

CONDITIONS OF APPROVAL

2905 Stender way

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CONDITIONS OF 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. Prior to overall construction permit application, submit to the Santa Clara Building Division, 2 copies of an addressing diagram request, to be prepared by a licensed architect or engineer. The addressing diagram(s) shall include all proposed streets and all building floor plans. The addressing diagram(s) shall conform to Santa Clara City Manager Directive #5; Street Name and Building Number Changes, and Santa Clara Building Division Address Policy For Residential and Commercial Developments. The addressing diagram(s) shall indicate all unit numbers to be based off established streets, not alleys nor access-ways to garages. Allow a minimum of 10 working days for initial staff review. Please note city staff policy that existing site addresses typically are retired. Provide digital pdf printed from design software, not scanned from printed paper sheet
- C2. The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
- C3. The construction permit application drawings submitted to the Santa Clara Building Division shall include Santa Clara Valley Urban Runoff Pollution Prevention Program Low Impact Development (LID) practices http://www.scvurppp-w2k.com/nd_wp.shtml. All projects that disturb more than one acre, or projects that are part of a larger development that in total disturbs more than one acre, shall comply with the Santa Clara Valley Urban Runoff Pollution Prevention Program Best Management Practices (BMP): http://www.scvurppp-w2k.com/construction_bmp.shtml, and shall provide a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer (QSD). All site drainage and grading permit applications submitted to the Santa Clara Building Division shall include a city of Santa Clara "C3" data form, available on this web page: <https://www.santaclaraca.gov/our-city/departments-g-z/public-works/environmental-programs/stormwater-pollution-prevention> and will be routed to a contract consultant for review.
- C4. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (16' CBC Ch. 3), all building heights and areas (16' CBC Ch. 5), all proposed types of construction (16' CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (16' CBC Ch. 7), all proposed interior finishes fire resistance (16' CBC

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- Ch. 8), all fire protection systems proposed (16' CBC Ch. 9), and all means of egress proposed (16' CBC Ch. 10). Noncombustible exterior wall, floor, and roof finishes are strongly encouraged. During construction retaining a single company to install all fire rated penetrations is highly recommended.
- C5. The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.
- C6. The construction permit application drawings submitted to the Santa Clara Building Division shall include all accessibility requirements of the 16' CBC Ch. 11 as applicable.
- C7. The construction permit application drawings submitted to the Santa Clara Building Division shall include checklist(s) indicating compliance with the applicable Mandatory Measures of the 16' Cal. Green Building Standards Code (CGBSC). Provide Construction Waste Management (CWM) Plan per the 16' CGBSC guides on pp 59-63 of the CGBSC. Provide a Phase 1 and/ or Phase 2 Hazardous Materials site assessment, as applicable. Note: The Santa Clara Public Works Department Environmental Programs Division will require compliance with the Santa Clara Construction & Demolition Debris Recycling Program: <http://santaclaraca.gov/government/departments/public-works/environmental-programs/commercial-garbage-recycling/construction-demolition-debris-recycling-program>. Note: the Environmental Programs Division may require development projects to register with the Green Halo online waste tracking system: <https://www.greenhalosystems.com>.
- C8. Note: Temporary Certificates of Occupancy will not be routinely issued, and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO's.
- C9. 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.
- C10. Developer shall comply with all construction and on-going mitigation measures described and identified in the Mitigated Negative Declaration prepared under the California Environmental Quality Act), and as administered to satisfaction of the Director of Community Development. The mitigation measures contained in the MND shall be included in all construction plan sets.
- C11. Submit plans for final architectural review to the Planning Division and obtain architectural approval prior to issuance of building permits. Said plans to include, but not be limited to: site plans, floor plans, elevations, landscaping, trash enclosure details, lighting and signage. Landscaping installation shall meet City water conservation criteria in a manner acceptable to the Director of Community Development.
- C12. A complete landscape plan that includes, type, size and location of all plant species shall be required as part of architectural review of the project for both the private property and adjacent public right-of-way. Review and approval of the complete landscape plan, including water conservation calculations and irrigation plan shall be required prior to issuance of building permits. Installation of landscaping is required prior to occupancy permits.

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- C13. Minor changes to the building, 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 or his/her designee.
- C14. Trees permitted by the City for removal shall be replaced at a 2:1 ratio with 24-inch box, at a 1:1 with 36-inch box specimen trees on-site where possible and off-site, or equal alternative as approved by the Director of Community Development. Fee amount per off-site tree replacement is set per the City's Municipal fee schedule.
- C15. Site landscaping shall be maintained in good condition throughout the life of the Development and no trees shall be removed without a City review and approval.
- C16. Prior to issuance of a demolition permit, Developer/Owner shall have an asbestos survey of the proposed site performed by a certified individual. Survey results and notice of the proposed demolition are to be sent to the Bay Area Air Quality Management District (BAAQMD). No demolition shall be performed without a demolition permit and BAAQMD approval and, if necessary, proper asbestos removal.
- C17. 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 permits. Proposed BMPs shall be submitted to and thereafter reviewed and approved by the Planning Division and the Building Inspection Division for incorporation into construction drawings and specifications.
- C18. An erosion control plan shall be prepared, and copies provided to the Planning Division and to the Building Inspection Division for review and approval prior to the issuance of grading permits or building permits that involve substantial disturbance of substantial ground area.
- C19. 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 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.
- C20. The Final Storm Water Management Plan (SWMP) must be certified by a third-party consultant from SCVURPP's current list of qualified consultants. Five copies of the approval letter from the certified third-party review (wet stamped and signed) must be submitted prior to the issuance of grading or building permit.
- C21. Prior to the issuance final occupancy, the applicant shall enter into Operations and Maintenance (O&M) agreement with the City. The project operator is responsible for the operations and maintenance of the SWMP and stormwater BMPs consistent with the O&M agreement throughout the life of the project. Green infrastructure shall be installed within the public right-of-way consistent with RWQCB requirements.
- C22. Developer is responsible for collection and pick-up of all trash and debris on-site and adjacent public right-of-way.
- C23. 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.
- C24. Construction activity not confined within a building shall be limited to the hours of 7:00 a.m. to 6:00 p.m. weekdays and not permitted on Saturdays, Sundays and State and federal holidays for projects within 300 feet of a residential use. Construction activity confined within a building shall be limited to the hours

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of 7:00 a.m. to 6:00 p.m. weekdays and 9:00 a.m. to 6:00 p.m. Saturdays for projects within 300 feet of a residential use and prohibited on Sundays and State and federal holidays.

- C25. The Developer shall incorporate green building measures such as rooftop solar photovoltaic (PV) systems, rough-ins for electric vehicle charging, use of efficient lighting and irrigations, and recycled water, as feasible, to the satisfaction of the Director of Community Development.
- C26. All roof equipment shall be screened from public streets and public rights-of-way. Screening shall be designed to be architectural style and material that is compatible with the building.
- C27. Based on the ratio, a total of 62 parking spaces are required, 26 of which are provided on site. The site plan reserves space for an additional 24 parking spaces which would be constructed in the event building use is eventually converted to another use with higher parking demands. The land bank spaces are located in areas on the site that will be occupied by equipment such as chiller enclosures or generators for the data center use and which could be removed to provide additional spaces if needed for an alternative use of the building.
- C28. Applicant shall add noise monitoring equipment for the project.

BUILDING

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- BD2. The construction permit application drawings submitted to the Santa Clara Building Division shall include a copy of the latest Federal Emergency Management Agency (FEMA) Flood Zone Map: <https://msc.fema.gov/portal/home>. The project drawings shall indicate how the project complies with the Santa Clara Flood Damage Prevention Code.
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- BD4. Informational: no California construction code review is being done at this time. The construction permit application drawings submitted to the Santa Clara Building Division shall include an overall California Building Code analysis, including; proposed use and occupancy of all spaces (19' CBC Ch. 3), all building heights and areas (19' CBC Ch. 5), all proposed types of construction (19' CBC Ch. 6), all proposed fire and smoke protection features, including all types of all fire rated penetrations proposed (19' CBC Ch. 7), all proposed interior finishes fire resistance (19' CBC Ch. 8), all fire protection systems

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proposed (19' CBC Ch. 9), and all means of egress proposed (19' CBC Ch. 10). -Noncombustible exterior wall, floor, and roof finishes are strongly encouraged.

-During construction retaining a single company to install all fire rated penetrations is highly recommended.

- BD5. The overall project construction permit application shall include the geotechnical, architectural, structural, energy, electrical, mechanical, and plumbing drawings and calculations. Prior to the issuance of the overall project construction permit, a conditions of approval review meeting must be held in city hall, which meeting must be attended by the on-site field superintendent(s). The meeting will not be held without the attendance of the on-site field superintendent(s). The on-site grading permit shall be a separate permit application to the Building Division.
- BD6. The construction permit application drawings submitted to the Santa Clara Building Division shall include all accessibility requirements of the 19' CBC Ch. 11 as applicable.
- BD7. The construction permit application drawings submitted to the Santa Clara Building Division shall include checklist(s) indicating compliance with the applicable Mandatory Measures of the 19' Cal. Green Building Standards Code (CGBSC). Provide Construction Waste Management (CWM) Plan per the 19' CGBSC guides on pp 59-63 of the CGBSC. Provide a Phase 1 and/ or Phase 2 Hazardous Materials site assessment, as applicable. Note: The Santa Clara Public Works Department Environmental Programs Division will require compliance with the Santa Clara Construction & Demolition Debris Recycling Program: <http://santaclaraca.gov/government/departments/public-works/environmental-programs/commercial-garbage-recycling/construction-demolition-debris-recycling-program>. Note: the Environmental Programs Division may require development projects to register with the Green Halo online waste tracking system: <https://www.greenhalosystems.com>.
- BD8. Note: Temporary Certificates of Occupancy will not be routinely issued, and will be considered on a very limited basis only when there is a clear and compelling reason for city staff to consider a TCO. A TCO will be approved only after all applicable City staff have approved in writing; Planning, P.W./ Engineering, Fire Prev., Santa Clara Water, Silicon Valley Power, and any other applicable agencies such as the Santa Clara County Health Dept., with the Building Division being the final approval of all TCO.'s.

ENGINEERING

- E1. Obtain site clearance through Public Works Department prior to issuance of Building Permit. Site clearance will require payment of applicable development fees. Other requirements may be identified for compliance during the site clearance process. Contact Public Works Department at (408) 615-3000 for further information.
- E2. All work within the public right-of-way and/or public easement, which is to be performed by the Developer/Owner, the general contractor, and all subcontractors shall be included within a Single Encroachment Permit issued by the City Public Works Department. Issuance of the Encroachment Permit and payment of all appropriate fees shall be completed prior to commencement of work, and all work under the permit shall be completed prior to issuance of occupancy permit.
- E3. All work within Santa Clara County right-of-way shall require County encroachment permit.
- E4. Submit public improvement plans prepared in accordance with City Public Works Department procedures which provide for the installation of public improvements. Plans shall be prepared by a Registered Civil Engineer and approved by the City Engineer prior to approval and recordation of final map and/or issuance of building permits.
- E5. 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.

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- E6. 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.
- E7. All storm drain mains and laterals, sanitary sewer mains and laterals shall be outside the drip line of mature trees or 10' clear of the tree trunk whichever is greater.
- E8. Provide root barriers when the drip line of the mature trees covers the sidewalk. Root barriers for sidewalk protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 1.5' deep, and centered on trees. Root barriers for curb and gutter protection shall be 16' long or extend to drip line of the mature tree, whichever is greater, and be 2' deep, and centered on trees.
- E9. Verify existing laterals to be reused are in good condition, remove and replace as required.
- E10. Dedicate required on-site easements for any new public utilities and/or emergency vehicle access by means of subdivision map or approved instrument at time of development.
- E11. Obtain Council approval of a resolution ordering vacation of existing public easement(s) proposed to be abandoned, if any, through Public Works Department, and pay all appropriate fees, prior to building permit issuance.
- E12. Entire street width of Stender Way along the project frontage shall be slurry sealed.
- E13. Provide minimum 5' wide sidewalk and 4' landscape strip along the Stender Way frontage.
- E14. Provide minimum 5' wide sidewalk along the Central Expressway frontage.
- E15. Reconstruct curb ramp at the corner of Stender Way and Central Expressway, and remove pedestrian barricade. Coordinate with Santa Clara County for removal of barricade.
- E16. All proposed sidewalk, walkway, and driveways shall be ADA compliant per City Standard.
- E17. Show and comply with City's driveway Triangle of Safety (sight distance) requirement at proposed driveways. No trees and/or structures obstructing drivers' view are allowed in the Triangle of Safety areas.
- E18. All proposed driveways shall be City Standard ST-9 two-way driveways.
- E19. Proposed driveways shall accommodate fire truck/engine turning template.
- E20. Provide ADA walkway connecting the proposed building to the public sidewalk.
- E21. Protect in place all street signs and existing zones along project frontage.
- E22. All traffic striping, messages, and symbols shall be thermoplastic.
- E23. Provide trash loading zone on site.
- E24. Provide loading/unloading zone on-site.
- E25. Provide on-site crane staging area for loading of mechanical unit(s).
- E26. For the current proposed area, provide minimum bicycle racks (Class I) and lockers (Class II) per the bicycle parking requirements in the VTA Bicycle Technical Guidelines at high visibility locations on-site, such as at the main entrance and/or high visible areas:
- E27. 246,660 SF: 31 Class I Bicycle Spaces & 11 Class II Bicycle Spaces (for a total of 42 bicycle spaces)

ELECTRICAL

- EL1. Existing SVP transformer on site TX# 9050 1000KVA Pad mount will need to be removed.
- EL2. Transmission Line:
 - a. SVP's Transmission Line Design is conceptual at this stage and will need to be studied. Alternative routes will need to be studied, new easements may need to be secured on private property, relocation of existing utilities and/or other agency requirements need to be identified and assessed. These unknowns can impact schedule and cost that the customer is responsible for. In addition to the transmission ROW study, a system impact study will need to be completed to identify any electric capital improvements required to maintain SVP's Electric Transmission System within its operating specifications.

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- b. SVP has identified possible locations for caissons required for Steel Transmission Poles. These areas are reserved and can move until locations are finalized during the Transmission Pole Line Design.
- EL3. SVP fiber will need Access to each Fiber POC.
- EL4. New Street Crossing on Stender Way will be required (as shown on plan)
- EL5. 2-12KV SVP Feeders have been approved for Interim services up to 6MVA each. Required on-site substructure by the developer & offsite substructure by SVP, need to be completed prior to receiving these services.
- EL6. Stender Way Cross Section – 3.5' clearance from edge of PG&E Gas to edge of SVP Duct bank has been deemed acceptable for SVP.
- EL7. All easements for SVP infrastructure (not including infrastructure for interim power) & the substation will be required.
- EL8. SVP secondary, fiber, & street lighting systems with any associated pull boxes shall be designed in detailed design (as needed).
- EL9. Clearances: All clearances are expected to be maintained throughout detailed design
 - a. EQUIPMENT
 - i. Ten (10) foot minimum clearance is required in front of equipment access doors. (UG1000 sheet 11)
 - ii. Five (5) foot minimum clearance from pad is required on sides without equipment access doors. (UG1000 sheet 11)
 - iii. Eighteen (18) foot minimum width, shall be provided and maintained on one side of the equipment pad to allow an electric dept. line truck to drive up next to the pad for installation and maintenance of equipment. (UG1000 Sheet 11).
 - iv. Barrier pipes are required only on sides accessible to vehicles. (UG1000 Sheet 12).
 - 1. Thirty (30) inches from side of equipment sides.
 - 2. Forty Eight (48) inches in front of access doors.
 - a. Barrier Pipes in front of access doors shall be removable.
 - b. CONDUITS
 - i. Five (5) foot minimum longitudinal clearance between new conduits or piping systems (open trench installation) and any existing or proposed SVP conduit system. This is for longitudinal. (UG1250 sheet 5)
 - ii. Twelve (12) inch minimum vertical clearance between new conduit/pipes installed perpendicular to existing SVP conduits for open trench installations. (UG1000 sheet 36, UG1250 Sheet 6)
 - iii. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
 - iv. Three (3) foot minimum clearance is required between sign posts, barrier pipes or bollards, fence posts, and other similar structures. (UG1250 sheet 10).
 - v. Five (5) foot minimum from new splice boxes, pull boxes, manholes, vaults, or similar subsurface facilities. (UG1000 sheet 8)
 - vi. Five (5) foot minimum clearance from walls, footings, retaining wall, landscape planter, tree root barrier or other subsurface wall or structure. (UG1250 sheet 9).
 - vii. Five (5) foot minimum clearance is required between fire hydrant thrust block. The thrust block extends 5' foot on either side of the fire hydrant in line with the radial water pipe connected to the hydrant.
 - c. VAULTS/MANHOLES
 - i. Ten (10) foot minimum clearance is required between adjacent Vaults or Manholes.
 - ii. Five (5) foot minimum clearance is required between adjacent conduits.

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- iii. Minimum 36" from face of curb, or bollards required.
- d. Poles (Electrolier, Guy Stub poles, service clearance poles, self-supporting steel poles and lighting poles.)
 - i. Three (3) foot six (6) inches clearance is required from poles for open trench installation. Exceptions are for riser conduit. (UG1250 Sheet 7)
- e. Guy Anchors
 - i. Five (5) foot minimum clearance is required between center of anchor line and any excavation area. (UG1250 sheet 15).
- f. Trees
 - i. OH 1230 for Overhead Lines
 - ii. SD 1235 for Tree Planting Requirements near UG Electric Facilities
- EL10. Reference listed SVP standards for clearances.
 - a. UG1000 - Installation of Underground Substructures by Developers
 - b. UG1250 – Encroachment Permit Clearances from Electric Facilities
 - c. UG0339 – Remote Switch Pad
 - d. OH1230 – Tree Clearances From Overhead Electric Lines
 - e. SD1235 – Tree Planting Requirements Near Underground Electric Facilities
- EL11. 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.
- EL12. The Developer shall provide and install electric facilities per Santa Clara City Code chapter 17.15.210.
- EL13. Electric service shall be underground. See Electric Department Rules and Regulations for available services.
- EL14. 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.
- EL15. 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.
- EL16. 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).
- EL17. 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.
- EL18. 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

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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.

- EL19. 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.
- EL20. Any relocation of existing electric facilities shall be at Developer's expense.
- EL21. Electric Load Increase fees may be applicable
- EL22. 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)).
- EL23. 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)).
- EL24. 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.
- EL25. Encroachment permits will not be signed off by Silicon Valley Power until Developers Work substructure construction drawing has been completed.
- EL26. 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.
- EL27. 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.
- EL28. 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.
- EL29. 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

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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.*

- EL30. SVP does not utilize any sub-surface (below grade) devices in it's system. This includes transformers, switches, etc.
- EL31. All interior meter rooms at ground level are to have direct, outside access through only ONE door. Interior electric rooms must be enclosed in a dedicated electric room and cannot be in an open warehouse or office space.
- EL32. High Rise Metering and Multi-Floor Infrastructure Requirements
- Meter rooms located inside shall be approved by SVP Meter Department during the design phase, or be located outside.
 - All residential meter centers shall be modular grouped installations with individual breakers, and on the approved meter base list. Such equipment shall be referred to SVP Meter Department prior to making commitments for the purchase and installation of such equipment.
 - All meter locations shall be subject to SVP Meter Department approval.
 - Customer shall provide a dedicated 20 amp circuit outlet near the 36" plywood board.
 - Customer will supply 36" plywood board floor to ceiling in meter room that will be used for radiating communication cable. This board shall have 36" front working clearance at all times.
 - Meter rooms shall have a 4" Hilti "Speed Sleeve" or an equivalent sleeving product with a 4hr stop cloth centered in front of the 36" plywood board.
 - Any floor that the SVP communication cable will pass through that does not have a meter room, the communication cable shall have continuous piece of 4" schedule 40 PVC conduit.
 - All conduits shall not have more than 360 degrees of cumulative turn for one vertical stack of meter rooms. The only openings allowed in conduit are in electrical meter rooms. (No pulling points in conduit).
 - Conduit shall continue to the roof into an SVP approved CT cabinet (32"x32"x15") on the roof. Customer shall provide a dedicated 20 amp circuit outlet in CT cabinet. From the CT cabinet the customer shall provide 2" conduit to a structure 36" taller than any other structure on the roof. Conduit shall also continue to lowest floor electric meter room.
 - Lowest floor meter room shall have an SVP approved CT cabinet installed with a 2" conduit that runs to the exterior of the building. The point at which it exits the building must be between 8' and 10' with an 8" x 8" x 6" 3R NEMA rated enclosure.
 - Before any bus duct is energized all meter sockets shall be covered, sealed, and tagged with a transparent plastic cover plate provided by the customer, or all main disconnects will be locked out with SVP lock.
 - A location near the door for installation of a key box, a key fitting the meter room door for the key box, and a sign on the exterior door stating "Meter Room #xx". If multiple meter rooms are needed, each meter room door shall have a dedicated key box with key. If the door locks are changed, contact SVP to coordinate the exchange of keys.
 - Customer shall install SVP 4" UE conduit in front of the 36" plywood board at the Ground Level Meter room. SVP 4" UE conduit will be run outside to a designated UE box determined by SVP.
 - Each meter room shall have access directions to each meter room, 24hr contact information for building security and building maintenance, and Meter Room Number placed on the wall that is visible from any location in the room.
- EL33. 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.

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EL34. 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.

WATER

- W2. The proposed development impact to the recycled water system will be analyzed using the City's hydraulic modeling program for a fee paid by the Developer. This will determine projected available fire flow capacity and residual pressure from public fire hydrants and on-site fire system connection points at the City's main during a fire event. If there is a deficiency in the existing recycled water distribution or storage infrastructure, the developer will be required to upgrade the recycled water system as determined and approved by the City. The required recycled water system upgrades will be at developer's expense. The evaluation may change based on pending development applications and future projects. The recycled water hydraulic analysis does not guarantee or in any way reserves or holds distribution capacity until developer has Final Approval for the project.
- W3. 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 greater than 2". 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).
- W4. 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.
- W5. 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 Department.
- W6. If fire flow information is needed, applicant shall coordinate with Water and Sewer Utilities Department, for fire flow information at (408)615-2000.
- W7. Fire service line required for commercial and industrial use shall be sized appropriately per fire flow demand and code requirements.
- W8. Fire hydrants shall be located two feet behind monolithic sidewalk if sidewalk is present; two feet behind face of curb if no sidewalk is present, per City Standard Detail 18. Fire hydrant shall be located in landscaped area.
- W9. A dedicated fire service line, with an approved backflow prevention device, shall be used for on-site fire hydrants and fire service demand.
- W10. The applicant shall show on the plans the nearest existing fire hydrant and the two nearest existing water main line gate valves near the project area.
- W11. The City recommends the applicant to install sanitary sewer cleanout(s) at the property line if the sewer service line size is 6-inch or smaller.
- W12. Water Supply Assessment: The applicant shall complete a Water Supply Assessment (WSA) form to determine if a WSA is required for the project. Applicants can contact Diane Asuncion, Acting Compliance Manager at 408-615-2009 for the form and any questions.
- W13. 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.

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- W14. 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.
- W15. No structures (fencing, foundation, biofiltration swales, etc.) allowed over sanitary sewer and/or water utilities and easements.
- W16. 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.
- W17. 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. All of the existing lateral water services shall be reconnected to the new water main.

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. 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.
- PD3. 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.
- PD4. 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.
- PD5. All exterior doors should be adequately illuminated at all hours with their own light source.
- PD6. Other line of sight obstructions (including recessed doorways, alcoves, etc.) should be avoided on building exterior walls and interior hallways.
- PD7. 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.
- PD8. The installation and use of interior and exterior security cameras and recording devices is highly encouraged.
- PD9. "White" light meeting the IES standard should be considered. There should be no "dark" areas inside the structure.

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- PD10. The interior of the parking structure should be painted a light, highly reflective color. This increases the natural lighting available and can help prevent dark areas that attract criminal activity.
- PD11. All entrances to the parking areas (structure, surface, subterranean, etc.) shall be posted with appropriate signage to discourage trespassing, unauthorized parking, etc. (See California Vehicle Code section 22658(a) for guidance).
- PD12. 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.
- PD13. A Coded Entry System is required for police access to enclosed parking lots and gated communities. This can be accomplished with a coded key pad system or the Police Department Knox Box key system.
We understand security is a prime concern for the tenants of the project, which necessitates some sort of secure building and admittance process. By having either of these secure access systems for law enforcement, it will allow us to better respond to emergency situations should they arise in the development. Examples of these systems can be reviewed at the following projects:
2585 El Camino Real (Coded key pad access)
3555 Monroe Street (Knox box key access)
- PD14. 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. The Fire Department's review was limited to verifying compliance per the 2019 California Fire Code (CFC), Section 503 (Fire Apparatus Access Roads), Section 507 (Fire Protection Water Supplies), Appendix B (Fire-Flow Requirements for Buildings) and Appendix C (Fire Hydrant Locations and Distribution) and City of Santa Clara Requirements.
- F2. At time of Building Permit application, provide documentation to show 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. A 75% reduction in fire-flow is allowed with the installation of an automatic fire sprinkler system designed in accordance with California Fire Code § B105.2. The resulting fire-flow shall not be less than 1,500 gallons per minute (or 1,000 gallons per minute for NFPA 13 fire sprinkler systems) minute for the prescribed duration. For buildings equipped with an approved automatic sprinkler system, the water supply shall be capable of providing the greater of:
- i) The automatic sprinkler system demand, including hose stream allowance.
 - ii) The required fire flow.
- Provide a water supply curve on the plan showing that the demand can be met.
- F3. At time of Building Permit application, the required number, location and distribution of fire hydrants for the building based on the California Fire Code, Appendix C, Table C102.1 shall be incorporated into the construction documents. The required number of fire hydrants shall be based on the fire-flow before the reduction.
- F4. At time of Building Permit application, construction documents for proposed fire apparatus access, location of fire lanes and construction documents and hydraulic calculations for fire hydrant systems shall be submitted to the Fire Prevention and Hazardous Materials Division.

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- F5. 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 by the Fire Prevention and Hazardous Materials Division.
- F6. At time of Building Permit application, construction documents for the fire department apparatus access roads are required submitted to the Fire Prevention and Hazardous Materials Division. Access roadways shall be provided to comply with all the following requirements.
- Fire apparatus access roadways shall be provided for every facility, building, or portion of a building hereafter constructed or moved when any portion of an exterior wall of the first story of the building is located more than 150 feet from fire apparatus access as measured by an approved route around the exterior of the building.
 - Fire apparatus access roadways shall have a "minimum" width of a fire apparatus access roadway for Engines is 20 feet. The "minimum" width of roadways for aerial apparatus is 26 feet. Aerial access roadways shall be located a minimum of 15 feet and a maximum of 30 feet from the protected building and positioned parallel to one entire sides of the building.
 - Fire access roadways shall have a "minimum" unobstructed vertical clearance of not less than 13 feet 6 inches. Aerial apparatus access roads may require additional vertical clearance.
 - Fire access roadways shall All fire department access roadways shall be an all-weather surface designed to support the imposed load of fire apparatus with a gross vehicle weight of 75,000-pounds.
 - Fire apparatus access roadways shall have a "minimum" inside turning radius for fire department access roadways shall be 36 feet or greater.
 - The grade for emergency apparatus access roadways shall not exceed 10 percent to facilitate fire-ground operations.
 - Traffic calming devices are not permitted on any designated fire access roadway, unless approved by the Fire Prevention & Hazardous Materials Division.
 - 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.
- F7. 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.
- F8. Prior to issuance of a Building Demo Permit, Steps 1 through 3 summarized below must be addressed during the planning phase of the project. Submit Phase II environmental documents:
- Step 1 – Hazardous Materials Closure (HMCP):** This is a permit is issued by the Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division. Hazardous materials closure plans are required for businesses that used, handled or stored hazardous materials. While required prior to closing a business this is not always done by the business owner, and therefore should be part of the developer's due diligence. The hazardous materials closure plans demonstrate that hazardous materials which were stored, dispensed, handled or used in the facility/business are safely transported, disposed of or reused in a manner that eliminates any threat to public health and environment.
 - Step 2 – Site Mitigation:** Site mitigation is the cleanup or management of chemical contaminants in soil, soil vapor or groundwater. The type and extent of contamination on site(s) governs which of the regulatory agencies noted below will supervise the cleanup.
 - Santa Clara Fire Department, Fire Prevention & Hazardous Materials Division (CUPA)
 - Department of Toxic Substances Control (DTSC)
 - State Water Resources Control Board

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- Santa Clara County, Department of Environmental Health.
 - c. **Step 3** – Community Development, Building Division Demolition Application: For the majority of projects within the City of Santa Clara, Steps 1 and/or 2 described above need to be completed prior to proceeding to demolition application in order to avoid permit approval delays. The purpose of a demolition permit is to ensure that the parcel is clear of debris and other health hazard material (lead, asbestos, etc.) and that the utility connections have been plugged and sealed.”
- F9. All gates installed on designated fire department access roads are required to electrically automatic powered gates. Gates shall be provided with an emergency battery power supply, or shall be a fail-safe design, allowing the gate to be pushed open without the use of special knowledge or equipment. To control the automatic gates a detector/strobe switch shall be installed to allow emergency vehicles (e.g., fire, police, ems) to flash a vehicle mounted strobe light towards the detector/strobe switch, which in turn overrides the system and opens the gate. The gates shall be equipped with a TOMAR Strobe Switch or 3M OPTICOM Detector to facilitate this override. Said device shall be mounted at a minimum height of seven feet (7') above the adjacent road surface and is subject to an acceptance test witnessed by the Fire Department prior to final approval of the project.
- F10. Nothing in this review is binding. Final configurations will be reviewed upon the Building Permit application.

STREETS

STORMWATER

- ST1. Prior to City's issuance of Building or Grading Permits, the applicant shall develop a Final Stormwater Management Plan, update the [C.3 Data Form](#), prepare and submit for approval an Erosion and Sediment Control Plan. 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 concurrence letter shall be submitted to the Dept. of Public Works. Insert the [C.3 Construction Checklist](#) to the improvement plans.
- ST2. The Final Stormwater Management Plan and all associated calculations shall be reviewed and certified by a qualified 3rd party consultant from the [SCVURPPP List of Qualified Consultants](#), and a 3rd party review letter shall be submitted with the Plan.
- ST3. **Porous Pavement, Vaults, Interceptor Trees and Trash Full Capture Devices** shall be inspected by the third-party reviewer and/or manufacturer representative for conformance with the details and specifications. If necessary, percolation test shall be performed to ensure proper installation. The number, location and species of the interceptor trees shall be confirmed during the construction.
- ST4. 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).
- ST5. 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. Insert the [SCVURPPP Countywide Construction BMPs plan sheet](#).
- ST6. As-Built drawing shall be submitted to the Public Works Department. Building occupancy will not be issued until all stormwater treatment measures have been adequately inspected and O&M Agreement is executed. For more information contact Rinta Perkins at (408) 615-3081 or rperkins@santaclaraca.gov

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- ST7. Stormwater treatment facilities must be designed and installed to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C). They shall be installed using biotreatment soil media that meet the minimum specifications as set forth in this Handbook. Select appropriate plant materials to promote stormwater treatment measure while implementing integrated pest management and water conservation practices in accordance to the SCVRUPPP C.3 Stormwater Handbook (Appendix D).
- ST8. The property owner shall enter into an Operation and Maintenance (O&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 O&M Agreement, visit the City's stormwater resources website at <http://santaclaraca.gov/stormwater>.
- 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. Floor drains within trash enclosures shall be plumbed to the sanitary sewer system and not connected to the City's storm drain system.
- ST12. 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.
- ST13. 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 O&M Agreement.
- ST14. Stormwater treatment facilities must be designed and installed to achieve the site design measures throughout their life in accordance to the SCVRUPPP C.3 Stormwater Handbook (Chapter 6 and Appendix C). They shall be installed using biotreatment soil media that meet the minimum specifications as set forth in this Handbook.

SOLID WASTE

- ST15. For projects that involve construction, demolition or renovation of 5,000 square feet or more, the applicant shall comply with City Code Section 8.25.285 and recycle or divert at least sixty five percent (65%) of materials generated for discard by the project during demolition and construction activities. No building, demolition, or site development permit shall be issued unless and until applicant has submitted a construction and demolition debris materials check-off list. Applicant shall create a **Waste Management Plan** and submit, for approval, a Construction and Demolition Debris Recycling Report through the City's online tracking tool at <http://santaclara.wastetracking.com/>.
- ST16. Project applicant shall contact the Public Works Department, Street Maintenance Division at (408) 615-3080 to verify if the property falls within the City's exclusive franchise hauling area. If so, the applicant may be required to use the City's exclusive franchise hauler and rate structure for solid waste services. Project applicant shall submit to the Public Works Department a written approval (clearance) from the designated hauler on the project's Trash Management Plan.
- ST17. 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. All plans shall comply with the [City's Development Guidelines for Solid Waste Services](#) as specified by development type. Contact the Public Works Department at Environment@santaclaraca.gov or at (408) 615-3080 for more information.
- ST18. Building must have enclosures for garbage, recycling and organic waste containers. The size and shape of the enclosure(s) must be adequate to serve the estimated 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

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vehicles. 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.

- ST19. All refuse from all residential, commercial, industrial and institutional properties within the city shall be collected at least once a week, unless otherwise approved in writing (SCCC 8.25.120). Garbage service level required for residential developments (single-family and multi-family) as well as motels and hotels shall be no less than twenty (20) gallons per unit. All project shall submit to the Public Works Department the preliminary refuse service level assessment for approval.

HOUSING & COMMUNITY SERVICES

- H1. This Project is subject to the Affordable Housing requirements which may be met through payment of an impact of \$2 per square foot. The estimated fees are calculated as follow: 246,660 sq ft (proposed) minus 54,000 sq ft (existing) = 192,660 sf x \$2/sf= \$385,320
Applicant shall pay impact fees prior to the issuance of the occupancy certificate of the building. Fees are based on the current Municipal Fee Schedule in effect at the time the project is approved and must be paid prior to the issuance of the occupancy certificate of the building.