

CONDITIONS OF PD 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. All windows on all outer perimeter sides of all buildings be redesigned as recessed windows to provide further articulation of the building walls.
- C2. Developer shall provide a third party verification of the final stormwater management plan for conformance with C3 Special Project requirements as a part of the civil and architectural submittal.
- C3. Submit complete landscape plans, including irrigation plan and composite utility and tree layout overlay plan, for Planning Division 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. Project site landscaping and perimeter fencing along the north property line shall be maintained by the Homeowners Association 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.
- C5. The front façade and elevations of the live/work units shall not be modified without approval of a Planned Development Amendment.
- C6. 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.
- C7. Developer shall comply with all the construction and on-going mitigation measures described in the adopted Mitigation Monitoring or Reporting Program (MMRP) to the

satisfaction of the Director of Community Development. The MMRP shall be included in all construction plan sets.

- C8. 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.
- C9. 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.
- C10. 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.
- C11. 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 MMRP. 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.
- C12. 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.
- C13. Construction activity 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. 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.
- C14. 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 complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem.
- C15. 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.
- C16. To ensure adequate health protection for sensitive receptors, the project shall incorporate the following measures:
 - a. Install air filtration in the dwelling units immediately adjacent to El Camino Real. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, all fresh air circulated into the dwelling units shall be filtered, as described above.
 - b. As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
 - c. Ensure that the use agreement, CC&R's and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air

- flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.
- C17. The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less:
- a. Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all Building A units with south, east, or west facing façades and all Building B units with façades facing south or adjacent to the western and eastern property line, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.
 - b. Preliminary calculations indicate that the residential units along the eastern, southern, and western building façades of Building A would require windows and doors with a minimum STC ratings of 28 to 30 and an adequate form of forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
 - c. A qualified acoustical specialist shall prepare a detailed analysis of interior noise levels resulting from all exterior noise sources during the design phase pursuant to requirements set forth in the State Building Code and the California CalGreen Code. The study will review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA CNEL or lower. Treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.
- C18. 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 Area Median Income.
- C19. 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.
- C20. 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.
- C21. The Developer prepared a Transportation Demand Management (TDM) Plan to reduce vehicle trips. The development must reduce vehicle miles traveled (VMT) of residents

and employees by 20 percent, half of which (a 10 percent VMT reduction) must result from TDM measures.

- C22. Each calendar year following final occupancy of the building, an annual review of the TDM plan shall be completed by a qualified third-party consultant, and the third-party consultant shall submit the TDM annual report covering the prior calendar year to the Planning Division for review and approval on or before February 28th of each year, to the satisfaction of the Director of Community Development. The Director of Community Development shall have the authority and discretion to require modification of the TDM measures as a means to achieve the identified overall trip reduction targets. If the annual targets are being met or exceeded, the Director of Community Development would have the discretion to require less frequent annual reporting.
- C23. Garages shall be accessible for two-car covered parking and labeled as such on the building permit plans.
- C24. The CC&R's for this development shall include language that precludes exclusive storage use of the garage and obstruction of parking spaces in the garage by storage, and requires property owners to maintain garages for parking purposes.
- C25. Overhead garage storage shall be offered as a design option in each of the townhouse units.
- C26. Individual garbage and recycling containers shall be kept out of sight from the public right of way and private driveway until collection day.
- C27. Provide automatic garage door openers and roll-up garage doors.
- C28. Each garage shall be equipped with an electrical vehicle charging station.
- C29. Each townhouse-style unit shall include an electrical outlet in the front porch area.
- C30. Four (4) of the 31 on-site visitor spaces by the entryway closest to El Camino Real shall be assigned to the six (6) live/work units for customer parking during business hours (7:00 AM -10:00 PM). During non-business hours these four spaces would be available to all units a general visitor parking.
- C31. One of the 31 on-site visitor parking spaces shall be reserved for use by rideshare companies and shall be pre-wired for an electrical vehicle charging station.
- C32. Signage shall be provided in the guest parking area closest to the live/work units reserving parking for business patrons during business hours.
- C33. 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. Permitted and Prohibited uses may include, but are not limited to the following uses or uses that are by the determination of the Zoning Administrator deemed to be 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.
- Limited retail sales and retail services (not including restaurants with commercial kitchens)

Prohibited Uses

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

- Restaurants with commercial kitchens
- Auto repair and services
- Auto accessory sales
- 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.

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. 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.
 - 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 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. 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 Subdivision Map and/or issuance of building permits.
 - 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 proposed to be serving the site not included in the Sanitary Sewer Hydraulic Model along Santa Cruz Avenue, Jerald Avenue, Andrea Place, and Warburton Avenue 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. Sanitary sewer laterals shall have a 2% minimum slope from cleanout at sanitary sewer easement line to main and have a standard Y-connection. If Y-connection cannot be achieved, consider manhole with a crown-to-crown connection and stub to property line. Eastern sanitary sewer lateral connection shall have a crown-to-crown connection.
 - E9. The proposed storm drain overland release easements to be dedicated to the City along the neighboring properties from the project site to Santa Cruz Avenue must be recorded and be adequately designed to convey the 100-year storm event flow within the easements, as approved by the City, prior to releasing the Subdivision Map for recordation and subsequent issuance of building permits.
 - E10. 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.
- E11. File and record Subdivision Map for proposed development and pay all appropriate fees prior to issuance of the Building Permit.
 - E12. 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.
 - E13. Dedicate, as required, on-site easements for new sidewalk, sanitary sewer main, storm drain overland release, and any other new utilities by means of Subdivision Map or approved instrument at time of development.
 - E14. No storm water treatment measures shall be located within the public right-of-way, or utility easements. City will allow pervious pavers within existing 15' sanitary sewer and storm drain easements. Applicant shall execute covenant running with the land for private improvements within a public easement.
 - E15. All non-City standard improvements within sidewalk and utility easements require an easement encroachment agreement.
 - E16. City sidewalk and private concrete flatwork shall be separated by an expansion joint per City standard detail ST-17.
 - E17. Proposed trees shall be five (5) feet minimum clear of sidewalks, except at landscape strip. Provide root barrier if trees are planted such that the drip line of the mature trees covers the sidewalk. Root barriers shall be 12' long x 2' deep, and centered on trees.
 - E18. 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 Public Works Director.
 - E19. Provide loading/unloading zone on-site.
 - E20. Provide a minimum 4 Class II bicycle rack spaces at the main entrance and/or high visible areas.
 - E21. The site plan complies with the City's driveway triangle of safety requirements at all driveways. However, visual obstructions over three feet in height will not be allowed within the driver's sight triangle near driveways in order to allow an unobstructed view of oncoming traffic.
 - E22. Project shall comply with the El Camino Real Specific Plan upon adoption of the plan.
 - E23. On-street parking shall not be counted toward on-site parking requirements.
 - E24. All proposed driveways shall be ADA compliant per City Standard ST- 8.
 - E25. Driveway width shall be a minimum of 24 feet but no more than 30 feet.
 - E26. Provide 10' wide minimum separated sidewalk with 4' wide landscape strip along El Camino Real property frontage.
 - E27. Unused driveways in the public right-of-way shall be replaced with City standard curb, gutter, and sidewalk per City Standard Detail ST-12.
 - E28. Time limited parking zone along El Camino Real project frontage shall be removed with the approval of the project.
 - E29. Install "No Parking" signs along El Camino Real property frontage.
 - E30. Caltrans permit will be required for all work within the right-of-way along El Camino Real.
 - E31. Provide ADA walkway connecting the proposed buildings to public sidewalk.
 - E32. Provide ADA walkway connecting Building C to pathway on east side of property.
 - E33. A transportation impact analysis is not required as the project is not expected to generate over 100 net new AM or PM peak hour trips.

ELECTRICAL

- EL1. Riser required to serve 12kV transformer and switch. Need Riser easement on residential property for utility.

- EL2. Need Bollards on backside of Vault.
- EL3. MH in driveway to be located so to only block one lane in driveway during access.
- EL4. 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.
- EL5. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL6. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL7. 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.
- EL8. 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.
- EL9. 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).
- EL10. 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 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.
- EL11. 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.
- EL12. 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.
- EL13. Any relocation of existing electric facilities shall be at Developer's expense.
- EL14. Electric Load Increase fees may be applicable.
- EL15. 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)).

- EL16. 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)).
- EL17. 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.
- EL18. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL19. 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.

WATER

- W1. The applicant shall upgrade the existing 10" CIP pipe along El Camino Real with a new 12" DIP water main. The water main upgrade shall extend the entire length of the property's frontage.
- W2. If fire flow information is needed, applicant shall coordinate with Water Department at (408) 615-2000.
- W3. 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.
- W4. The applicant must indicate the disposition of all existing water and sewer services and mains on the plans. The applicant must properly abandon all existing services on the property that will not be used per Water & Sewer Utilities standards, and indicate existing main size, type, and connecting laterals.
- W5. The size of all proposed water and fire services shall be shown to scale. At the location where backflow prevention device located, the landscape area shall be extended a minimum 3 feet from the edge of the device.
- W6. The applicant shall submit plans showing proposed water, sanitary sewer, and fire services for each building (residential, commercial, and retail) connected to a public main in the public right-of-way to the satisfaction of the Director of Water & Sewer Utilities. Additionally, different types of water use (domestic, irrigation, fire) should be served by separate water services each separately tapped at the water main.
- W7. Approved reduced pressure detector assembly device is required for the proposed fire service. The applicant shall submit plans showing existing fire service upgrade with reduced pressure detector assembly device, as per city standard 17, to the satisfaction of the Director of Water & Sewer Utilities. Note that the city standard details can be obtained from the City of Santa Clara website under Water and Sewer Utilities Technical Documents.
- W8. 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 conservation periods, to the satisfaction of the Director of the Water and Sewer

Utilities. Decorative water features may be permanently connected to the City's recycle water supply.

- W9. Upon completion of construction and prior to the City's issuance of a Certificate of Occupancy, the applicant shall provide "as built" drawings to the satisfaction of the Director of Water and Sewer Utilities.
- W10. Prior to the issuance of Building Permits, the applicant shall provide fixture unit counts for any water services greater than 2".
- W11. Prior to issuance of Building Permits, the applicant shall provide the profile section details for utilities crossing water, sewer, or recycled water mains to ensure a 12" minimum vertical clearance is maintained.
- W12. The applicant shall submit composite utility plans showing all proposed and existing utilities (including electrical, gas, water, and sewer), building foundation, facade and landscaping (trees and shrubbery) so that the Water Department can verify conflicts for proposed water service locations. The applicant must indicate the correct pipe material and the size of existing water and sewer main(s) on the plans.
- W13. Applicant shall coordinate with Fire Department to submit hydraulic calculations for the sprinkler design and obtain an underground fire permit for the proposed fire service.
- W14. Proposed new fire hydrant shall be located in the landscape area, two feet behind the face of curb or back of walk, per City standard detail No. 18.
- W15. No structures (fencing, foundation, bio filtration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.

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 should be a minimum of twelve (12) inches in height for commercial or industrial buildings. Consider illuminated numbers during the hours of darkness, and in a color that is contrasting to the background material. They shall be clearly visible from the street. Where multiple units or buildings occupy the same property, each unit/building address shall be clearly visible. A monument sign, preferably at all entrances to the property, should be prominently displayed showing all unit/building numbers, addresses, etc. A map is recommended for large complexes with multiple streets or walkways.
- PD3. In a development where there is an alley, driveway, etc. providing a rear entrance or access, the address shall be displayed to both the front and rear of the individual buildings. Where an alley, driveway, etc. provided vehicular access, address numbers shall be clearly visible from that access.
- PD4. Businesses with rear alley entrance doors shall be numbered with the same address numbers or suite numbers as the front doors. Numbers that are a minimum height of 4" are recommended.
- PD5. There shall be positioned near the entrance an illustrative diagram of the complex, which shows the location of the viewer and unit designations within the complex, including separate building designations. This diagram shall be illuminated and should be protected by vandal and weather resistant covers.
- PD6. Each distinct unit within the building shall have its address displayed on or directly above both front and rear doors.
- PD7. When there is an alley or driveway to the rear of the business or commercial establishment that provides pedestrian or vehicle access, that area should be fenced and locked after hours. A 'Knox Box' or key coded system shall be used for police and fire emergency access.

- PD8. 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.
- PD9. 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.
- PD10. 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.
- PD11. If the project includes any benches, these benches should not be longer than five feet in length, and should have arm rests at both ends. If the benches are longer than five 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.
- PD12. 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. If there is outdoor seating associated with a restaurant or similar business which is near vehicle parking stalls, the outdoor space will be designed to ensure the safety of the public from possible vehicular related incidents.
- PD13. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD14. 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.
- PD15. All elevators should be well lit and equipped with a security mirror to provide interior and exterior visibility prior to entry or exit.
- PD16. Consider convex mirrors for elevator cabs and at stairwell landings in order to enhance natural surveillance for the user of the elevator or stairs. It is highly desirable to design an elevator shaft and cab to be transparent, making occupants of the cab visible from the outside. All elevators should be well lit and equipped with a security mirror to provide interior & exterior visibility prior to entry or exit.
- PD17. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.
- PD18. All business or commercial establishments, of whatever nature, should have an electronic intruder alarm system installed. The system should cover the interior and perimeter of structures determined to be a value target. Also, consideration should be given to exterior areas that are or contain value targets, such as a product display lot, company vehicle parking area, etc.
- PD19. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- PD20. Exterior stairs shall be open style whenever structurally possible. The stairs should be well lit.
- PD21. Alcoves and other visual obstructions that might constitute a hiding place should be eliminated whenever structurally possible. Pillars, columns, and other open construction should be considered over a solid wall design.

- PD22. Public Safety Radio Systems Penetration Guidelines have been established by the city of Santa Clara Communications Department for radio signal penetration during emergencies. The developer is advised that the project may be required to install equipment for adequate radio coverage for the City Of Santa Clara Radio communications System, including but not limited to Police & Fire emergency services. The developer should contact the director of communications at (408) 615-5571 (for high rises).
- PD23. When in the opinion of the fire code official, a new structure obstructs the line of sight of emergency radio communications to existing buildings or to any other locations, the developer of the structure shall provide and install the radio retransmission equipment necessary to restore communications capabilities. The equipment shall be located in an approved space or area within the new structure.
- PD24. The developer shall meet the City of Santa Clara's guidelines established for radio signal penetration, detailed in the Communications Department's Public Safety Radio System Building Penetration Guidelines. The intended use of telecommunications sites shall be clearly and accurately stated in the use permit. The signal, of whatever nature, of any communications facility or system, shall in no way whatsoever interfere with or affect any police communication or police communication system.

FIRE

- F1. Hazardous Materials Closure, Site Mitigation, Demolition Application: Prior to issuance of grading permits or any excavation of the project site, additional soil sampling will be completed prior to removal of asphalt in the area of the former structure.
- F2. 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.
- F3. All Fire Department Access roadways shall be recorded as an Emergency Vehicle Access Easement (EVAE) on the final map. No other instruments will be considered as substitutions such as P.U.E, Ingress/Egress easements and/or City Right-of-Ways.
- F4. Trees or other obstructions shall not interfere with aerial ladder access
- F5. Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.

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.
- ST3. The applicant shall provide a site plan showing all proposed locations of solid waste containers, enclosure locations, and street/alley widths to the Public Works Department, Street Maintenance Division. All plans shall comply with the City's Development

Guidelines for Solid Waste Services as specified by development type. Contact the Street Maintenance Division at (408) 615-3080 for more information.

- ST4. Commercial, industrial, and multi-family residential buildings must have enclosures for SOLID WASTE and recycling containers. The size and shape of the enclosure(s) must be adequate to serve the estimated SOLID WASTE and recycling needs and size of the building(s) onsite, and should be designed and located on the property so as to allow ease of access by collection vehicles. As a general rule, the size of the enclosure(s) for the recycling containers should be similar to the size of the trash enclosure(s) provided onsite. Roofed enclosures with masonry walls and solid metal gates are the preferred design. Any required enclosure fencing (trash area, utility equipment, etc.) if not see-thru, shall have a six (6) inch opening along the bottom for clear visibility. Any gates or access doors to these enclosures shall be locked.

Stormwater

- ST5. 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.
- ST6. 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.
- ST7. 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).
- ST8. 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.
- ST9. 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.
- ST10. 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>.
- ST11. Developer shall install an appropriate stormwater pollution prevention message such as "No Dumping – Flows to Bay" on any storm drains located on private property.
- ST12. Interior floor drains shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST13. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.

- ST14. 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.
- ST15. 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.

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 forty-eight unit development – the equivalent fee due is \$1,267,344.
- 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. 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 2 studio units, 8 one bedroom units, 16 two bedroom units, 18 three bedroom units and 4 four bedroom units for a total DUT of \$1,040.
- PR4. Calculations may change if the number of units changes, if any areas do not conform to the Ordinance and City Code Chapter 17.35, and/or if City Council makes any changes.