proper scheduling.
- C29. Except as otherwise provided below, all uses contemplated in a live/work unit shall be conducted entirely within the unit and shall be operated so as not to be objectionable or detrimental to adjoining tenants or the complex or the nearby environment generally. The permitted uses may include, but are not limited to the following uses. Or uses that are by the determination of the Zoning Administrator, similar in nature:

Permitted Uses

Permitted uses shall be those that are compatible with residential uses and would not be found to be objectionable or detrimental because of smoke, odor, dust, vibration, fire hazards, hazardous materials, or excessive noise, traffic or employee activity. Possible uses include:

- Home office
- Tutoring

- Cottage food operations (consistent with the California Homemade Food Act, AB 1616, and as amended)
- Esthetician
- Private music instruction (nonamplified)
- Computer programming/consulting
- Telemarketing and computer industry related activities
- Painting or sculpting arts
- Photography
- Graphic design
- Professional services/office (such as accounting, consulting, architecture, design, law, real estate)
- Storage and use of chemicals and materials in use that in the opinion of the Santa Clara Fire Department would not create adverse conditions for residents and neighboring properties.

Uses Not Permitted

Uses not permitted within a live/work unit shall be those that would not result in adverse impacts on nearby tenants due to excessive client/customer visitation or product shipping/delivery or are otherwise of a retail, automobile, medical services or manufacturing nature. Uses that would not be permitted include:

- Retail sales and services
- Auto repairs and services
- Repair services (such as electronics, clock, watch, shoe, bicycle)
- Cleaning services
- Pool maintenance
- Pick-up and delivery services
- Landscape services
- Recording studio
- Animal clinic
- Health clinic
- Barber shop/beauty parlor
- Welding and open flammable related activities
- Research lab
- Cabinet making or other woodworking
- Dog grooming
- Dry cleaning
- Florist, flower arranging and plant services
- Medical or dental office
- Daycare
- Manufacturing or assembly
- Storage and use of chemicals and materials in use that in the opinion of the Santa Clara Fire Department would create adverse conditions for residents and neighboring properties.

C30. Prior to conducting grading, applicant shall contract with a qualified archeologist acceptable to the Community Development Director and conduct an archeological survey of the site

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 parcel map and/or issuance of building permits.
- E4. Work within the State right-of-way shall require a Caltrans encroachment permit.
- E5. Developer shall provide a complete storm drain study for the 10-year and 100-year storm events. The grading plans shall include the overland release for the 100-year storm event and any localized flooding areas. System improvements, if needed, will be at developer's expense.
- E6. 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.
- E7. The sanitary sewer (SS) mains serving the site not included in the Sanitary Sewer Hydraulic Model along the property's Civic Center Drive frontage and Monroe Street were monitored in the field by the developer. The field monitoring information along with the SS discharge information submitted by the developer were analyzed by developer's Civil Engineer and determined that said SS mains currently have enough conveyance capacity to accommodate the proposed development. The Civil Engineer's results may change based on pending development applications and future projects. The Civil Engineer's results do not guarantee or in any way reserve or hold SS conveyance capacity until the Developer has final approval for the project.
- E8. Relocate existing public sanitary sewer main along El Camino Real, as required, to provide minimum 5' clearance from face-of-curb.
- E9. After City Council approval of the Tentative Subdivision Map, submit 10 copies of 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. The City approved Subdivision Map shall be recorded by developer prior to building permit issuance.
- E10. File and record Subdivision Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.

- E11. Sanitary sewer and storm drain mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E12. Sanitary sewer lateral shall be "Tap-Tite" connection with minimum 2% slope and invert to springline connection.
- E13. Proposed trees shall be 5' minimum clear of sidewalks, excluding the landscape strip. Provide root barrier if trees are planted such that 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.
- E14. 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.
- E15. Slurry seal entire width of Civic Center Drive fronting the subject property.
- E16. Dedicate, as required, on-site easements for new public utilities and/or sidewalk by means of a Subdivision Map or approved instrument at time of development.
- E17. Dedicate public street and public utility easement along El Camino Real by means of a Subdivision Map or approved instrument.
- E18. Dedicate private reciprocal vehicle and pedestrian ingress/egress easements and storm drain overland release easement by means of a Subdivision Map or approved instrument.
- E19. Existing 2" PG&E gas line on El Camino Real shall be abandoned per PG&E approval and City standards.
- E20. SVP manhole lids shall be outside the public sidewalk, unless approved by the City Engineer.
- E21. All proposed on-site driveways and paths shall accommodate fire truck/engine turning template.
- E22. All traffic striping, messages, and symbols shall be thermoplastic.
- E23. Existing non-standard or non-ADA compliant frontage shall be replaced with current City-standard frontage improvements.
- E24. All proposed walkway, sidewalk, driveways, and curb ramps shall be ADA compliant.
- E25. Provide ADA compliant walkway connecting proposed buildings to public sidewalks.
- E26. Proposed driveways along Civic Center Drive shall be per City standard detail ST-8.
- E27. Show and comply with City's driveway vision triangle requirements at proposed driveway. Visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways and intersections in order to allow an unobstructed view of oncoming traffic. Contact Traffic Engineering at (408) 615-3000 for further information.
- E28. Provide loading/unloading zones on-site.
- E29. Provide space for trash pick-up on-site.
- E30. Provide minimum 5' wide sidewalk with 4' wide landscape strip along the Civic Center Drive frontage.
- E31. Provide minimum 10' wide separated sidewalk with 4' wide landscape strip along El Camino Real frontage.
- E32. Provide residential pedestrian access from both El Camino Real and Civic Center Drive frontages.
- E33. On-street parking shall not be counted towards on-site parking requirements.
- E34. Show existing T-markers (City street parking) on Civic Center Dr. Remove existing T-markers (on-City street parking) that will be in conflict with proposed driveways.

- E35. For the proposed 39 townhome units, provide minimum of four (4) Class II bicycle parking spaces at the main entrance and/or high visible areas.

ELECTRICAL

- EL1. Prior to submitting any project for Electric Department review, applicant shall provide a site plan showing all existing utilities, structures, easements and trees. Applicant shall also include a "Load Survey" form showing all current and proposed electric loads. A new customer with a load of 500KVA or greater or 100 residential units will have to fill out a "Service Investigation Form" and submit this form to the Electric Planning Department for review by the Electric Planning Engineer. Silicon Valley Power will do exact design of required substructures after plans are submitted for building permits.
- EL2. Per the Project Clearance Committee meeting minutes of February 2, 2019, the developer shall resolve existing and new electric duct bank conflicts, including the duct bank at El Camino Real. All existing electric substructures and equipment to remain and operational unless otherwise noted. Coordinate with SVP for design and construction to transfer existing equipment to new relocated SVP equipment to minimize any downtime to the existing customer and street lighting system.
- EL3. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL4. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL5. 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.
- EL6. 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.
- EL7. 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).
- EL8. 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. If they are townhomes or single-family residences, then each unit shall have its' 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.
- EL9. 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'-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.
- EL10. All trees, existing and proposed, shall be a minimum of five (5) feet from any existing or proposed Electric Department facilities. Existing trees in conflict will have to be removed. Trees shall not be planted in PUE's or electric easements.
- EL11. Any relocation of existing electric facilities shall be at Developer's expense.
- EL12. Electric Load Increase fees may be applicable.
- EL13. 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)).

- EL14. Electrical improvements (including underground electrical conduits along frontage of properties) may be required if any single non-residential private improvement valued at \$200,000 or more or any series of non-residential private improvements made within a three-year period valued at \$200,000 or more (Santa Clara City Code Title 17 Appendix A (Table III)).
- EL15. 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 Electric Engineering Division.
- EL16. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL17. All SVP-owned equipment is to be covered by an Underground Electric Easement (U.G.E.E.). 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.
- EL18. 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.
- EL19. Transformers and Switch devices can only be located 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.
- EL20. All existing SVP facilities, onsite or offsite, are to remain unless specifically addressed by SVP personnel by separate document. It is the Developers responsibility to maintain all clearances from equipment and easements. Developer to contact SVP outside of the PCC process for clear definitions of these clearance requirements. 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.*
- EL21. SVP does not utilize any sub-surface (below grade) devices in its' system. This includes transformers, switches, etc.

- EL22. All interior meter rooms 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.
- EL23. 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.
- EL24. Applicant is advised to contact SVP (CSC Electric Department) to obtain specific design and utility requirements that are required for building permit review/approval submittal. Please provide a site plan to Leonard Buttitta at 408-615-6620 to facilitate plan review.
- EL25. SVP has sensitive facilities along Hetch Hetchy. Developer to ensure that all clearances and precautions are taken to protect these at all times.
- EL26. Existing overhead lines, both distribution and transmission, including some PGE property exist at this site. All clearances and precautions are to be observed at all times.

WATER

- W1. 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.
- W2. The applicant shall submit a composite utility plan showing all utilities (including electrical) and landscaping (trees/shrubbery) so that the Water Department can verify conflicts for proposed water services. Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.
- W3. Applicant shall adhere to and provide a note indicating all horizontal and vertical clearances. 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 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).
- W4. No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.
- W5. The applicant shall upgrade the existing 8” AC water main along Civic Center Drive with a new 12” DIP water main. The water main upgrade shall continue from Catalina 1 project and extend the entire length of the property's frontage.
- W6. 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. 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.
- W7. Approved backflow prevention device(s) are required on all potable water services. The applicant shall submit plans showing the location of the approved backflow prevention device(s). Note that all new water meters and backflow prevention devices shall be located behind the sidewalk in a landscape area.
- W8. Applicant shall submit plans showing proposed water, sanitary sewer, and fire service 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 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.
- W9. Individual buildings within a parcel must have their own dedicated service (fire, water, and irrigation). Different types of building use (retail, residential, commercial, etc.) shall be served by separate water meters.
- W10. 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).
- W11. Prior to issuance of Building Permits, the applicant shall provide the profile section details for utilities crossing water, sewer, or reclaimed water mains to ensure a 12" minimum vertical clearance is maintained.
- W12. The applicant must indicate the pipe material and the size of existing water and sewer main(s) on the plans.
- W13. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000.
- W14. 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.
- W15. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants
- W16. 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.
- W17. Prior to issuance of Building Permits, the applicant shall submit 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.
- W18. 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.
- W19. 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 on-site public water utility infrastructure prepared by a registered civil engineer to the satisfaction of the Director of Water & Sewer Utilities.

POLICE

- PD1. The property should be fenced off during demolition and construction as a safety barrier to the public and deterrent to theft and other crime. Consider not having any screening material on the fence so passing Police Patrol checks will be able to see into the site.

- PD2. Address numbers of the individual residential buildings shall be clearly visible from the street and shall be a minimum of six (6) inches in height and a color contrasting with the background material. Ideally, numbers would be illuminated during hours of darkness so first responders can easily identify the address. Individual apartment numbers shall be a minimum of six (6) inches in height and a color contrasting to the background material, and either visible from the street or from the center area of the project. Where multiple units/buildings occupy the same property, unit/building addresses shall be clearly visible. A monument sign, preferably at all dedicated entrances to the property, shall be prominently displayed, showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD3. Landscaping should follow the National Institute of Crime Prevention standards. That standard describes bushes/shrubs not exceeding 2' in height at maturity, or maintained at that height, and the canopies of trees should not be lower than 6' in height. Crime deterrent vegetation is encouraged along the fence and property lines and under vulnerable windows.
- PD4. Lighting for the project to be at the IES (Illuminating Engineering Society of North America) standards and include the features listed below:
- White light source
 - Pedestrian Scale
 - Full cut-off or shoebox design
 - Unbreakable exterior
 - Tamperproof Housings
 - Wall mounted lights/10' high
- These features increase natural surveillance, support and/or enhance security camera capabilities, and increase Police Patrol effectiveness
- PD5. Any required enclosure fencing (trash area, utility equipment, etc.) would preferably be see-thru. If for aesthetic reasons prohibit that, the fencing should have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures should be locked
- PD6. If the project includes any benches, these benches should not be longer than 5 feet in length, and should have arm rests at both ends. If the benches are longer than 5 feet in length, there should be a divider (arm rest or similar) in the middle of the bench in addition to the arm rests on both ends. This helps prevent unlawful lodging and/or skateboarding.
- Another option to benches could be cubes, knee walls, or other creative types of seating possibilities.
- PD7. The developer should install skate stoppers on any low clearance wall of 36 inches in height or lower to prevent vandalism/damage to the wall from skateboarding or similar activities.
- PD8. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD9. All construction of dwelling units shall conform to the requirements of the Uniform Building Security Code as adopted by the City of Santa Clara City Council.

FIRE

- F1. As shown on Sheet C-7 the roadways shall be interconnected between this property and the property directly east of this project.
- F2. Prior to issuance of "any" Building Permit, Phase II environmental testing of the site is required, and the testing results shall be submitted to our Office for review.

- F3. Emergency Vehicle Access Easements (EVAE's) are required to be recorded on the final parcel map.
- F4. Prior to Building Permit Issuance, provide documentation that the minimum required fire-flow for the building based on the construction type and square footage in accordance with the California Fire Code, Appendix B, Table B105.1 can be met.
- F5. Prior to Building Permit Issuance, schematic plans for the underground fire services shall be incorporated into the civil plans (i.e., public fire hydrants, private fire hydrants, underground fire service(s), etc.)
- F6. Prior to the issuance of the Building Permit, schematic plans for the emergency vehicle apparatus access roads are required to be incorporated into the civil plans. Roadways shall comply with all of the following requirements, or an alternative materials or methods must be approved:
- F7. Prior to Building Permit Issuance, construction details must be incorporated into the building permit set for emergency escape and rescue windows in compliance with California Fire Code Section 1030. The location, dimension, and detail for the pathways shall be incorporated into the Building Permit Set.
- F8. NOTE: Where all-weather pathway/surfaces such as concrete, asphalt or pavers are installed and engineered to support a minimum of 1000 pound load, ladder pads will not be required provided that ladder set-up shall not be obstructed by architectural features, trees, or landscaping and the extended ladder angle of inclination is at least 70° and no great than 76° from horizontal. Please refer to SCFD Emergency Escape & Rescue Window/Ladder Pad Standard.
- F9. Prior to the Start of Construction, fire protection water supplies shall be installed and made serviceable prior to the time of construction or prior to combustible materials being moved onsite, unless an approved alternative method of protection is approved.
- F10. Fire Department Connections (FDC's) for Buildings 4 & 5 shall be located along the street address of these buildings.

STREETS

Solid Waste

- ST1. 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 fifty percent (50%) 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 a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- ST2. For projects that involve a Rezoning, the 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 may be required to use the City's exclusive franchise hauler and rate structure for solid waste services.

Stormwater

- ST3. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan and update the SCVURPPP C.3 Data Form.
- ST4. 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 shall be submitted with the Plan.
- ST5. For projects that disturb a land area of one acre or more, the applicant shall file a Notice of Intent (NOI) with the State Water Resources Control Board for coverage under the State Construction General Permit (Order No. 2009-0009-DWQ) prior to issuance of any

building permit for grading or construction. A copy of the NOI shall be submitted to the City Building Inspection Division, along with a stormwater pollution prevention plan (SWPPP). Active projects covered under the Construction General Permit will be inspected by the City once per month during the wet season (October – April).

- ST6. The applicant shall incorporate Best Management Practices (BMPs) into construction plans and incorporate post-construction water runoff measures into project plans in accordance with the City's Urban Runoff Pollution Prevention Program standards prior to the issuance of Building or Grading Permits. Proposed BMPs shall be submitted to and thereafter reviewed by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
- ST7. During the construction phase, all stormwater control measures shall be inspected for conformance to approved plans by a qualified 3rd party consultant from the SCVURPPP List of Qualified Consultants, and a 3rd party inspection letter shall be submitted to the Public Works Department, Street Maintenance Division. Building occupancy will not be issued until all stormwater treatment measures have been adequately inspected. For more information contact Street Maintenance at (408) 615-3080.
- ST8. The property owner shall enter into an Inspection and Maintenance (I&M) Agreement with the City for all installed stormwater treatment measures in perpetuity. Applicants should contact Karin Hickey at (408) 615-3097 or KaHickey@santaclaraca.gov for assistance completing the Agreement. For more information and to download the most recent version of the I&M Agreement, visit the City's stormwater resources website at <http://santaclaraca.gov/government/departments/public-works/environmental-programs/urban-runoff-pollution-prevention/stormwater-resources>.
- ST9. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
- ST10. Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST11. Any site design measures used to reduce the size of stormwater treatment measures shall not be removed from the project without the corresponding resizing of the stormwater treatment measures and an amendment of the property's I&M Agreement.
- ST12. Decorative and recreational water features such as fountains, pools, and ponds shall be designed and constructed to drain to the sanitary sewer system only.

PARKS AND RECREATION

- PR1. This memo assumes the Project is a subdivision and the Quimby Act provisions will apply. The City will accept a fee in lieu of parkland dedication for this 39 unit development – the equivalent fee due is \$958,113.
- PR2. Any in lieu fees imposed under Chapter 17.35 shall be due and payable to the City prior to issuance of a building permit for each dwelling unit.
- PR3. Recommended changes, per the Parks & Recreation Park Amenity Design Standards, to the playground:
 - a. Benches are required at playgrounds.
 - b. At least one trash receptacle shall be located within convenient proximity of each picnic area and each playground area.
 - c. Playground design must include a minimum of five (5) of the six (6) + 1 elements of play in the overall design and layout of the playground. The six (6) + 1 elements of play include: climbing, balancing, spinning, brachiating, swinging, sliding and running/free play/imagination.
 - d. Playgrounds must conform to:
 - i. current playground standards set by the American Society on Testing and Materials (ASTM);

- ii. current playground guidelines published by the United States Consumer Product Safety Commission (CPSC);
 - iii. current California Building Code with errata (Title 24, California Code of Regulations) and the U.S. Access Board's Accessibility Guidelines for Play Areas;
 - iv. Americans with Disabilities Act (ADA) standards; and
 - v. all Federal, State & local guidelines.
 - e. The minimum size of a playground should be at least 3500 square feet. Playgrounds shall serve ages 2 to 5 years and ages 6 to 12 years.
- PR4. Per the Park Amenity Design Standards for BBQ grills:
- a. One individual BBQ per two picnic tables. A group size BBQ can be shared by four picnic tables.
 - b. Accessibility to persons with disabilities.
- PR5. A dwelling unit tax (DUT) is also due based on the number of units and additional bedrooms per City Code Chapter 3.15. The Project mix includes 39 four-bedroom units for a total DUT of \$1,170.
- PR6. Calculations may change if the number of units changes, if any areas do not conform to the Ordinance and City Code Chapter 17.35, if the fee schedule for new residential development fees due in lieu of parkland dedication changes before this Project is deemed complete by Planning, and/or if City Council makes any changes.

HOUSING & COMMUNITY SERVICES

- H1. If the Project is deemed complete before February 22, 2019, the Applicant shall provide not less than ten percent (10%) of the units to affordable households made available at affordable sales prices to extremely low, very low, low and/or moderate income households as long as the distribution of affordable units averages to a maximum of 100 percent of Area Median Income.
- H2. If the Project is deemed complete after February 22, 2019, the Applicant shall provide not less than fifteen percent (15%) of the units to affordable households made available at affordable sales prices to extremely low, very low, low and/or moderate income households as long as the distribution of affordable units averages to a maximum of 100 percent of Area Median Income.
- H3. The in-lieu fee amount shall be equal to the difference between the unrestricted appraised market value ("Initial Market Value") and the Affordable Sales Price of one of the BMP units at completion, multiplied by the fractional unit. The Initial Market Value of the last BMP unit sold shall be the basis for calculating the in-lieu fee to be paid by Applicant. Any in-lieu fee payment due to the City by the Applicant shall be paid prior to receipt of the occupancy certificate of the building or dwelling.
- H4. Affordable Unit shall have prices set in accordance with the City's Below Market Purchase (BMP) Program Policies and Procedures Manual (subject to updates and changes). Prior to issuance of Building Permits, the Developer shall enter into an Affordable Housing Agreement with the City that will determine the Affordable Sales Price, identify the actual unit to be sold as the Affordable Unit, and apply all terms and covenants guaranteeing the prescribed affordability, to the satisfaction of the Director of Community Development.

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